

Learning and Skills Scrutiny Committee

Meeting Venue

By Zoom

Meeting Date

Wednesday, 18 January 2023

Meeting Time

2.00 pm

For further information please contact

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County Hall
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12/01/2023

Mae croeso i chi siarad yn Gymraeg neu yn Saesneg yn y cyfarfod.

Rhowch wybod pa iaith rydych am ei defnyddio erbyn hanner dydd, ddau ddiwrnod gwaith cyn y cyfarfod.

You are welcome to speak Welsh or English in the meeting.

Please inform us of which language you wish to use by noon, two working days before the meeting.

AGENDA

1.	APOLOGIES	2.00 PM
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To receive apologies for absence.

2.	DISCLOSURES OF INTEREST	2.05 PM
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To receive any disclosures of interest by Members relating to items to be considered at the meeting.

3.	DECLARATIONS OF PARTY WHIP	2.08 PM
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To receive disclosures of prohibited party whips which a Member has been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

(NB: Members are reminded that under Section 78 Members having been given a prohibited party whip cannot vote on a matter before the Committee.)

4.	CORPORATE IMPROVEMENT PLAN PRESENTATION	2.10 PM
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To receive and consider presentation on the Corporate Improvement Plan
(Pages 3 - 42)

5.	CATCHMENT REVIEW - ADMISSIONS	2.50 PM
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To receive and consider the report of the Cabinet Member for a Learning Powys
(Pages 43 - 566)

6.	SCHOOLS FUNDING FORMULA	3.30 PM
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To receive and consider the report of the Cabinet Member for Finance and Corporate Transformation
(Pages 567 - 722)

7.	SCRUTINY RECOMMENDATIONS	4.10 PM
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To receive the Cabinet's response to Scrutiny Recommendations.

7.1.	2022-09-28 Scrutiny Recs to Cabinet - Bro Hyddgen	
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(Pages 723 - 726)

8.	WORK PROGRAMME	4.20 PM
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To receive and consider the Work Programme
(Pages 727 - 728)

Committee Reflection

Following the close of the meeting the Committee is asked to spend 5 to 10 minutes reflecting on today's meeting.

Scrutiny Update

Corporate Plan

January 2023



Overview



Insight and
intelligence

Resident
engagement
and feedback



What insight informed the corporate plan?

Well-being assessment

- Social
- Economy
- Culture and community
- Environment

Public engagement and consultation

- Living in Powys survey
- Well-being Assessment survey
- Corporate plan engagement survey

Intelligence gathered from staff and members



What do we know about Powys socially?

- 58,345 households / 2.2 persons in average household
- 3,500 people on housing demand register
- Cost of living has increased
- 4,088 families in absolute poverty (31% are lone-parent households)
- 17% of people in Powys report feeling lonely
- 12% (16,154) of population are unpaid carers, with more unpaid carers in south Powys
- Covid-19 increased existing health inequalities



What do we know about Powys' economy?

- 79.2% of people economically active
- 17.8% self-employed – highest rate in Wales
- 70% of employees work full-time
- Average household income is £33,458 (Wales, £34,700)
- Lowest Gross-value added per hour worked in UK (since 2008)
- Average house price £216,998 (Wales: £194,575) – 6th highest LA in Wales
- Housing affordability is 11.8 (average house price compared to average salary)
- 7.3% properties cannot receive 4G signal indoors



What do we know about Powys' culture and communities?



- 19% of residents speak Welsh – ranges across localities
- 32% of people volunteer in Powys
- Violence against the person - most common crime recorded
- Powys is poor for access to services
- Newtown-East is 31st most deprived area in Wales



Public Service Board

Well-being Assessment 2022
Summary

What do we know about the environment in Powys?

- 47% of Powys is farmland
- Water Quality - Many rivers in Powys are not achieving good ecological status.
- Air quality – ammonia pollution from intensive agricultural units.
- Impact of Climate change on the natural environment
- Powys has old and inefficient housing, reliance on solid fuels and often households run two cars due to rural nature and limited public transport



Feedback from engaging with residents



Living in Powys Survey

Survey ran from June - July 2021 / Total of 475 responses

Top three priorities to put in a well-being plan identified were:

- Provide accessible services tailored to peoples' needs
- Tackle isolation and loneliness
- Support increased digital access among residents with lower usage rates

Well-being Assessment survey

Survey ran from November - December 2021 / Total of 614 responses

Top three areas intrinsic to well-being:

- Health and Lifestyle
- Educating our children
- Jobs and Wages



Feedback from engaging with residents



Corporate Plan engagement

Survey ran from 28 November – 23 December 2022

Total of 614 response including:

- 452 survey responses
- 149 Padlet posts
- 8 social media comments
- 5 emails to haveyoursay@powys.gov.uk

We are currently working through resident feedback garnered from this engagement, an engagement report will be developed and resident feedback will be reflected within the plan



Questions?



STRONGER, FAIRER, GREENER

2023-2027

What is this document?

This document is the Council's Corporate and Strategic Equality Plan, which sets out our well-being objectives, and what action we need to take to deliver them.

The purpose of this Corporate and Strategic Equality Plan is to present the well-being priorities for Powys County Council for the years 2023 to 2027.

Accessibility/Contact us

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Youtube [Cyngor Sir Powys County Council](https://www.youtube.com/CyngorSirPowysCountyCouncil)

We are committed to making our services including our websites and applications accessible to all, removing barriers (where reasonable), and giving due regard to all groups when making decisions.

If you would like this publication in an alternative format or larger font, please contact us using the details on this page.

How have we developed this plan?

To develop this plan, we used information to make sure that our plans are based on the evidence of what is needed, and what matters most to people in different communities in Powys. This helped us to better understand the situation so that we could prioritise what we plan to do.

We were able to use a lot of the information from the recent [Powys Well-being Assessment](#), the [Well-being Information Bank](#), and the [Population Needs Assessment](#). Alongside this, we also undertake a [self-assessment](#) annually, which informs our future direction. We also asked the people of Powys for their thoughts by using an online engagement survey, from x to x. The Consultation was published on X, promoted through social media and was circulated to a number of stakeholders representing people with protected characteristics. All responses to the consultation were then considered when finalising the content of this Plan. The results of the survey are available [HERE MAKE THIS A FULL DESCRIPTIVE TEXT LINK](#).

We would like to hear from you. Please let us know what you think of this plan or about any problems you have experienced or are currently experiencing. We value your views and will use them to change and improve services in the future. If you would like to tell us how you think we are doing or share your thoughts about our plan or any of our other work, please contact us using the details above, or use our online engagement tool called [Have Your Say](#).

Key facts about Powys County Council

- Powys County Council covers Powys, which is the largest county in Wales geographically (5,200 km²) and has a population of 133,200 people (2021 Census, ONS).
- The County consists of 13 localities, with the largest population living within Welshpool and Montgomery (18,438), and the smallest population living within Llanfair Caereinion (6,216) (2021 Mid-year estimates, ONS).
- Powys County Council has 68 elected Councillors representing 60 wards. They are from a range of political parties, including Welsh Liberal Democrats, Welsh Conservatives, Welsh Labour, Independents, Independent's for Powys, Plaid Cymru, Green Party, and several who are non-aligned. Of these councillors, 68% are male, 31% are female and 1% are non-binary. (30/09/2022)
- Powys County Council has a large workforce, with 3288 heads/2488 FTE (5968 heads/4564 FTE including school staff) on 31st December 2022. This consists of 2165 females and 1120 males (5963 females/1756 males including school staff). These staff support the organisation in delivering a range of statutory and non-statutory services to the people of Powys.
- Annually, the Council has a budget of £x to deliver its services, with a forecast spend of £x for 2022-23 (on 31st December 2022). This budget is generated from Welsh Government, Council Tax Income and other opportunities.

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Our Council

About Us

The diagram (TO THE RIGHT?) shows Powys County Council's Cabinet. The Cabinet is made up of a group of councillors that are chosen by the Leader of the Council in consultation with the political groups in the executive. The members of the Cabinet are each responsible for specific areas of the Council's work, called a portfolio. The members of the Council are responsible for the activities and policies within their portfolio, and they are key decision makers for the Council. They make decisions about how your money is spent and how services are delivered. The Cabinet is responsible for making sure that Council activities help to meet the Council's plans, including overseeing the delivery of this plan – our Corporate and Strategic Equality Plan. A full list of all Powys County Councillors, including information about how to find your local Councillor, is available on our website: <https://en.powys.gov.uk/findmycouncillor>

Leader and CEO Joint Introduction

We are pleased to present the 2023-2027 Corporate Plan for Powys County Council.

Following the Local Government Elections in May 2022, this is the first Corporate Plan published in support of our new ambition to 'Build a stronger, fairer, greener Powys'. Over recent years, the environment in which we all live, and work has changed significantly and has created additional hardship for people and organisations alike. Our fellow Councillors and staff fully recognise that the disruption of the COVID-19 pandemic has been compounded by further challenges, including the cost-of-living crisis and increased fuel poverty. Our Plan provides an overview of the key areas that we, your elected Councillors, and the wider Council workforce, will be prioritising over the coming months and years. We have great ambitions for the future of Powys, which were detailed in the [priorities](#) in the [Progressive Partnership for Powys](#), and see this plan as our vehicle in delivering against these priorities. We know that we must plan realistically to meet our aims and provide the support that is needed, Our plan will develop over time, and we are committed to being proactive to respond to changes as they happen so that we can continue to provide the best possible public service.

However, we know that there are challenges ahead. For many years Powys County Council has been negatively impacted by budget restraints. Unfortunately, the current economic situation and complex national and local rebudgeting means that the Council is likely to continue to face tough times, and difficult decisions will need to be made about how to provide services even more cost effectively. It is our priority that all people in Powys are engaged in the discussions about how the Council works, the decisions it makes, and how we invest our resources. This is why we are

committed to being an open and transparent Council that involves people and communities at all stages of our work. We would like to encourage you to help us by sharing your thoughts and suggestions (please see page 1 for details of how to get in touch).

We want to create an environment that is fair, healthy, enjoyable, and sustainable. Powys is a rural county of iconic landscapes, with many wonderful towns and villages. We will protect and develop our physical environment so that the County is both beautiful and prosperous. We are continuing to develop ways of reducing our negative impact on the climate and nature, including decarbonising our work, buildings, and vehicles, becoming a Net Zero Council by 2030, and promoting and protecting biodiversity and habitats. The Council has a significant role to play in creating a greener future for our County. This work is so important that we have dedicated resources, specialist officers, and focused projects separate to our Corporate Plan.

People are the heart of Powys. Our objectives, which are detailed in this Plan, focus on areas that we can improve or develop to make people's lives better, both as individuals and as communities. We will continue to promote equity, equality, and diversity in everything we do, whether that is as an employer or a public service. Your Council is dedicated to supporting all members of our diverse communities so that, together, we can **'Build a stronger, fairer, greener Powys'**.

Our Objectives

Stronger, Fairer, Greener Powys

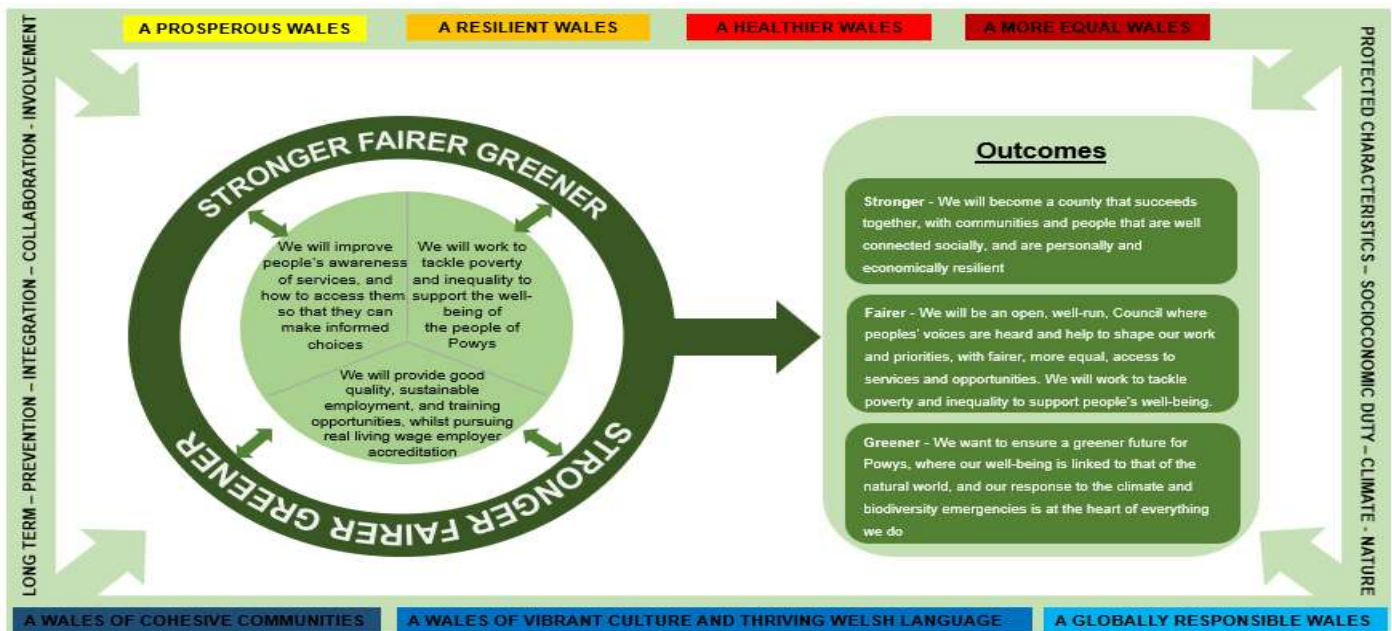
Our ambition is that by 2027, we will be:

- **Stronger** - We will become a county that succeeds together, with communities and people that are well connected socially, and are personally and economically resilient
- **Fairer** - We will be an open, well-run, Council where peoples' voices are heard and help to shape our work and priorities, with fairer, more equal, access to services and opportunities. We will work to tackle poverty and inequality to support the well-being of the people of Powys
- **Greener** - We want to ensure a greener future for Powys, where our well-being is linked to that of the natural world, and our response to the climate and nature emergencies is at the heart of everything we do

What do we need to do to get there?

To achieve our ambition, we have set the objectives below that are the core aims of this Corporate and Strategic Equality Plan:

1. We will improve people's awareness of services, and how to access them, so that they can make informed choices
2. We will support good quality, sustainable employment, providing training opportunities, and pursuing real living wage employer accreditation
3. We will work to tackle poverty and inequality to support the well-being of the people of Powys



However, it is important to note that not all activities outlined in the Council form part of this Corporate and Strategic Equalities Plan. Some activities that will help us achieve our ambition and key aims are already underway, managed by different Council services, and will be improving continuously. Some form part of our Integrated Business Planning process and others form part of the Council's Transformation Portfolio.

How Do Our Well-being Objectives Support the Seven Well-being Goals for Wales?

In developing the well-being objectives for the Council, we considered the seven important Goals that have been identified for Wales as part of the Well-being of Future Generations (Wales) Act 2015, and how our objectives will help to achieve the national Goals. This is shown below:

Area	Objective 1	Objective 2	Objective 3
Seven Well-being Goals	Yes	Yes	Yes
Five Ways of Working	Yes	Yes	Yes
Protected Characteristics	Yes	Yes	Yes
Socioeconomic Disadvantage	Yes	Yes	Yes
Climate Emergency	Yes	Yes	Yes
Nature Emergency	Yes	Yes	Yes

More information about these areas is available on our website [HERE](#).

The impact assessment detailing how each objective interacts the above can be located <full textual link (document title) [here for accessibility](#).

What other areas do we need to consider throughout the plan?

Climate and Nature: Tackling the Climate and Nature Emergency

To support the Council's declaration of a [Climate Emergency](#) in September 2020, and [Nature Emergency](#) in October 2022, we are working to become net-zero Council by 2030 and will support Powys to become a net-zero County by 2050, and a national leader in protecting and enhancing nature. To achieve this, we have the following dedicated plans in place:

- [Nature Recovery Action Plan \(Biodiversity and Resilience of Eco-Systems Duty - Section 6, Environment \(Wales\) Act 2016\)](#)

The Powys Nature Recovery Action Plan (PNRAP) has been developed in consultation with the Powys Nature Partnership, a group of organisations and individuals committed to reversing the declines in biodiversity across Powys. The PNRAP is intended to guide the work of the Partnership, to stimulate project ideas, to direct conservation efforts, and to provide a rationale for local action.

- [Climate Strategy](#)

This is a strategy that is "fair to all" meaning outcomes will be fair, transformative, evidence-based, collaborative, and able to evolve in line with emerging technologies, changing individual and community behaviours, and new scientific findings. All people in the County will be involved in the delivery of climate action. The action plans which will support the delivery of this Strategy and its outcomes will enable a transition for the county that is accessible and possible for all.

We understand the importance of the environment and are committed to increasing our focus on climate and nature. As part of this, we are working to include these important areas as part of our [impact assessment](#) process by introducing a Climate and Nature Decision Wheel. It is expected

that this will improve our decision-making so that evidence is used to help us fully think through the wider implications of our decisions, for both the people of Powys and the Council.

We recognise these are shared issues that affect all people and communities within Powys, as documented in the environment chapter of our [well-being assessment](#). We are working with our key partner organisations as part of the [Powys Public Service Board](#) to take collective action to make a positive difference to improve the climate and nature approach in Powys and the thriving natural world that we all depend on for life. More information about how we plan to do this is in the Powys Well-being Plan.

Equalities

We continue to make improvements to our services and employment practices to meet the diverse needs of the people of Powys. This includes removing barriers and helping to improve the lives and experiences of those who are disadvantaged. Fairness is central to everything we do as a Council, and we are on a mission to tackle inequality and create better opportunities for all people in Powys.

Developing Prosperous Towns and Villages: The Local Development Plan

We are creating our new [Local Development Plan](#), which will support the aims of this Corporate and Strategic Equality Plan. It will shape the future of Powys as it will outline opportunities for future development and land use in the county. It considers a variety of topics, including making sure that decisions consider the impact to the planet, that housing is built in the areas where people need or want to live, and that services are provided in the places where they are needed.

How do we plan to deliver this?

Objective 1 - We will improve people's awareness of services, and how to access them, so that they can make informed choices

We are committed to running an open and democratic Council that regularly engages with people and communities. We will work to ensure that the people of Powys understand what services the Council provides. We want to make information easy to access, so that people can find what they need in ways that best suit their needs. We will monitor our services and our communications so that we are confident that we are sharing information with people quickly and effectively. We will support communities to help them co-produce solutions to meet their own needs where possible.

What do we know?

- The Cultural and Community chapter of our [Well-being Assessment](#) considers how many elements of communities come together to improve their well-being; including topics such as volunteering, food banks, participation in cultural life and anti-social behaviour. Engagement activity, [Living In Powys](#), undertaken as part of our well-being assessment identified how communities coming together, re-connecting people and places, and supporting independence were amongst the most important areas to improve well-being.
- The [Population Needs Assessment](#) reflects upon the situation for children and young people, older people, carers, and those with physical and learning disabilities in Powys (on a locality basis where possible) and how they interact with Services
- [Future Proofing Powys](#) identified that 51% of people believe that it is very important that we “continue to develop innovative ways of working which will ensure long term sustainability of support”, with 24% supporting the need to “develop and promote more online services” for the future.
- The [Development of Community Hubs in Powys libraries](#) consultation highlighted how residents felt the “lack of places where I can get face to face support” as the largest barrier to accessing services, with many seeing the cost of broadband and coverage as the main barriers to accessing services digitally.

What are we already doing?

- We keep reviewing how effective our work is in helping people to access the advice and support they need from us. This includes finding out how easy people feel it is to find what they need, and how quickly they can access support, through work such as our ongoing survey, [Have Your Say](#), with the public, alongside our [complaints, compliments, and comments](#) process.
- We are working to make sure that people access our services at the earliest possible time, to either stop something before it happens (prevention) or to provide help quickly once something has happened (intervention).
- We are constantly adding new information to our website so that people can search for what they need or want. This includes introducing tools that help to make it easier to use, like better search options, and more accessible options for people who use screen readers or British Sign Language.
- We have welcomed the opportunity for the public to participate in Council meetings and have been looking at ways that we can do this better.
- We have reviewed our Asset Management Strategy which outlines how our assets are utilised in a sustainable way to meet the existing and projected needs of the Council without impacting on future generations, and where possible, supporting the social, economic, and environmental wellbeing of the communities it represents.

What will we do?

- By March 2024, we will make it easier for people to understand what they can expect from the Council when they contact us, including guidance on waiting and response times.
- By March 2025, we will have evaluated the leisure provision within Powys and will have developed an updated plan for our service offering and facilities, and how people access them.
- By March 2026, we will have reviewed the ways that people can access Council services and will consider what options may be available to make our services more accessible to people within our communities.
- We are undertaking Social Services Transformation across adult social care and children's social care to review and re-design our services to support people to meet their needs.

How will we measure performance against this objective?

Measure Type	Measure
How much?	<p>Number of contacts to Powys County Council (Number of times people have contacted the Council)</p> <p>Number of people in Powys with access to preventative digital solutions</p> <p>Number of contacts to social services (ASSIST and Front Door)</p> <p>Number of people accessing leisure facilities</p>
How well?	<p>Number/Number/Percentage of customers satisfied with their responses to contact</p> <p>Number/Number/Percentage of leisure users who are satisfied or more than satisfied with the service</p> <p>Number of contacts to social services (ASSIST and Front Door) receiving information and advice</p> <p>Percentage increase in user (active) participation</p> <p>Percentage of children, young people and their families report that they achieve their family goal through accessing Early Help</p> <p>Percentage of young people who use the Intervention and Prevention services demonstrate positive progression.</p>
What difference?	<p>The percentage of people supported to remain within their families or communities (social care)</p> <p>The percentage of people accessing leisure facilities who report positive well-being</p> <p>The percentage of people satisfied with the local area as a place to live (a high number is better)</p> <p>Delayed average age of admissions into residential care</p>

As well as the measures that show how well things are going by using numbers, we will also use information about the quality of our activities that support this objective. This type of information includes case studies and is known as 'qualitative' measurement.

Objective 2 - We will support good quality, sustainable employment, providing training opportunities, and pursuing real living wage employer accreditation

We understand the importance of running a Council that is efficient so that it can deliver its services to the people of Powys in an effective way. We are committed to creating a workplace that provides worthwhile work and sustainable careers. We will ensure that the Council is a fair employer, and that we seek to become an accredited real living wage employer to help ensure that we support as many people as possible to meet the basic costs of living.

What do we know?

- The Economy chapter of our [Well-being Assessment](#) considers many areas where economy impacts such as jobs and wages, tourism, businesses and connectivity, and what the current situation is for Powys. Engagement activity, [Living In Powys](#), undertaken as part of our well-being assessment identified how jobs and wages and businesses were amongst the most important areas to improve well-being.
- The [Population Needs Assessment](#) reflects upon the situation for children and young people, older people, carers, and those with physical and learning disabilities in Powys (on a locality basis where possible) and how there is a need to build the future workforce to be able to support people of Powys
- An [Employment and Skills](#) survey highlighted how recruitment is the most significant challenges affecting businesses, alongside the geographical location and type of work being the most significant challenge to retention.
- The most recent Staff survey highlighted how 80% of employees felt proud to work for Powys County Council, and 71% feel valued as someone who provides a service that benefits Powys residents
- [Child Poverty In Powys](#) identified that 96% of people felt that the Council needs to do more to attract local, well-paid jobs, whilst 93% felt that the Council needs to do more to provide skills and training opportunities

What are we already doing?

- We continue to provide apprenticeship opportunities for people to develop the skills needed for the roles within the Council. These are advertised on our main [recruitment](#) website.
- We offer staff relevant training, short courses, and qualifications so that Council staff can maintain their continuous professional development and provide an effective and efficient service.

- We provide specific training schemes for jobs that we find it difficult to recruit to, like the 'Grow Our Own Social Worker' project, which focuses on providing training for staff that wish to become qualified Social Workers.
- We provide offer the 'Care First' employee assistance programme, which is a 24-hour confidential support service that is available for staff to access voluntarily. It provides advice, guidance, and counselling services, as well as tips to help staff improve their general well-being.
- [Communities for Work Plus](#) continues to support people to support people to get into work
- [Mid Wales Regional Skills Partnership](#) continue to develop workforce skills based upon local need
- Young people are being supported through developing their education and skills through the [Transforming Education](#) programme.

What will we do?

- By December 2023, we will have reviewed our recruitment processes and practices so that we understand what improvements would make it easier for people to apply for jobs with the Council.
- By March 2024, we will have created a plan that will help us to attract more people with the right skills to apply for jobs with the Council.
- By March 2024, we will establish a fair pay commission that will set out how the council will become a fully accredited living wage employer. We will do this in consultation with trade unions and our partners
- By March 2025, we will have changed our recruitment processes and practices so that it is easier for people to apply for jobs with the Council, including guaranteeing interviews for Armed Forces veterans.

How will we measure performance against this objective?

Measure Type	Measure
How much?	<ul style="list-style-type: none"> Number of apprentices within the Council Number of staff undertaking further professional qualifications Number of learners enrolled on apprenticeships per 1,000 population (a high number is better) Number of learners enrolled in local authority community learning per 1,000 population (a high number is better) All individuals paid by Powys and through contractors to be paid the real living wage
How well?	<ul style="list-style-type: none"> Number of vacancies (less is better) Staff turnover rate Sickness absence rate Percentage of recruitment exercises leading to a successful appointment Average number of individual shortlisted for each position Reduction in number of posts advertised more than once
What difference?	<ul style="list-style-type: none"> Percentage of staff who feel valued/highly valued as someone who provides a service that benefits Powys residents Percentage of staff who feel proud/very proud to work for the Council Percentage of staff who report good/excellent well-being The equality and diversity of the workforce better compares to the demographics of the people of Powys (a high number is better) The applicants and staff appointed [to jobs] reflect (generally) the equality and diversity of the people of Powys (a high number is better)

As well as the measures that show how well things are going by using numbers, we will also use information about the quality of our activities that support this objective. This type of information includes case studies and is known as 'qualitative' measurement.

Objective 3 - We will work to tackle poverty and inequality to support the well-being of the people of Powys

We understand the importance of our role in tackling the cost-of-living crisis, absolute income poverty (where income falls below a point to support to someone to meet their basic needs), and the housing emergency. We will focus on giving people the best possible quality of life and will provide post-16 education opportunities within Powys so that young people have access to more choices without leaving the county. We will encourage well-connected communities within Powys that support vulnerable people and will provide activities to increase our communities' access to more affordable energy, food, and transport, supported by the community's use of Council assets. We will also aim to make Council homes warmer and greener, to help them become more energy efficient with lower energy costs.

What do we know?

- The Social chapter of our [Well-being Assessment](#) considers the importance of home life, independent living, education, and health and lifestyle to the people of Powys, and the current situation across the county. The Economy chapter of our [Well-being Assessment](#) considers poverty, and how this is experienced by the people of Powys. Engagement activity, [Living In Powys](#), undertaken as part of our well-being assessment identified how home life, educating our children and tackling poverty and deprivation were amongst the most important areas to improve well-being.
- The [Population Needs Assessment](#) reflects upon the situation for children and young people, older people, carers, and those with physical and learning disabilities in Powys (on a locality basis where possible) and how they experience inequalities based on their situation, and how everything done by the Council needs to ensure they are considered equitably
- [Child Poverty in Powys](#) highlighted that 87% of people were worried about child poverty increasing in the next 5 years, and the key areas identified by the people of Powys where they felt that the Council can tackle child poverty were access to education, job security, housing and the use of community events and groups.

What are we already doing in this area?

- We have a Staff Equality Network, which is a group of staff from across the Council that meet to discuss ways that we can make our organisation and the services we offer more equal. They also discuss policies and national guidance so that we can apply it effectively throughout the Council.

- We have published our asset strategy, which outlines how we will review these based upon criteria such as community, social and cultural value
- Each year, as part of our Corporate and Strategic Equality Plan, we include a Gender Pay Action Plan (link to appendix when available). We use the action plan to monitor whether people of different genders are being paid equitably, and to show what work we will be doing to make sure that everyone is being paid fairly.
- Our [Climate Strategy](#) is based on the principle of “fair for all”, meaning the areas of climate action will support the County in securing wider benefits of social, economic, and environmental equality.
- In 2022, we became a ‘Proud Council’. We were the first rural local authority in Wales to join the partnership, which actively champions LGBTQ+ rights and inclusion.
- We provide a free and confidential [money advice service](#), which is available to all people in Powys. The team help people to access welfare benefits, manage fuel costs, manage debts, and to create a personal budget that will help them to keep track of their money.
- We will continue to expand [Flying Start](#) within Powys to more communities to provide support for parents and families
- We will continue to develop our [Cost of Living Hub](#), which signposts to areas of information, advice of support for the people of Powys with areas such as household energy advice
- In 2022, the Cabinet created a Child Poverty Task force, which works with partner organisations to help to reduce poverty within Powys.
- The [Transforming Education](#) programme is working to improve learner entitlement and experience across the county.

What will we do?

- By March 2024, we will have developed a child poverty action plan that is informed by the work and evidence of our Child Poverty Taskforce that enables us to take targeted action to reduce poverty for children and families in Powys. This taskforce will focus upon:
 - Ensuring existing and new provision is accessible and shared effectively
 - Expanding the current position to support children and their families
 - Providing increased support for children and families in schools
 - Communication with stakeholders and communities to ensure we are doing the right things to help them
- We will work to mitigate the impacts of the cost-of-living crisis and use the council’s resources and partnerships to support residents and businesses, collaborating as partners to ensure effective shared data and insight to be able to provide support to people

- We will work to develop community enterprises across the County that provide support to households and businesses through various projects, including areas such as supporting people with managing their energy usage to help reduce costs
- The Where People Live Programme as part of the Transformation Portfolio will help improve where people of Powys live, such as supporting homelessness, accommodation for vulnerable people and social housing.

How will we measure performance against this objective?

Measure Type	Measure
How much?	<p>Complete 350 new council homes for social rent between 2025 to 2031 (subject to availability of land, securing planning consents and resolution of phosphate management).</p> <p>Acquire ten homes per year, for letting by the Council, at social rents on secure tenancy terms.</p> <p>Number of new homes created because of bringing empty properties back into use.</p> <p>Carbon Accounts status (a low number is better)</p>
How well?	<p>Percentage of people on the waiting list for housing (a low number is better)</p> <p>Percentage of people living in temporary accommodation (a low number is better)</p> <p>Percentage of people of Powys reporting a decrease in in carbon footprint (a high number is better)</p>
What difference?	<p>A reduction in the child poverty rate</p> <p>Number of families with children are living in absolute poverty in Powys</p> <p>Number of people who are homeless (a low number is better)</p> <p>Number of rough sleepers (a low number is better)</p> <p>The percentage of pupils in receipt of Free School Meals attaining the Foundation Phase Indicator will be 75% by July 2023.</p> <p>The percentage of pupils in receipt of Free School Meals attaining the CSI at Key Stage 2 will be 75% by July 2023.</p> <p>The average capped-9 point score of pupils in receipt of Free School Meals will be 340 points by July 2023</p>

As well as the measures that show how well things are going by using numbers, we will also use information about the quality of our activities that support this objective. This type of information includes case studies and is known as 'qualitative' measurement.

How do we support equalities within Powys?

This plan sets out our objectives for the next 5 years, with action plans for making Powys a fairer place to live where people can achieve their potential, thrive, and prosper. It focuses on four things: improving people's awareness of services and how to access them, improving our communities, and making our organisation a better place to work and access to training, and improving equality (for example, housing, education) and socio-economic disadvantage (for example, poverty) for the people of Powys. Demonstrating how the Council will play its part in helping eliminate discrimination, advance equality of opportunity and foster good relations. The objectives set out in this plan provide an overview of the approach we will take to achieve these ambitions and we also detail how we will measure our success in delivering them.

The overall aim is to deliver better outcomes for those who experience inequality and socio-economic disadvantage. Our approach ensures that one single form of inequality is not isolated from one another (so that it is intersectional) and recognises the way that inequality that is created by for example gender, race, sexuality, disability, class, age and faith interact with each other. By addressing inequality as a part of the objectives we aim to create a Powys that enables people to fulfil their potential no matter what their background or circumstances.

We already do things that help more people to use our services, and some examples of this are:

- We are proud of our language and we ensure that our languages are both treated with equal importance. We work to ensure we comply with our statutory obligations under the Welsh Language Standards. This means that we design services which are easy to use, accessible, and do not treat Welsh any less favourably than English, and we are working to be more proactive in the Services we offer through the medium of Welsh. We also consider how when formulating a policy or revising an existing policy, we consider what affects, whether positive or negative, this would have upon opportunities to use the Welsh language.
- We use [Wales Interpretation and Translation Service](#), to provide face-to-face interpretation services for languages other than Welsh or English. This enables the council to communicate with those people whose use of the Welsh or English language may not be proficient enough to easily access our services in a seamless and professional manner.

- We work to ensure our work is both accessible and inclusive. We've designed our website with features that make it easier to use by everyone, including those with visual, auditory, physical, speech, cognitive, or neurological disabilities. You can access our accessibility statement [here](#).
- Working with other councils to form a '[Proud councils](#)' partnership which aims to create a unified and collaborative approach to LGBTQ+ inclusion across Wales, supporting member local authorities with their commitment towards creating equal, diverse, and inclusive workplaces and communities, where the LGBTQ+ community can be free from discrimination or prejudice.
- All Councillors and members of staff are required to undertake mandatory training surrounding Violence Against Women, Domestic Abuse and Sexual Violence (VAWDASW) to understand the role we play in safeguarding women and girls, and we play a key role in supporting this through our role as a partner with [Mid and West Wales Safeguarding Board](#). We are also committed to ending violence from men towards women by our commitment to becoming a [White Ribbon](#) accredited Council.
- We welcome the breadth and diversity of tradition, belief and culture of the community. The Council is committed to a policy of equal opportunities in employment and service delivery. Individuals are selected and treated based on their relevant merits and abilities and are given fair and equal opportunities within the Council.
- We will work to champion anti-racism, diversity, and inclusion within all we do as a Council, and within our communities, as we want to make sure Powys is a good example as to how we can live together regardless of where we came from, or the colour of your skin. This will be achieved through the implementation of the [Anti-Racist Wales Action Plan](#).
- We work with schools, Careers Wales, FE and HE Education providers and our own service areas to ensure that we can maximise opportunities for apprenticeship placements within the authority. We have created an [Apprenticeship Talent Pool](#) (ATP) which people can apply to online to be notified directly when opportunities that match their areas of interest arise, ATP members are also offered support to complete application forms and coaching in interview technique.

We believe this plan will assist in helping those who experience disadvantage, contributing to the social, economic, and emotional well-being of our workplaces and the local communities.

How will money be spent to support the plan?

DRAFT

What other plans and strategies do we have in place to support these objectives?

This plan has considered the following legislation during the process:

- Well-being of Future Generations (Wales) Act 2015
- Local Government and Elections (Wales) Act 2021
- Equality Act (2010) (including the Public Sector Equality Duty in Wales (PSED) and Socio-economic Duty 2021
- Social Services and Well-being (Wales) Act 2014

It does not contain detail about all the Council's work, as it focuses on delivering our well-being priorities. It is important that this plan should be read alongside the rest of the Council's work, including the large-scale change priorities that are detailed in the [Transformation portfolio](#), and the other plans and strategies, and day-to-day activities of the Council (which we call 'Business as Usual'). We have some focused strategies and plans that are already directing work within the Council that will influence or support the delivery of our well-being objectives. Existing strategies and plans will continue to be monitored as part of their own processes and will not be duplicated within this plan. These include (but are not limited to):

- [Climate Change strategy](#)
- [Nature Recovery Action Plan](#)
- [Welsh Language Standards Action Plan](#)
- [Anti-Racist Wales Action Plan](#)
- [Health and Care strategy \(RPB\)](#)
- [Well-being Plan \(PSB\)](#)
- [Procurement strategy](#)
- [Mid-Wales Regional Skills Partnerships \(MWGD\)](#)
- [Start Well, Live Well, Age Well \(Social Care\) Strategies](#)
- [Growing Mid Wales](#)

Reviewing the plan

We will review the plan every year to so that we are sure that it focuses on what matters most, including making any changes to our corporate focus or how we plan to meet our objectives. The updated plan will be available on our website at the beginning of April each year.

An Open and Democratic Council: Governance and Performance

We are committed to sharing clear information about what we are doing to achieve our plan, and how well things are going. To do this, we have a governance framework for implementing, monitoring, and reporting against our plan. It shows which people and groups within the Council are responsible for making sure we achieve our well-being objectives, the Transformation Programme, and the day-to-day activities of the Council.

INSERT UPDATED GOVERNANCE FRAMEWORK IMAGE

To check that we are doing the things that we said we would do, and that they are going to plan, we use a [Performance Management and Quality Assurance Framework](#). The framework makes sure that we have a consistent way of reviewing our performance so that we can understand what is working well and what is not, and what we need to learn so that we can improve things in the future.

We use self-evaluation to think about our work, and to show the people of Powys, our partners, and our regulators if we are doing the right thing in the right way. This information about our performance helps us to make sure that we are investing our time, effort, and money in the right things to make good changes that support our well-being objectives and other work.

The Council has three Scrutiny Committees, which are groups of people that are responsible for asking questions about the Council's performance by looking at what work is being done, and if it is being done well. They act on behalf of the people of Powys, our partners, and regulators to make sure that their views are included in the Council's decision-making and help Council services to better consider what community concerns, issues, or risks may impact the Council's work.

There are also other scrutiny activities that help the Council to review and develop its performance, proposals, policies, and decision making. For example, there is a Finance Panel, a Governance and Audit Committee, a Public Service Board Scrutiny Committee, and a Growing Mid Wales Joint Scrutiny Committee (with Ceredigion County Council).

INSERT AN UPDATED IMAGE OF THE SCRUTINY STRUCTURE

Appendix

Appendix 1 – Gender Pay Action Plan

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Scrutiny – Corporate Plan / Strategic Equality Plan

1. How do you think the objectives meet the Wales well-being goals and Five Ways of Working? (Appendix A)
2. Are you content with the approach undertaken to inform objectives and proposed actions and integrate the Strategic Equality Plan?
3. Do you feel that the direction of the plan reflects the evidence highlighted as part of the well-being assessment, alongside what residents think we need to improve as a Council?
4. Do you feel actions are appropriately planned considering process flow in Appendix B?
5. Is there anything you feel should be included within the objectives or actions that is not currently covered by business-as-usual, the Corporate Plan or Transformation Portfolio?
6. What are your views around the proposed approach to climate, nature, and equalities? Will this approach help improve how the Council responds to the Climate and Nature Emergency? Do you think it will also help improve equality within Powys?
7. Are you satisfied with the approach to public engagement and that ALL residents have had an opportunity to contribute so far? Are you satisfied we have met our Public Sector Equality Duty?
8. How do you think the proposed Corporate Plan and Transformation Portfolio, if delivered, will have an impact on the lives of residents of Powys?
9. How do you think the Council will be able to deliver the plan using resources available, considering the wider resource situation? When considering resources, reflect upon finance, workforce, assets, and external resource such as procurement of goods, labour and commissioned services.

Five Ways of Working

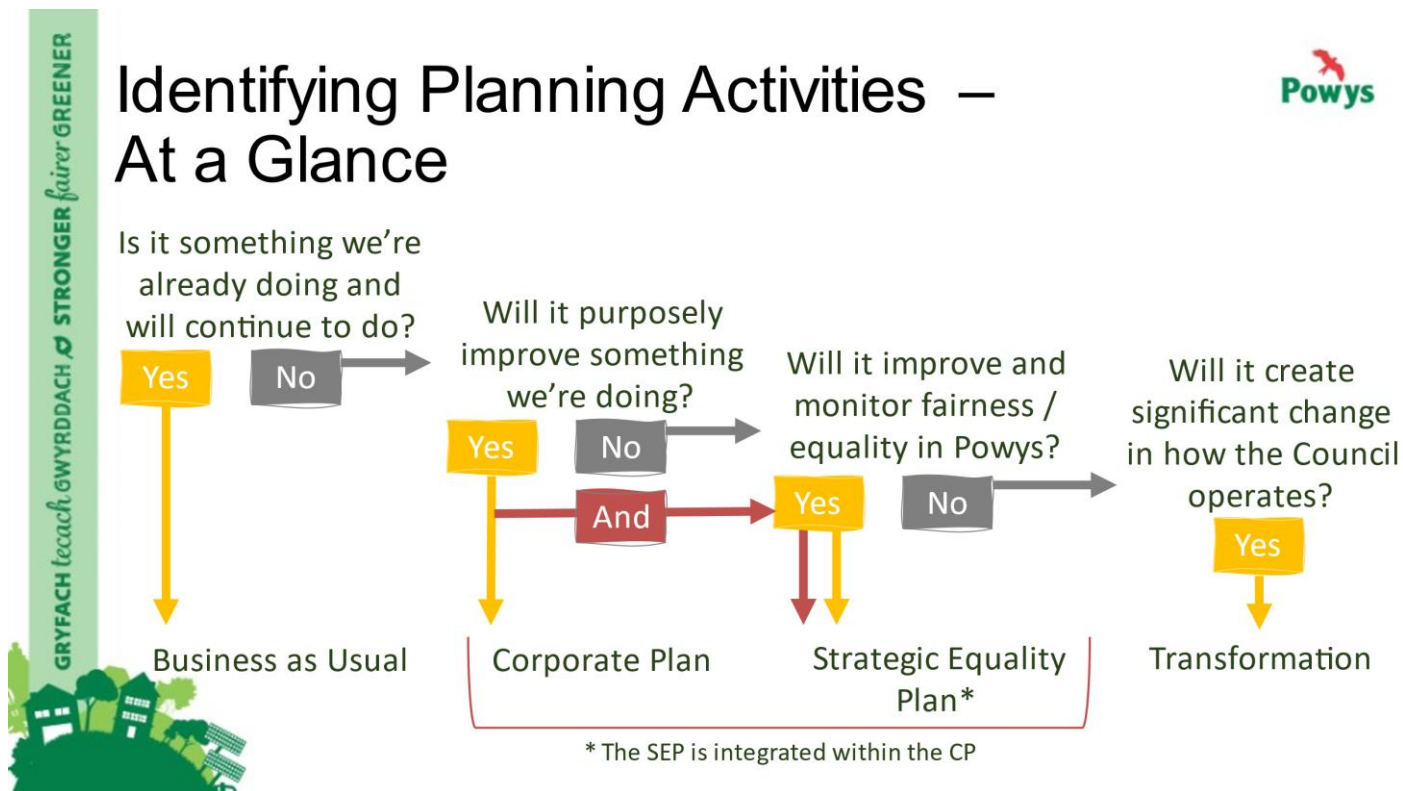
1. **Long term:** The importance of balancing short-term needs whilst safeguarding the impact on future generations.
2. **Prevention:** How acting to prevent problems occurring or getting worse may help public bodies meet their objectives.
3. **Integration:** Considering how our well-being objectives may impact upon the well-being goals, or on objectives set by other public bodies.
4. **Collaboration:** Acting in collaboration with others and different organisations that could help us meet our well-being objectives.
5. **Involvement:** The importance of involving people with an interest in achieving the well-being goals and ensuring that those people reflect the diversity of the area which the body serves.

Well-being Goals

1. **A prosperous Wales:** An innovative, productive, and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.
2. **A resilient Wales:** A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic, and ecological resilience and the capacity to adapt to change (for example, climate change).
3. **A healthier Wales:** A society in which people's physical and mental well-being is maximised and in which the choices and behaviours that benefit future health are understood.
4. **A more equal Wales:** A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).
5. **A Wales of cohesive communities:** Attractive, viable, safe, and well-connected communities.
6. **A Wales of vibrant culture and thriving Welsh language:** A society that promotes and protects culture, heritage, and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
7. **A globally responsible Wales:** A nation which, when doing anything to improve the economic, social, environmental, and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

Appendix B

Identifying Planning Activities – At a Glance



Appendix C

Public Sector Equality Duties

Most devolved public authorities in Wales covered by the general duty are also covered by the specific duties. The specific duties set out the steps that listed bodies in Wales must take in order to demonstrate that they are meeting the general duty. These duties came into force in Wales on 6 April 2011.

[The specific duties in Wales cover:](#)

- Objectives
- Strategic Equality Plans
- Engagement
- Assessing impact
- Equality information
- Employment information
- Pay differences
- Staff training
- Procurement
- Annual reporting
- Publishing
- Welsh Ministers' reporting
- Review
- Accessibility

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**CYNGOR SIR POWYS COUNTY COUNCIL
LEARNING AND SKILLS SCRUTINY**

18th January 2023

REPORT AUTHOR: County Councillor Pete Roberts
Cabinet Member for a Learning Powys

REPORT TITLE: School admissions and home to school transport
catchment review

REPORT FOR: Decision by Cabinet

1. Purpose

1.1: This report outlines the outcome of the schools' catchment online consultation <https://en.powys.gov.uk/article/12206> undertaken between the 7th of February 2022 and 14th March 2022.

The report is supported by the following appendices:

Appendix A – Consultation response – Powys Schools Catchments

Appendix B – Admissions Information and Arrangements 2022-23

Appendix C - Schools admissions code – 2013

Appendix D – Powys Home to School Transport Policy v1.1 Feb 2022

Appendix E – Learner Travel (Wales) Measure 2008 - [Learner Travel \(Wales\) Measure 2008 \(legislation.gov.uk\)](https://legislation.gov.uk/uk/2008/12/1)

Appendix F – Learner Travel – Statutory Provision and Operational Guidance – June 2014

Appendix G – Catchment area maps for consideration

1.2: The proposed catchment maps will be implemented for admissions and transport purposes from September 2024 onwards.

2. Background

2.1 In recent years, many learners and their families have found themselves in a difficult situation due to the difference in legislation and entitlement for school admissions as outlined in the Schools Admissions Code (005/2013)¹ and the Learner Travel (Wales) Measure 2008².

¹[School admissions code | GOV.WALES](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/605222/schools-admissions-code-2013.pdf)

²[Learner Travel \(Wales\) Measure 2008 \(legislation.gov.uk\)](https://legislation.gov.uk/uk/2008/12/1)



2.2 Learners and their families can choose the school they feel most suitable for their child, and if there is capacity within the schools' admissions number, they will be allocated a place. However, if this is not their nearest suitable school, then they are not entitled to free home to school transport unless they wish to access Welsh Medium provision, in which event they will receive free transport to the nearest school with Welsh Medium provision.

Schools admissions code:

2.3 Admission authorities **must** make arrangements enabling the parents of children in their area and, in the case of sixth form admissions, young people, **to express a preference for a school** and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies **must** comply with that preference, subject to the exceptions set out in the 1998 Act³.

Transport entitlement:

2.4 Learners receiving primary education will be entitled to free transport if they live **two miles or more from their nearest suitable maintained school**; pupil referral unit; or non-maintained special school. The exception is if the authority has arranged for the learner to board at or near the school.

2.5 A similar entitlement is provided for learners receiving secondary education, but in this case if they live **three miles or more from their nearest suitable maintained school**; pupil referral unit; non-maintained special school or independent school named in a statement of special educational needs.

2.6 Powys's home to school transport states that transport will be provided 'for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school'³.

2.7 Traditionally within Powys, all catchment areas have been based on a learners' nearest school. However, in many instances across the county, this has led to catchment boundaries splitting villages and hamlets and overlooking the natural geography or topography of the area such as natural boundaries formed by rivers.

³ Powys Home to School Transport Policy v1.1 02/2022



3. The Case for Change

3.1 In line with Powys' Strategy for Transforming Education in Powys 2020 - 2030, the Education Support Services department has identified the need for the admissions and transport teams to work alongside each other to improve the learner entitlement and experience whilst applying for a school place and home to school transport.

3.2 This catchment area review aims to support learners and their families by improving understanding and transparency of learner entitlement. By setting clear catchment areas for each school, the Local Authority will be able to implement the online application system designed so that learners and their families can submit their home address and postcode to identify their nearest schools (including Welsh medium provision) and transport entitlement. This will allow for informed decisions by learners and their families before applying for a school place.

3.3 Each primary catchment map (see appendix G) has been developed based on the following principles:

- i. nearest school
- ii. minor adjustments for local geography and topography

3.4 To support and improve the transition from primary to secondary school, each secondary catchment map has been formed from the amalgamation of each of the secondary cluster feeder primary schools (See Appendix B - Admissions Information and Arrangements document).

3.5 An initial informal consultation with Local Members, Schools and Governing Bodies was undertaken between 23.11.2021 and 17.12.2021 to help inform the public consultation. In total 58 responses were received from a Local Members, Schools and Governing Bodies.

3.6 The online public consultation which ran between 7th of February 2022 and 14th March 2022 allowed for schools, governing bodies, local members, community councils, parents, governor consultative committee, admissions forum and members of the public to comment on the proposed catchment areas.

3.7 As part of the consultation the following questions were asked for each individual primary and secondary English and Welsh medium catchment maps:

- Name of school
- Name of respondent
- Role of respondent (optional question)
- If in agreement with the catchment map (Yes / No)
- Written feedback for each catchment map
- Email address or respondent (optional question)



3.8 In total 430 individual responses were received. Responses were received from the following:

- County Councillors / Local members
- Community Councillors and Councils
- Headteachers
- Deputy Headteachers
- Headteachers
- Governors and Governing Bodies
- Teachers
- Support Staff
- Parents
- Grandparents
- Learners
- No category specified

All responses have been carefully considered along with nearest school, natural transport routes and links and topography and geography of area to develop the following recommendations. (See Appendix A Consultation response – Powys Schools Catchments)

3.9 Of the responses, 48 (11%) agreed with the proposed catchment areas and 382 (89%) disagreed. Most of the disagreements fell into the following categories:

- request to make amendments to the catchment boundary
- requests for a school to change clusters or to provide greater flexibility
- request to provide greater choice if the nearest school was a Welsh medium school
- request to review the vacant seat policy

3.10 Comments were received in respect of 42 of the 88 school's catchment areas. No responses were received for 46 of Powys' primary, secondary or all age schools. Table A on pages 5-9 provides a summary of the responses received from each school.

3.11 Not all responses contained written responses, only an acknowledgment of their agreement or disagreement with the catchment areas.



Table A: Summary of responses received by each school

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Abermule CP	Primary	0			
Archdeacon Griffiths	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Arddleen CP School	Primary	1	1	0	
Berriew CP	Primary	0			
Brecon HS	Secondary	4	1	3	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Brynhafren CP	Primary	0			
Builth Wells CP	Primary	0			
Buttington / Trewern CP	Primary	0			
Caersws CP School	Primary	7	2	5	<ul style="list-style-type: none"> Language of provision Catchment boundary
Carreghofa CP	Primary	0			
Churchstoke CP	Primary	0			
Clyro CiW Controlled School	Primary	6	2	4	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Cradoc CP	Primary	6	3	3	<ul style="list-style-type: none"> Catchment boundary
Crickhowell CP	Primary	0			
Crickhowell HS	Secondary	63	2	61	<ul style="list-style-type: none"> Catchment boundary Out of County learners
Crossgates CP	Primary	0			
Forden CiW	Primary	0			
Franskbridge CP	Primary	0			
Gladestry CiW Controlled School	Primary	0			
Guilsfield CP	Primary	0			
Gwernyfed HS	Secondary	6	2	4	<ul style="list-style-type: none"> Catchment boundary

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Hay on Wye CP	Primary	0			
Irfon Valley CP	Primary	0			
Knighton CiW Controlled School	Primary	0			
Leighton CP	Primary	0			
Llanbedr CiW (Aided) Primary School	Primary	0			
Llanbedr CiW School	Primary	1	0	1	• Catchment boundary
Llanbister CP School	Primary	2	0	2	• Catchment boundary
Llandinam CP	Primary	1	0	1	• Catchment boundary
Llandysilio CiW School	Primary	1	0	1	• Catchment boundary
Llanelwedd CiW Voluntary Controlled School	Primary	1	1	0	
Llanfaes CP	Primary	0			
Llanfechain CiW	Primary	0			
Llanfihangel Rhydithon CP	Primary	0			
NB: School due to close 31.08.2023. Amended maps for neighbouring schools to be consulted on as part of admissions arrangements					
Llangattock CiW Aided School	Primary	0			
Llangedwyn CiW Voluntary Controlled School	Primary	0			
Llangors CiW Controlled School	Primary	9	4	5	• Catchment boundary
Llangynidr CP	Primary	120	0	120	• Catchment boundary
Llanidloes CP	Primary	8	0	8	• Catchment boundary • Language provision
Llanidloes HS	Secondary	33	1	0	• Catchment boundary
Llanrhaeadr Ym Mochnant CP	Primary	1	1	0	
Maesydderwen	Secondary	3	2	1	• Out of county learners

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Maesyrhandir CP	Primary	1	1	0	• Catchment boundary
Montgomery CiW	Primary	0			
Mount Street CP Infants	Primary	0			
Mount Street CP Junior	Primary	0			
Newbridge on Wye CiW Controlled School	Primary	2	0	2	• Catchment boundary
Newtown High School (John Beddoes Campus)	Secondary	1	0	1	• Catchment boundary
Newtown High School (Newtown Campus)	Secondary	2	0	2	• Catchment boundary
Penygloddfa CP	Primary	0			
Presteigne CP	Primary	0			
Priory CiW (Aided) School	Primary	0			
Radnor Valley CP	Primary	0			
Rhayader CiW Controlled School	Primary	1	1	0	
Sennybridge CP	Primary	0			
St Mary's Voluntary Aided (RC) Primary School	Primary	0			
St Michael's CiW Voluntary Aided School	Primary	0			
Treowen CP	Primary	0			
Welshpool CiW	Primary	0			
Welshpool High School	Secondary	3	1	2	• Catchment boundary • Language provision
Ysgol Bro Caereinion	All Age	9	0	9	• Catchment boundary • Language provision
Ysgol Bro Cynllaith	Primary	1	1	0	
Ysgol Bro Hyddgen	All Age	20	16	4	• Catchment boundary • Language provision

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Ysgol Bro Tawe	Primary	7	1	0	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Calon Cymru (Builth Campus)	Secondary	2	1	1	<ul style="list-style-type: none"> Catchment boundary
Ysgol Calon Cymru (Llandrindod Campus)	Secondary	0			
Ysgol Calon y Dderwen	Primary	13	0	13	<ul style="list-style-type: none"> Catchment boundary
Ysgol Cefnlllys	Primary	0			
Ysgol Cwm Banwy	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary
Ysgol Dafydd Llwyd	Primary	2	0	2	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Dolafon	Primary	0			
Ysgol Dyffryn Trannon	Primary	3	0	3	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Glantwymyn	Primary	7	2	5	<ul style="list-style-type: none"> Boundary line
Ysgol Golwg y Cwm	Primary	0			
Ysgol Gymraeg Dyffryn y Glowyr	Primary	0			
Ysgol Gymraeg y Trallwng	Primary	0			
Ysgol Gynradd Carno	Primary	0			
Ysgol Llanbrynmair	Primary	0			
Ysgol Llanfyllin	All Age	45	0	45	<ul style="list-style-type: none"> Catchment boundary
Ysgol Llansantffraid	Primary	0			
Ysgol Meifod	Primary	5	0	5	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Pennant	Primary	22	1	0	<ul style="list-style-type: none"> Catchment boundary
Ysgol Pontrobert	Primary	3	1	2	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Rhiwbechan	Primary	0			

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Ysgol Trefonnen CiW Community Primary	Primary	1	0	1	<ul style="list-style-type: none"> • Catchment boundary • Language provision • Religious provision
Ysgol Y Bannau	Primary	1	0	1	<ul style="list-style-type: none"> • Catchment boundary • Language provision
Ysgol Y Cribarth	Primary	0			
Ysgol y Mynydd Du	Primary	2	0	2	<ul style="list-style-type: none"> • Catchment boundary

4. Advice

4.1: Maps and details of change can be reviewed in Appendix G – Catchment areas for consideration.

4.2: Full consideration has been provided on the following basis:

- Nearest School
- Natural transport routes and links
- Topography and geography of area

5. Legal implications

5.1 The Schools Admissions Code (005/2013) set out the requirements of schools' admissions and the Learner Travel (Wales) Measure 2008 sets of the requirements for home to school transport. The recommendations can be accepted from a legal point of view.

5.2 The Head of Legal Services and the Monitoring Officer has commented as follows: "I note the legal comment and have nothing to add to the report".

6. Resource implications

6.1 By reviewing the catchments areas, this will allow for home to school transport routes to be rationalised and therefore improve overall efficiency.

6.2 The Local Authority recognises that in some instances the timescale for improving overall efficiency may take 7+ years.

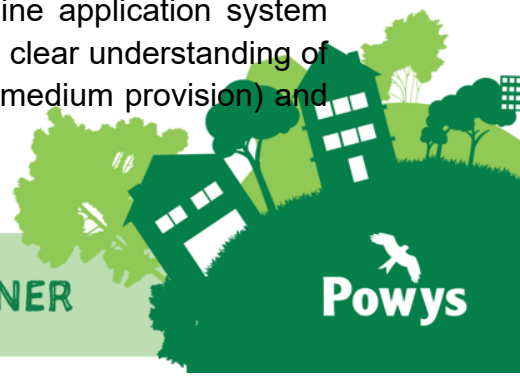
6.3 The amendments to the catchments may impact on total and class / year group pupil numbers for a very few schools. The per pupil allocations will remain the same but may impact the need for additional top ups.

7. Data Protection

7.1 The proposals do not involve any change to the processing of personal data.

8. Impact Assessment

8.1 The proposed catchment review and recommendations will support learners and their families by improving understanding and transparency of learner entitlement. By setting clear and well defined catchment areas for each school, the Local Authority will be able to implement the online application system designed so that learners and their families can have a clear understanding of their nearest suitable school (including nearest Welsh medium provision) and



home to school transport eligibility on application. This will allow for an informed decision by learners and their families before applying for a school place.

9. Recommendations

9.1 Maps and details of change can be reviewed in Appendix G – Catchment areas for consideration.

9.2 Brecon cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Llaneglwys – see appendix G – Page 2
 - Llanfihangel Nant Bran - see appendix G – Page 3
 - Penpont - see appendix G – Page 4
 - Llanddew - see appendix G – Page 5
- To **proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Trallong - amend so that Trallong falls completely within catchment area of Sennybridge - see appendix G – Page 6

9.3 Ysgol Bro Caereinion cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Castle Caereinion - see appendix G – Page 7
 - Llanfihangel yng Ngwynfa - see appendix G – Page 8
- To **proceed** with the minor amendment to the catchment for the primary catchment area of:
 - Llanwddyn - see appendix G – Page 9
- Removal of Meifod CP as a feeder school for Ysgol Bro Caereinion following request by Meifod governing body in October 2022 to change clusters from Bro Caereinion to Ysgol Llanfyllin - see appendix G – Page 10

Further review to consider if Ysgol Dafydd Llwyd should remain as a feeder school for both Ysgol Bro Caereinion and Llanidloes High School. In doing so, careful consideration should be given to (See appendix G – page 11):

- Impact of strength of transition to only one cluster school, rather than dilution to two secondary schools
- Impact on continuity of language provision and breadth of Welsh language offer

- Impact on capacity number of both schools and impact on neighbouring schools as per the guidance below.

9.4 Ysgol Bro Hyddgen cluster:

- Maintain Ysgol Carno solely within the catchment area of Ysgol Bro Hyddgen for Secondary provision - See appendix G – page 12
- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Aberhosan - see appendix G – Page 12
 - Melinbyrhedyn - see appendix G – Page 12

9.5 Crickhowell High School cluster:

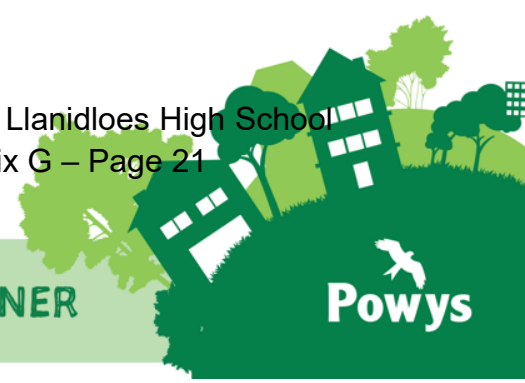
- To **proceed** with the amendment to the catchment map of Llangynidr so that the boundary is based on nearest school only (remove the adjustments made in the area of Bwlch due to the narrow and weight restricted bridge) - see appendix G – Page 13

9.6 Gwernyfed High School cluster:

- To **proceed** with the amendment to the catchment map of Llangors so that the boundary is based on nearest school only (remove the adjustments made in the area of Bwlch due to the narrow and weight restricted bridge) - see appendix G – Page 15
- To **proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Bryngwyn - see appendix G – Page 16
 - Dol-y-cannau - see appendix G – Page 16
- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Llanerchir - see appendix G – Page 17
 - Llanstephan - see appendix G – Page 18

9.7 Llanidloes High School cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Dernol - see appendix G – Page 19
 - Bwlch-y-sarnau - see appendix G – Page 20
- To **not** include Ysgol Carno within the catchment area Llanidloes High School (no change to the current arrangements) - see appendix G – Page 21



- Further review to consider if Ysgol Dafydd Llwyd should remain as a feeder school for both Ysgol Bro Caereinion and Llanidloes High School. In doing so, careful consideration should be given to:
 - Impact of strength of transition to only one cluster school, rather than dilution to two secondary schools
 - Impact on continuity of language provision and breadth of Welsh language offer
 - Impact on capacity number of both schools and impact on neighbouring schools.

See appendix G – Page 21

9.8 Ysgol Maesydderwen cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Gurnos - see appendix G – Page 23
 - Cwm Twrch - see appendix G – Page 23

9.9 Newtown High School – Newtown Campus cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of:
 - Mochdre - see appendix G – Page 24
 - Penstrowed - see appendix G – Page 24
 - Stepside - see appendix G – Page 24
 - Dolfor - see appendix G – Page 24

9.10 Newtown High School – John Beddoes cluster:

- To **proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Beguildy - see appendix G – Page 25

9.11 Welshpool High School cluster:

- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Castle Caereinion - see appendix G – Page 26



9.12 Ysgol Calon Cymru – Builth campus cluster

- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Llanwrthwl - see appendix G – Page 27

9.13 Ysgol Calon Cymru – Llandrindod Wells campus cluster

- None

9.14 Ysgol Llanfyllin cluster:

- Addition of Meifod CP School as a feeder school following request by Meifod Governing Body to change clusters from Bro Caereinion to Ysgol Llanfyllin in October 2022 - see appendix G – Page 28
- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Llanfihangel yng Ngwynfa – See appendix G – Page 29
- To **proceed** with the minor amendment to the catchment boundary for the primary catchment area of:
 - Llanwddyn – see appendix G – Page 30

9.15 General Recommendation:

- Review of vacant seat policy – within the Home to School transport policy by Dec 2023.

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CONSULTATION RESPONSES - SCHOOL CATCHMENT AREAS

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Overview of the Consultation

Powys County Council consulted on each primary and secondary school catchment areas to inform future school admissions and home to school transport arrangements.

The consultation was open from the 7th of February – 14th March 2022.

Consultation methods

The consultation was published on Powys' website [Public Consultation on school's admissions arrangements and catchment maps - Powys County Council](#) and all schools, governing bodies and local members informed via email.

Consultees were invited to review each the catchment map for each individual school. For dual stream schools, separate catchment maps were provided for the Welsh and English stream.



Consultees could respond to the public consultation by either emailing their comments to admissions@powys.gov.uk or by completing the online form.

The proposals were also discussed at the following meetings:

- Governors Consultative Committee (GCC) – 11th October 2021
- Local Authority Governor Briefing – 9th November 2021
- Member Development Session – 19th November 2021
- Informal consultation with schools, governing bodies, and members – 23rd November 2021 – 17th December 2021
- Governor Consultative Committee – 26th January 2022

Responses received

A total of 430 responses were received, with 372 returned via the online form, 48 emails into the admissions inbox and 10 letters submitted.

Of the responses, 48 (11%) agreed with the proposed catchment areas and 382 (89%) disagreed. Most of the disagreements fell into the following categories:

- request to amend the catchment boundary
- request to change clusters or to provide greater flexibility in choice of secondary school
- request to provide greater choice if the nearest school was a Welsh medium school
- request to review the vacant seat policy

Comments were received in respect of 42 of the 88 school's catchment areas. No responses were received for 46 of Powys' primary, secondary or all age schools.

Not all responses contained written responses, only an acknowledgment of their agreement or disagreement with the catchment areas.

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Abermule CP	Primary	0			
Archdeacon Griffiths	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Arddleen CP School	Primary	1	1	0	
Berriew CP	Primary	0			
Brecon HS	Secondary	4	1	3	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Brynhafren CP	Primary	0			
Builth Wells CP	Primary	0			
Buttington / Trewern CP	Primary	0			
Caersws CP School	Primary	7	2	5	<ul style="list-style-type: none"> Language of provision Catchment boundary
Carreghofa CP	Primary	0			
Churchstoke CP	Primary	0			
Clyro CiW Controlled School	Primary	6	2	4	<ul style="list-style-type: none"> Catchment boundary Vacant seats
Cradoc CP	Primary	6	3	3	<ul style="list-style-type: none"> Catchment boundary
Crickhowell CP	Primary	0			
Crickhowell HS	Secondary	63	2	61	<ul style="list-style-type: none"> Catchment boundary Out of County learners
Crossgates CP	Primary	0			
Forden CiW	Primary	0			
Franskbridge CP	Primary	0			
Gladestry CiW Controlled School	Primary	0			
Guilfield CP	Primary	0			
Gwernyfed HS	Secondary	6	2	4	<ul style="list-style-type: none"> Catchment boundary

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Hay on Wye CP	Primary	0			
Irfon Valley CP	Primary	0			
Knighton CiW Controlled School	Primary	0			
Leighton CP	Primary	0			
Llanbedr CiW (Aided) Primary School	Primary	0			
Llanbedr CiW School	Primary	1	0	1	• Catchment boundary
Llanbister CP School	Primary	2	0	2	• Catchment boundary
Llandinam CP	Primary	1	0	1	• Catchment boundary
Llandysilio CiW School	Primary	1	0	1	• Catchment boundary
Llanelwedd CiW Voluntary Controlled School	Primary	1	1	0	
Llanfaes CP	Primary	0			
Llanfechain CiW	Primary	0			
Llanfihangel Rhydithon CP	Primary	0			
NB: School due to close 31.08.2023. Amended maps for neighbouring schools to be consulted on as part of admissions arrangements					
Llangattock CiW Aided School	Primary	0			
Llangedwyn CiW Voluntary Controlled School	Primary	0			
Llangors CiW Controlled School	Primary	9	4	5	• Catchment boundary
Llangynidr CP	Primary	120	0	120	• Catchment boundary
Llanidloes CP	Primary	8	0	8	• Catchment boundary • Language provision
Llanidloes HS	Secondary	33	1	0	• Catchment boundary
Llanrhaeadr Ym Mochnant CP	Primary	1	1	0	
Maesydderwen	Secondary	3	2	1	• Out of county learners

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Maesyrhandir CP	Primary	1	1	0	• Catchment boundary
Montgomery CiW	Primary	0			
Mount Street CP Infants	Primary	0			
Mount Street CP Junior	Primary	0			
Newbridge on Wye CiW Controlled School	Primary	2	0	2	• Catchment boundary
Newtown High School (John Beddoes Campus)	Secondary	1	0	1	• Catchment boundary
Newtown High School (Newtown Campus)	Secondary	2	0	2	• Catchment boundary
Penygloddfa CP	Primary	0			
Presteigne CP	Primary	0			
Priory CiW (Aided) School	Primary	0			
Radnor Valley CP	Primary	0			
Rhayader CiW Controlled School	Primary	1	1	0	
Sennybridge CP	Primary	0			
St Mary's Voluntary Aided (RC) Primary School	Primary	0			
St Michael's CiW Voluntary Aided School	Primary	0			
Treowen CP	Primary	0			
Welshpool CiW	Primary	0			
Welshpool High School	Secondary	3	1	2	• Catchment boundary • Language provision
Ysgol Bro Caereinion	All Age	9	0	9	• Catchment boundary • Language provision
Ysgol Bro Cynllaith	Primary	1	1	0	
Ysgol Bro Hyddgen	All Age	20	16	4	• Catchment boundary • Language provision

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Ysgol Bro Tawe	Primary	7	1	0	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Calon Cymru (Builth Campus)	Secondary	2	1	1	<ul style="list-style-type: none"> Catchment boundary
Ysgol Calon Cymru (Llandrindod Campus)	Secondary	0			
Ysgol Calon y Dderwen	Primary	13	0	13	<ul style="list-style-type: none"> Catchment boundary
Ysgol Cefnlllys	Primary	0			
Ysgol Cwm Banwy	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary
Ysgol Dafydd Llwyd	Primary	2	0	2	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Dolafon	Primary	0			
Ysgol Dyffryn Trannon	Primary	3	0	3	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Glantwymyn	Primary	7	2	5	<ul style="list-style-type: none"> Boundary line
Ysgol Golwg y Cwm	Primary	0			
Ysgol Gymraeg Dyffryn y Glowyr	Primary	0			
Ysgol Gymraeg y Trallwng	Primary	0			
Ysgol Gynradd Carno	Primary	0			
Ysgol Llanbrynmair	Primary	0			
Ysgol Llanfyllin	All Age	45	0	45	<ul style="list-style-type: none"> Catchment boundary
Ysgol Llansantffraid	Primary	0			
Ysgol Meifod	Primary	5	0	5	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Pennant	Primary	22	1	0	<ul style="list-style-type: none"> Catchment boundary
Ysgol Pontrobert	Primary	3	1	2	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Rhiwbechan	Primary	0			

School	School Type	Number of responses	In agreement	In disagreement	Key themes
Ysgol Trefonnen CiW Community Primary	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary Language provision Religious provision
Ysgol Y Bannau	Primary	1	0	1	<ul style="list-style-type: none"> Catchment boundary Language provision
Ysgol Y Cribarth	Primary	0			
Ysgol y Mynydd Du	Primary	2	0	2	<ul style="list-style-type: none"> Catchment boundary

Analysis of comments received arranged by secondary / all age school cluster areas.

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i) BRECON HIGH SCHOOL CLUSTER

Brecon High School
Cradoc
Llanfaes
Mount Street Infants
Mount Street Juniors
Priory
Sennybridge
Ysgol y Bannau

Ref	POSITIVE comments	Local Authority Response
1	<p>Cradoc: I strongly believe that rural children should have the opportunity to go to a rural school, and that is in most part shown here. There are a few areas which I believe would be nearer for children to go to Cradoc than another school (Llaneglwys being in the Archdeacon Griffiths school catchment, Llyswen, for example), however I assume that is down to bus routes.</p>	<p>The Council notes these comments around a learners and their family choice of school. This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a</p>

		<p>preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act.” These exceptions are applied when a school is oversubscribed. Powys’ oversubscription criteria is set out in the annual ‘Admissions Information and Arrangements’ booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states “Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school”. The current policy goes on to state that “A catchment school means the nearest school within a geographic area”.</p>
2	<p>Cradoc: Cradoc Schools catchment area runs predominantly north of its location. The prospect of closing this school with the only option of having to attend a school further south is ridiculous.</p>	<p>The Council notes these comments.</p> <p>The closure of Cradoc school and establishment of a new Primary school in the Brecon area is subject to a separate consultation.</p>

Ref	OBJECTIONS	Local Authority Response
3	<p>Brecon HS: I believe that all parents have a right to apply for the School which is best for them and their children. I am probably less than 1 mile outside the new proposed Crickhowell High School Catchment. My Children choose to go to Crickhowell high School. Their peers in the local village of Talybont have had choice of 2 Schools and get a bus to either, the majority go to Crickhowell High School. Due to a recent change in your policy I am not allowed to buy a “Vacant seat”</p>	<p>All learners and parents / carers are able to express their preference of school. This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys’ admissions arrangements whereby “Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing</p>

	<p>which goes past our house twice a day?!?!? Absolutely Crazy. In a rural community where opportunities for children and young adults are slim, we need to use what we have the best we can. Vacant seats on School bus routes must become available. The best way to get the best out of kids and out of the Schools is to vote with our feet. All our individual circumstances are different which is also at play with the designated catchment area. Diminishing pupil numbers at Schools, will only get better if the School, is as good as its next nearest School. Improvements must be made at School level. If a School doesn't attract enough students then they need to improve!</p> <p>WE NEED A WORLD CLASS EDUCATION FOR OUR WELSH CHILDREN AS THAT IS WHAT WE COMPETE WITH.</p>	<p>bodies must comply with that preference, subject to the exceptions set out in the 1998 Act.” These exceptions are applied when a school is oversubscribed. Powys’ oversubscription criteria is set out in the annual ‘Admissions Information and Arrangements’ booklet.</p> <p>The option to buy a ‘vacant seat’ would be part of a separate consultation on Powys’ Home to School Transport Policy.</p> <p>Any concerns about the standard of learning and teaching would be identified during the Local Authority Support Visits and if relevant Estyn inspections/ If required, appropriate actions would be put in place to support the school to improve their provision.</p>
4	<p>Brecon HS: I'm not against it but I am unsure. There is no indication in this as to what transport would look like? Would Powys provide transport? Very hard to give an opinion when the full facts are not provided!!!!</p>	<p>The purpose of this consultation is to clearly define catchment areas so as learners, parents, and carers apply for a school place, they would be made fully aware of their eligibility for free home to school transport. The current Powys Home to School transport policy states that free home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school.</p>
5	<p>Brecon HS: I live in Ystradfellte, Powys and would like my two children (2 and 5) to go to Brecon high school and be provided with some transport. In previous years families in Ystradfellte have had transport and qualified for transport for this school. I believe that Brecon high school would be a far more similar demographic for my children (growing up in a village and living in a traditional farm house) than the current catchment around Ystradgynlais which is a similar distance (driving time exactly the same). It gives me a limited choice and may unfairly mean I will pay for my own transport for the school that would most suit my children or move house.</p>	<p>The purpose of this catchment area review was to reflect not only a learners nearest school but also the local geography.</p> <p>Consideration will be given to which primary catchment Ystradfellte would fall. This would then impact the cluster and therefore Secondary feeder school.</p>

6	<p>Cradoc: We live in Llaneglwys and having chosen to send our daughter to the nearest primary school we discovered having accepted a place that we are outside the catchment and therefore do not qualify for school transport. Cradoc is 7.7 miles from our home and Archdeacon Griffiths School is 8.1 miles. We are currently the only family in the village with primary school children and think the Cradoc catchment area would serve the village better as all our nearest amenities are in Brecon and as such would make much more sense environmentally reducing many unnecessary road miles.</p>	<p>Consideration will be given to which primary catchment Llaneglwys would fall. This would then impact the cluster and therefore Secondary feeder school.</p> <p>Under the current Powys Home to School transport policy and the Learner Travel (Wales) Measure 2008, transport will be provided to a learners nearest suitable school, even if it falls outside the catchment area.</p>
7	<p>Cradoc: We live in Llaneglwys (Forest Lodge, LD2 3BQ, directly opposite Brecon Forest Farmhouse). Our nearest school, by the shortest road route is Cradoc (7.7 miles), however our catchment school is Archdeacon Griffiths (8.1 miles). This makes zero sense to us, and has resulted in our daughter being unable to access home/ school transport (which we would be entitled to had she gone to AG) The current catchment areas seem somewhat arbitrary and I am well aware of other families experiencing similar difficulties.</p>	<p>Please see response reference number 6.</p>
8	<p>Cradoc: When the small schools in the area were merged in order to have a central school in Cradoc, pupils in both the school in Llanfihangel Nant Bran and the school in Trallong were included in this programme and so were part of the merger into Cradoc. Children from both these villages have attended Cradoc CP since then - that is for the last 50+ years. So why not in this catchment area map? Trallong appears to be cut in two and Llan Nant Bran is outside the area. Why is Penpont House not included since the owners' sons both attended Cradoc School - however the farm across the road is in the catchment area - it doesn't make sense! Historically and recently children from Llanddew have attended Cradoc school too - a more direct transport line than wending</p>	<p>Consideration will be given to which primary catchment the individual areas / locations you reference would fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography. This would then impact the cluster and therefore Secondary feeder school.</p> <p>Under the current Powys Home to School transport policy and the Learner Travel (Wales) Measure 2008, transport will be provided to a learners nearest suitable school, even if it falls outside the catchment area.</p>

	<p>their way into the town and the option to go to a rural school like their own community.</p>	
9	<p>Ysgol y Bannau: I am writing with regards to the Public Consultation on the proposed School Catchment Maps for 2023. Having reviewed the proposed 'English Medium Primary Catchments' map online, I was surprised to see that our home address (shown above) would now solely fall under the catchment of Ysgol-y-Bannau, a Welsh Medium School, and not within catchment for any English Medium School. Please see map attached below: I can only assume that this is a mistake, as Ysgol-Y-Bannau should surely not appear on the 'English Medium Primary Catchments' map in the first place? Our current catchment school is Llangorse CIW Primary School and I strongly believe this should continue to be the case. Llangors CIW Catchment My observations and objections to the change of catchment for our address are outlined below. 1) Equality in choice of language medium – Welsh or English The Welsh Medium Education section of your proposed admissions policy states that Powys County Council wishes to “..ensure equal opportunity and equality of provision for all pupils in Powys.” Whilst this statement is aimed at increasing accessibility to Welsh language education, (which I wholly support) this is not equality. By forcing families under the catchment of only a Welsh medium school, you are in effect taking away their access to transport and entitlement to attend their nearest English medium school. This would mean depriving pupils of access to their education in the language of their choice. In contrast to this, families who choose to have their children</p>	<p>Under the current Powys Home to School transport policy and the Learner Travel (Wales) Measure 2008, transport will be provided to a learners nearest suitable school. Therefore, regardless of the catchment area, under the current Powys Home to School transport policy and the Learner Travel (Wales) Measure 2008, transport will be provided to a learners nearest suitable school. As stated above, all learners, parents and carers are able to make a preference for any school they feel most suitable, but based on the school of choice, may not be eligible to free Home to School Transport. However, discretion may be applied where the boundary of the catchment area falls within metres a learner's home.</p> <p>The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.</p>

taught under the medium of Welsh, are receiving preferential treatment. Transport will be provided from anywhere in the county to the nearest Welsh Medium School, even if they are closer to an English medium school, why should it not be the case the other way round?

For our family, a Welsh medium school would not be considered 'suitable'. I do not wish for my children to be forced to attend Welsh Medium School, when we do not currently speak Welsh and do not have the appetite to begin to. Whilst I understand there is differing opinions on this, it would my opinion hinder my children's educational progress. Language should be a personal choice.

2) Change to catchment map from the time of initial primary school application & impact on transport entitlement

I am fully aware that the catchments are only of relevance to school admissions where schools are over-subscribed and given that three of my children are already in attendance at Llangors primary, I am less concerned about this. I am however acutely aware of the impact that it has on eligibility to school transport for both primary and secondary schools.

The school transport policy states "Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school subject to them meeting the qualifying criteria". It seems wholly unfair that our entitlement to school transport would be restricted by a change of catchment, when my children have begun their school life at our nearest English medium primary school, entirely within 'Catchment'.

3) The impact on Secondary School Catchment and transport entitlement

Your policy states that 'The secondary school catchment is defined by the feeder primary schools'. Given that my eldest daughter is currently in year 5, this is of particular relevance to me as we shall soon be selecting her secondary school. As stated earlier, on initial application for primary school places, we have not strayed out of catchment and have placed our children within our nearest 'English' school, Llangors CIW Primary. Llangorse CIW Primary is a feeder school for Gwernyfed High School, and as such a large proportion of pupil progress there. We would therefore wish for them to continue their education along with their friends and peers that they have known since nursery, and not to have to navigate the difficult step to high school alone.

By moving our catchment to Ysgol Y Bannau, you in effect move us under Brecon High catchment, removing any entitlement to transport to our current 'catchment' high school, Gwernyfed. I believe that this would have huge detrimental effect on my children's mental wellbeing as they would be forced to take a different path from everyone that they know. Impacting our children like this is unjust when we have 'played by the rules' and remained within catchment from the start of their educational journey.

4) Distance to the nearest school from our home address
The distance from our front gateway the distance to both Llangorse CIW Primary and Ysgol-y-Bannau are both exactly 3.5 miles using the most direct and suitable driving route (neither of which are safe to travel on foot). You will also note that the borderline for the two proposed catchments is no further than 100 metres from our gate. I would therefore also

<p>appeal on this basis to continue to be classified under Llangors CIW Primary School. I would appreciate that the above matters are taken into consideration before any final decisions are made, and would appreciate a direct response if at all possible.</p>	
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ii) **BRO CAEREINION CLUSTER**

Ysgol Bro Caereinion

Meifod
Pontrobert
Ysgol Cwm Banwy
Ysgol Dafydd Llwyd
Ysgol Gymraeg y Trallwng
Ysgol Rhiwbechan

Ref	POSITIVE comments	Local Authority Response
10	<p>Pontrobert: Mae'r dalgylch swyddogol yn llawer mwy nac oeddwn yn ei ddeall cyn gweld y mapiau yma.</p> <p>The official catchment is much larger than I had realised before seeing these maps.</p>	<p>The Local Authority notes this comment.</p> <p>The size of the catchment is reflective of a learners, parent and carers choice to opt for Welsh medium educational provision.</p>

Ref	OBJECTIONS	Local Authority Response
11	<p>Ysgol Bro Caereinion: Castle Caereinion needs to be within the Llanfair Caereinion catchment as it is for secondary education. It is the most appropriate school in terms of access via main roads for children in Castle Caereinion. Children would also be able to move with their peers to secondary education and as Llanfair Caereinion is going to be an all age school, it would cause the least disruption for children who have already had their school closed in Castle Caereinion.</p>	<p>Consideration will be given to which catchment the village of Castle Caereinion would fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.</p>
12	<p>Ysgol Bro Caereinion: Ysgol Meifod historically was split through the village - half in the Llanfair high school catchment and half in the Llanfyllin high school catchment. It is now proposed for it all to be in the Llanfair catchment? This is wrong as Ysgol Meifod is english and the majority of its pupils go to Ysgol Llanfyllin. Ysgol Meifod should be in an english speaking cluster group to assist with the smooth</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable school.</p> <p>In October 2022, the governing body of Ysgol Meifod wrote to the Director of Education and Children and Head of Education</p>

	<p>transition of its english speaking year 6 pupils to Llanfyllin -where the majority of its pupils go for secondary education with many staying on for a'levels. Get this wrong PCC and as Meifod is so close to the boarder parents may decide to just drive over it for secondary education if this change means they cant access free transport and then you will have lost them for a'level education too.</p>	<p>requesting to change clusters from Ysgol Bro Caereinion to Ysgol Llanfyllin. Based on the reasoning provided by the governing body, this request was agreed.</p> <p>Therefore, as of xxxx all learners whom attend Ysgol Meifod will naturally transition to Ysgol Llanfyllin (as long as Ysgol Meifod is their nearest primary school). If a learner who lives closer to Ysgol Bro Caereinion wishes to transfer to Ysgol Bro Caereinion rather than Ysgol Llanfyllin for their secondary education, then under the current transport policy, they would be eligible to free home to school transport.</p>
13	<p>Ysgol Bro Caereinion: Ysgol Meifod is an english medium primary and should be in an english cluster group feeding into where the majority of its pupils go to assist with a smooth transition to high school for the year 6 pupils i.e. Llanfyllin. Ysgol Llanfyllin has mainly english feeder primary schools. Ysgol Meifod offers english medium education and draws pupils because of it being english from a large area. The majority of the pupils attend Ysgol Llanfyllin, mainly because of the english language at GCSE level and the subject offering at a'level. Because Ysgol Meifod falls between both Ysgol Llanfyllin and Ysgol Llanfair maybe it should be in both catchments maps?</p>	<p>Please see response reference number 12 above.</p>
14	<p>Ysgol Bro Caereinion: I am a parent and governor of a child in Ysgol Meifod and a child in Llanfyllin High School. I am unclear whether to comment on the catchment for Meifod, Llanfair or Llanfyllin.</p> <p>I disagree with the map showing that Ysgol Meifod is in the catchment for Ysgol Bro Caereinion.</p> <p>The majority of pupils go from Ysgol Meifod to Ysgol Llanfyllin (for High School Provision) 2021 Llanfyllin (8) Llanfair Caereinion (5) Oswestry (1) 2022 Llanfyllin (6) Llanfair Caereinion (2) Oswestry (2)</p>	<p>Please see response reference number 12 above.</p>

	<p>This proposed map clearly shows Ysgol Meifod is in the Caereinion cluster. Ysgol Meifod covers a large area and was split equally between the 2 high schools, until now. A vast area of the Ysgol Meifod catchment area is significantly closer to Llanfyllin than Llanfair Caereinion.</p> <p>Ysgol Meifod is the only just English Medium school in Caereinion cluster, I would question whether Ysgol Meifod is in the correct cluster of schools (as Llanfyllin has lots of English medium feeder schools)?</p> <p>My understanding is that, under the current home to school transport policy a learner will only be transported to their nearest or catchment school. Transport costs are a concern for Ysgol Meifod Parents whose children wish to attend Llanfyllin High School. A number of parents have made the decision, that if they have to pay for transport that they choose to transport their children out of Powys. This will inevitably have result in continued loss of pupils and also 6th form students to Shropshire for this provision.</p> <p>Please consider including Ysgol Meifod in the Llanfyllin catchment area rather than the Llanfair Caereinion catchment.</p>	
15	<p>Ysgol Bro Caereinion: I live in Castle Caereinion which is now in Berriew catchment area which feeds to Welshpool High School but Castle is in Llanfair Catchment area which isn't right.</p>	Please see response reference number 11 above.
16	<p>Ysgol Bro Caereinion: Meifod is closer to Llynfyllin than llanfair and should be reflected t hi a way</p>	Please see response reference number 12 above.
17	<p>Ysgol Bro Caereinion: Why is the catchment covering Arddleen, four crosses and crew green? These areas should be in the catchment area of llanfyllin The English medium is and since the school is a dual stream it</p>	<p>Consideration for this would be different for the English and Welsh stream of Ysgol Bro Caereinion.</p> <p>Based on the nearest English provision, then Arddleen, Four Crosses and Crew Green would not fall into the catchment area of</p>

	<p>makes perfect financial cost effective sense to have this area in the llanfyllin catchment.</p> <p>One bus can pick up Welsh and English medium pupils and take them to one school.</p> <p>Your suggestion requires potentially multiple buses and increased v which is not necessary.</p>	<p>Bro Caereinion. However, based on the nearest Welsh medium provision would reflect the nearest Welsh medium primary.</p> <p>Consideration will be given to which Welsh medium catchments the villages of Arddleen, Four Crosses and Crew Green would fall.</p>
18	<p>Meifod:</p> <p>Please can you include Pont Robert in the Catchment area for Ysgol Meifod. We live there and currently send our son to Ysgol Meifod as it was 2 miles to Meifod versus 1 mile for Pont Robert which is nothing to compare for travel and it was an English speaking school that taught Welsh so my son could learn at a pace that was suitable for him after having gone to a nursery in Shrewsbury due to it being next to our work office. We also preferred the feel of the school and felt our son would thrive there.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable, but based on the school of choice, may not be eligible to free Home to School Transport.</p> <p>The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.</p>
19	<p>Meifod:</p> <p>I feel that the catchment area for those choosing to have their children educated through English medium should be widened. The transport policy stating that children can only be transported to their nearest school.....unless they wish to go to a welsh language school!! This is discrimination. I completely agree that children from Meifod should be able to access transport to Pontrobert if they wish to be taught in Welsh. However, equally, those in Pontrobert, should have the same access to transport should they wish to be taught in English.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable, but based on the school of choice, may not be eligible to free Home to School Transport.</p> <p>The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.</p>
20	<p>Meifod:</p> <p>What provision is there for children wishing to study at an English Primary School when they live in the catchment of a Welsh only Prmary School</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable, but based on the school of choice, may not be eligible to free Home to School Transport.</p> <p>The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.</p> <p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would</p>

		be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.
21	<p>Meifod: As much as I am respectful and understanding of Welsh stream schools I am very concerned that my children who attend an English school will not be able to access an English high school from Meifod. We do not have the financial capacity to pay for a bus to take them to Llanfyllin, are consistently over the threshold for government support and do not want to have to move elsewhere for them to be able to attend a high school which will be highly beneficial for us, especially in the case of my oldest son who is autistic. My understanding is that Llanfyllin has excellent SEN provision and for us to be unable to access this school and its provision during what will already be a very difficult period of life as a teenager going through puberty will make it more difficult than it needs to be.</p> <p>Pupils access Meifod from a wide area due to the rural nature of our location and these areas are not all covered on the current catchment area map.</p> <p>Removing options for families to access schools as they deem fit for themselves and their children is irresponsible in my mind, you will be breaking apart a community.</p>	<p>Please see response reference number 12 above.</p> <p>Across Wales there are children with SEN/ALN who are educated successfully in Welsh-medium schools, whether they are from Welsh-speaking homes, English-speaking homes or homes where other languages are spoken.</p> <p>The Powys SEN/ALN strategy, agreed by Cabinet in November 2021, is committed to improving the provision for all pupils with SEN/ALN, whatever their first language. This includes pupils who can be educated in mainstream classes as well as pupils who require specialist provision.</p>
22	<p>Pontrobert: What is the provision for children wishing to study English Medium at primary school level if they live in a welsh only primary school catchment area?</p>	Please see response reference number 20 above.
23	<p>Pontrobert: Ysgol pontrobert now encompasses part of the old catchments of ysgol llanwyddyn and ysgol llanfihangle. Pupils have traditionally attended llanfyllin primary and high school.</p>	Consideration will be given to which catchment the villages / hamlets of Llanwddyn and Lliffhangel would fall. Consideration will be based on the nearest school and then if small amendments to

	Placing these children in pontrobert will take them away from their natural community of llanfyllin catchment. It will also greatly increase travel time at high school. You need to look at the old catchment areas for llanfihangle and llanwyddyn and return the majority of the area back to llanfyllin	the catchment boundary need to be made to reflect the local topography and geography.
24	Cwm Banwy: The catchment has extended to take in a large proportion of the former primary school catchment area of ysgol llanwyddyn. Those Welsh medium pupils who have always attended llanfyllin will now be forced to travel to ysgol cwm banwy which may be marginally closer for primary education but significantly longer journeys for secondary. The old catchment for llanwyddyn should be reinstated and pupils in that catchment should attend either ysgol pennant or llanfyllin	Please see response reference number 23 above
25	Dafydd Llwyd: I live in Garth Owen so right next to Ysgol Dafydd Llwyd, yet it's is not covered by your catchment area! It appears my row in Garth Owen has been cut off but the front of my row is covered! My eldest son currently attends Ysgol Dafydd Llwyd and I want his other 2 siblings to attend this school (one starting in September this year!). This is diabolical!!	This will be reviewed. All learners, parents and carers are able to make a preference for any school they feel most suitable, and based on Powys' current Home to School Transport Policy will be transported to their nearest suitable Welsh medium provision (if above the two mile threshold for primary and three miles for secondary provision). The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.
26	Dafydd Llwyd: I understand there has to be catchment areas but with children due to start primary school in 23/24 I have a preference of where I would like them to go - their sibling is already in the school system in that school. I feel that siblings should be in the same school for continuity, familiarity for all parties. I have such faith in the school now my child has been there 18 months and to then have children in another school with different pre and after school arrangements will really affect us as a family. We are a busy working family so	Please see response reference number 24 above.

need the support of the current school process as we await our next child to attend this primary school

iii) **BRO HYDDGEN CLUSTER**

Ysgol Bro Hyddgen

Ysgol Carno
Ysgol Glantwymyn
Ysgol Llanbrynmair

Ref	POSITIVE comments	Local Authority Response
27	Bro Hyddgen: all subjects are taught bilingually	The Council notes this comment.
28	Bro Hyddgen: If students were to go to Bro Hyddgen, they would be able to chose from many different courses, and all of which will be bilingual. For example, I do maths, physics, ICT and Welsh Bac, and every lesson the teachers explain the tasks at hand in both Welsh and English, unless the whole class decides that they would like it to only be in one language. Its a perfect place if you would like to put your child through a bilingual schooling system	The Council notes this comment regarding the strength and breadth of the bilingual provision available at Ysgol Bro Hyddgen.
29	Bro Hyddgen: Mae'r ysgol yn cynnig cyrsiau dwy ieithog - Cymraeg a Saesneg	Mae'r Cyngor yn nodi'r sylwad parthed cryfder ac ehangder y ddarpariaeth ddwyieithog sydd ar gael yn Ysgol Bro Hyddgen. The Council notes this comment regarding the strength and breadth of the bilingual provision available at Ysgol Bro Hyddgen.
30	Bro Hyddgen: Carno is a naturally Welsh speaking area. The Welsh Assembly want to encourage the language and Bro Hyddgen can provide this experience and help to grow the language in the area, something the council and government is keen to ensure. Sending pupils to a dual stream setting goes against local and government policy.	The Council notes this comment.
31	Bro Hyddgen: Mae Ysgol Bro Hyddgen wedi'i datgan i fod yn ysgol benodedig Gymraeg o Fedi 2022 ac mae hyn i'w ddathlu. Dyma ysgol	Mae'r Cyngor yn nodi'r sylwad parthed ehangu'r dalgylch ymhellach. Fodd bynnag mae rhwydd hynnt i ddysgwyr, rieni a

	<p>benodedig Gymraeg gyntaf Powys ac mae angen sicrhau bod dysgwyr yn mynychu'r ysgol o'r ardal ehangaf posib. Tra rwy'n mynegi fy mod yn fodlon gyda'r dalgylch rwyf ar yr un pryd yn cwestiynu os dylid ymestyn y dalgylch ymhellach i gynnwys dysgwyr o ysgolion cynradd eraill sydd yn byw o fewn llai na 45 munud un ffordd o deithio er mwyn sicrhau eu bod yn derbyn darpariaeth benodedig Gymraeg. Noder mewn sawl sir bod dysgwyr yn teithio tu hwnt i 45 munud i sicrhau addysg Gymraeg. Mae'n ddyletswydd ar Gyngor Sir Powys i gefnogi a hyrwyddo'r ddarpariaeth Gymraeg fydd yn cael ei chynnig yn eu hysgol benodedig gyntaf a dylent ddangos ffydd yn y ddarpariaeth yma trwy ymestyn y dalgylch i gynnwys dysgwyr cyfrwng Cymraeg o'r ardal ehangaf (fel bo'n realistig o ran teithio). Noder bod angen ymchwilio i ansawdd yr addysg ddwyieithog/Gymraeg a gynigir mewn ysgolion uwchradd cyfagos er mwyn gweld os yw'n cymharu'n ffafriol gyda'r ddarpariaeth mewn ysgol benodedig Gymraeg. Ydy'r dysgwyr hyn wir yn derbyn addysg Gymraeg a Chymreig? Mae Llywodraeth Cymru'n glir bod addysg Gymraeg yn flaenoriaeth, a hynny mewn cyd-destun lle mae'n anelu am 1 miliwn o siaradwyr Cymraeg. I wireddu hyn, mae angen gwneud y Gymraeg yn ffocws a blaenoriaeth addysgol i'r dysgwyr o fewn y gyfundrefn addysg ym Mhowys fel sydd a fydd yn digwydd eisoes yn Ysgol Bro Hyddgen a mae cyfathrebu pwysigrwydd addysg Gymraeg gyda rhieni o du hwnt i ddalgylch presennol Bro Hyddgen yn flaenoriaeth i Gyngor Sir Powys fel bod y rheiny'n derbyn addysg Gymraeg gymharol gyda siroedd eraill Cymru.</p>	<p>gofalwyr gwneud y dewis o pha ysgol sydd orau iddynt, a bydd y Cyngor yn cludo dysgwyr i'w hysgol addas agosaf neu dalgylch. The Council notes this comment. However, learners, parents and carers are able to make a preference for their most suitable school, and the Council will transport to their nearest suitable or catchment school.</p>
32	<p>Bro Hyddgen: Holl bwysig fod Ysgolion Cynradd Cymreig eu natur fel Carno yn aros yn ran o ddalgylch Bro Hyddgen sydd yn Ysgol Uwchradd wir Gymreig. Gall newid hyn fod yn niweidiol iawn i'r iaith Gymraeg yn yr ardal.</p>	<p>Mae'r Cyngor yn nodi'r sylwad. The Council notes this comment.</p>
33	<p>Bro Hyddgen: Ysgol Bro Hyddgen provides Welsh medium education for all students hence it is vital that this catchment area remains the same. The Welsh Government has set a target to reach a million</p>	<p>The Council notes this comment.</p>

	Welsh speakers by 2050 which reiterates the importance of providing Welsh medium education for all pupils in Wales.	
34	<p>Bro Hyddgen: Dylid sicrhau bod Ysgol Carno yn parhau yn rhan o ddalgyrch Bro Hyddgen. Ym Mro Hyddgen mae addysg gwbl ddwyieithog ar gael ar draws yr ysgol o'r meithrin i flwyddyn 13. Mae Ysgol Carno sy'n rhan o'r ffederasiwn yn ysgol Gymraeg felly'r dilyniant naturiol i'r disgyblion ydi parhau gyda'u haddysg ym mlwyddyn 7 ym Mro Hyddgen. Bydd hyn yn helpu wrth weithio tua at darged Llywodraeth Cymru o gyrraedd miliwn o siaradwyr Cymraeg erbyn 2050.</p>	<p>Gweler sylwad rhif 29 uchod. Please see response reference 29 above.</p>
35	<p>Bro Hyddgen: It is my belief and opinion that the current catchment map is preferable and the best for young learners.</p> <p>Ysgol Bro Hyddgen is a category 2 school and offers the best opportunity in the Dyfi valley and through towards Carno to offer a full bilingual education and therefore committed to delivering the Welsh Assembly Government's commitment to having a million Welsh speakers by 2050.</p> <p>To remove Carno from the Bro Hyddgen catchment would be a backward step in the Welsh language delivery commitment especially when the two other secondary schools who could adopt Ysgol Gynradd Carno are category 3 & 4 schools and as a result do not offer the provision Ysgol Bro Hyddgen currently offers as regards language provision.</p> <p>The amount of investment in delivering a brand new school at Machynlleth and the associated costs cannot be ignored either and I imagine a parent of a child currently in Ysgol Gynradd Carno would feel understandably aggrieved at the prospect of their child attending a brand new school with state of the art facilities to then subsequently be told their child was not now eligible to attend at the last minute.</p>	<p>Please see response reference 29 above.</p>

	<p>Therefore, it makes no sense to remove Carno from the catchment especially considering the work put in in the Bro Hyddgen catchment area to adopt the bilingual language provision and schools should be looking to join the Ysgol Bro Hyddgen “model” and as such avoid the hypocrisy of removing schools from a modernising, forward thinking educational setting resulting in potentially failing to commit to the WAG’s delivery of a million Welsh speakers by 2050.</p>	
36	<p>Bro Hyddgen: Ysgol Bro Hyddgen is a bilingual secondary school where lessons are taught predominantly in Welsh. The Federation feeder schools also teach through the medium of Welsh. Any change to reduce our catchment area would mean that primary school children on the edges of our catchment would not be offered the opportunity to continue their learning through the Welsh language. This would not be in line with Welsh Government's aim to increase the number of Welsh citizens who can speak the language by 2050.</p> <p>Powys CC is investing heavily in our new school building and I'm sure that it will be a wonderful environment for young people to learn and develop. Should Powys wish to change the catchment boundaries to include more primary schools, I'm sure that far more children would benefit from being educated in a modern building in an environment where the Welsh language and culture is embedded into everyday activities and opportunities.</p>	<p>Please see response reference 29 above.</p>
37	<p>Bro Hyddgen: Mae'n hanfodol i ddyfodol Ysgol Bro Hyddgen, ac i strategaeth Cymraeg 2050 bod dalgylch yr ysgol yn aros fel ag y mae. Byddai colli Ysgol Carno fel ysgol fwydo'n golygu cwmp niferoedd yn yr ysgol uwchradd, a hefyd peryglu safon Cymraeg y disgyblion wrth iddynt symud i'r ysgol uwchradd. Dysga ffederasiwn Ysgol Carno drwy'r Gymraeg, a chan y bydd Bro Hyddgen yn ysgol ddwyieithog erbyn mis Medi, mae'n llawer mwy synhwyrol i blant Carno barhau i ddod i Fachynlleth, lle dysgir popeth trwy Gymraeg, iaith gyfredol</p>	<p>Gweler sylwad rhif 29 uchod.</p> <p>Please see response reference 29 above.</p>

	eu haddysg. Os ydym wir am weld Powys dwyieithog, mae angen sicrhau bod cymaint â phosibl o blant y sir yn derbyn addysg Gymraeg, a byddai anfon plant Carno i ysgol ddwy ffrwd Llanidloes yn peryglu hynny. Mae eisiau camu ymlaen, nid yn ôl.	
38	Bro Hyddgen: It is essential that Carno remains within this catchment. The federations schools of Glantwymyn, Llanbryn-mair and Carno ar all Welsh medium primary school and Ysgol Bro Hyddgen is the only secondary school in the area that offers all subjects through the medium of Welsh. It is therefore essential that pupils from ysgol Carno remain in the Bro Hyddgen catchment area. I also believe that moving Carno from this catchment area will encourage Welsh speaking pupils of Ysgol Carno to move to secondary schools that does not have the Welsh ethos and resources that Bro Hyddgen has to offer. No doubt that this will impact the government initiative of 1 million Welsh speakers by 2050.	Please see response reference 29 above.
39	Bro Hyddgen: Imperative that the current catchment area remains the same so that pupils can continue with their Welsh medium education at Ysgol Bro Hyddgen. Powys is currently the only county in Wales without a Welsh Medium Secondary School, and we're doing our young people an injustice if we don't offer them that opportunity. Any reduction in the current catchment area would hamper Welsh Government's plans to achieve 1 million Welsh speakers.	Please see response reference 29 above.
40	Bro Hyddgen: Mae'r penderfyniad i newid categori ieithyddol Ysgol Bro Hyddgen yn un i'w ddathlu. Mae hefyd yn rheswm da dros gynnal y dalgylch presennol i gynnwys Caro er mwyn sicrhau bod cymaint o blant a phobl ifanc Dyffryn Dyfi yn cael mynediad i addysg gyfrwng Gymraeg uwchradd gyflawn. Mae angen ymledu addysg cyfrwng Cymraeg a manteision dwyieithrwydd nid eu crebachu.	Gweler sylwad rhif 29 uchod. Please see response reference 29 above.
41	Bro Hyddgen: Rwy'n teimlo bod angen cadarnhau bod Ysgol Carno yn rhan o ddalgylch Ysgol Bro Hyddgen. Mae hyn wedi bod ers degau o	Gweler sylwad rhif 29 uchod. Please see response reference 29 above.

	<p>flynyddoedd ac mae plant Carno, Llanbryn-mair a Glantwymyn yn ein dalgylch gan eu bod yn ysgolion penodedig Cymraeg sydd yn dod atom gan ein bod yn cynnig darpariaeth Gymraeg ar eu cyfer. Nid wyf yn credu bod yr un ysgol arall ym Mhowys yn darparu cymaint o gyrsiau arholiad TGAU a Safon Uwch ac yr ydym ni. Os yw Powys o ddifrif am geisio gwneud eu rhan i gyrraedd targed LLC i gael miliwn o siaradwyr Cymraeg erbyn 2050, mae'n rhaid iddynt gadw'r ffiniau fel ag y maent.</p>	
42	<p>Bro Hyddgen: I'm responding as an LEA Governor of Ysgol Bro Hyddgen (all-age school 4-18).</p> <p>The Primary Schools in the Ysgol Bro Hyddgen Secondary Campus catchment area, namely: Carno, Llanbryn-mair, Glantwymyn all learn through the medium of Welsh and Ysgol Bro Hyddgen offers everything through the medium of Welsh. Further, importantly, Welsh Government's aspirations for a million Welsh speakers by 2050 is something that must not be overlooked.</p> <p>Taking into full account the above, I respectfully suggest that it makes no sense whatsoever to change Ysgol Bro Hyddgen's catchment area.</p>	Please see response reference 29 above.
43	<p>Glantwymyn: I believe that these catchment area maps are fantastic - they give visually clear boundaries of the catchment area for each school so parents can clearly see to which school their children should be attending.</p> <p>This has become very important in Glantwymyn's catchment as there's children been coming from outside of the catchment for a good few years now, which is fine if there's plenty of room for them, but I believe this has resulted in people forgetting about which school their children SHOULD be attending, and there's an EXPECTANCY by now for their children to attend Glantwymyn.</p>	<p>Please see response reference 29 above.</p> <p>Powys' annual Admissions Information and Arrangements booklet outlines clearly the ability of a parent / carer to choose a pre school, primary or secondary provision of their own preference (inline with the Welsh Government Admissions code). It also states the oversubscription criteria applied if there are more applications received than places available.</p>

It's become 'the norm' for instance for children from Aberhosan and Penegoes to come to Glantwymyn, eventhough Machynlleth is closer to them, and the residents of Aberhosan even drive past the primary school there to come to Glantwymyn! I'm also aware of children from Machynlleth itself that have been coming to the school, and of younger children living in the town that wish to send their children to the school in the very near future.

As I have a child in the Cylch Meithrin at Glantwymyn, I am very much aware of the number of children in the area and of the squeeze there is to fit children in the Cylch and the worry parents have of getting a place for them at the school. By 'returning' to the 'traditional' catchment area of the school as it were, the 'rightful' children residing within the catchment area should get their place. Only after they've had their place should other children be considered. I hope that these maps will help parents understand where their children should be attending, and that they make the conscientious decision to send their children to the correct school, and Cylch, so that they don't deprive other children that SHOULD be having these facilities from having them.

I also believe that these catchment area maps should be used when allocating the preschool education sessions for 3 and 4 year olds at the Cylch Meithrin in Glantwymyn, especially now that there is such a huge demand for their services there too. In my opinion, there would be no point in allocating places for children from outside the catchment area for the 3 and 4 year olds' education sessions if they won't be allocated a space at the school in Glantwymyn, using these maps. I believe that one of the purposes of having the education sessions at the Cylch in Glantwymyn is to prepare the children to attend the school in Glantwymyn later down the line. The children get to know each other, make friends ready before starting the school, and they do have transitioning sessions with the school as well. Going to the Cylch in Glantwymyn and then to the school which is basically

next door, is just a natural transition anyway. My son knows and understands this, and is very much looking forward to going to the 'green school' in September (green is the school's uniform colour!).

In addition, I will also be proposing that the Cylch in Glantwymyn would use the catchment area maps too when allocating their afternoon sessions for the same reason as above essentially - it would be pointless for them to allocate afternoon sessions to children from out of catchment if they aren't going to get a place at the school in the end. It would also make things a lot easier and consistent for everyone involved if the Cylch and the Council would sing from the same hymn sheet as it were. I will be asking in the next Cylch committee meeting about this.

All in all, I believe that these maps are fair and are needed when there is so much pressure on the school and Cylch. I don't wish to sound harsh, and I apologise for my use of capital letters - I would've used italics if I could! But at the end of the day, a line has to be drawn, and these maps do just that. As a parent to a four year old and a just turned two year old living in the catchment area, I want what my children are entitled to. It has been a major worry for me over the past few months if my children would get a place at the school, especially my youngest as there are 16 children in her year! These maps give me hope - they are clear and definitive, there should be no arguments who should go where, and I am very pleased and grateful that Powys are taking these steps to ensure fairness to children.

Thank you for reading and considering my response.

Ref	OBJECTIONS	Local Authority Response
44	Bro Hyddgen: bilingual school	The Council notes this comment.
45	<p>Bro Hyddgen: I am writing to raise my concern regarding pupils from Ysgol Carno being restricted to the option of only attending Ysgol Bro Hyddgen for secondary education. I feel that families should have a choice of where to send their child whether it be Llanidloes High School, Newtown High School or Ysgol Bro Hyddgen. It is important to appreciate that families may wish their children to move through secondary education bilingually. This option should not be restricted due to a catchment area that suits the councils needs, (we shouldn't be relying on a postcode lottery to decide how are children are educated), but listen to service users requests and local needs, which I believe unanimously will be to open up the catchment area for Ysgol Carno and keep it as it has always been. Thank you for your time</p>	<p>The Council notes these comments around a learners and their family choice of school. This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act." These exceptions are applied when a school is oversubscribed. Powys' oversubscription criteria is set out in the annual 'Admissions Information and Arrangements' booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states "Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school". The current policy goes on to state that "A catchment school means the nearest school within a geographic area".</p>
46	<p>Bro Hyddgen: Mae'r cynlluniau yn golygu na fyddai Carno bellach yn rhan o'n dalgylch. Mae ysgolion y Ffederasiwn yn dysgu trwy'r Gymraeg ac rydym ni ym Mro Hyddgen yn cynnig popeth yn Gymraeg. Wrth dynnu Carno oddi arnom, bron fod hyn yn tanseilio cynlluniau y llywodraeth i gael miliwn o siaradwyr Cymraeg erbyn 2050.</p>	Yn ôl y mapiau dalgylch presennol, bydd dysgwyr o Ysgol Carno yn trosglwyddo i Ysgol Fro Hyddgen, gan bod tair ysgol y Ffederasiwn (Carno, Llanbrynmair and Glantwymyn) yn rhan o glwstwr Bro Caereinion.

		<p>Fel a nodwyd yn pwynt 45 uchod, mae gan rieni a gofalwyr yr hawl i ddewis ysgol. Fodd bynnag, bydd cludiant ysgol ond i ddysgwyr i fynychu eu ysgol agosaf neu dalgylch.</p> <p>According to the current catchment maps, learners from Ysgol Carno would transition to Ysgol Bro Hyddgen, as the three schools of the Federation (Carno, Llanbrynmair and Glantwymyn) are part of the Bro Hyddgen cluster.</p> <p>As noted in response reference 45 above, parents and carers are able to make a preference for their preferred school. However, free home to school transport will only be provided to a learners nearest or catchment school.</p>
47	<p>Glantwymyn: Ein dymuniad yw gweld Cyngor Sir Powys yn rhoi'r cyfle i deuluoedd ardal Aberhosan (Plwyf Cadfarch) i gael dewis anfon eu plant naill ai i Ysgol Gynradd Glantwymyn neu Ysgol Bro Hyddgen. Ar hyn o bryd, ac yn ôl y map, mae ardal Aberhosan yn nhalgylch Machynlleth. Teimlwn yn gryf y byddai cynnig y dewis hwnnw o ysgolion cynradd i deuluoedd yr ardal yn synhwyrol a chall o ystyried natur wledig a Chymreig y gymuned, ac o gofio'r cefndir hanesyddol pan gaewyd Ysgol Aberhosan.</p> <p>Er mawr ryddhad i ni, derbyniwyd ein merch i Ysgol Gynradd Glantwymyn ym Medi 2021. Hon, yn ein barn ni fel rhieni, yw'r ysgol fwyaf addas ar ei chyfer yn ein hardal. Fel merch o deulu amaethyddol ac aelwyd uniaith Gymraeg, Glantwymyn oedd y dewis naturiol er mwyn i'n plentyn gael cymdeithasu gyda phlant o'r un anian a chefnidir â hi. Gan ei bod yn dathlu'i phen-blwydd ar ddiwedd mis Awst, ac felly newydd droi'n bedair oed, roedd yn hollbwysig i ni ei bod hi'n teimlo'n hapus a chyfforddus i fynychu'r ysgol. Derbyniodd lai o addysg meithrin na'r arfer a cholodd gyfleoedd pontio a phrofiadau pwysig eraill yn sgil pandemig Covid-19, ac roedd hynny'n rheswm arall i gefnogi'n dewis o ysgol a fyddai'n ei helpu i ddelio'n llwyddiannus gyda'r cam mawr hwn yn ei bywyd.</p>	<p>Fel a nodwyd yn pwynt 45 uchod, mae gan rieni a gofalwyr yr hawl i ddewis ysgol. Fodd bynnag, bydd cludiant ysgol ond i ddysgwyr i fynychu eu ysgol agosaf neu dalgylch.</p> <p>Byddem felly yn ail edrych ar y mapiau i sicrhau bod ffiniau'r dalgylchoedd yn adlewyrchu yr ysgol agosaf yn gywir a phe bo angen yn gwneud mân addasiadau i adlewyrchu'r ffactorau lleol.</p> <p>As noted in response reference 45 above, parents and carers are able to make a preference for their preferred school. However, free home to school transport will only be provided to a learners nearest or catchment school.</p> <p>We will review the current catchment maps to ensure that the boundary of the catchment accurately reflects a learners nearest school and where necessary, make small amendments to reflect local factors.</p>

	<p>Mae diwylliant a thraddodiadau Cymreig a chefn gwlad yn bwysig i ni fel teulu, a theimlwn mai Ysgol Gynradd Glantwymyn sy'n gallu cynnig yr ethos mwyaf addas i gyd-fynd â'n ffordd ni o fyw.</p> <p>Pe bai ein merch wedi mynychu Ysgol Bro Hyddgen ym Machynlleth, credwn yn gryf y byddai hynny wedi bod yn anodd iddi gan mai prin iawn yw nifer y disgyblion sy'n dod o gartrefi uniaith Gymraeg. Hefyd, ni fyddai wedi adnabod llawer o'i chyd-disgyblion.</p> <p>Deallwn gan nifer o drigolion yr ardal y gwnaed addewid pan gaewyd Ysgol Aberhosan y byddai plant yr ardal yn cael dewis rhwng mynychu Ysgol Gynradd Glantwymyn neu Ysgol Gynradd Machynlleth. Yn wir, roedd rhai o blant yr ardal yn dilyn yr arferiad hwnnw tan yn gymharol ddiweddar. Er ein bod yn hapus iawn efo'n dewis o ysgol i'n merch, mae'n dipyn o ymrwymiad i'w chludo i'r ysgol ac yn ôl bob dydd (9 milltir un ffordd) felly byddai cael cefnogaeth Cyngor Sir Powys drwy ddarparu cludiant yn fanteisiol iawn i ni fel teulu. Rydym yn hapus i wneud yr aberth yma gan ein bod yn dibynnu ar aelodau eraill o'n teulu i'n helpu, ond gwyddom fod eraill wedi manteisio ar gludiant yn rhad ac am ddim yn y gorffennol.</p> <p>Ein blaenoriaeth ni yw sicrhau plentyndod hapus a Chymreig i'n plant. Mae cyfnod plentyn yn yr ysgol gynradd yn sylfaenol i'w datblygiad ac yn sail gadarn i'w haddysg. Mae'n dylanwadu'n fawr ar eu diddordebau, egwyddorion a'u ffordd o fyw yn y dyfodol. Teimlwn felly y dylai'r Cyngor gefnogi dewis y rhieni o ysgol gynradd a rhoi'r gefnogaeth gywir a haeddiannol iddynt wireddu eu dymuniadau a'r cyfleoedd gorau posib i'w plant.</p>	
48	<p>Glantwymyn: Nid yw amlinelliad terfynau map arfaethedig ardal Ysgol Glantwymyn yn adlewyrchu'n gywir gwir dalgylch Ysgol Glantwymyn.</p>	<p>Fel a nodwyd yn pwynt 45 uchod, mae gan rieni a gofalwyr yr hawl i ddewis ysgol. Fodd bynnag, bydd cludiant ysgol ond i ddysgwyr i fynychu eu ysgol agosaf neu dalgylch.</p>

<p>Sefydlwyd Ysgol Glantwymyn yn y 1970au ar ôl i ysgolion cynradd cyfagos yr ardal (Aberhosan, Cemaes, Commins Coch, a Llanwrin) gael eu cau.</p> <p>Ers yr adeg honno, mae plant yr ardaloedd wedi cael yr hawl i fynychu Ysgol Glantwymyn gan fanteisio ar gludiant i'r ysgol yn rhad ac am ddim o ardal Melinbyrhedyn ac Aberhosan er enghraifft. Mae'n hysbys ar lawr gwlad (yn ôl nifer o drigolion ardal Aberhosan) i'r trefniant yma gael ei gymeradwyo gan gyngor sir y dydd fel un o'r amodau o ganlyniad i gau ysgol Aberhosan.</p> <p>Gellir nodi esiamplau di-ri o blant yn cael trafnidiaeth i Ysgol Glantwymyn o Melinbyrhedyn ac Aberhosan am ddim ers blynyddoedd lawer; arferiad sydd yn parhau hyd heddiw. Yn wir, yn bresennol, mae 90% o blant oedran ysgol cynradd sy'n byw ym Melinbyrhedyn ac Aberhosan yn mynychu Ysgol Glantwymyn.</p> <p>Dylid ystyried taw Ysgol Glantwymyn ydi'r unig ysgol categori 1 yn y dalgylch, ond nid yw'r terfynau arfaethedig yn cymeryd hyn i ystyriaeth nac yn adlewyrchu hyn. Yn wir, mae ardaloedd Melinbyrhedyn ac Aberhosan er enghraifft yn ardaloedd gwledig ddiwylliannol ffyniannus Cymraeg eu hiaith ac mae'n hanfodol fod y plant sydd yn byw yn yr ardaloedd hynny yn parhau i fedru gael yr hawl i fynychu Ysgol Glantwymyn er mwyn sicrhau dyfodol yr iaith yn yr ardaloedd cefn gwlad yma.</p> <p>Yn ddiweddar, newidiwyd statws Ysgol Bro Hyddgen i fod yn ysgol gyfrwng Gymraeg o 2023/24 ymlaen, ond mi fydd yn flynyddoedd lawer cyn iddi fod yn Gymraeg yn gyfangwbl. Yn y cyfamser, disgyblion ail iaith fydd mwyafrif disgyblion Ysgol Bro Hyddgen, ac mae'n hysbys taw greddf naturiol plant (ac oedolion o ran hynny) yw i droi at y Saesneg yn gyntaf (er mwyn hwylustod) pan mewn sgwrs. Fel oedolyn, nid yw hyn mor</p>	<p>Byddem felly yn ail edrych ar y mapiau i sicrhau bod ffiniau'r dalgylchoedd yn adlewyrchu yr ysgol agosaf yn gywir a phe bo angen yn gwneud mân addasiadau i adlewyrchu'r ffactorau lleol.</p> <p>As noted in response reference 45 above, parents and carers are able to make a preference for their preferred school. However, free home to school transport will only be provided to a learners nearest or catchment school.</p> <p>We will review the current catchment maps to ensure that the boundary of the catchment accurately reflects a learners nearest school and where necessary, make small amendments to reflect local factors.</p>
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	<p>dyngedfennol gan ein bod eisoes wedi dysgu ein hieithoedd, ond ar gyfer plentyn sydd ar ddechrau eu taith ieithyddol, gall fod yn angheuol i'w gallu neu i'w dyhead i fod yn siaradwr iaith gyntaf Gymraeg a golyga y bydd Cymreictod plant uniaith Cymraeg yn cael ei lastwreiddio ac yn ei gwneud yn anoddach i Lywodraeth Cymru o gyrraedd ei nôd o filiwn o siaradwyr Cymraeg erbyn 2050.</p> <p>Os lynur at y terfynau arfaethedig, gorfodir plant uniaith Cymraeg ardaloedd megis Melinbyrhedyn ac Aberhosan i fynychu dosbarth derbyn Ysgol Bro Hyddgen; dosbarth a fyddai i bob pwrpas yn ddosbarth ail iaith Gymraeg, er statws swyddogol yr Ysgol. Byddai hyn yn cael effaith negyddol ar addysg y plant uniaith Gymraeg hynny.</p> <p>O ganlyniad i'r pwyntiau uchod, rwy'n galw ar Gyngor Sir Powys i ail edrych ar derfynau ardal talgylch Ysgol Glantwymyn ac i gofio yr hyn ag yr addawyd i blant ysgol Aberhosan pan gaëwyd eu hysgol yn y 1970au. Dylid hefyd ystyried arferion hanesyddol a phresennol sy'n adlewyrchu gwir arferion trigolion Melinbyrhedyn ac Aberhosan.</p> <p>Ni all llinell ar fap gyfleu gwir dalgylch ysgol wledig. Rhaid cymeryd i ystyriaeth arferion hanesyddol, teuluol a diwylliannol. Mae'r ffin honno yn ffin annelwig, ond eto yn ffin gadarn a phendant.</p> <p>Gyda diolch</p>	
49	<p>Glantwymyn: Nid yw cynllun presennol talgylch Ysgol Glantwymyn yn adlewyrchu gwir dalgylch hanesyddol na phresennol yr Ysgol.</p> <p>Sefydlwyd Ysgol Glantwymyn yn y 70au cynnar, wedi cau ysgolion bach cyfagos y wlad, gan gynnwys Ysgol Aberhosan, Cemaes, Commins Coch, a Llanwrin.</p>	<p>Fel a nodwyd yn pwynt 45 uchod, mae gan rieni a gofalwyr yr hawl i ddewis ysgol. Fodd bynnag, bydd cludiant ysgol ond i ddysgwyr i fynychu eu ysgol agosaf neu dalgylch.</p> <p>Byddem felly yn ail edrych ar y mapiau i sicrhau bod ffiniau'r dalgylchoedd yn adlewyrchu yr ysgol agosaf yn gywir a phe bo angen yn gwneud mân addasiadau i adlewyrchu'r ffactorau lleol.</p>

<p>Dyma ddywed llawlyfr Ysgol Glantwymyn am y flwyddyn academaidd bresennol:- "NATUR YR YSGOL Ysgol Gymunedol Cyfrwng Cymraeg - agorwyd yr ysgol yn swyddogol ar y 7fed o Fedi, 1971 yn dilyn cau ysgolion Aberhosan, Cemaes, Comins Coch a Llanwrin. Cymraeg yw iaith yr ysgol, a'r nod yw i bob plentyn fynd o'r ysgol yn unarddeg oed yn gwbwl ddwyieithog. Mae'r disgyblion yn cael blas ar fywyd cymdeithasol yr ardal ac yn cyfrannu ato trwy gymryd rhan yn y gweithgareddau diwylliannol a drefnir yn y gymuned."</p> <p>Pan gaëwyd Ysgol Aberhosan, cytunodd y Cyngor (Cyngor Sir Drefaldwyn ar y pryd) y byddai plant a oedd o fewn dalgylch Ysgol Aberhosan â'r hawl i fynychu ysgol Glantwymyn ac yn cael cludiant i'r Ysgol am ddim.</p> <p>Ers y 1970'au felly, mae plant o Felinbyrhedyn ac Aberhosan wedi mynychu Ysgol Glantwymyn ac mae esiamplau di-ri o blant yn cael trafndiaeth i Glantwymyn am ddim ac mae hyn yn hysbys i drigolion yr ardal ers hynny. Mae arferiad cadarn fod y plant sydd yn byw ym Melinbyrhedyn ac Aberhosan yn mynychu Ysgol Glantwymyn; arferiad sydd yn parhau hyd heddiw.</p> <p>Yn ystod y flwyddyn academaidd bresennol o 2021-2022, mae 7 o'r 8 plentyn oedran ysgol cynradd sy'n byw ym Melinbyrhedyn ac Aberhosan yn mynychu Ysgol Glantwymyn.</p> <p>Ysgol Glantwymyn ydi'r unig ysgol categori 1 yn y dalgylch, ond nid yw'r cynllun talgylch yn cymeryd hyn i ystyriaeth nac yn adlewyrchu hyn.</p> <p>Mae ardal Melinbyrhedyn ac Aberhosan yn ardal wledig Cymraeg ei hiaith ac mae'n hanfodol fod y plant sydd yn byw yn yr ardal yn parhau i fynychu Ysgol Glantwymyn fel bod eu haddysg yn</p>	<p>We will review the current catchment maps to ensure that the boundary of the catchment accurately reflects a learners nearest school and where necessary, make small amendments to reflect local factors.</p> <p>As noted in response reference 45 above, parents and carers are able to make a preference for their preferred school. However, free home to school transport will only be provided to a learners nearest or catchment school.</p>
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<p>gyfangwbl drwy gyfrwng y Gymraeg o'r cychwyn cyntaf.</p> <p>Er fod statws Ysgol Bro Hyddgen wedi ei newid i fod yn ysgol gyfrwng Gymraeg o'r flwyddyn academaidd 2023/2024 ymlaen, ni fydd yr ysgol yn gwbl gyfrwng Gymraeg am flynyddoedd lawer. Y realiti yw y bydd y rhan fwyaf o'r plant fydd yn mynychu'r ysgol yn ddisgyblion ail iaith, ac yn debygol o ddod o aelwydydd uniaith Saesneg.</p> <p>Pe bai'r sefyllfa bresennol yn newid â'r gofynion mynediad yn unol gyda'r cynllun awgrymiedig uchod, byddai plant uniaith Cymraeg o'r ardal hon yn gorfod mynychu dosbarth derbyn Ysgol Bro Hyddgen. Byddai'n anorfod felly y byddai'r plentyn hwnnw bron yr unig blentyn iaith gyntaf Gymraeg i gychwyn yr ysgol y flwyddyn honno. O ganlyniad, byddai'r plentyn hwnnw mewn dosbarth o blant sydd yn cael eu hystyried yn blant ail iaith Gymraeg, beth bynnag yw statws yr Ysgol. Byddai hyn yn cael effaith negyddol iawn ar y plentyn unigol hwnnw a'i hawl i addysg drwy gyfrwng y Gymraeg, ond hefyd yr iaith Gymraeg a dyheuad y llywodraeth i sicrhau miliwn o siaradwyr Cymraeg erbyn 2050. Mewn mäs critigol y mae nerth ieithyddol.</p> <p>I grynhoi: Yn gyntaf, nid yw'r cynllun uchod yn adlewyrchu y cytundeb â ddaethpwyd iddo yn 1970au. Yn ail, nid yw'r cynllun uchod yn adlewyrchu arferion presennol. Yn drydydd, pe bai'r cynllun presennol yn cael ei gymeradwyo, fe fydd y goblygiadau yn cael effaith andwyol ar blant unigol ac ar yr iaith Gymraeg. O ganlyniad, dylai'r cynllun felly gael ei ddiwygio er mwyn cynnwys ardaloedd Melinbyrhedyn ac Aberhosan fel ag y bwriadwyd y ôl y cytundeb hanesyddol gwreiddiol ac i adlewyrchu arferion hirfaith.</p> <p>Gyda diolch</p>	
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50	<p>Glantwymyn: Dylai ardal Aberhosan a Forge gael ei gynnwys yn y dalgylch gan bod cymaint o rieni o'r ardal hon yn dewis gyrru eu plant i Glantwymyn.</p>	<p>Fel a nodwyd yn pwynt 45 uchod, mae gan rieni a gofalmwyr yr hawl i ddewis ysgol. Fodd bynnag, bydd cludiant ysgol ond i ddysgwyr i fynychu eu ysgol agosaf neu dalgylch.</p> <p>Byddem felly yn ail edrych ar y mapiau i sicrhau bod ffiniau'r dalgylchoedd yn adlewyrchu yr ysgol agosaf yn gywir a phe bo angen yn gwneud mân addasiadau i adlewyrchu'r ffactorau lleol.</p> <p>As noted in response reference 45 above, parents and carers are able to make a preference for their preferred school. However, free home to school transport will only be provided to a learners nearest or catchment school.</p> <p>We will review the current catchment maps to ensure that the boundary of the catchment accurately reflects a learners nearest school and where necessary, make small amendments to reflect local factors.</p>
51	<p>Glantwymyn: Dyma ein sylwadau ar y trefniadau derbyn, yn benodol, trefniadau derbyn i'r blynyddoedd cynnar, sef addysg i blant 3 a 4 oed ym Mhowys, ac rydym yn gwneud y sylwadau isod mewn cysylltiad ag Ysgol Gynradd Glantwymyn.</p> <p>Buom yn rhan o'r broses hon y llynedd, ac mae'n rhaid i ni fynegi siom enfawr na chafodd y meini prawf sydd ar dudalen 6 o'r llyfryn ei gweithredu. Hoffem, yn gyntaf, nodi ein bod yn cytuno â'r meini prawf i roi blaenoriaeth i blant y dalgylch, a phlant y dalgylch sydd â brawd neu chwaer eisoes yn yr ysgol.</p> <p>Dehonglwyd hyn yn anghywir yn ein hachos ni wrth i ni gyflwyno cais am le cyn-ysgol i'n plentyn 3 oed. Rhoddwyd blaenoriaeth i blant o'r tu allan i'r dalgylch gan eu bod nhw yn byw yn agosach o ran pellter at yr ysgol dan sylw na ninnau. Dywedwyd wrthyf ar y ffôn bod y staff wedi bod yn mesur pellter cartrefi'r plant o'r ysgol, ond nad oeddent wedi ystyried y dalgylch o gwbl yn hyn o beth!! Gofynnwn i chi sicrhau bod yr holl staff yn ymwybodol o'r meini</p>	<p>Mae'r llyfryn Gwybodaeth a Threfniadau Derbyniadau blynyddol Powys, yn amlinellu'n glir allu riant / gofalmwr i ddewis darpariaeth cyn-ysgol, gynradd neu uwchradd o'u dewis eu hunain (yn unol â chod Derbyn Llywodraeth Cymru). Mae hefyd yn nodi'r meini prawf gor-danysgrifiad a gymhwysir os oes mwy o geisiadau yn cael eu derbyn na llefydd sydd ar gael. Mae'r holl staff yn ymwybodol o'r meini prawf gor-danysgrifio. Mae'r Cyngor hefyd yn adolygu ei fynediad i lefydd cyn-ysgol yn barhaus.</p> <p>Powys' annual Admissions Information and Arrangements booklet outlines clearly the ability of a parent / carer to choose a pre-school, primary or secondary provision of their own preference (in line with the Welsh Government Admissions code). It also states the oversubscription criteria applied if there are more applications received than places available. All staff are aware of the oversubscription criteria. The Council is also continually reviewing its access to pre-school places.</p>

prawf ar gyfer dyrannu lleoedd ysgol, sef “y lleoliad agosaf at le mae'r plentyn yn byw fel arfer” (o fewn y dalgylch) yn hytrach na dehongli hyn fel y “plant sy'n byw agosaf at y lleoliad”. Mae ystyr y ddau ddatganiad yma yn hollol wahanol ac mae'n hollbwysig sicrhau bod y dehongliad cywir yn cael ei ddefnyddio gan y staff sy'n dyrannu'r lleoedd. Er enghraifft, wrth ystyried plentyn sy'n byw yng Nghwm-llinau, y lleoliad agosaf at le mae'r plentyn yn byw yw Ysgol Glantwymyn. Ond mae plant Penegoes yn “byw yn agosach at y lleoliad o ran pellter mewn milltiroedd” (sef Ysgol Glantwymyn yn yr enghraifft hon) ac felly wrth gamddehongli'r meini prawf, byddai plant o'r tu allan i'r dalgylch yn cael blaenoriaeth (fel a ddigwyddodd yn ein hachos ni).

Mae hyn yn hynod bwysig er mwyn sicrhau nad yw plant ardaloedd cefn gwlad y sir yn colli allan ar addysg y mae ganddynt hawl i'w chael gan eu bod yn byw mewn cymuned wledig, ond eto o fewn dalgylch yr ysgol. Mae ein plentyn wedi colli allan ar gymaint o sesiynau addysg cyn-ysgol oherwydd diffyg dealltwriaeth staff o'r meini prawf ei hun, ac mae hyn yn destun siom a phryder i ni.

Dyma ein sylwadau ar y dalgylchoedd.

Cytunwn â map Ysgol Gynradd Glantwymyn, ac mae'n hynod bwysig bod rhieni yn cael gweld y map yn flynyddol. Gan fod nifer fawr o blant ym Mhowys ar hyn o bryd yn ymgeisio am leoedd cyn-ysgol ac ysgol, mae'n rhaid i'r sir ddilyn y dalgylchoedd ar gyfer yr ysgolion hyn wrth fynd ati i ddyrannu lleoedd. Cytunwn y dylai pob rhiant gael y cyfle i wneud cais i anfon eu plant i'r ysgol o'u dewis, ond y dylid bob amser roi blaenoriaeth i blant y dalgylch.

iv) **CRICKHOWELL HIGH SCHOOL CLUSTER**

Crickhowell High School

Crickhowell CP
Llanbedr
Llangattock
Llangynidr

Ref	POSITIVE comments	Local Authority Response
52	<p>Crickhowell High School: This catchment would appear to serve the local community; however Crickhowell High School already accepts large numbers of out of catchment children. This is evidenced by the large numbers of vehicle movements from communities in the Heads of the Valleys area into Crickhowell on school days. This proposed catchment would be meaningful if the admissions policy of the school only allowed for children within catchment to attend.</p>	<p>The Council notes this comment</p>

Ref	OBJECTIONS	Local Authority Response
53	<p>Crickhowell High School: My family live in Bwlch and my grandson attends Llangynidr and walks home from school in Llangynidr to me for child care and to support me.</p> <p>The news he will not go to school with any of his friends will alienate him and deeply, deeply distress him. He will not cope with such news. He is fragile anyway due to Covid lockdowns and isolation due to being an only child.</p> <p>Please do not do this to him. Llangynidr is a natural feeder school to Crickhowell and so children should have a place to go as with every year previously. The way the map is drawn to exclude Bwlch must be a mistake and put right please.</p>	<p>The Council notes these comments around a learners and their family choice of school.</p> <p>This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act." These exceptions are applied when a school is</p>

		<p>oversubscribed. Powys' oversubscription criteria is set out in the annual 'Admissions Information and Arrangements' booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states "Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school". The current policy goes on to state that "A catchment school means the nearest school within a geographic area".</p> <p>Consideration will be given to which primary and secondary catchment Bwlch should fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.</p>
54	<p>Crickhowell High School: Stick to Powys Remove other counties Bwlch should NOT be removed</p>	The Council notes this comment.
55	<p>Crickhowell High School: Bwlch should remain in the catchment for Crickhowell. Geographically it is much closer to Crickhowell than Gwernyfed, making Crickhowell the most appropriate and most logical selection. Families have homes there in the expectation that their children (including those in primary or so to go to primary) will go to Crickhowell. Children will be spending much longer commuting to school - unnecessarily lengthening their days. Ecologically it would also make sense with the lower mileage both for school transportation and for all of the additional travel that families will</p>	Please see response reference number 53 above.

	<p>end up taking. Schools and the friendship groups that result are central to family life and clubs, societies and other activities tend to be selected based on friends attending. Bwlch families are likely to face further travel times and costs as a result of their children attending school out of the local area, or the children will miss out as families won't be in a position to access those activities</p>	
56	<p>Crickhowell High School: It is important to maintain the previous catchment area for Crickhowell High School, to support pupil numbers at Llangynidr Primary School, and maintain friendship groups. Bwlch is much closer geographically than other areas the school accepts pupils from. Pupils should not be discriminated against because they live in Powys, especially when we are talking about a Powys School!</p>	Please see response reference number 53 above.
57	<p>Crickhowell High School: The closest high school from Bwlch is Crickhowell. It does not make sense that a big section has been taken out of both Llangynidr and Crickhowell High School catchment, as they are both the nearest suitable schools. Children who live in Bwlch and come to Llangynidr have always transferred to Crickhowell High School. The impact of splitting friendship groups, the pressure on working parents to arrange transport or the extra travel time are unnecessary changes that should not even be considered. From the map, a section of A40 has been taken out of Crickhowell High School catchment, yet children living further away would be on a route that would take them through Bwlch in order to get to school. Crickhowell High School has an excellent reputation with many families moving to the area to get into the school. Changing the catchment in Bwlch will prevent local Powys children being entitled to attend the school and leave more spaces for children living in bordering counties to come to the school. This plan will have a negative environmental and economic impact forcing more money and time to be spent by Powys, parents and learners on unnecessary travel to a school further away.</p>	Please see response reference number 53 above.

	If the catchment is to change for Bwlch, Powys County Council will need to provide justification as to why both Llangynidr Primary and Crickhowell High School are not considered to be 'suitable' considering they are the nearest to this village.	
58	Crickhowell High School: Leaving Bwlch out of the catchment area for Crickhowell high school will have a huge impact on the children who attend llangynidr primary school.	Please see response reference number 53 above.
59	Crickhowell High School: I have concerns about Bwlch being removed from Crickhowell catchment on environmental grounds. According to AA route planner the journey from Bwlch to Crickhowell High school is 5.9 miles and takes 10 mins. Between Bwlch and Gwernyfed High School is 11.3 miles taking 19 mins. This makes it almost double the journey length in time and mileage . At a time when we all need to be cutting emissions, how can this be justified? The A40 route into Crickhowell is a more reliable route than the B4560 which can suffer from flooding, increased farm and tourist traffic that can hold up traffic and delay journeys further, and requires passing through Llangorse that can be congested with parked cars and traffic.	Please see response reference number 53 above.
60	Crickhowell High School: Bwlch should be included in the Crickhowell catchment as the feeder school has been Llangynidr for a long time.	Please see response reference number 53 above.
61	Crickhowell High School: Bwlch is currently in Crickhowell high school catchment area. Crickhowell is the nearest school. The proposed change to catchment area is not acceptable as Gwernyfed is literally twice the distance from Bwlch compared to Crickhowell. Many in the community have settled in Bwlch on the basis of Crickhowell being the default school for the village, myself included. There is a long standing Bwlch community relationship with Crickhowell and the proposed catchment area change will have a negative effect on this.	Please see response reference number 53 above.

62	<p>Crickhowell High School: I am uncertain why the catchment covers an area so far west of Crickhowell nearly into Merthyr which is at least 25 minutes drive away and eliminates Bwlch which is only 10 minutes drive away. From the area west of Talybont on Usk it would be more logical for eligible pupils to be either in the Merthyr or Brecon catchment.</p> <p>We should be encouraging pupils to go to school close to where they live and reduce the number who are driven in by private cars. Currently there are significant numbers of pupils being driven in from outside the catchment area already adding to traffic congestion at the two main road junctions at The Vine Tree Inn, Llangattock and the traffic lights at Crickhowell Bridge.</p>	Please see response reference number 53 above.
63	<p>Crickhowell High School: We feel strongly that Bwlch should be included within the catchment. Some children will attend llangynidr primary and it is well within the wider boundary.</p>	Please see response reference number 53 above.
64	<p>Crickhowell High School: Removing Bwlch from the catchment will potentially reduce pupil numbers at Crickhowell school, with a loss of funding. In addition pupils from Bwlch will be isolated from others living nearby by having to travel further to school.</p>	Please see response reference number 53 above.
65	<p>Crickhowell High School: We live in Bwlch and can't understand why our daughter should have to travel such a distance to secondary school. Crickhowell is our closest town. We should have a choice of the 2 schools as it has always been.</p>	Please see response reference number 53 above.
66	<p>Crickhowell High School: Catchment area should include Bwlch as it is so near. Children from llangynidr and bwlch who grow up together and attend llangynidr primary school will no doubt later attend crickhowell high school. By not allowing bwlch pupils to be in the catchment area this could have negative impacts on children's friendships/relationships</p>	Please see response reference number 53 above.
67	Crickhowell High School:	Please see response reference number 53 above.

	<p>As a parent of a child in primary school we would now fall outside of the catchment area for Crickhowell High School. This would be our school of choice as it follows the same curriculum as Gilwern Primary School. I am keen to sustain this interaction with the pilot curriculum and would be deeply disappointed should my child be refused entry based on catchment</p>	
68	<p>Crickhowell High School: Removing Crickhowell High School out of the Bwlch catchment does not make sense - this is the closest secondary school. It does not make sense to force Parents to send their child to a school further away, and it will cost more for your school transport costs.</p> <p>Bwlch has always had dual catchment areas and therefore this choice should remain.</p> <p>Crickhowell accepts many children from other local authority areas such as Monmouthshire and Blaenau Gwent, will they be stopped from attending? If not and Powys children cannot attend then it makes even less sense.</p> <p>What is the rational for forcing Bwlch children to go to a secondary school further away?</p>	Please see response reference number 53 above.
69	<p>Crickhowell High School: Bwlch village should be left in the catchment area for Crickhowell High School. It would be ridiculous to send children to Brecon considering the distances involved. Bwlch is part of Crickhowell not Brecon.</p>	Please see response reference number 53 above.
70	<p>Crickhowell High School: As a local resident and tax payer, I am concerned about the proposal to include Bwlch in the catchment area for Llangorse and Gwernyfed. I am presuming this means that free transport will be extended to pupils residing in Bwlch and attending those 2 schools.</p> <p>I am aware that many pupils residing in Bwlch currently attend</p>	Please see response reference number 53 above.

	<p>Llangynidr Primary and Crickhowell High and obviously under section 3 of the Learner Travel (Wales) Measure 2008, with these being their nearest schools albeit further than 2/4 miles, Powys is legally obliged to provide transport to those pupils.</p> <p>It seems to me to hardly be best use of resources to provide additional free transport to Llangorse and Gwernyfed when Powys must also provide transport to other schools that parents select for their children, bearing in mind that Llangynidr and Crickhowell are unlikely to be over-subscribed.</p>	
71	<p>Crickhowell High School: Bwlch is closer to Crickhowell than some others in the catchment area</p>	Please see response reference number 53 above.
72	<p>Crickhowell High School: Bwlch is not included in the proposed area.</p>	Please see response reference number 53 above.
73	<p>Crickhowell High School: Bwlch is not included.</p>	Please see response reference number 53 above.
74	<p>Crickhowell High School: Bwlch should be included</p>	Please see response reference number 53 above.
75	<p>Crickhowell High School: We moved here in order for my children to stay near close family And attend crickhowell high school. It be exceptionally detrimental to no longer off this as an option.</p>	Please see response reference number 53 above.
76	<p>Crickhowell High School: Children from bwlch should be able to go to Crickhowell high school as it's the closest school it makes no sense they have to go further when there is no need to it was waste of money to get them the transport there makes no sense</p>	Please see response reference number 53 above.
77	<p>Crickhowell High School: My primary aged child is friends with children from Bwlch, proposals would mean splitting up friendship groups. I fail to understand how a village so close to Crickhowell and in Powys won't fall into catchment for Crickhowell, yet the school has children from Monmouthshire, Blaenau Gwent and Merthyr.</p>	Please see response reference number 53 above.
78	<p>Crickhowell High School:</p>	Please see response reference number 53 above.

	There is no advantage in excluding Bwlch from the catchment area of Crickhowell High. This school is still close to the area and there are no benefits in the adjustment.	
79	<p>Crickhowell High School:</p> <p>As someone who was bussed from Llangattock to Brecon daily, I disagree with children from Bwlch being denied the chance of attending school in Crickhowell and would ask that you think again about asking these children (who have far more links with the Crickhowell area than the Brecon area) to travel to Brecon and Gwernyfed. The opening of Crickhowell High School improved these children's daily lives enormously - please don't take them back to long journeys and being split from their friendship groups.</p>	Please see response reference number 53 above.
80	<p>Crickhowell High School:</p> <p>We live in Bwlch. My son attended Llangynidr Pre - School, Llangynidr Primary and now attends Crickhowell High. My sons plays for Llangynidr Football Club and attended Llangynidr Beavers and Cubs. I would not have wanted him to attend any other school other than Llangynidr Primary and Crickhowell High. His friends and family are all part of the Llangynidr and Crickhowell communities and his extra curricular activities all take place in Llangynidr and Crickhowell. To think future children living in Bwlch will be excluded from having this choice is ludicrous and will cause unnecessary divisions within our community, making children feel isolated and excluded from their friends. Wake up Powys County Council and stop causing unnecessary stress to parents and children regarding their future schooling. Please make your decisions based on our children's wellbeing rather than for your financial gains.</p>	Please see response reference number 53 above.
81	<p>Crickhowell High School:</p> <p>Include bwlch in crickhowell catchment it is part of the community with llangynidr primary who all go to Crickhowell Look how much closer bwlch is to Crickhowell than Gwernyfed Stop expecting children to travel unnecessary distance to go to school</p>	Please see response reference number 53 above.
82	Crickhowell High School:	Please see response reference number 53 above.

	Although no children currently live in our house it seems crazy that children living beyond Bwlch will live within the Crickhowell catchment area and will have to travel through Bwlch to arrive in school whilst Bwlch children will need to travel further away than what their journey would be to go to Crickhowell school. Bwlch has a long history with Crickhowell school and it really should remain in the Crickhowell catchment	
83	Crickhowell High School: Bwlch should be in the catchment area	Please see response reference number 53 above.
84	Crickhowell High School: Why isn't Bwlch included? Powys needs to seriously consider looking after their resident children first, who live just up the road from Crickhowell High School, before accepting pupils from out of county.	Please see response reference number 53 above.
85	Crickhowell High School: It makes no sense whatsoever that Bwlch should lie outside the catchment area for Crickhowell High School, given the geographical proximity and the close social ties that exist between residents of both areas. Travelling between the two is simple and straightforward thanks to the A40, and is certainly easier and more environmentally-sound than the larger trek to Gwernyfed that is being proposed. With Crickhowell's stellar reputation in the local area, competition for places is high, so removing Bwlch from the catchment area adds an unnecessary and cruel barrier to their pupils' chances of attending the school, which is totally illogical and ill-conceived.	Please see response reference number 53 above.
86	Crickhowell High School: The catchment to exclude Bwlch is ridiculous. The way the catchment has been drawn is unfair and unproportionate. Why is the an indent purely to exclude Bwlch? Bwlch to Crickhowell is just over 5 miles, Talybont to Crickhowell is nearly 9 miles, yet Talybont is included in the primary catchment! Gwernyfed High School is 17 miles away!!!! The map does not make any logical sense to exclude Bwlch.	Please see response reference number 53 above.

	<p>My son is already in year 5 at Llangynidr and he should be allowed to proceed to Crickhowell, their feeder school and not leave all his friends. He will be the only boy doing this and it will destroy him after isolation of lockdown being an only child. Also being an only child going to high school he needs the support of his friends. Not letting him go to Crick High will have a devastating effect on my son and the exclusion of Bwlch is inappropriate.</p>	
87	<p>Crickhowell High School:</p> <p>I am totally distraught with the news that Bwlch may not be in the catchment area for Crickhowell High school. The way the catchment has been drawn is unfair and unproportionate. Why is the an indent purely to exclude Bwlch? Bwlch to Crickhowell is just over 5 miles, Talybont to Crickhowell is nearly 9 miles, yet Talybont is included in the primary catchment! I live right on the edge of Bwlch village, practically out of Bwlch, looking down on Crickhowell. Please can you confirm if our postcode is in catchment or not LD3 7HZ.</p> <p>Our only son attends Llangynidr Primary School and is in year 5. There are only 7 boys in his year and this will mean that only him, may not be in catchment for Crickhowell. This is absolutely tragic and terrible news and will destroy him if he cannot go to school with his friends, taking him away from them to a school where he knows nobody.</p> <p>We moved to the area 5 years ago specifically for the choice of schools only to be subjected to this. Moving and settling a child to a new place and school takes time and support. With this and after 2 years of locking our children down with COVID isolations, this has had a big impact on our only child and to even think to prepare him not to move to high school with his friends is going to be detrimental to him. Please don't do this to us and consider the implications.</p>	Please see response reference number 53 above.

	The map does not make any logical sense to exclude Bwlch.	
88	<p>Crickhowell High School: Why is Bwlch being removed from Cricks catchment? Makes no sense in the shape of the area of the catchment having that narrow corridor going down to Bwlch to exclude it? Many kids from Bwlch go to Llangynidr Primary then on to Crickhowell, this could cause friends and family issues staying together and just makes no sense in changing</p>	Please see response reference number 53 above.
89	<p>Crickhowell High School: I previously sent in a response to the changes to llangynidr primary school catchment and the proposal to remove bwlch from that zone. i would like to express the same concerns regarding this change, and believe the same issues to be relevant here, if not even more so. if one was staying the same and the other changing, the problems regarding school attendance figures would still arise. Bwlch is but a stones throw from Llangynidr which is within the catchment zone and it just seems a bit ridiculous that a small village should be removed from a system that is working perfectly well.</p>	Please see response reference number 53 above.
90	<p>Crickhowell High School: Why has Bwlch been removed out of the catchment area? Crickhowell High School is the nearest to Bwlch. I believe it is important Bwlch parents keep dual catchment for both Crickhowell High and Gwernyfed High Schools. I don't want to divide the community. We have had dual catchment since 1974. How will we explain this to our children? Have the council heard of wellbeing and mental health? Our children have been through a lot since Covid hit and now the council plan to cause further uncertainty and upset.</p> <p>Why are the council removing dual catchments? What has changed for the council to consider new catchments? What will the council gain?</p> <p>I appreciate the council have spent millions on the Gwernyfed</p>	Please see response reference number 53 above.

	<p>cluster and want to ramp up numbers to unsure the project is successful but at the expense of stopping Bwlch children accessing Crickhowell High which is one of the best performing school in Wales. Is your plan to decrease the size of Crickhowell High School making it less significant in Powys?</p> <p>Parent choice is crucial and the new proposal is only giving Bwlch one High school with free transport.</p> <p>Why have the council not contacted the parents directly? How can you guarantee the primary/secondary schools have passed the new catchment/admissions proposals to all the relevant people?</p> <p>When were Llangorse parents who wanted their children to attend Crickhowell High School informed that Llangorse School was removed as a feeder school? What rights do these parents now have ? Parents have bought houses believing they have access to both Crickhowell High and Gwernyfed High.</p> <p>I do not want the council to divide my village Bwlch by making us select one High School. We want to keep access to both Crickhowell High and Gwernyfed High.</p>	
91	<p>Crickhowell High School: I feel the new catchment areas would split friendship groups. Removing Bwlch from the catchment area is ridiculous. It's the closest high school and most of the children's friends from primary school will feed into crickhowell, this has a massive impact on their well-being and happiness through the toughest years of schooling.</p>	Please see response reference number 53 above.
92	<p>Crickhowell High School: The new catchment does not affect me but I do question the rationale of moving Bwlch out of the catchment area for Crickhowell high school because; 1. Bwlch has long been within the catchment area for Crickhowell. 2. Bwlch is on the A40 trunk road to Crickhowell and is closer to</p>	Please see response reference number 53 above.

	<p>Crickhowell than Gwernyfedd school.</p> <p>3. People have chosen to locate in Bwlch long term so they can choose Crickhowell school for their children.</p> <p>4. Bwlch residents should have the choice even if Powys don't want to keep running transport to both Crickhowell and Gwernyfedd high schools.</p>	
93	<p>Crickhowell High School:</p> <p>I cannot see the logic of Bwlch not being in the catchment area for Crickhowell High School - can you explain the methodology behind this - it would appear that someone has come along with a pen and isolated Bwlch - why??</p> <p>I have spoken to many people and no-one can understand the reasoning.</p>	Please see response reference number 53 above.
94	<p>Crickhowell High School:</p> <p>Bwlch is the closest village to Llangynidr and it's being removed from the catchment. Crickhowell high school is the closest secondary school to Bwlch yet you are removing the village from the catchment. Absolutely ridiculous!!!! How can this ever be allowed to be contemplated. Disgusting</p>	Please see response reference number 53 above.
95	<p>Crickhowell High School:</p> <p>We have a son who has attended crickhowell high school since year 7 and is about to enter 6th form in September. What will the proposed changes in catchment area mean for him? Will he still be allowed to attend Crickhowell High? Will he still have free access to a school bus?</p>	Please see response reference number 53 above.
96	<p>Crickhowell High School:</p> <p>I live in Llangors and my children attend Crickhowell high school. The catchment demarcation for us is drawn to specifically exclude us from the Crickhowell catchment even though it is geographically closer to us than a significant proportion of the included catchment. The old system of the distance from the schools 'as the crow flies' appears far more equitable and is very easy to determine.</p>	Please see response reference number 53 above.
97	<p>Crickhowell High School:</p>	Please see response reference number 53 above.

	This change of catchment is ridiculous to not include Bwlch area for Crickhowell High school. It is the closest secondary to this village.	
98	Crickhowell High School: We live in Bwlch. We can not understand how Bwlch has been omitted from the Crickhowell High school catchment area, seeing as Llangynidr is our closest primary school and a feeder school to Crickhowell High school. It makes no sense what so ever. Our oldest child already goes to Crickhowell High and next child will be due to go in just over 12 months time from llangynidr primary. Her friendship group will be going to Crickhowell High and it is our closest secondary school. For there to be a possibility that she may not be able to go to the closest secondary school because of this change, is an absolute joke.	Please see response reference number 53 above.
99	Crickhowell High School: We bought a house in Bwlch village as it was in the catchment area for Crickhowell High School it now seems to of disappeared off the map for the catchment, can I still send my children to Crickhowell?	Please see response reference number 53 above.
100	Crickhowell High School: Both of my daughters attend Llangynidr primary. We live in Bwlch. The change to remove Bwlch from the catchment of Crickhowell High school will devastate my children. Absolutely all of their friends will be attending Crickhowell High. The children's grandparents live in Crickhowell, and we rely on them to provide daily after-school care, which they will be unable to do if the children have to go to school in Three Cocks. Crickhowell is on my way to work, and only 10 minutes drive from our house and I planned to take them to school on the way to work. The decision to change the catchment area for Bwlch will be absolutely terrible for our family. It also makes no geographical sense. My whole family would be most grateful if the decision to remove Bwlch from the catchment of Crickhowell High be reconsidered.	Please see response reference number 53 above.
101	Crickhowell High School: I am very concerned to see that Bwlch is not included in the catchment area for Crickhowell High School. Crickhowell is by far	Please see response reference number 53 above.

	<p>the closest and easiest high school to access from Bwlch. The proposed catchment school of Gwernyfed is over 12 miles, more than double the distance of Crickhowell. Many children in Bwlch, including my own, currently attend Llangynidr Primary school (again the closest in distance from Bwlch) which is a feeder school to Crickhowell. The catchment for Crickhowell High School should therefore also include Bwlch to allow children to move to the High School with their friendship groups and to the High School their Primary School has the closest links to.</p> <p>My eldest daughter currently attends Crickhowell High School and the proposal of the catchment to not include Bwlch could result in my youngest daughter not gaining a place at the same school as her sister.</p> <p>I would also like clarification on the provision of home to school transport and whether this would be charged for a school that is not in catchment? I would like to think that this would still be provided free of charge as Crickhowell is the closest High School to Bwlch in distance and having read the Home to School Transport policy free transport is provided for the nearest suitable school, in this case Crickhowell High School.</p> <p>I believe that this catchment needs serious reconsideration and at the very least that Bwlch be included as a joint catchment area for Crickhowell and Gwernyfed. Looking at the map provided, it makes no sense to cut off Bwlch from the Crickhowell catchment when it is so close in distance to the school, compared to Gwernyfed (that doesn't even show on the map above!) I would welcome the chance to discuss these concerns and would be happy for someone at the council to contact me to discuss this further as I would be interested to hear the rationale behind these proposals.</p>	
102	<p>Crickhowell High School: We are writing to you on behalf of the Governing Body of Crickhowell High School regarding our serious concerns about the proposed changes to school transport regarding children</p>	<p>Please see response reference number 53 above.</p>

living in Bwlch . CHS Governing Body strongly object to these changes and view them as having a very significant, long term negative effect on both Llangynidr Community Primary School , which is a feeder primary for Crickhowell High School and also for Crickhowell High School. The proposed changes will mean that all Bwlch children will be expected to attend Llangorse Church in Wales Primary and then will not be able to attend Crickhowell High School as your proposals state all children at Llangorse will then attend either Brecon High School or Gwernyfed High School. This proposed catch to catchment areas for Bwlch seems extraordinary when Llangynidr is the closest primary and Crickhowell the closest secondary school and this will negatively affect the numbers in both schools going forward .

We have received numerous concerns from enquiries from Governors of Llangynidr School who are very concerned and we have also been approached by parents from the Bwlch area who, like us, cannot understand the rationale for these proposed changes even though both Llangynidr and Crickhowell are their nearest school. The reason given is that children can no longer be transported to the primary school over Llangynidr Bridge from Bwlch and will be instead directed to Llangorse School yet a mini-bus can access the bridge as can parents in their own vehicles .

The Governing Body of Crickhowell High School is happy to accept the status quo where parents in Bwlch can choose either primary school but Bwlch families should still have the choice of Crickhowell High School as their nearest secondary school whether they attend Llangorse or Llangynidr primary school when we are significantly closer than either Brecon High School or Gwernyfed High School .

We would draw your attention to the relevant sections of the Home to School Transport Policy February 2022 :

1.2 Legal duties of the Council The legal duties of a local authority in relation to school transport, as outlined in the Measure, are as follows:

The Council must:

	<ul style="list-style-type: none"> • Assess the travel needs of learners in their authority area • Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school • Provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school <p>The definition of a 'suitable school' is a school where the education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have.</p> <p>1.2 Qualifying criteria Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school.</p> <p>A 'catchment' school means the nearest school within a geographic area.</p> <p>To be eligible for free home to school transport, the learners' nearest school or catchment school must be:</p> <ul style="list-style-type: none"> • The nearest to the learners' home address and if so, • They are more than 2 miles from their home address for primary school (aged 4 -11) or more than 3 miles for secondary school (age 11 to 16) <p>Can you also clarify why the Powys Website currently displays the new proposals for Bwlch as if they were already confirmed ?</p>	
103	<p>Crickhowell High School: Sadly, we found out recently that Bwlch was no longer in the catchment area for Crickhowell High School.</p> <p>We moved to the area a few years ago firstly as it's a beautiful place to live but also to run a small family business Buckland Hill Kennels and Catery. Another huge factor of our relocation was because of Crickhowell High School catchment and has always been in our minds when our children become old enough to go. When we purchased the property a few years ago Crickhowell High</p>	Please see response reference number 53 above.

	<p>was the allocated school for our children.</p> <p>After the recent review it appears that we marginally miss out as suggested on the catchment map (please see our house on the map below) we are just wondering why this decision has been made and would you consider reinstating our home for Crickhowell High School in the future?</p>	
104	<p>Crickhowell High School: In regards to the proposed catchment area changes, I wanted to express our thoughts on this.</p> <p>Our son Dylan lives in Bwlch and goes to crickhowell primary school. As I work in Abergavenny this also fits in with transporting him there. We have family in Abergavenny who also kindly help with childcare around working etc.</p> <p>When Dylan finishes crickhowell primary school, I would hope he can go to crickhowell high school to stay with the friends he has made at this wonderful school.</p> <p>His younger sister will also be applying to go to crickhowell primary school for a September 2024 admission.</p> <p>To take places like Bwlch out of the catchment area will cause upheaval to young children's future school plans, so please reconsider this.</p> <p>We are considering moving now because of this but I highly doubt we could afford to in this current market! The reason we bought in Bwlch was because of the affordable housing scheme available to us, which did not exist in crickhowell at that time (2013). Now it has reached capacity in crickhowell I see it as a struggle to relocate there, based upon these changes.</p> <p>Thank you for reading this and I do hope you can reassure us for</p>	<p>Please see response reference number 53 above.</p>

	Dylan (age 6) and Elsie (age 1) sake, so they can continue their educational career at these wonderful schools.	
105	<p>Crickhowell High School: I would just like to add on to my wife's email.</p> <p>We have built our life's in this area. We purchased a house in Bwlch as this works incredibly well for the logistics of our day to day life.</p> <p>Moving the catchment area would significantly affect our lives. The increase in fuel costs and potential costs for morning or after school clubs and help for childcare from family members wouldn't be achievable. Also with a mention of the increase in miles and it's impact on the environment.</p> <p>With the current cost of living increasing the news of this is greatly worrying for us.</p> <p>My son has made lots of friends in Crickhowell primary school and we would hope he could continue with them throughout high school. We don't want this to change the excellent progress he is currently making.</p>	Please see response reference number 53 above.
106	<p>Crickhowell High School: The above plan would have a extreme negative effect to the well being of my family in particular my two daughters 10 and 5 yrs old. We have just moved from England to Wales which was not easy for both girls leaving a very highly thought of school and their social group. They have now settled into Langynidr Primary School and have close friends. Their aspirations are now to remain in their current social group and move up to Crickhowell High School knowing they will have friends with them.</p> <p>The move back to Wales was also to allow a closer family network to support Grandparents and provide quality time for interaction, part of this plan has been the purchase of a family</p>	Please see response reference number 53 above.

	<p>property in Crickhowell for the Grandparents who would then be able to play a role in support of our daughters education at Crickhowell High School.</p> <p>Crickhowell is 10 minutes from our home, my wife works in Abergavenny, my youngest daughter will remain at Llangynidr Primary School when my oldest daughter moves to High School, my in-laws will be living in Crickhowell, if the above plan goes ahead the family logistics will be severely stretched which will involve a financial impact.</p> <p>The current global situation has had an impact on all family units but we do have to remain aware as to not adding other contributing factors which could lead to other more personal problems impacting individuals or family groups.</p>	
107	<p>Crickhowell High School: I am very concerned of a change of catchment area removing Bwlch from the Crickhowell High School catchment when the school is only a few miles away. It's makes absolutely no sense and there appears no real reason to when both primary's locally feed both high schools very well already. I wanted to email to make my views known that I am very much against this potential decision.</p>	Please see response reference number 53 above.
108	<p>Crickhowell High School: I wish to write to you to complain about Bwlch being excluded from the Crickhowell High school catchment area. Why has an indent in the area been drawn around Bwlch?</p> <p>Why has this been done? Yellow highlighted?</p> <p>We are literally here.....</p> <p>This is very unfair and ridiculous, not to mention stressful for us and our child.</p> <p>Bwlch is just over 5 miles to Crickhowell High School, whereas</p>	Please see response reference number 53 above.

	<p>Gwernyfed High School is 15+ miles.</p> <p>My only child, my son, attends Llangynidr school, in year 5. There are only 8 boys in his class and only my boy will be subjected to not being in catchment and will not be guaranteed a place in high school with his friends! I cannot tell you how detrimental to his health and well-being this will be! It will destroy him. Being an only child he needs the support of his friends to make this big step to high school. To not let him progress with them is preposterous at this stage in year 5. We moved into the area 5 years ago because of Llangynidr and Crickhowell High school, and this is unfair to take this away. Our house looks over Crickhowell and is out of Bwlch village, please can you check the postcode under the catchment area LD3 7HZ.</p> <p>My son has struggle tremendously over these last 2 COVID years with the isolation and he needs his friends and stability at school more than ever. Not letting him stay with his friends will have such a negative impact on him, it will be so very damaging and detrimental to his mental health and development.</p> <p>I implore you to realign this map, the way it is drawn is extremely not fair especially as Llangynidr is a natural feeder school to Crickhowell currently.</p>	
109	<p>Llanbedr: Llanbedr primary school accepts a number of pupils, most of whom don't live in the village proper.</p>	Please see response reference number 53 above.
110	<p>Llangynidr: On behalf of the entire governing body of Llangynidr Community Primary, I'm responding to the consultation on proposed changes to our catchment area. We object strongly to the proposal to remove Bwlch from Llangynidr's catchment, for the reasons set out in our Headteacher's response to the consultation. As well as objecting to any change that would have such a negative impact on learners, our school and our community, without any</p>	Please see response reference number 53 above.

	<p>observable advantages, we also wish to formally register our disappointment with the way the consultation has been handled. We acknowledge that schools were given the opportunity to consider the proposals in December but nonetheless there has been a lack of transparency and openness about the process. Powys did not make clear what changes were being proposed, so it was not immediately obvious to us that such a significant change to our catchment was under consideration. Nor have you provided any rationale or reasoning behind the proposed changes, an omission which we believe is seriously prejudicial to a fair and transparent consultation.</p> <p>We strongly hope that the proposed change will not be taken forward.</p> <p>Tom Fox, chair of Llangynidr Community Primary governors.</p>	
111	<p>Llangynidr: My children live in Llangorse but go llangynidr primary school then will be going Crickhowell high school. With the catchment changes my children won't be allowed</p>	Please see response reference number 53 above.
112	<p>Llangynidr: By restricting the school's catchment area, you are attacking the school's ability to continue. We all know the way these things go. You artificially reduce the catchment area. You then say the school is unsustainable. You then close the school. The school then lies empty, a visual daily reminder to the community that it's heart has been removed. You then flog the building off for well below market price to developers who leave it vacant for years to come. We've seen you do this to countless other schools in the area - Cwmdru, Llanbedr. Please don't do it to our lovely school in Llangynidr as well.</p>	Please see response reference number 53 above.
113	<p>Llangynidr: The village of bwlch has been removed from the catchment of llangynidr primary which is not satisfactory for several reasons.</p>	Please see response reference number 53 above.

	<p>Firstly llangynidr is clearly the nearest and most convenient school for those living in bwlch and the next closest in llangorse is a church school and this is not what everyone wants for their child. Further the school in llangynidr is adversely affected by losing the bwlch students, losing pupils and therefore funding which harms the whole local community who depend on the school.</p>	
114	<p>Llangynidr: Bwlch should remain in the catchment for Llangynidr. Geographically it is much closer to Llangynidr than Llangorse, making Llangynidr the most appropriate and most logical selection. Families have homes there in the expectation that their children will go to Llangynidr and then on to Crickhowell secondary (which is also much closer than the proposed Gwernyfed). Ecologically it would also make sense with the lower mileage both for school transportation and for all of the additional travel that families will end up taking. Schools and the friendship groups that result are central to family life and clubs, societies and other activities tend to be selected based on friends attending. Bwlch families are likely to face further travel times and costs as a result of their children attending school out of the local area. Reducing the catchment area of Llangynidr school would have a long-term detrimental effect on our school and potentially the village. Pupil numbers will reduce and (as the potential to build new homes to bring in additional families is limited) over time this will no doubt impact the budget received forcing a reduction in staff and potentially forcing the closure of the school in future reconfiguration of primary provision. Is this the long-term intention of Powys?</p>	Please see response reference number 53 above.
115	<p>Llangynidr: I lived in Bwlch when my children all started school and I chose Llangynidr because it was the closest school - in the new area this wouldn't be the case. This would mean them having to travel further to their primary school and further again to their secondary school. I strongly oppose Bwlch being cut out of the catchment area for llangynidr and then Crickhowell as these are clearly the closest</p>	Please see response reference number 53 above.

	schools. Children attending school outside of the community areas strongly has an impact on the community and friendship groups. It potentially means more Children and therefore parents taking part in community organised events associated with their childrens' schools and thus leading to a smaller community group in the Llangynidr/Bwlch area.	
116	Llangynidr: Disgusting!!!!	Please see response reference number 53 above.
117	Llangynidr: As a grandparent of children at the school and a Community Councillor I am very concerned about the impact of this proposal on the school and community . The proposal us perverse in that Llangynidr is clearly the nearest catchment school for Bwlch, while parents can currently opt to send their children elsewhere if they choose. I am also aware that a similar exceptionalisation of Bwlch is underway as regards Crickhowell High School were I am governor. I am also amazed to learn that Rosemarie Harris our County Councillor has not been properly informed of these initiatives. It is difficult not to come to the conclusion that the County Education Dept is championing this move for reasons other than the interests of children and parents. Diverting pupils to undersubscribed schools, whether newly built or not, is not acceptable; two errors are worse than one.	Please see response reference number 53 above.
118	Llangynidr: We would like Bwlch to remain in the catchment area for Llangynidr primary school and Crickhowell high school or at the very least parents/ carers to be given the option of either Llangynidr or llangors.	Please see response reference number 53 above.
119	Llangynidr: Powys tried to stop the bus from Bwlch to Llangors Primary School saying that Llangynidr Primary School was the catchment school. Those parents were obviously unhappy and caused a fuss. A consultation has been sent out which now wants to transfer the pupils eligible to go to Llangynidr from Bwlch and therefore solves	Please see response reference number 53 above.

	the problem for Llangors parents. Is this really fair? Llangynidr is the closest school to Bwlch and therefore if one school should be chosen to be in the catchment, it should be Llangynidr.	
120	<p>Llangynidr: TO WHOM IT MAY CONCERN Dear Sir/Madam,</p> <p>I am writing regarding the proposed change to the catchment area for Llangynidr CP School – specifically, the removal of Bwlch from the school catchment area.</p> <p>I do so both as the father of two pupils (Year 1 and Year 3) at Llangynidr School, and as a local resident.</p> <p>Although the proposed change will not, at first sight, have any direct or immediate on my own children, I am very concerned about the wider and longer term impact on the community and the school – and the impact on those children who won't themselves be able to attend Llangynidr School in future.</p> <p>Llangynidr School is absolutely integral to the local community, and a priceless resource for families miles around. My children walk into school very morning with huge smiles on their faces - because of the quality of the care and education they receive. Removing Bwlch from the catchment area would be a seriously blow to those living in Bwlch and – whether or not the Council accepts it – a blow to those families who will continue to attend Llangynidr School.</p> <p>The potential social, cultural and educational damage is significant – with an indirect threat, for instance, to numbers of pupils at Llangynidr, and therefore the school's financial wellbeing. Any such threat would be a tragedy.</p> <p>There are many good arguments for maintaining Bwlch's place in the catchment area of Llangynidr School – including its close geographical proximity, and the fact that it has historically always been in our catchment area.</p> <p>I understand the practical pressures that can drive what seem like 'pragmatic' decisions for the 'right reasons'. However, there would be real human cost associated with this particular decision – with</p>	Please see response reference number 53 above.

	genuine implications for the wellbeing of future generations – and I urge the Council to think again.	
121	Llangynidr: The Strategy for Transforming Education makes no reference to the environment in terms of transportation of students. Parents travelling to and from work can drop children at Llangynidr notwithstanding closer for pupils from Bwlch than Llangorse. Reducing miles and and time in transit should be part of the consideration in relation to the green agenda.	Please see response reference number 53 above.
122	Llangynidr: You have removed the Bwlch area from the catchment of Llangynidr School. This makes zero sense on myriad levels. For families living in Bwlch the nearest school is Llangynidr school - 2.1 miles away (cycle-able or even walkable) whereas Llangorse is DOUBLE the distance (over 4 miles away) up a big hill. Not walkable or cycle-able. This makes no sense either on an individual travel level or what about the ENVIRONMENTAL impact?!! Moreover, you have a LEGAL duty to transport children to their nearest suitable school. For children in Bwlch this is Llangynidr which is a great community school. I can only assume this is an error as it is incredulous. And when you then look at the impact for the consequent secondaries, again Gwernyfed is much further for Bwlch families than Crickhowell. Zero logic here unless, as I fear, this is part of a bigger plan... Are you deliberately favouring CIW schools - that sits very uncomfortably and again LEGAL / moral problems here. Llangynidr is a wonderful school. Have you seen it in person to know this or tried doubling your own journey to school?	Please see response reference number 53 above.
123	Llangynidr: The Welsh Government document "Learner Travel" 2014 states that Local Authorities must "Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school." Llangynidr is the nearest suitable school to Bwlch, being 2.1 miles away. It makes no sense to exclude Bwlch from the catchment area for Llangynidr and thereby impose a longer and less sustainable	Please see response reference number 53 above.

	<p>journey on young children. Transporting children from Bwlch to Llangorse would increase costs for Powys. Children should not be expected to spend more time than necessary travelling to school. Attending the nearest school enables easier 'out of school' play and activities with schoolmates, and fosters strong local life-long friendships. It promotes improved social functioning of smaller communities and enables better access to after-school activities. Parents are less able to engage with more distant schools. The further away the school, the more difficult it is for parents to engage with it.</p> <p>Removing Bwlch from the catchment area for Llangynidr would inevitably reduce the numbers on the roll. This would adversely affect the school and the village. The school is the heart and focal point of the community and it cannot be sensible for local government to put this at risk. Llangynidr is situated in the Brecon Beacons National Park. There are constraints that mean that it will be unable to expand in future years. This means that it is unlikely to be able to make up for this proposed reduction of its catchment area.</p> <p>For the reasons above I am strongly opposed to this proposal.</p>	
124	<p>Llangynidr: Children should be able to attend their local primary school. Distance to school was always measured as the crow flies and by walking distance. This means that Llangynidr Primary School is the rightful catchment school for pupils living in Bwlch. Llangynidr bridge has never caused a problem for parents or for school transport. Children from Bwlch have always been part of Llangynidr school and part of village community groups. A school is in the heart of the community. Llangynidr does not want its catchment to be made smaller and children from its closest neighbouring village should be encouraged to be part of this school. Bwlch does not need to remain a dual catchment. Its rightful catchment school is Llangynidr. With the cost of fuel rising, sending children double the distance</p>	Please see response reference number 53 above.

	will cost more in time and money. When looking at the environment, the carbon footprint is reduced if all the pupils attend Llangynidr.	
125	<p>Llangynidr: Llangynidr Primary School has an excellent reputation and is in the heart of a supportive rural community. Children from Bwlch have always been entitled to go to Llangynidr Primary School. As it is the closest school, it would not be a good environmental or economical decision to make the catchment double the distance away. Making the catchment smaller would lead to a decrease in pupil numbers and would leave it vulnerable to closure in the future. As this village has always been part of this community both inside and outside school, it is very important that children are still encouraged and supported to attend Llangynidr Primary School and other clubs and groups for their mental and physical well-being.</p>	Please see response reference number 53 above.
126	<p>Llangynidr: As part of the Statutory Provision and Operational guidance, learners receiving primary education will be entitled to free transport if they live two miles or more from their nearest suitable maintained school, which is and should be Llangynidr. Reducing the catchment area of Llangynidr school would have a long-term detrimental effect on our school, the well-being and education of our children and the health of the wider community. Pupil numbers in Llangynidr School were reduced when the changes were made to the 3+ settings, we do not want a further reduction losing any families and potential families living in Bwlch. Over time, this will have an impact on the size of the school making us smaller and impacting on our budget, class sizes and the staffing that we are able to maintain. Llangynidr is very much a community school that is at the heart of the community. We want to preserve the school and ensure that it is here for future generations.</p>	Please see response reference number 53 above.
127	Llangynidr:	Please see response reference number 53 above.

Bwlch has historically always been in the catchment area of Llangynidr Community Primary School. Llangynidr is by some margin geographically the nearest 'suitable' school: we are able to facilitate education that has regard for the age, aptitude of the learners whilst also taking into consideration any learning difficulties. The Powys Home to School Transport Policy section 1.2 defines a 'catchment' school as the nearest school within a geographic area. Therefore Llangynidr should clearly be the catchment school for Bwlch, as it is 2.1 miles away (whereas Llangors is double that, at 4.2 miles). Statutory Provision and Operational Guidance 1.22 Learners receiving primary education will be entitled to free transport if they live two miles or more from their nearest suitable maintained school, which is Llangynidr. We believe you have a legal responsibility to provide free transport to the learner's nearest suitable school, so learners living in Bwlch would be entitled to free transport even if it was taken out of the catchment area because we are still their closest school. Having taught in Llangynidr for the last 26 years, there has never been a problem in the bus transportation of learners from Bwlch. The bridge over the Usk has never caused a problem in that time and we believe it is unreasonable to cite it as an excuse for avoiding your legal obligation to provide free transport to the learner's nearest suitable school or make it a reason to encourage more parents to attend another primary school. It is not environmentally sustainable and would contribute to the climate crisis to provide transport to a school that is double the distance away from the closest school to Bwlch. This would have an environmental impact long term and with the increase in fuel costs, doubling the daily travel distance for bus or car journeys does not make economic sense either. The walking distance is 2.1 miles and would take around 41 minutes to walk from Bwlch to Llangynidr, whereas Llangors School is 4.2 miles and would take 1hr 21 mins. This route could

	<p>be cycled too as an alternative to driving, so Llangynidr should not be taken out of the catchment. Reducing the catchment area of Llangynidr school would have a long-term detrimental effect on our school, the well-being and education of our children and the health of the wider community. Llangynidr offers many community groups and clubs outside school that many learners participate in, many learners in Bwlch would feel cut off from these groups. For the well-being of pupils already living in Bwlch and attending Llangynidr, this change would have an impact on their friendships. This change would in particular affect the children when they transfer to High School. Most pupils in Llangynidr have fed into Crickhowell High School which is the nearest school to Bwlch. Pupil numbers in Llangynidr were reduced when the changes were made to the 3+ settings, we do not want a further reduction losing any families and potential families living in Bwlch. Over time this will have an impact on the size of the school making us smaller and impacting on our budget, class sizes and the staffing that we are able to maintain. Llangynidr is very much a community school that is at the heart of the community. We want to preserve the school and ensure that it is here for future generations.</p>	
128	<p>Llangynidr: This is ridiculous to not include Bwlch in Llangynidr's catchment area when it is the nearest school. It is unfair for friends who live so close to have to go to different primary schools, but then also be in different high school catchments too. If parents choose Llangorse primary then Gwernyfed, so be it - their choice to make their children cope with extra distance to school. But to specifically leave Bwlch out of Llangynidr's catchment, and thinking long term for friendship groups for high school, is absurd- especially when Talybont IS included in the catchment!! So many children from Bwlch go to Llangynidr school, there would be a drop in numbers and I'm questioning your motive in this... intentionally lowering numbers in a rural school leads only to the</p>	Please see response reference number 53 above.

	thought of potential school closure in years to come. Please keep Bwlch village out of catchments, as Felinfach (Brecon) seems to be - leave it to parental choice!	
129	Llangynidr: Llangynidr is by far the closest school to Bwlch: it makes no sense to exclude Bwlch from the Llangynidr catchment.	Please see response reference number 53 above.
130	Llangynidr: Alteration to the Llangynidr School catchment area and a possible reduction of children attending the school, puts its viability in question! The school is the life's blood of our village!	Please see response reference number 53 above.
131	Llangynidr: Removing Bwlch from the catchment area looks (from the map) to be a ridiculous move and from a parent student perspective to be an expensive and unnecessary upheaval. What's the point of increasing pollution. Children of this age benefit from community spirit built around the local school, and get a feeling of ownership, find it easier to develop relationships with other local children and young people.	Please see response reference number 53 above.
132	Llangynidr: I do not understand why Bwlch has been removed from this catchment when other places that are geographically further away have been included? How is this offering Bwlch children their nearest school? According to AA route planner the distance between Bwlch and Llangynidr school is 2.2 miles. Between Bwlch and Llangorse is 4.2 miles so double the distance. This has implications on the amount of traffic emissions and in a climate emergency this should be an essential consideration.	Please see response reference number 53 above.
133	Llangynidr: I am concerned about the removal of Belch from the catchment area for Llangynidr Primary and Crickhowell High School. They are the closest schools to home where children have ties with the	Please see response reference number 53 above.

	local community and friendship groups. They are not commodities to be shipped around the county to satisfy the council's agenda.	
134	Llangynidr: We strongly wish to maintain Llangynidr School as a thriving part of the community and beyond, and keep the old boundaries as they have always been historically.	Please see response reference number 53 above.
135	Llangynidr: I work in Llangynidr preschool, the change in boundary removing Bwlch from Llangynidr primary school catchment could end up reducing numbers in the preschool therefore making it unviable. There are currently 4 members of part time staff who could potentially be made redundant.	Please see response reference number 53 above.
136	Llangynidr: Bwlch has for many years been in the catchment area of Llangynidr Community Primary School and Llangynidr is the nearest school geographically as it is only approximately 2 miles away. Therefore it makes sense that Llangynidr should clearly be the catchment school for Bwlch. Reducing the catchment area of Llangynidr school by losing families and potential families living in Bwlch I feel would have a long-term detrimental effect on the school and community. I feel that Llangynidr school is very much at the heart of the community and we want to preserve the school and ensure that it is here for future generations	Please see response reference number 53 above.
137	Llangynidr: Bwlch should NOT be removed from the Llangynidr catchment area. Bwlch is far closer to Llangynidr than it is to Llangors, and the two communities are tied closely together. Many friends of kids in Llangynidr school are from Bwlch and subsequently go to Crickhowell High School together. In my opinion, this would have far reaching detrimental effects on the abilities of young people in the area to make friends and associate with their peers. Bwlch should REMAIN in the Llangynidr catchment zone.	Please see response reference number 53 above.
138	Llangynidr: Reducing the catchment area of Llangynidr School to exclude Bwlch is just another example of how out of touch our County	Please see response reference number 53 above.

	<p>Council is. We have already seen the approval this week of the closure of Llanbedr School. The proposal to remove Bwlch from the catchment of Llangynidr School will have a long-term detrimental effect on both the school and the community. Pupils will have to travel further and this proposal will have an adverse effect on both the education and well-being of the children.</p>	
139	<p>Llangynidr: I strongly object to Bwlch being taken out of the catchment area for Llangynidr Primary School. The villages of Bwlch and Llangynidr have currently and historically had strong connections because of their close proximity. To take that choice away from parents makes no sense at all. Your description of a catchment area is the closest suitable school - so why suggest that children should be sent to a school further away than the closest suitable school? This also has the knock on effect of sending these same children to a secondary school almost twice as far away as the closest suitable school. Many residents of Bwlch will naturally gravitate to the facilities of Crickhowell such as the shops, and medical facilities as they are the closest. Again it makes no sense at all to take that choice away from the families of Bwlch, sending the children to a high school twice as far away. There is no public bus service between Bwlch and Gwernyfed and so after school hours young people will be cut off from their friends, where as there is a regular service between Bwlch and Crickhowell, enabling young people to attend after school activities with friends close by.</p>	Please see response reference number 53 above.
140	<p>Llangynidr: I feel very strongly that the village children of Bwlch should stay in the catchment area of Llangynidr CP School. Llangynidr school is after all the nearest school for the children of Bwlch and maintains a very strong sense of community within our villages. Reducing the catchment area for Llangynidr CP School will have a long term detrimental effect on the school. Reducing pupil numbers means reduction in budgets for schools and thereby staffing levels. When this happens schools are far more likely to close and we want our</p>	Please see response reference number 53 above.

	school to continue for future generations. It is the heart of our village and I want it to remain that way.	
141	<p>Llangynidr: This appears to be an attempt to make other new schools more sustainable in terms of pupil numbers. The converse is also true in that this would make Llangynidr C.P. School less sustainable and could possibly lead to its eventual closure as being too small to be economically sustainable. The distance travelled to school for pupils from Bwlch would be increased for no good reason or benefit to the pupils. Finally it looks as though the council is looking to be able to close the school and sell the property for housing at some future time.</p>	Please see response reference number 53 above.
142	<p>Llangynidr: Llangynidr Primary is the nearest Primary school for the Bwlch community being just 2.1 miles away. It absolutely does not make sense to change this catchment area. Doing so will cause irreparable damage to Llangynidr Primary and to the local Community. Over time Llangynidr Primary numbers are likely to dwindle impacting funding, staff and therefore, overall quality of education. Not to mention the health and well-being of the community of which Llangynidr Primary is the hub. This proposal is simply preposterous.</p>	Please see response reference number 53 above.
143	<p>Llangynidr: Llangynidr CP school is the nearest school to Bwlch, it would make sense for Bwlch to be placed in the catchment area for this school. Presumably free transport will be provided to pupils living in Bwlch to their catchment school and of course it is a legal requirement under section 3 of Learner Travel (Wales) Measure 2008 to provide free transport to Llangynidr as it is over 2 miles away but is their nearest suitable school, having Bwlch in the catchment for Llangynidr CP School would presumably do away with the costs of transporting pupils elsewhere and therefore the most sensible option. Removing Bwlch from the catchment area of Llangynidr CP School could potentially have an impact on pupils who live in Bwlch and</p>	Please see response reference number 53 above.

	currently attend school in Llangynidr as they may not be able to attend the same secondary school as their friends if Crickhowell High School was oversubscribed.	
144	Llangynidr: Current catchment is preferable.	Please see response reference number 53 above.
145	Llangynidr: There should be no change to Llangynidr being the catchment school for Bwlch, just some 2 miles away. It is still the nearest school and has always taken children from the Bwlch village and surrounding area. Reducing the catchment area will have a detrimental effect on Llangynidr CP School as reduced numbers of children would undoubtedly have a long term impact on the school budget, class sizes and possibly staffing. The school is the beating heart of the community and must be preserved for future generations. There has been recent housing development in Llangynidr and the new families who have arrived have fed into the Primary School and Crickhowell High School. The village community is expectant that the area will attract more families and this will not be realised if the school finds itself in peril. Families will settle elsewhere.	Please see response reference number 53 above.
146	Llangynidr: There is no reason whatsoever to change the existing catchments and Llangynidr is by some margin, closer to Bwlch than Llangors	Please see response reference number 53 above.
147	Llangynidr: Bwlch should still be part of the catchment area because llangynidr is the nearest school. My children have lots of friends in Bwlch that they have built on by attending school together	Please see response reference number 53 above.
148	Llangynidr: There are many changes going on in primary and secondary education locally right now and parents are understandably concerned about the implications of the proposals on the new catchment for Bwlch. We know that children make strong bonds in friendships early on	Please see response reference number 53 above.

	<p>which remain throughout their school lives. Bwlch is much closer to Llangynidr than Llangors or Brecon. Parents want their children to make local links out of school as well as in school. These proposals make a mockery of local links.</p> <p>Llangynidr school is concerned because numbers will drop and schools are being closed. Crickhowell High School are concerned because it could create an overburdened appeals process if learners have to drop to the bottom of the waiting list as they are outside the catchment. Crickhowell is not only closer to Bwlch than either Brecon or Gwernyfed but it is the hub that most people generate towards from Bwlch.</p> <p>School transport will also be an issue which does not seem to have been thought through with any logic.</p> <p>With fuel becoming a major issue for many right now and into the future no consideration seems to have been given to the climate emergency and commitment to Net Zero for Powys County Council by 2030. A strategic development which means learners will have to travel further to school is not a good look in the emerging critical outcomes which are likely to hit with fuel security becoming less certain as the years go by.</p>	
149	<p>Llangynidr: This is a small school and needs more children and as it is there are not enough children at the school. Furthermore, it would make it even harder for all parents concerned to get their children to school. Current times are very challenging with costs rising so we need the school more than ever. I as a single-parent have been fortunate to rely on Llangynidr school and the provision they have provided for my daughter.</p>	Please see response reference number 53 above.
150	<p>Llangynidr: I am writing to wholeheartedly opposed the ridiculous change in catchment area for families living in Bwlch. Llangynidr Primary School is the closest school to the village of Bwlch and therefore</p>	Please see response reference number 53 above.

	<p>should be the school that children are automatically admitted to. Reducing the catchment area from Llangynidr school will be detrimental to the admission numbers of the school, the budget of the school and more longer term, cast doubt over the viability of the school altogether. In the Strategy for Transforming Education in Powys, one of the strategic objectives outlined for improving learner entitlement is to 'reconfigure and rationalise' primary provision. I am extremely concerned that the redirecting of children from Llangynidr school to the newly built Llangors school is the first stage in diverting pupils and therefore money away from Llangynidr Primary School and that the school could ultimately be a casualty of the Councils Strategy. Furthermore, I am concerned that this small, seemingly innocuous change will be one in a series of changes to enforce the closure by stealth. I am glad that the council will 'always operate in an open and transparent manner' but I would like to understand the rationale behind the change in catchment area at your earliest convenience.</p>	
151	<p>Llangynidr: The proposed changes to the catchment area exclude the residents of Bwlch from being able to send their children to Llangynidr Primary School. The changes seem rather bizzare given the geographical locality of Bwlch to Llangynidr! I strongly object to these changes - it would be detrimental to both residents and the school, it would lead to a reduced number of pupils attending Llangynidr Primary School which could have untold consequences on the school in years to come.</p>	Please see response reference number 53 above.
152	<p>Llangynidr: Bwlch should be the catchment for Llangynidr Primary School as it is the closest. There is a rule and should be bent only for some people who favour to be against it.</p>	Please see response reference number 53 above.
153	<p>Llangynidr: Bwlch should without doubt be included within the Llangynidr catchment area, it is just common sense. It is the closest school to Bwlch (~2 miles) and it is obviously important that pupil numbers in</p>	Please see response reference number 53 above.

	Llangynidr are not reduced further and potentially jeopardise the long term future of an essential part of the community	
154	Llangynidr: Removing Bwlch from the catchment area will limit the number of children every year and potentially lead to a decline in pupil numbers and therefore funding.	Please see response reference number 53 above.
155	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future.	Please see response reference number 53 above.
156	Llangynidr: <ul style="list-style-type: none"> • Bwlch should be in Llangynidr's catchment. • It is the nearest school to the village • Llangynidr Primary needs to maintain its catchment. • The pre school is already at risk with falling roles coming into the facility • The Primary School can no longer rely on natural growth of new families coming into Llangynidr and other catchment villages. • The current BBNP Local Development Plan has curtailed any new houses (or even infill) growth being built in these villages • Taking Bwlch out of Llangynidr Primary CC makes NO sense at all and begins to put what is an award winning school at risk. The heart of the community is the sound of its young generation playing in their local school! 	Please see response reference number 53 above.
157	Llangynidr: The proposed change does not support those families in Bwlch and fails to meet current council legislation regards timelines.	Please see response reference number 53 above.
158	Llangynidr: I personally think that this is unfair towards those who live in Bwlch as on the map displayed you can clearly see that the area has been cut off. This will also affect the future of Llangynidr Primary, because it will decrease the size of their classes as time	Please see response reference number 53 above.

	progresses. It will be harder for those children to reach school if this plan goes ahead because it is around 40mins to the nearest high school which is a longer journey.	
159	Llangynidr: Bwlch & Llangynidr as villages practically merge with no real defined boundry, it is a disgrace if Bwlch residents are not allowed to send their children to their most local Primary school if they so wish. When you see from this proposal that children can attend from as far affield as Pontsticil and yet 2 miles away in Bwlch children can not access their most local school.	Please see response reference number 53 above.
160	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future.	Please see response reference number 53 above.
161	Llangynidr: Terrible idea taking bwlch out of the catchment area	Please see response reference number 53 above.
162	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future.	Please see response reference number 53 above.
163	Llangynidr: Bwlch village should be left in the catchment area for Llangynidr primary school.	Please see response reference number 53 above.
164	Llangynidr: It would make more sense to me to put the children of Bwlch first and ensure that their closest primary school is also their catchment school. Keeping this catchment as it is currently would be best and also ensures the children have Crickhowell as their secondary school - again far closer to them than Gwernyfed.	Please see response reference number 53 above.

165	<p>Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future.</p>	Please see response reference number 53 above.
166	<p>Llangynidr: This seems very unwise. Llangynidr is geographically nearest for children living in Bwlch, and those already at Llangynidr from Bwlch will be impacted by being unable to go on to Crick High School, and friendship groups will be disturbed. that's just in the short term. In the long term these proposed changes would reduce numbers at Llangynidr school which affects the whole school and its future viability. Fewer pupils and shrinking numbers will result in less funding and fewer teachers. I am strongly against excluding Bwlch. I do not wish to imagine that this change is being proposed simply to bolster numbers at Llangorse school?</p>	Please see response reference number 53 above.
167	<p>Llangynidr: As a local resident and tax payer, I am concerned about the proposal to include Bwlch in the catchment area for Llangorse and Gwernyfed. I am presuming this means that free transport will be extended to pupils residing in Bwlch and attending those 2 schools.</p> <p>I am aware that many pupils residing in Bwlch currently attend Llangynidr Primary and Crickhowell High and obviously under section 3 of the Learner Travel (Wales) Measure 2008, with these being their nearest schools albeit further than 2/4 miles, Powys is legally obliged to provide transport to those pupils.</p> <p>It seems to me to hardly be best use of resources to provide additional free transport to Llangorse and Gwernyfed when Powys must also provide transport to other schools that parents select for their children, bearing in mind that Llangynidr and Crickhowell are unlikely to be over-subscribed.</p>	Please see response reference number 53 above.

168	Llangynidr: Area does not include Bwlch!	Please see response reference number 53 above.
169	Llangynidr: Bwlch is closer than other areas. Less than 3 miles	Please see response reference number 53 above.
170	Llangynidr: The catchment area not including Bwlch is ridiculous as this is its closest school. This would have a major impact for families living in Bwlch. Many siblings split in terms of school due to this change. I really fail to understand why you would make Bwlch an out of catchment area for Llangynidr primary school? The effect of this, leaving out of catchment for Crickhowell high school starts to become contentious when Gilwern primary school are already closer to King Henry High school and Bwlch closer to Crickhowell High school.	Please see response reference number 53 above.
171	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in the schools catchment would lead to shrinking numbers which would result in less funding for the children at Llangynidr school, which may in turn have an impact on teacher numbers and class sizes in the future.	Please see response reference number 53 above.
172	Llangynidr: Needs to include Bwlch for encatchment to Llangynidr school and Crickhowell.	Please see response reference number 53 above.
173	Llangynidr: Bwlch should be in the catchment area	Please see response reference number 53 above.
174	Llangynidr: It will make my child who would have made friends in llangynidr to go to a completely different school highly detrimental to my child education and more importantly their mental health and well being. I strongly oppose this possible decision.	Please see response reference number 53 above.
175	Llangynidr:	Please see response reference number 53 above.

	There's no reason to separate Bwlch from the Llangynidr catchment and will greatly increase travel times if they are then transitioned to Gwernyfed instead of Crick.	
176	Llangynidr: We don't want to see children from Bwlch taken out of the catchment area.	Please see response reference number 53 above.
177	Llangynidr: The proposed changes to exclude Bwlch and surrounding area from the catchment makes no sense for pupils or parents	Please see response reference number 53 above.
178	Llangynidr: Why has Blwch been left out of the Llangynider catchment. Seems a crazy scheme to remove this area from the Llangynider catchment when Cwmdu and Tretower stay in the area. Looking at the proposed catchment map all the surrounding areas are in the catchment? Perhaps a geographical error by an employee when setting up the map? I hope there is nothing sinister for the future perhaps of closing village schools in South Powys in the 2030s.	Please see response reference number 53 above.
179	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future. If tal y bont is in the catchment area then so should bwlch	Please see response reference number 53 above.
180	Llangynidr: Llangynidr Primary School is the closest school for children living in Bwlch. These changes will reduce pupil numbers at the school and that affects the whole school community. Fewer pupils in our catchment would lead to shrinking numbers which would result in less funding for the children at our school, which may in turn have an impact on teacher numbers and class sizes in the future	Please see response reference number 53 above.
181	Llangynidr:	Please see response reference number 53 above.

	Proposal will hugely affect Llangynidr Primary in terms of finance, which will affect pupils and staffing	
182	Llangynidr: Bwlch should stay in catchment for Llangynidr due to the ties already made there.	Please see response reference number 53 above.
183	Llangynidr: Llangynidr school is the closest school for Bwlch residents and the proposed changes are going to affect the pupils of the school by breaking friendships and families who already have one child in the school. In addition the proposal will also remove pupils from Llangynidr school and consequently funding. There are no positive points as far as I can see in amending the catchment area.	Please see response reference number 53 above.
184	Llangynidr: Why on earth would Bwlch no longer be part of Llangynidr Primary school catchment area. Its the closed school demographically. Why are you trying to impose a ridiculous proposal on Llangynidr school The school is outstanding. Why are you trying to kill it	Please see response reference number 53 above.
185	Llangynidr: Llangynidr primary school will not survive much longer if the catchment area is reduced to exclude Bwlch and surrounding areas.	Please see response reference number 53 above.
186	Llangynidr: We live in Bwlch. My son attended Llangynidr Pre - School, Llangynidr Primary and now attends Crickhowell High. My sons plays for Llangynidr Football Club and attended Llangynidr Beavers and Cubs. I would not have wanted him to attend any other school other than Llangynidr Primary and Crickhowell High. His friends and family are all part of the Llangynidr and Crickhowell communities and his extra curricular activities all take place in Llangynidr and Crickhowell. To think future children living in Bwlch will be excluded from having this choice is ludicrous and will cause unnecessary divisions within our community, making children feel isolated and excluded from their friends. Wake up Powys County Council and stop causing unnecessary stress to parents and	Please see response reference number 53 above.

	children regarding their future schooling. Please make your decisions based on our children's wellbeing rather than for your financial gains.	
187	Llangynidr: Small village schools such as Llangynidr need children from all local areas, with bwlch being less than 2 miles away they should be able to have easily accessible school places such as in Llangynidr. The local pre-school also relies on children from all areas and removing children from bwlch will also negatively impact here too as parents are unlikely to send them here as they won't have a place within the local school	Please see response reference number 53 above.
188	Llangynidr: Bwlch should be kept in the catchment area	Please see response reference number 53 above.
189	Llangynidr: Bwlch should remain in the catchment area as it links into our District and Crickhowell high school	Please see response reference number 53 above.
190	Llangynidr: I think it is ludicrous that Bwlch should lie outside the catchment area for Llangynidr Primary School, given the geographical proximity and the close social ties that exist between residents of both villages. Whilst access via the river bridge can cause issues on occasion, I do not believe that this is a suitable enough reason to take Bwlch out of the catchment area and put unnecessary barriers to them attending the school.	Please see response reference number 53 above.
191	Llangynidr: Bwlch should be included within the catchment area as it is less than 3 miles of the local school. Taking these children and their families out of this catchment not only affects the primary school but also it's feeder Llangynidr pre-school. It is the nearest and most accessible option for these families and removing it from the catchment is hindering communities and families greatly.	Please see response reference number 53 above.
192	Llangynidr: I strongly object against the proposal to remove bwlch from Llangynidr schools catchment area. This is a small village school which i myself went to, now my 4 children attend. It is well known	Please see response reference number 53 above.

	that the school relies on children from surrounding villages and reducing the catchment area is bound to have a negative impact on the school and could contribute to its eventual closure if this policy is followed any further. I hope that you appreciate the value of smaller village schools, to the children and village itself and avoid putting pressure on them by limiting their catchment area.	
193	<p>Llangynidr: I have concerns over the proposed removal of Bwlch from the catchment area, due to the high numbers of pupils who attend both Llangynidr and Crickhowel primary schools there, and Crickhowel high school. The three schools are in essence still rural schools, and it is vital that they maintain the current numbers of pupils they currently have in order to stay open and provide the high level of education that they do so at the moment. To reduce these numbers due to the proposal offered would have an almost immediate effect on these numbers and therefore adversely affect the level of education provided due to staffing alterations that would need to also take place. I am one of many parents who are proud to say that we have such a wonderful education system so locally and would love for my children's children to have the same in the future. It's so lovely to see lots of new family homes being built and sold in the area, it would be awful for those families who have just settled in to have to rethink their children's education for the sake of slightly adjusting a catchment zone. I look forward to hearing further information on the matter. Donna.</p>	Please see response reference number 53 above.
194	<p>Llangynidr: As you are aware Llangynidr primary is a small school and relies on the areas surrounding to make up the numbers. I myself went to the school and currently my daughter attends. I think it's a great shame that Bwlch has now been taken off the catchment area for Llangynidr, sadly this could have detrimental effects on our school and village. I ask that you rethink this decision and consider the consequences it may have</p>	Please see response reference number 53 above.
195	Llangynidr:	Please see response reference number 53 above.

	Bwlch should remain part of Llangynidr catchment. There are many children and families who have long standing ties and friendships to Llangynidr Primary. If someone moved to Bwlch from the catchment area they would also want to stay in the same school.	
196	Llangynidr: Removing bwlch from the catchment area for Llangynidr is wrong. It's obvious from the map that this is a strong feeder area for Llangynidr and the removal of this area will only have negative impacts on Llangynidr Primary, which is already a small village school.	Please see response reference number 53 above.
197	Llangynidr: Why has Bwlch been removed? I believe it is important Bwlch parents keep dual catchment for both Llangorse and Llangynidr Primary Schools. If the new catchment goes ahead Llangynidr P.School will lose potential children which means less funding and less teachers in school. How is this improving education for children? Why are the council removing dual catchments? Our comunity has never had an issue with dual catchments? Why have the council not contacted the parents directly? How can you guarantee the primary/secondary schools have passed the new catchment/admissions proposals to all the relevant people? Why was the head of Llangynidr Primary School not informed prior to the publication of these new catchments? How is this a professional?	Please see response reference number 53 above.
198	Llangynidr: Bwlch should not be removed from the catchment area. There's lots of children from the school who live in bwlch who have made good friendships with other children there.	Please see response reference number 53 above.
199	Llangynidr: I object to the change in catchment for primary and secondary school option for the Bwlch area	Please see response reference number 53 above.

200	<p>Llangynidr: Although parents have the right to choose the right school for their child, Llangynidr Primary School is the closest school to Bwlch & therefore should be the catchment school for that area.</p>	Please see response reference number 53 above.
201	<p>Llangynidr: Re Catchment Consultation</p> <p>I am extremely concerned about this consultation on a number of levels, particularly as it affects Llangynidr school.</p> <p>Pupils have historically gone from the village of Bwlch either to Llangorse or Llangynidr schools. Llangynidr is, of course, the nearest school - approximately 2.1 miles. Llangorse school would be twice that distance away. Pupils in minibuses have always historically crossed the river bridge into Llangynidr. I have been the Councillor for 23 years and there have been no problems.</p> <p>I was amazed to find that the suggested future school for Bwlch children would be Llangorse and in your e-mail to me you have told me that this was the “overwhelming “ request. On researching this, I discovered that this was driven by teachers and parents of Llangorse school and parents who send their children to Llangynidr were not included by them!</p> <p>I understand that Powys County Council Transport department have also suggested that the bridge is a problem – Certainly not to my knowledge or in my experience as the Councillor.</p> <p>Removing the Bwlch children from Llangynidr school will make a significant difference to school numbers overall and I wondered whether there were any plans that I am not aware of to close Llangynidr school? As you know, I chair all Cabinet and Cabinet EMT meetings and also the Transformation Board meetings and I have been assured that after today’s Cabinet item there are NO further plans to close any schools in the South of the County.</p>	Please see response reference number 53 above.

	<p>As we have a school's item on today's Cabinet agenda, it is my intention to ask at the meeting whether there ARE further plans in place because, whether by accident or design, this catchment review will significantly affect the numbers attending Llangynidr school.</p> <p>I also hope that this is not happening in other areas of the County and as Leader I would seek an assurance on that. This has come "out of the blue" for the area that I represent and has potential to throw the Transformation Programme off course.</p> <p>Looking forward to hearing from you.</p>	
202	<p>Llangynidr: Please you re consider your plans for the catchment area.</p> <p>I live in Pengeffordd and have 2 children who attend Llangynidr.</p> <p>I strongly believe we live in a democrate society but this would indicate you are talking away our freedom of choice.</p> <p>Due to the closure of many primary schools, of which is still happening, we made the choice for our children to attend Llangynidr. At no point was it every indicated that we were entering into a game of postcode lottery.</p> <p>I would suggest that this should be phased in with the information given to new starters parents. Giving them the information to plan their child's education.</p> <p>In short there doesn't seem to be any consideration given to the impact it will have on the children's education. They have already had an extremely unsettled 2 years due to COVID and the addition of not being able to continue their education with any established friends will without doubt reverberate through their time in school.</p>	Please see response reference number 53 above.

203	<p>Llangynidr: How could you even think of sending all Bwlch children to Llangorse school. Llangynidr school is a brilliant school, academically and socially. By doing this it will be a death sentence for our school. Please think very seriously about this.</p>	Please see response reference number 53 above.
204	<p>Llangynidr: Looking at the admissions map for Bwlch it is clear that the inclusion of Bwlch in Llangors is completely illogical and therefore one can only assume that human political intervention has been made.</p> <p>If anyone in Powys education can disprove the following logic and reason why then they should do so publicly also explaining; for transparency, who decided on the proposed illogical catchment and why.</p> <p>Bwlch to Llangors school is 6.2miles journey time 14mins.</p> <p>Bwlch to Crickhowell school is 5.1miles journey time 14mins.</p> <p>Bwlch to Llangynidr school is 3miles journey time 6mins.</p> <p>None can be safely transited on foot or by bicycle. Sources google maps.</p> <p>Llangynidr school is therefore the logical primary catchment for Bwlch.</p> <p>Looking forward to seeing Powys education authorities logic.</p>	Please see response reference number 53 above.
205	<p>Llangynidr: I am writing to you with regards to the change in catchment area for Llangynidr CP School.</p> <p>Powys are trying to take Bwlch out of the catchment area for my daughters school. This is devastating. Bwlch to Llangynidr is 2.1m</p>	Please see response reference number 53 above.

	<p>whilst Bwlch to Llangores is 3.9 miles. Children will need to travel further which is not very economical.</p> <p>Secondly this will affect friendship groups but also the number of children attending Llangynidr and the size/number of classes. This would then result in the number of pupils attending Crickhowell High School as Llangores' high school would be Gwernyfed.</p> <p>Llangynidr is a wonderful school where the staff are truly wonderful. Coming from a family of educational professionals, the teachers not only nurture their children pastorally but the teaching is of a high standard. This is a school that is at the heart of the community.</p> <p>If this is to go ahead it will have a massive effect on the number of children attending Llangynidr and potentially could end up closing the school.</p> <p>I hope you will take this into consideration.</p>	
206	<p>Llangynidr: I really cannot see any reasoning behind this sudden change of catchment areas and, therefore, object to this unnecessary upheaval for children and parents in this area.</p>	Please see response reference number 53 above.
207	<p>Llangynidr: I am sure you will not be surprised to hear there has been a great deal of upset in Bwlch at the binary nature of the catchment maps as they affect the village – currently wholly in the Llangorse School catchment (having been wholly in the Llangynidr catchment in the pre-consultation before Christmas). There are a number of questions which parents are concerned about, and I should be most grateful for a response from the LEA:</p> <p>1) What reasons have the council given for removing the dual catchments?</p>	<p>Following the informal consultation before Christmas, officers responded to the feedback received, which overwhelmingly supported Bwlch being within the Llangorse catchment. However, following this public consultation we will take on board and consider carefully all comments received before final catchment maps are drawn, impact assessments undertaken and full consideration by the Local Authority.</p> <p>In the main, all catchment maps are based on nearest primary school and then cluster secondaries. Bwlch is one area that we are trying to clarify for parents for the following reasons:</p>

<p>2) How many catchment areas amendments are in this Powys public consultation?</p> <p>3) Please can we have a copy of the Impact Assessments?</p>	<p>1. Admissions: A parent has the right to opt for a school of their choice, and if the school has capacity, it is likely that they will be allocated a school place. The only time that catchments will be applied is if the school is over subscribed. We will then apply the oversubscription criteria as set out in the booklet.</p> <p>2. Transport: The current transport policy states: Home to school transport will be provided for learners to attend their nearest suitable school or catchment school. (The catchments areas are based on the nearest school. However, due to the vast rural nature of Powys, there are a few exceptions to reflect local geography).</p> <p>1) What reasons have the council given for removing the dual catchments? The intention is to try and strengthen the transition process from primary to secondary.</p> <p>2) How many catchment areas amendments are in this Powys public consultation? All catchment maps are initially based on nearest primary school, but due to the unique geography of Powys, some amendments have been made to reflect the local area such as bridges with weight limits that would prevent a 53 seater travelling via the most direct route.</p> <p>3) Please can we have a copy of the Impact Assessments? These will be finalised when the final catchment maps have been drawn.</p>
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v) **GWERNYFED HIGH SCHOOL CLUSTER**

Gwernyfed High School

Archdeacon Griffiths
Clyro
Hay on Wye
Llangors
Ysgol y Mynydd Du

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Ref	POSITIVE comments	Local Authority Response
208	Clyro CiW: This is more in line with the children that we have historically had attending our school as we absorbed pupils from Fynnon Gynydd and Rhosgoch Primary Schools, when they closed.	The Council notes your comments.
209	Llangors CiW: Llangors is the right catchment for bwlch- Well done powys 👏	The Council notes your comments.
210	Llangors CiW: It is good that Bwlch is clearly in the Llangors Catchment, however this could cause a divide in the village as some villagers prefer to use Llangndir primary school. Which is no longer in the catchment area. Ideally there should still be a choice for parents.	The Council notes your comments. Consideration will be given to which primary and secondary catchment Bwlch should fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.

Ref	OBJECTIONS	Local Authority Response
211	Gwernyfed High School: I live in Bwlch which has always had a catchment area of Gwernyfed or Crickhowell as a choice of secondary. Children from our village attend both Llangorse and Llangynidr due to the nature of the village being close to both primaries. My children attend llangorse so feeding into gwernyfed personally for my children is perfect. However I think that the village still needs to remain as a dual catchment due to the differing primaries that the children attend. It would be detrimental to the children of either primary to	The Council notes these comments around a learners and their family choice of school. This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference.

	<p>not have the choice of their feeder secondary due to a decision to take away the dual catchment plans. I urge Powys to think carefully about what effect this would have on the young people when they make the already difficult transition to secondaries to then have the additional strain of being totally isolated from peers they have grown up with.</p>	<p>Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act.” These exceptions are applied when a school is oversubscribed. Powys’ oversubscription criteria is set out in the annual ‘Admissions Information and Arrangements’ booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states “Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school”. The current policy goes on to state that “A catchment school means the nearest school within a geographic area”.</p> <p>Consideration will be given to which primary and secondary catchment Bwlch should fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.</p>
212	<p>Gwernyfed High School: My daughter is from Brecon and attends gwernyfed high school due to be build and Assaulted by an other child in Brecon high and she has great anxiety over this to the point that if she was made to attend Brecon high it would have a huge impact on her mental health. She doesn’t deal well with changes and has Severe meltdowns. She is been assistant though gwernyfed high soon.</p>	<p>The Council notes your comments.</p>
213	<p>Gwernyfed High School: Bryngwyn and Dolycannau have always been part of Gwernyfed catchment - the school bus used to travel from Dolycannau along</p>	<p>Consideration will be given to which primary and secondary catchment Bryngwyn and Dolycannau should fall. Consideration will be based on the nearest school and then if small amendments</p>

	the b4594 to Rhosgoch and Painscastle. Shouldn't this still be the case?	to the catchment boundary need to be made to reflect the local topography and geography.
214	<p>Gwernyfed High School: Builth pupils should be able to travel to Gwernyfed High School. It is only a mile out of the catchment area. Parents are willing to travel within the catchment area to meet a bus but Powys said they won't let children have seats on the bus even if that bus is empty! There is no sense in that. It is very unfair.</p> <p>Archdeacon Griffiths CiW: I live in Bronllys, my children attends Archdeacon Griffiths Llyswen because one child has Autism and they can better cater his needs than my nearest school. Why is there not a cross over between catchment areas that are close to 2 schools, this would make it easier for parents to have a choice and access transport. Also I thought we were supposed to be saving the planet by cutting down on the transmissions we use? But here we are not allowed to use vacant seats, not allowed school transport if your 0.1 miles out of the catchment area and so on.</p>	<p>The Council notes these comments around a learners and their family choice of school. It also notes your comments around availability of vacant seats.</p> <p>This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act." These exceptions are applied when a school is oversubscribed. Powys' oversubscription criteria is set out in the annual 'Admissions Information and Arrangements' booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states "Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school". The current policy goes on to state that "A catchment school means the nearest school within a geographic area".</p> <p>The Powys SEN/ALN strategy, agreed by Cabinet in November 2021, is committed to improving the provision for all pupils with SEN/ALN. This includes pupils who can be educated in</p>

		mainstream classes as well as pupils who require specialist provision.
215	<p>Clyro CiW: Llanerchir, Bryngwyn, HR53QZ would naturally fall within Gladestry catchment area, as it is accessed via Bryngwyn rather than Rhosgoch & the bus goes along Bryngwyn common to Gladestry school. Secondly, the border with Llysven catchment is further west than I had anticipated - the school bus route for Painscastle may need to be extended - there are already children from Fferm & Upper Llanddewi in Clyro school.</p>	Consideration will be given to which primary and secondary catchment Llanerchir, Bryngwyn should fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.
216	<p>Clyro CiW: I am responding to the proposal of change to the catchment area for bus transport from my address in Glasbury to Clyro C.I.W Primary school for my son xxx We applied two years ago and it was rejected even though the bus came past our house daily too take other children and there was more than enough seats for my son too use the bus. We also appealed this and again we were rejected.</p> <p>Having transport for my son would be extremely beneficial for him and us as a family, this would really help him with his self confidence and independence and hopefully there will be a positive outcome from this.</p>	The Council notes your comment.
217	<p>Llangors CiW: I reiterate the comments I made in my submission to the informal consultation before Christmas. Bwlch has a very close relationship with the villages of both Llangorse and Llangynidr. These are social and familial as well as educational, and children in Bwlch go to the two primary schools in almost equal numbers reinforcing the strength of the links with both of the other villages. Whilst I understand that parental choice means that children will still be able to go to whichever school they wish at both primary and secondary level (spaces permitting), I am concerned that in fact that choice effectively only exists for those parents with sufficient time and/or resources to transport their children. Parents</p>	Please see response reference 211 above

	<p>are already very upset at the prospect of the village losing the dual catchments, and I am worried that this proposal and the knock-on effect at secondary level has the potential to be extremely socially divisive. I appreciate the LEA's rationale for wishing to clarify and strengthen the transition to secondary school, but this only makes sense when there is no distinction between the schools concerned. This is not the case here. For example, parents may well choose to send their child/ren to Llangorse School because it is a Church school, but at secondary level wish their child/ren to go to Crickhowell HS as the nearest school. I therefore once again urge the LEA to recognise the unusual position that Bwlch is in and allow the dual catchments to remain in place.</p>	
218	<p>Llangors CiW: The area of Bwlch is presently split between Llangors and Llangynidr primary schools. The new arrangements will see all Children placed in the Llangors catchment area, I am aware of a local desire to retain the current arrangement going forward and not those proposed. Consideration of a dual catchment area should be given for cultural and traditional reasons. Bwlch is an anomaly in that it has always fed into both primary schools.</p>	Please see response reference 211 above
219	<p>Llangors CiW: I feel Bwlch is a unique village due to its location and accessibility to the different primaries (Llangynidr and Llangorse) Bwlch is closer to Llangynidr yet road access means it often requires a longer route for public transport. I feel that Bwlch should remain as a dual catchment area to allow parents to choose their primary school.</p>	Please see response reference 211 above
220	<p>Llangors CiW: Please find below my feedback regarding the changes regarding the admissions policy and the catchment areas.</p> <p>We regards to the potential changes to the admission criteria there has been a breach in code:</p>	Please see response reference 211 above

	<p>"2.3 Admission arrangements must be consulted on for each maintained school between 1 September and 1 March, and set by 15 April, of the school year (the 'determination year') beginning two years before the school year in which the arrangements will apply. The first step in the process is for the admission authority to draw up proposed arrangements in accordance with the principles outlined above. These proposed arrangements must then be consulted upon"</p> <p>Although PCC have had since the 1st September to consult with us, they only began their consultation on the 7th February 2022. They propose to consult until the 14th March 2022, but this is beyond the date given in the code, (1st March), so out of time.</p> <p>"2.6 The bodies with which admission authorities should also consult are set out in the following table: Admission Authority Consultees LAs. · The admission forum serving the relevant area. · Where a significant change is proposed, parents of children likely to be affected."</p> <p>As the changes to catchment are a "significant change", PCC should have come to us directly and they have not and therefore there is a breach of the code"</p> <p>Will the admission criteria and the catchment areas match up with school transport policy? As the school transport policy states nearest school - but the catchment and admission policy that isn't so clear. For example in Bwlch Llangorse is the catchment school in the policy, but this year there was a fight to get the school transport as it isn't the closest school.</p> <p>There needs to be clearer information about what changes have been made to the admissions policy to know fully the impact of the changes.</p>	
221	<p>Llangors CiW: We are writing in response to the public consultation on school catchments.</p>	Please see response reference 211 above

	<p>The Governing Body of Llangors CiW Primary School wish to express our full support of the proposed changes indicated in this consultation. We recognise the changes which may affect families living in the Bwlch area and note previous difficulties around transportation to Llangors from Blwch.</p> <p>We have a number of families who live in Bwlch. This is one of our largest geographical clusters of our pupil population and are an essential part of our pupil roll. We are reassured to know that these families will now be fully supported to attend Llangors with ongoing school transport. We are pleased that our cluster partnerships with Gwernyfed will be further strengthened as a result of the proposals in this consultation. We have received only positive representations from parents in regards to this consultation.</p> <p>We would be very disappointed if the proposals in the consultation were not successful as these proposals are in the best interest of Llangors CiW Primary School and our catchment community.</p>	
222	<p>Ysgol y Mynydd Du: For Llanwern residents, the only primary catchment is welsh medium and no option for an English medium school?</p> <p>In terms of admissions, my best hopes that you are VERY clear with parents when applying for school places. As you are probably aware I settled my son into the three year old setting in Llanfaes school following a telephone call to admissions team and having an application sent. Application was posted back, not once was I advised by either the admissions team or school to</p>	<p>The Council notes this comment.</p> <p>All learners, parents and carers are able to make a preference for any school they feel most suitable, but based on the school of choice, may not be eligible to free Home to School Transport.</p> <p>The Learner Travel (Wales) Measure 2008 and the guidance states that Local Authorities must promote access to Welsh medium education.</p>

	<p>check the website small print about places. My son made really strong key relationships with staff and then these were all pulled from him when the class was over subscribed and he lost his space. Not one acknowledgement from the head from the school either. At the grand age of five my son still talks about when he was 'kicked out' of Llanfaes school.</p> <p>The way this was managed was appalling, I have gone back through approval email and letter with no indication about catchment or oversubscribing.</p> <p>I have lost an awful lot of faith in the Powys Education system.</p>	<p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
223	<p>Ysgol y Mynydd Du: I live in Llanstephan LD3 0AQ my children attend ysgol y mynydd due for child care arrangements. Parents travel more for work and the majority of both parents work these day, catchment areas are out of date. It should be what is most suitable for parents to provide the best care for their children.</p>	<p>Consideration will be given to which primary and secondary catchment Llanstephan should fall. Consideration will be based on the nearest school and then if small amendments to the catchment boundary need to be made to reflect the local topography and geography.</p>

vi) **LLANIDLOES HIGH SCHOOL**

Llanidloes High School

Caersws CP
Llandinam CP
Llanidloes CP
Rhayader
Ysgol Dyffryn Trannon

Ref	POSITIVE comments	Local Authority Response
224	<p>Caersws: Whilst it is important that all schools are provided with a sufficient catchment area, it is felt that some areas that have been designated as being in the Llandinam catchment are in fact closer to Caersws.</p>	<p>The Council notes your comment.</p>

Ref	OBJECTIONS	Local Authority Response
225	<p>Llanidloes HS: From looking at the map it is clear to see that many other schools who wish to access a Welsh secondary school can have multiple choice as well as the option to choose several English secondary schools too. Why does Ysgol Carno only have the option of one HS which will become an all-Welsh HS? where do the children who wish to do English in HS or those who move into the area go? Why are the Children of Carno not given an option like children in other schools? For example, those who attend Dafydd Llwyd and Rhayader school are being given the choice of What school they attend. The Children of Carno are not being given equal rights like other children are being given.</p>	<p>The Council notes these comments around a learners and their family choice of school.</p> <p>This is reflected in the Welsh Government School admissions code (005/2013) section 2.1 and Powys' admissions arrangements whereby "Admission authorities must make arrangements enabling the parents of children in their area, and in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies must comply with that preference, subject to the exceptions set out in the 1998 Act." These exceptions are applied when a school is oversubscribed. Powys' oversubscription criteria is set out in the annual 'Admissions Information and Arrangements' booklet.</p> <p>However, despite the ability of a learner and their parents / carers to express a preference for a school, this is not the case for home to school transport. The Learner Travel (Wales) Measure 2008 states that the Local authority must provide free home to school transport for learners of compulsory school age who live 2 miles (primary) / 3 miles (secondary) from their nearest suitable school and the Powys Home to School Transport Policy states "Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school". The current policy goes on to state that "A catchment school means the nearest school within a geographic area".</p> <p>Consideration will be given to which secondary school learners from Ysgol Carno and Ysgol Dafydd Llwyd will transition. Consideration will be based on the breadth of Welsh language provision, the nearest school and then if small amendments to the</p>

		catchment boundary need to be made to reflect the local topography and geography.
226	<p>Llanidloes HS: Reasons for this include the following:</p> <ul style="list-style-type: none"> • Llanidloes High School is a popular choice for parents of children who attend Ysgol Carno and one of the main reasons we chose Carno as a place to live in the first place, so that our children would have Llanidloes High as an option, as both myself and my husband attended Llanidloes High School. • Pupils who live in Carno may lose their place at the school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have actually gained a place. One possible scenario would mean a child living 30 miles from Llanidloes High School would get a place ahead of a child living 12 miles away. • Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated. • Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes High School. This goes against your own CIP – ‘improving opportunities and outcomes for children living in poverty’, one of your equality objectives. • There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas 	Please see response reference 225 above.

have not only multiple Welsh choice High Schools, but also English High School choice too. My eldest child asked to do her secondary education in English because she wants to be on an equal footing when applying to university, as she may not want to apply to a university in Wales.

- I believe that parents at Ysgol Carno ought to be given free transport to Llanidloes High School because of how close it is to their homes. This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.

- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno was removed from the Llanidloes High School feeder school list this time last year. This seems to have been a ploy used by Powys County Council to push the issue through with minimal pushback from parents and other concerned parties.

You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple High Schools. Again, a lack of equality in your decision making. Also, the above reasoning does not factor in that children attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

	<p>I appreciate Powys County Councils aspiration for a certain number of All Through Schools, but you MUST consider decades of social and family links between communities, and not just draw simple lines between areas with no overlap. My opinion is that you are penalising children for where they live, and due to the recent decision made for an All Welsh All Through School to be built in Machynlleth, right on the border of Powys with other Counties, hence lack of catchment area availability.</p> <p>Another affect of this change will be the fact that some parents may decide to remove their children from Ysgol Carno in order to place them in a school which is en route to Llanidloes High School, to try and reduce the spend on transport fees. This in turn may have a knock on affect with the long term sustainability of Ysgol Carno, an issue that has only recently been averted, through excellent scores in ESTYN reports due to the hard work of the teachers at the school and the building of a new School, encouraging parents to bring their children to the area.</p> <p>I trust you will give due consideration to the above points, and that you factor in that Ysgol Carno, being a smaller school, will not necessarily give the quantity of consultation responses that other larger schools have provided in the past, but nevertheless, should still get listened to.</p>	
227	<p>Llanidloes HS: I have included a letter in the email response to Part 1 of the Consultation which is also relevant here.</p> <p>Specifically re the English catchment area - speaking as an Ysgol Carno parent, I believe it should be extended to include Ysgol Carno as a feeder school, as Ysgol Carno has no English choice under the current proposal (based on Bro Hyddgen becoming All Welsh). Many English speaking families may chose a Welsh Primary School so that their children can learn Welsh and have a</p>	Please see response reference 225 above.

	<p>good base level of Welsh for the future, but then choose English in High School for many different reasons. A big concern of mine is the lack of Welsh Medium Teachers there appears to currently be across the many subjects up to and including A Level, and so forcing children to switch to English stream during their latter years of study. How are PCC proposing to find all the Welsh Medium Teachers required given the apparent current struggle for them?</p> <p>My personal opinion for further afield - I believe Ysgol Llanbryn-mair should also be included as a feeder school for the English catchment. I believe an English HS should be an available choice to ALL children in the County. Once Ysgol Bro Hyddgen goes to All Welsh, future parents' choice will have gone.</p>	
228	<p>Llanidloes HS: We live in Newbridge on wye. My daughter goes to Rhayader primary school and we want her to attend Llanidloes High school for personal reasons along with her friends who will also be attending this high school. Or daughter doesn't deal well with change so to go to a new school where she won't know anyone will be a lot for her. But as we are out of this catchment does this mean she won't be able to attend this chosen high school.</p>	Please see response reference 225 above.
229	<p>Llanidloes HS: Unhappy that the catchment area has excluded Carno. We are centrally placed between several high schools, and should not be forced into one school in an attempt to increase the number of students at Machynlleth.</p>	Please see response reference 225 above.
230	<p>Llanidloes HS: From looking at the map it is clear to see that many other schools who wish to access a Welsh secondary school can have multiple choice as well as the option to choose several English secondary schools too. Why does Ysgol Carno only have the option of one HS? Why are the Children of Carno not given an option like children in other schools? For example, those who attend Dafydd Llwyd and Rhayader school are being given the choice of What school they attend.</p>	Please see response reference 225 above

	<p>The Children of Carno are not being given equal rights like other children are being given which i belive to be unfair.</p>	
	<p>Llanidloes HS: Reasons for this include the following:</p> <ul style="list-style-type: none"> • Llanidloes High School is a popular choice for parents of children who attend Ysgol Carno and one of the main reasons we chose Carno as a place to live in the first place, so that our children would have Llanidloes High as an option, as both myself and my husband attended Llanidloes High School. • Pupils who live in Carno may lose their place at the school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have actually gained a place. One possible scenario would mean a child living 30 miles from Llanidloes High School would get a place ahead of a child living 12 miles away. • Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated. • Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes High School. This goes against your own CIP – ‘improving opportunities and outcomes for children living in poverty’, one of your equality objectives. • There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas 	

have not only multiple Welsh choice High Schools, but also English High School choice too. My eldest child asked to do her secondary education in English because she wants to be on an equal footing when applying to university, as she may not want to apply to a university in Wales.

- I believe that parents at Ysgol Carno ought to be given free transport to Llanidloes High School because of how close it is to their homes. This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.

- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno was removed from the Llanidloes High School feeder school list this time last year. This seems to have been a ploy used by Powys County Council to push the issue through with minimal pushback from parents and other concerned parties.

You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple High Schools. Again, a lack of equality in your decision making. Also, the above reasoning does not factor in that children attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

	<p>I appreciate Powys County Councils aspiration for a certain number of All Through Schools, but you MUST consider decades of social and family links between communities, and not just draw simple lines between areas with no overlap. My opinion is that you are penalising children for where they live, and due to the recent decision made for an All Welsh All Through School to be built in Machynlleth, right on the border of Powys with other Counties, hence lack of catchment area availability.</p> <p>Another affect of this change will be the fact that some parents may decide to remove their children from Ysgol Carno in order to place them in a school which is en route to Llanidloes High School, to try and reduce the spend on transport fees. This in turn may have a knock on affect with the long term sustainability of Ysgol Carno, an issue that has only recently been averted, through excellent scores in ESTYN reports due to the hard work of the teachers at the school and the building of a new School, encouraging parents to bring their children to the area.</p> <p>I trust you will give due consideration to the above points, and that you factor in that Ysgol Carno, being a smaller school, will not necessarily give the quantity of consultation responses that other larger schools have provided in the past, but nevertheless, should still get listened to.</p>	
231	<p>Llanidloes HS: Please see my response letter to Part 1 of the Consultation, as those comments are also relevant here.</p> <p>There is complete inequality in the way the feeder schools have been chosen for Llanidloes HS. I believe Ysgol Carno should be reinstated as a feeder school.</p> <p>Any argument PCC had for including Ysgol Dafydd Llwyd, and Rhayader School as feeder schools, can also be used for</p>	Please see response reference 225 above

	<p>including Ysgol Carno. And vice versa, any argument PCC had for excluding Ysgol Carno as a feeder school (you explained it was for educational outcome rather than a transport related outcome), can also be used for excluding Ysgol Dafydd Llwyd, and Rhayader School. I cannot understand, apart from a louder voice due to their size, why these would get differing treatment to Ysgol Carno. One suggestion could be because we are part of a Federation....</p> <p>Yes, Ysgol Carno is part of a very successful Federation. The proposed HS for all 3 schools in the Federation to feed, Ysgol Bro Hyddgen, is right at the far edge of the catchment area, furthest afield to Ysgol Carno. Ysgol Carno parents want the option of, what is for many, geographically closer (not to mention historical community and family links) Llanidloes HS. This wouldn't go against educational outcome goals due to the community links already between children in the area.</p>	
232	Llanidloes HS: Carno should be included	Please see response reference 225 above
233	<p>Llanidloes HS: Ysgol Carno has not been included in the catchment zone for this high school. It is the closest high school to this primary school, and by no longer falling into the catchment area, pupils from Ysgol Carno will be left with only 1 available option of high school. This is unfair on pupils and/or parents as they should all have a choice! Particularly if the only available high school is welsh medium, which may not suit all children or parents once they reach this level of education.</p> <p>If this decision remains this way then I fear that Ysgol Carno would suffer a drop in pupil numbers as many families would not want to be left with no ability to choose a follow on school. This would impact greatly on a small, village school. Diolch!</p>	Please see response reference 225 above
234	Llanidloes HS:	Please see response reference 225 above

I write to express my deep concern about the significant changes being proposed by the Local Authority admissions team to secondary school admissions arrangements to be based on the proposed feeder school catchment areas.

- I believe that Ysgol Gynradd Carno should get reinstated on Llanidloes High School's list of feeder primary schools.

Reasons for this request include the following:

- Llanidloes High School is a popular choice for parents of children who attend Ysgol Gynradd Carno.
- Pupils who live near to Llanidloes may lose their place at the school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have actually gained a place. One possible scenario would mean a child living 30 miles from Llanidloes HS would get a place ahead of a child living 12 miles away.
- Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated.
- Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes HS. This goes against your own CIP – 'improving opportunities and outcomes for children living in poverty', one of your equality objectives.
- There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas have not only multiple Welsh choice HS, but also English HS choice too.

- I believe that parents at Ysgol Carno ought to be given free transport to Llanidloes High School because of how close it is to their homes. This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.
- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno was removed from the Llanidloes High School feeder school list this time last year.

You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple HS. Again, a lack of equality in your decision making. Also, the above reasoning does not factor in that children attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

I appreciate PCCs aspiration for a certain number of All Through Schools, but you MUST consider decades of social and family links between communities, and not just draw simple lines between areas with no overlap. My opinion is that you are penalising children for where they live, and due to the recent decision made for an All Welsh All Through School to be built in Machynlleth, right on the border of Powys with other Counties, hence lack of catchment area availability.

	<p>I trust you will give due consideration to the above points, and that you factor in that Ysgol Carno, being a smaller school, will not necessarily give the quantity of consultation responses that other larger schools have provided in the past, but nevertheless, should still get listened to.</p>	
235	<p>Llanidloes HS: We are writing to express our deep concern about the significant changes to the secondary school admissions. The decision to remove Ysgol Gynradd Carno from the list of feeder schools for Llanidloes High School is massively flawed and extremely unfair.</p> <ul style="list-style-type: none"> • Every other pupil in the county seemingly has the choice to undertake their secondary education through the medium of Welsh or English. This choice is being taken away from our children, significantly hindering their prospects to continue their education into university which are only conducted in English. • Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from their older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated. • Families living in Carno may feel they need to send their children to primary schools outside of the village in order for them to have more opportunity of schools for their secondary education. • We feel that as parents at Ysgol Carno we ought to be given free transport to Llanidloes High School because of how close it is to our home. This gives parents who may not be able to transport their child to school each day, genuine choice of secondary school. • The social and family links between communities should be taken in to consideration. For example, more families have links towards the Llanidloes area which could be broken by forcing their children to a different school several miles in the opposite direction. • So many parents were unaware of the changes to feeder schools, they ought to have been better informed before Ysgol Carno was 	Please see response reference 225 above

	<p>removed from the Llanidloes High School feeder school list this time last year.</p> <p>We as a family feel extremely saddened and discriminated against for where we live. Our children attend Ysgol Carno as we live and work in the village making it the only choice for us without having to travel into a town five days a week thus saving in the cost of fuel and our outgoings each week. Our desire is for our children to attend a secondary school that they will feel safe, comfortable and happy in, hoping that they will thrive in their education thus achieving the best results they can. Our fear is they will be forced to attend a school that may be in a language and setting which is unsuitable for them. For these reasons we strongly urge the council to reinstate Ysgol Carno as a feeder school to Llanidloes High.</p>	
236	<p>Llanidloes HS: I write to inform you that I strongly disagree with your decision to stop Ysgol Carno from feeding into Llanidloes High School (LHS). As a resident of Carno and a mother of 3 and was distraught when I heard about the proposed changes being made about the admissions.</p> <p>You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple HS. This is unfair on the families of children who attend Ysgol Carno and those who have siblings already in LHS.</p> <p>Again, a lack of equality in your decision making. The above reasoning does not factor in those children who attend evening</p>	Please see response reference 225 above

activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

Every family should be treated the same regardless of where they live and what their language is, you are penalizing those families by not allowing Ysgol Carno the choice of what secondary school the children can attend. As many other schools will be eligible for free transport to Multiple high schools regardless of what language they want I feel that the children who attend Ysgol Carno are having that choice taken away from them, which could potentially influence the primary.

As the Leader of Carno Cylch Meithrin, many of the children I teach go to Carno School followed by Llanidloes High School. Changing the catchment area for Carno will undoubtedly reduce the number of children wanting to join Clych Meithrin and Carno school, therefore have a negative impact not only my job and the jobs of my colleagues and teachers but also the community of Carno by reducing the number of families wanting to live here. I currently have 2 children who have made the choice to attend Llanidloes High School and receive free transport but my youngest who currently attends Ysgol Carno is now potentially having to attend a different high school altogether. This not only impacts on them directly, but also us as parents who will have to travel an additional millage each day and must purchase more school uniform which is expensive.

The University of Essex undertook a study regarding sibling overspill in the same school and their results revealed positive feedback. It was evidenced that tests scores from the eldest to youngest siblings increased by 3.6% on a standard deviation if they attended the same school. By changing schools, you are actively disadvantaging my son's future education. Furthermore, sibling spillover effects the schools' own achievements so would be beneficial to continue the catchment as currently is.

	<p>Both myself and my husband believe this educational divide amongst our children could have detrimental effects on their mental wellbeing. Wellbeing should be at the heart of Powys County Council foundations and to provide a stable education for all children within its borders. By splitting siblings will ultimately split families and cause relationship breakdowns.</p> <p>In 2017, Nottingham County Council agreed to pay £500 a year to families whose youngest siblings were refused admission to the same school as their seniors. The case was heard by the local government and social care ombudsman. Following refusal of admission, an appeal was made, where the Office of the Schools Adjudicator ruled in January 2017 that the new admissions arrangements were unfair.</p> <p>The local government and social care ombudsman's role are to remedy injustice and share learning from investigations to help improve public, and adult social care, services. We (as parents) feel that learning hasn't taken place and that the proposed admission arrangements are mirrored mistakes waiting to happen. In these instances, families were also offered an additional £250 for the trouble in taking the case forward to the social care ombudsman and £250 for the distress in being denied the remedy they should normally have been entitled to.</p>	
237	<p>Llanidloes HS: I would like to register my disagreement with the proposed changes to the admissions arrangements.</p> <p>As a resident of Carno with a child at Carno School I am upset with the proposal that children of the area should not have a choice of which high school to attend. Because of our location we are equally spaced between several high schools, and in actuality we are slightly closer to Llanidloes than to Machynlleth. While Carno is a Welsh medium school, a large percentage of the children come from an English-speaking home. I am aware that this is not necessarily an issue when attending a Welsh high school, but to have the choice taken away and be forced into a</p>	Please see response reference 225 above

	<p>Welsh medium education at high school, is unacceptable. And with the change of Machynlleth School to be solely through Welsh this is exactly what is being done for future children of Carno.</p> <p>As someone who went through Welsh education as a Welsh learner, I am aware of the benefits of this, but I also know how difficult it can be. When it comes to my daughter, I want her to be able to choose the option that is right for her, without limitations set by the local authority dictating how she should be educated.</p> <p>In brief summary I object to the removal of Carno as a feeder school into Llanidloes High School for two reasons. Firstly, that you are failing to provide education in a child's first language or a language of their choice. And secondly you are extending the journey length necessary to attend that school.</p> <p>I hope this objection is given the consideration it deserves.</p>	
238	<p>Llanidloes HS: I am writing to express my concerns and disappointment about the significant changes being proposed by the Local Authority admissions team to secondary school catchment area alterations affecting primary feeder schools.</p> <p>I cannot believe that Ysgol Gynradd Carno was taken off Llanidloes High School's list of feeder primary schools and it should be reinstated.</p> <p>Reasons for this include the following:</p> <ul style="list-style-type: none"> • Llanidloes High School is a popular choice for parents of children who attend Ysgol Carno and one of the main reasons we chose Carno as a place to live in the first place, so that our children would have Llanidloes High as an option, as both myself and my husband attended Llanidloes High School. 	Please see response reference 225 above

- Pupils who live in Carno may lose their place at the school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have actually gained a place. One possible scenario would mean a child living 30 miles from Llanidloes High School would get a place ahead of a child living 12 miles away.
- Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated.
- Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes High School. This goes against your own CIP – ‘improving opportunities and outcomes for children living in poverty’, one of your equality objectives.
- There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas have not only multiple Welsh choice High Schools, but also English High School choice too. My eldest child asked to do her secondary education in English because she wants to be on an equal footing when applying to university, as she may not want to apply to a university in Wales.
- I believe that parents at Ysgol Carno ought to be given free

transport

to Llanidloes High School because of how close it is to their homes.

This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.

- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno was removed from the Llanidloes High School feeder school list this time last year. This seems to have been a ploy used by Powys County Council to push the issue through with minimal pushback from parents and other concerned parties.

You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple High Schools. Again, a lack of equality in your decision making. Also, the above reasoning does not factor in that children attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

I appreciate Powys County Councils aspiration for a certain number of All Through Schools, but you MUST consider decades of social and family links between communities, and not just draw simple lines between areas with no overlap. My opinion is that

	<p>you are penalising children for where they live, and due to the recent decision made for an All Welsh All Through School to be built in Machynlleth, right on the border of Powys with other Counties, hence lack of catchment area availability.</p> <p>Another affect of this change will be the fact that some parents may decide to remove their children from Ysgol Carno in order to place them in a school which is en route to Llanidloes High School, to try and reduce the spend on transport fees. This in turn may have a knock on affect with the long term sustainability of Ysgol Carno, an issue that has only recently been averted, through excellent scores in ESTYN reports due to the hard work of the teachers at the school and the building of a new School, encouraging parents to bring their children to the area.</p> <p>I trust you will give due consideration to the above points, and that you factor in that Ysgol Carno, being a smaller school, will not necessarily give the quantity of consultation responses that other larger schools have provided in the past, but nevertheless, should still get listened to.</p>	
239	<p>Llanidloes HS: I write to inform you that I strongly disagree with your decision to stop Ysgol Carno from feeding into Llanidloes High School (LHS). As a resident of Carno and a mother of 3 and was distraught when I heard about the proposed changes being made about the admissions.</p> <p>You explained that the fundamental reason for this change 'is for an educational outcome rather than a transport related one. It aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed</p>	Please see response reference 225 above

them to remain as feeder schools to multiple HS. This is unfair on the families of children who attend Ysgol Carno and those who have siblings already in LHS.

Again, a lack of equality in your decision making. The above reasoning does not factor in those children who attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.

Every family should be treated the same regardless of where they live and what their language is, you are penalizing those families by not allowing Ysgol Carno the choice of what secondary school the children can attend. As many other schools will be eligible for free transport to Multiple high schools regardless of what language they want I feel that the children who attend Ysgol Carno are having that choice taken away from them, which could potentially influence the primary.

As the Leader of Carno Cylch Meithrin, many of the children I teach go to Carno School followed by Llanidloes High School. Changing the catchment area for Carno will undoubtedly reduce the number of children wanting to join Clych Meithrin and Carno school, therefore have a negative impact not only my job and the jobs of my colleagues and teachers but also the community of Carno by reducing the number of families wanting to live here. I currently have 2 children who have made the choice to attend Llanidloes High School and receive free transport but my youngest who currently attends Ysgol Carno is now potentially having to attend a different high school altogether. This not only impacts on them directly, but also us as parents who will have to travel an additional millage each day and must purchase more school uniform which is expensive.

The University of Essex undertook a study regarding sibling overspill in the same school and their results revealed positive feedback. It was evidenced that tests scores from the eldest to

	<p>youngest siblings increased by 3.6% on a standard deviation if they attended the same school. By changing schools, you are actively disadvantaging my son's future education. Furthermore, sibling spillover effects the schools' own achievements so would be beneficial to continue the catchment as currently is.</p> <p>Both myself and my husband believe this educational divide amongst our children could have detrimental effects on their mental wellbeing. Wellbeing should be at the heart of Powys County Council foundations and to provide a stable education for all children within its borders. By splitting siblings will ultimately split families and cause relationship breakdowns.</p> <p>In 2017, Nottingham County Council agreed to pay £500 a year to families whose youngest siblings were refused admission to the same school as their seniors. The case was heard by the local government and social care ombudsman. Following refusal of admission, an appeal was made, where the Office of the Schools Adjudicator ruled in January 2017 that the new admissions arrangements were unfair.</p> <p>The local government and social care ombudsman's role are to remedy injustice and share learning from investigations to help improve public, and adult social care, services. We (as parents) feel that learning hasn't taken place and that the proposed admission arrangements are mirrored mistakes waiting to happen. In these instances, families were also offered an additional £250 for the trouble in taking the case forward to the social care ombudsman and £250 for the distress in being denied the remedy they should normally have been entitled to.</p>	
240	<p>Llanidloes HS: As Grandparents, we were absolutely amazed to hear that Powys CC are to remove the option for Carno schoolchildren to attend Llanidloes High School on free transport. This is discriminating against pupils who wish to be taught in English for their secondary education. Every child surely should have this option. You are forcing parents away from choosing Carno School, by not allowing them to have free access to the education of their choice.</p>	Please see response reference 225 above

	We urge you to reconsider for the sake of Community relations and our Grandchildren's futures.	
241	<p>Llanidloes HS: As an active and supportive representative of the Caersws and Carno Ward I feel compelled to reiterate the many serious concerns drawn to my attention by Carno community Council, my constituents and fellow Governors. I have noted that the policies involved for the admission of Carno Primary School children to the nominated high school constitutes a very unjust and unfair system in comparison to other schools. The impact of this system would be seriously detrimental to the future education of these children. The system being discretely imposed is causing concern and emotional stress as it takes away the right of parental choice.</p> <p>I have received, read and digested a number of the consultation responses that have been sent to yourselves and note the content as being repetitious which to me endorses the facts that have been brought to your attention.</p> <p>I object to the proposals and implore you to take heed of these consultation responses and have sympathetic concerns for my constituents.</p>	Please see response reference 225 above
242	<p>Llanidloes HS: I write to express my deep concern about the significant changes being proposed by the Local Authority admissions team to secondary school admissions arrangements to be based on the proposed feeder school catchment areas.</p> <ul style="list-style-type: none"> • I believe that Ysgol Gynradd Carno should get reinstated on Llanidloes High School's list of feeder primary schools. <p>Reasons for this request include the following:</p> <ul style="list-style-type: none"> • Llanidloes High School is a popular choice for parents of children who attend Ysgol Gynradd Carno. • Pupils who live near to Llanidloes may lose their place at the 	Please see response reference 225 above

school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have actually gained a place. One possible scenario would mean a child living 30 miles from Llanidloes HS would get a place ahead of a child living 12 miles away.

- Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated.

- Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes HS. This goes against your own CIP – ‘improving opportunities and outcomes for children living in poverty’, one of your equality objectives.

- There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas have not only multiple Welsh choice HS, but also English HS choice too.

- I believe that parents at Ysgol Carno ought to be given free transport to Llanidloes High School because of how close it is to their homes. This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.

- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno was removed from the Llanidloes High School feeder school list this time last year.

You explained that the fundamental reason for this change ‘is for an educational outcome rather than a transport related one. It

	<p>aims to encourage whole year groups to transition from their catchment primary school to their catchment High School as one Year Group and not split friendship groups etc to enable learners to settle into the next phase of their education journey'. But you haven't applied this reasoning to other areas of the County, specifically Ysgol Dafydd Llwyd and Rhayader School, where you seem to have respected historic parental choice, and allowed them to remain as feeder schools to multiple HS. Again, a lack of equality in your decision making. Also, the above reasoning does not factor in that children attend evening activities and clubs based on their geographical location, so DO in fact have other friendship groups outside of the school group, which helps the transition to High School. So geographical location, and NOT just primary school attended, does make a difference.</p> <p>I appreciate PCCs aspiration for a certain number of All Through Schools, but you MUST consider decades of social and family links between communities, and not just draw simple lines between areas with no overlap. My opinion is that you are penalising children for where they live, and due to the recent decision made for an All Welsh All Through School to be built in Machynlleth, right on the border of Powys with other Counties, hence lack of catchment area availability.</p> <p>I trust you will give due consideration to the above points, and that you factor in that Ysgol Carno, being a smaller school, will not necessarily give the quantity of consultation responses that other larger schools have provided in the past, but nevertheless, should still get listened to.</p>	
243	<p>Llanidloes HS: This letter is the response of Cyngor Cymuned Carno Community Council to Powys County Council's (Powys CC) Admissions Information and Arrangements 2023-24: Early Years, Primary and Secondary Consultation, with particular reference to the proposals for Secondary School Admissions and Catchment</p>	Please see response reference 225 above

Areas.

Following representations from parents, whose children currently attend Ysgol Gynradd Carno, the Community Council felt obligated to discuss the proposals and to consider the short and long term implications for the Community.

A range of issues were highlighted by parents which included:-

Ø Paramount amongst their concerns was the fact that Powys CC were only putting forward a single feeder school option and in doing so are removing any alternative choice for parents for their children's education.

Ø Should parents choose to pursue alternative sources of secondary education, (say Llanidloes High School), that choice would be further limited by financial pressures because of Powys CC have said they would only fund transport to Ysgol Bro Hyddgen. It was explained to the Council that the Ysgol Bro Hyddgen catchment area is the only area in the whole of Powys that does not have a free transport option to an English medium High School.

Ø The Council learnt that Powys CC explained their decisions had been based on an educational outcome rather than financial reasons associated with school transport. The aim being to encourage whole year groups to transition from their catchment area to their respective High School thus not splitting friendship groups. It was concerning to learn that Powys CC have not applied the same criteria across the board. Examples are Ysgol Dafydd Llwyd and Rhayader CIW Primary Schools, where historical choices seem to have been respected and these schools have retained multiple High School choices.

Ø Llanidloes High School has been a popular choice historically

and it was disturbing to hear (based on Powys CC's own data), that a child living 30 miles from Llanidloes would be given preference over a Carno pupil living only 12 miles from the High School. There are pupils currently at Ysgol Carno who live significantly nearer to Llanidloes and the fear is that they could lose the opportunity to attend that school because Ysgol Gynradd Carno is not a feeder school.

Ø The removal of the choice for a child to continue their education primarily through the medium of English.

Ø The possibility that siblings would be unable to attend the same school as their older brothers/sisters.

Ø A worrying theme from our discussions was that Powys CC appeared to be ignoring their own guidance contained in such documents as their Corporate Improvement Plan. There is an underlying feeling that Carno is not being treated fairly in comparison to the proposals made for other communities, and this has given rise to a level of mistrust in the reasoning behind the proposal. There is a perception that the decision is being influenced because of the development of the 'All Through School' (Ysgol Bro Hyddgen) in Machynlleth, where because of its close borders with other counties, finding feeder schools was always going to be an issue.

The Community Council fully endorses the concerns of the parents, which are very genuine and are clearly causing considerable concern. Powys CC should give them their full consideration with a full and frank response given to parents.

Further to the issues raised by parents, Councillors also discussed what effect the proposal could have on the fabric of our community and the wider area.

Ø The Council has heard that people could look at removing their children from Ysgol Gynradd Carno to attend schools with more embracing choices for secondary education. Falling numbers in our school would undermine all the efforts the Community, with Powys CC, put into developing a new school in the village, possibly leading the school to be seen as unsustainable.

Ø There is a concern that people seeking to relocate to the area for employment reasons could be deterred by the only educational option being seen as primarily through the medium of Welsh.

Ø This would be detrimental to businesses looking to recruit staff . Without attracting new (younger) families (with children) to the area, the aging population demographic will continue with all its associated issues. A lack of families with children will also damage the social fabric of any community as there could be inadequate numbers to make clubs and societies viable.

Ø While it is appreciated the arguments outlined are non-educational in the context of this consultation, the Council feels that they should be considered even if Powys CC are being asked to think 'outside the box'.

In conclusion Cyngor Cymuned Carno Community Council asks that Powys County Council review their proposed admissions policy to ensure that more balanced choice of secondary education is given to parents through the re-instatement of Llanidloes High School as a feeder school for Ysgol Gynradd Carno with associated free school transport. The Council further asks that Powys County Council examines the social and economic consequences of offering limited educational options for this area.

	On behalf of Cyngor Cymuned Carno Community Council, I look forward to receiving your response in due course.	
244	<p>Llanidloes HS: I am writing to respond to the current School Catchment Consultation and in particular the impact that the proposals will have on Carno Primary School. I have been contacted by a number of constituents who have concerns that under the proposals, Carno primary will solely be the feeder school for Ysgol Bro Hyddgen. People are particularly concerned about the following:</p> <ol style="list-style-type: none"> 1. That learners in other areas of Powys, such as Abermule or Rhayader, would have a greater choice of education because they would be entitled to free school transport to more than one school (giving choice of English or Welsh medium), whereas many pupils within the Carno primary catchment area will not have that choice. 2. The community of Carno (and surrounding area) is strongly associated with Llanidloes due to the connections it has had with Llanidloes High School. Therefore, Carno should remain a feeder school for Llanidloes High School. 3. With regard to the Llanidloes High School catchment, there are concerns that some pupils who live 30 miles away will be included in the catchment to that school and so prioritised for places, even though they may have more than one choice of high school. However, other pupils who live closer (i.e. within the Carno catchment) will not be entitled to free transport to Llanidloes High School, nor will they be prioritised for placements. 4. That the proposals could result in siblings being split up between high schools. Friendship groups and year group peers could also be split up as those who can afford their own school transport costs would have a greater choice of secondary school. 5. That many pupils within the Carno catchment area will not have a reasonable choice of access to English medium education as they will only be eligible for free school transport to Bro 	Please see response reference 225 above

	<p>Hyddgen. Therefore, Carno school should be on the list of primary feeder schools for Llanidloes High School. Pupils should have a reasonable choice of access to either Welsh or English Medium education and this choice should not be based on whether they can afford their own transport.</p> <p>I would also like to re-iterate comments that I have previously made that Powys' school transport policy should be reviewed in order to allow for greater flexibility where distances between pupils' nearest schools are extremely marginal and also ensure that pupils have a reasonable choice to access both Welsh medium and English medium education.</p> <p>Finally, I have seen that some submissions to this consultation have sent their response to the admissions@powys.gov.uk email address. I understand this is the email address given for the first part of the consultation. Please could you provide an assurance that all responses on the catchment part of the consultation will be collected from the admissions email address and duly considered as part of the full school catchment consultation.</p> <p>I trust that my comments will be taken into consideration.</p>	
245	<p>Llanidloes HS: I don't agree with the decision that Llanidloes high school will be taken from our catchment area in Carno, i already have two children in Llanidloes and it would be unfair to make my children go to Bro Hyddgen, I also feel we should have the option to go to an English medium high school as my elsdest struggled through the medium of Welsh. We should have more than one option of schools.</p>	Please see response reference 225 above
246	<p>Llanidloes HS: I am emailing to express my deep concern about the significant changes being proposed by the Local Authority admissions team to secondary school admissions arrangements to be based on the proposed feeder school catchment areas. It is my belief that</p>	Please see response reference 225 above

Ysgol Gynradd Carno should remain on Llanidloes High School's list of feeder primary schools.

Reasons for this request include:

- Llanidloes High School is a popular choice for parents of children who attend Ysgol Gynradd Carno.
- Pupils who live near to Llanidloes may lose their place at the school when it is oversubscribed because Ysgol Carno is not listed as a feeder school, even though they may live significantly closer than other pupils who have receive a place.
- Parents in Ysgol Carno may be forced to send their younger children to a different secondary school from older siblings if Llanidloes is oversubscribed. This is because their children will no longer be properly prioritised for a place in Year 7 when places are allocated.
- Parents in Ysgol Carno may be forced to send their children to a Welsh Secondary School, Ysgol Bro Hyddgen, because they cannot afford to finance the transport costs to the English Stream at Llanidloes HS. This goes against your own CIP – 'improving opportunities and outcomes for children living in poverty', one of your equality objectives.
- There is a requirement for equality for all children across the county. Children residing in the Ysgol Bro Hyddgen catchment area are the only area in the entire County who have no English High School free transport option. Whereas certain other areas have not only multiple Welsh choice HS, but also English HS choice too.
- I believe that parents at Ysgol Carno ought to be given free transport to Llanidloes High School because of how close it is to their homes. This gives parents who may be unable to transport their child to school each day, genuine choice of secondary school.
- Most parents were unaware of the changes to feeder schools, and they ought to have been better informed before Ysgol Carno

	<p>was removed from the Llanidloes High School feeder school list this time last year.</p> <p>On another note, I also worry about the impact this decision may have on the number of children attending Ysgol Carno. If parents feel they would rather send their child to a different primary school, where they can CHOOSE a high school when the time comes, then the impact on this small, but vital, village school could be significant.</p>	
247	<p>Llanidloes HS: I have read the information about Carno school isn't in the Llanidloes catchment area for high school. I find this very unfair as there are other schools with the choice of 3 high schools. I feel that children should have a choice to where they would like to go. I feel you need to strongly think about this decision as there are a lot of parents that would not be happy about this</p>	Please see response reference 225 above.
248	<p>Llanidloes HS: Dear Powys County Council, I write to inform you that I strongly disagree with your decision to stop Ysgol Carno from feeding into Llanidloes High School (LHS). As a resident of Carno, I attended LHS as did my family, and I hope one day my own children, yet I feel the decision taken to be extremely hurtful, unjust and irresponsible. LHS has shown to be within the top 25% of performing schools in Powys compared to similar schools across Wales and is preposterous to limit the catchment area for pupils in rural Wales based on geographical location alone. In April 2021, as the administrator for Powys, Powys County Council (PCC) introduced for the first time, to incorporate Strategic Equalities into its Vision 2025, "to ensure they are fully embedded in our plans". PCC also believes that by 2025, "Powys will be widely recognized as a fantastic place in which to work, live and play". However, the proposed admissions arrangement clearly shows a lack of equality, and furthermore, puts rural</p>	Please see response reference 225 above

	<p>communities at a disadvantage. PCC, as the administrator for Powys should be promoting diversity, equality and inclusion, allowing future pupils the same choices as previous, enabling them to choose which school they rightfully deserve to attend, not purely based on where they live. Surely failure to comply would certainly constitute a breach of the Equality Act 2010. Section 1 of the Equality Act 2010, titled "Public sector duty regarding socio-economic inequalities" states that an authority "have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage". It is my understanding that as a public authority, you are attempting to promote disadvantageous inequalities to those who live in the most rural parts of the County. I would strongly urge PCC to reconsider their proposed admission arrangements as this would not only contradict their Vision 2025 statement, but also potentially breach the equality act of 2010. Please accept this letter as my formal complaint against the decisions proposed and I eagerly await your reply.</p>	
249	<p>Llanidloes HS: I am the mother of xxxxx, Yr 2 Carno school, and xxxx who is due to start in September. We have been living in Powys for six years, moving in the last 2.5 yrs to Clatter, at which point we chose Carno primary school over Trefeglwys. I am very concerned by the proposition that children from Carno school have only one choice of secondary education, and that this choice is Welsh only. Considerations Concerning Welsh Language Currently Jemima is doing very well bilingually, and is proud to be learning in Welsh. However I do not know how she will feel when she is ready for secondary school, or which language may serve her best at higher levels of study. I have spoken to a variety of</p>	<p>Please see response reference 225 above. Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>

parents and teachers. Those with some personal experience tell me that learning sciences and mathematics at an advanced level can be very challenging, and may become a major disadvantage for a child who wants to go on to do science subjects at university. I also recognise that many children are not as linguistically able as Jemima is. Even if she does choose Bro Hyddgen, it is not difficult to see that this may not be suitable for others, and could even be detrimental to their ability to learn, and therefore their confidence. Further, without a dual stream option, changing languages further up the school becomes a source of major upheaval - socially and financially.

Discriminatory and Unethical

I believe that the policy itself, coupled with the financial pressure of transport costs, is discriminatory and unethical. It puts Welsh above English. It may discriminate against those who don't have high language abilities, or who have particular challenges around language. It leans hardest on lower income families, making it very difficult, even impossible, to make a decision based solely on a child's abilities/needs. Further, it clearly does not reflect a countywide policy. On this basis it looks to be not an educationally or socially motivated decision but a political one. How can it only be of importance for our children to go together in their peer groups? What makes us so special? This is highly concerning.

Friendship Groups

I don't doubt that the strong friendships Jemima has outside school will play a part in her choice of secondary school. It also has an impact on us, as we have a network of supportive parents who would be able to look after her after school in Llanidloes, or in the event of school closure, illness, storms etc. Rather than enabling/enhancing her social experience by going to Bro Hyddgen, the opposite may happen as she would have little or no autonomy in getting to Llanidloes in order to pursue these

	<p>important friendships.</p> <p>Effects on Carno village and school As people who have moved into the area, we had no particular affiliation with Carno school, but were keen to be involved in our local community. Initially we believed that we would get a free bus place to Carno, which also influenced our decision. If we had moved knowing that Carno was a feeder school solely for Bro Hyddgen, we almost certainly would've reconsidered. As it stands, we may have to consider moving our child/ren back to Trefglwys for the last portion of primary school, if we decide that Llanidloes high school is a better fit for her/them. This is not a very appealing proposition but would also be a consideration - and I think you should be aware of that.</p> <p>These are all important factors which will undoubtedly affect how people view the area and the level of opportunity within it.</p> <p>For these reasons, alongside those highlighted above, I am concerned that your policy is shortsighted, strips us of choice, and is politically rather than socially or educationally motivated. I would urge you to reconsider. This is, and must be, a highly personal choice, and it is not for the council to take it on anyone else's behalf. Parents and children must be facilitated to make this important choice for themselves, based on their individual situation and experiences.</p> <p>I look forward to hearing from you and would appreciate acknowledgement of receipt.</p>	
250	<p>Llanidloes HS: Policy</p> <p>1. The transport element¹ of the policy lacks the flexibility that learners in Powys need. Due to the system being based on exact measurement (to the metre), learners who reside halfway between two schools are at a disadvantage, as their nearest</p>	<p>Please see response reference 225 above.</p> <p>Consideration will be given to which primary and secondary catchment area learners from Dernol will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>

suitable/catchment school may be in a community with which they do not associate normally. This is even more exacerbated in sparsely populated areas of the County.

2. A crossover area is needed in between catchment areas which should be put in the policy as a caveat. I would suggest a buffer zone of one mile to allow for this natural intersection of communities. The admissions policy (school places being allocated) allows for this already, as long as there are available places at a school; on the assumption the numbers will balance themselves out naturally, so the transport element could be aligned with this if there were to be crossover areas.

3. Powys County Council is required to consider the needs of communities under the Wellbeing of Future Generations (Wales) Act 2015 and failing to recognise the need for learners to attend their community school (if reasonably practicable) when setting policies could be considered in breach of this legislation. In fact, when asked about the matter last year the Future Generations Commissioner's office stated that they felt blunt distance to determine eligibility for services was perhaps not the most appropriate tool in a rural setting.

4. A petition calling for greater flexibility when allocating school transport, with over 850 signatures, has been passed to Powys County Council for consideration alongside this consultation specially calling for a 1 mile buffer zone to be introduced between catchments.

¹Page 20 of the policy headed "School Transport"

Catchment	Maps
Llanidloes CP School/Rhayader CIW School – Dernol (area within Montgomeryshire located to the south west of Llangurig)	
1. The catchment areas for the above schools do not follow any conventional border such as	
a) Electoral borders – this affects elected representation in schools i.e. Councillors, leaving residents without democratic representation at the school selected for them.	

b) Parish boundaries – thereby dividing up communities in unsuitable directions in contravention/against the spirit to the communities aspect of the Future Generations (Wales) Act

c) Historic county boundaries – Radnor and Mont are still areas in their own right because of the social and geographic factors at play

d) NHS regions/areas – these affect which GP surgery or hospital facility etc you are assigned to

2. There needs to be a crossover area between catchment areas. Dernol is a perfect example of somewhere located halfway between two towns with families gravitating either way. I would argue that Dernol is part of Llangurig, therefore should be in Llanidloes CP School catchment area by virtue of that alone (see above point regarding electoral, parish borders etc) however, implementing crossover areas of 1 mile would remove the current and proposed inequality of having a set line on a map or using exact distance as a tool to calculate entitlement to either a school place or school transport.

3. The proposed catchment area does not take into account the distribution of learners. The area between Rhayader and Dernol is very sparsely populated with only the main A470 and a impassable (for a minibus) unclassified back lane running parallel down the same river valley. Conversely, the Llanidloes catchment area has a more regular distribution of households along the roads between Dernol and Llanidloes, with the obvious village/population centre of Llangurig halfway in between.

4. The catchment areas – again, Dernol in particular – do not reflect current or future established school transport routes. Because the nearest high school to Dernol by some way is in Llanidloes, for the next 15 years at least, there will likely always be a school bus travelling from Dernol to Llanidloes whereas I would put the primary school transport route from Dernol to Rhayader primary school as less likely to have passengers, or that it would have less passengers.

5. When the high schools which the primary school feeds into are considered alongside their catchment area, the proposal for the

	<p>Dernol area makes even less sense. If Dernol area is part of Rhayader catchment, what these maps and the underlying admissions/transport policy are saying is that a primary age learner may ONLY travel from Dernol to Rhayader by school transport, and not to Llanidloes despite existing transport routes; yet when they move to secondary school they can effectively choose from transport to either Llanidloes, Llandrindod or even Builth. That does not seem fair, logical or cost effective.</p> <p>6. A petition with 850+ signatures (mainly from those living in the SY18 postcode area) has been passed to Powys County Council calling for a more flexible approach to the allocation of school transport. This indicates a lack of support for such a rigid approach to boundaries and catchments where learners may be unfairly denied transport.</p>	
251	<p>Llanidloes HS: Admissions Information and Arrangements 2023-24: Early Years, Primary and Secondary Consultation Response.</p> <p>This letter is the response of Cyngor Cymuned Carno Community Council to Powys County Council's (Powys CC) Admissions Information and Arrangements 2023-24: Early Years, Primary and Secondary Consultation, with particular reference to the proposals for Secondary School Admissions and Catchment Areas.</p> <p>Following representations from parents, whose children currently attend Ysgol Gynradd Carno, the Community Council felt obligated to discuss the proposals and to consider the short and long term implications for the Community.</p> <p>A range of issues were highlighted by parents which included:-</p> <p>Ø Paramount amongst their concerns was the fact that Powys CC were only putting forward a single feeder school option and in</p>	Please see response reference 225 above

doing so are removing any alternative choice for parents for their children's education.

Ø Should parents choose to pursue alternative sources of secondary education, (say Llanidloes High School), that choice would be further limited by financial pressures because of Powys CC have said they would only fund transport to Ysgol Bro Hyddgen. It was explained to the Council that the Ysgol Bro Hyddgen catchment area is the only area in the whole of Powys that does not have a free transport option to an English medium High School.

Ø The Council learnt that Powys CC explained their decisions had been based on an educational outcome rather than financial reasons associated with school transport. The aim being to encourage whole year groups to transition from their catchment area to their respective High School thus not splitting friendship groups. It was concerning to learn that Powys CC have not applied the same criteria across the board. Examples are Ysgol Dafydd Llwyd and Rhayader CIW Primary Schools, where historical choices seem to have been respected and these schools have retained multiple High School choices.

Ø Llanidloes High School has been a popular choice historically and it was disturbing to hear (based on Powys CC's own data), that a child living 30 miles from Llanidloes would be given preference over a Carno pupil living only 12 miles from the High School. There are pupils currently at Ysgol Carno who live significantly nearer to Llanidloes and the fear is that they could lose the opportunity to attend that school because Ysgol Gynradd Carno is not a feeder school.

Ø The removal of the choice for a child to continue their education primarily through the medium of English.

Ø The possibility that siblings would be unable to attend the same school as their older brothers/sisters.

Ø A worrying theme from our discussions was that Powys CC appeared to be ignoring their own guidance contained in such documents as their Corporate Improvement Plan. There is an underlying feeling that Carno is not being treated fairly in comparison to the proposals made for other communities, and this has given rise to a level of mistrust in the reasoning behind the proposal. There is a perception that the decision is being influenced because of the development of the 'All Through School' (Ysgol Bro Hyddgen) in Machynlleth, where because of its close borders with other counties, finding feeder schools was always going to be an issue.

The Community Council fully endorses the concerns of the parents, which are very genuine and are clearly causing considerable concern. Powys CC should give them their full consideration with a full and frank response given to parents.

Further to the issues raised by parents, Councillors also discussed what effect the proposal could have on the fabric of our community and the wider area.

Ø The Council has heard that people could look at removing their children from Ysgol Gynradd Carno to attend schools with more embracing choices for secondary education. Falling numbers in our school would undermine all the efforts the Community, with Powys CC, put into developing a new school in the village, possibly leading the school to be seen as unsustainable.

Ø There is a concern that people seeking to relocate to the area for employment reasons could be deterred by the only educational option being seen as primarily through the medium of Welsh.

	<p>∅ This would be detrimental to businesses looking to recruit staff . Without attracting new (younger) families (with children) to the area, the aging population demographic will continue with all its associated issues. A lack of families with children will also damage the social fabric of any community as there could be inadequate numbers to make clubs and societies viable.</p> <p>∅ While it is appreciated the arguments outlined are non-educational in the context of this consultation, the Council feels that they should be considered even if Powys CC are being asked to think 'outside the box'.</p> <p>In conclusion Cyngor Cymuned Carno Community Council asks that Powys County Council review their proposed admissions policy to ensure that more balanced choice of secondary education is given to parents through the re-instatement of Llanidloes High School as a feeder school for Ysgol Gynradd Carno with associated free school transport. The Council further asks that Powys County Council examines the social and economic consequences of offering limited educational options for this area.</p> <p>On behalf of Cyngor Cymuned Carno Community Council, I look forward to receiving your response in due course.</p>	
252	<p>Caersws CP: I live in Llawryglyn. There is no English medium school in my catchment area!! That is taking away my choice</p>	<p>Please see response reference 225 above.</p> <p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
253	<p>Caersws CP:</p>	<p>Please see response reference 225 above.</p>

	<p>My children are luckily already in the school but if I was in the position living in Carno and wanting my children in an English school I would of wanted to go to Caersws like I did when my girls were ready to start. I would of found this extremely stressful to have to travel further to her to another English school. Trefeglwys are changing to Welsh only and I would expect people from the area to want to Caersws but your not giving them the option nor people in the Carno area.</p>	<p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
254	<p>Caersws CP: Caersws school have a number of current pupils that are from outside the catchment area. With people from Carno/Talerddig opting for Caersws as their closest English medium school. To restrict the catchment area would have a clear detrimental affect on future pupil numbers. I do hope that catchment plans are not part of PCC strategy to increase uptake of Welsh medium education. All parents need viable options for schooling their children regardless of which language medium they choose.</p>	<p>Please see response reference 225 above.</p> <p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
255	<p>Caersws CP: I currently work in caersws and live in tregynon. This would mean that I would have e to have my children attend a different school, affecting my work hours</p>	<p>Please see response reference 225 above.</p>
256	<p>Caersws CP: Should be wider for some other parents.</p>	<p>Please see response reference 225 above.</p>
257	<p>Llandinam CP: Llandinam ward encompasses Llandinam, Mochdre, Penstrowed, Newchapel, Llidiartywaun, Oakley Park, Dolwen, Tylwch and soon to be Dolfor. This should be reflected on the catchment area map. Llandinam is the only Green status school for education in the area and children and parents of the Llandinam ward should have the choice of a top school like Ysgol Llandinam. Your current proposal sells short the children of Llandinam ward. Ysgol Llandinam is a common sense approach with close ties with Llanidloes High School. I would like to also point out that there are NO transportation costs to PCC for children attending the school.</p>	<p>Please see response reference 225 above.</p> <p>Please noter in particular parental choice and the Learner Travel (Wales) Measure 2008 of transporting a learner to their nearest suitable school.</p>

	<p>Unlike other schools close by. This is because ALL parents bring their children into school via their own private transport which will continue under what I am asking you consider. Please reconsider your current proposal and expand the catchment area of Llandinam up to Llanidloes and up to Newtown.</p>	
258	<p>Llanidloes CP: My family lives in the Dernol valley in Llangurig, Montgomeryshire. We have 2 young children, 1 of whom has started primary school in Llanidloes, and our family in one form or another has lived at this address for 30 years, and as far as you can be certain about this type of thing, has no plans to move out for the foreseeable future. I know the area and it's inhabitants past & present intimately, having lived here since age 5, and feel I can comment on this issue with full understanding. I believe the southern border of Llanidloes CP School catchment has been wrongly placed. The proposed area places part of Llangurig parish/community into Rhayader's catchment area and part of St Harmon & Pantydwr parish/community into Llanidloes's catchment area. I will however focus on the Dernol area in my response, although similarities exist for both the communities above.</p> <ol style="list-style-type: none"> 1. It is going to negatively affect existing and historic family, community & social links as well as families' democratic representation in local schools. It also contradicts the NHS areas that determine which GP surgery etc you are assigned to - for example, my family as explained earlier lives in the Dernol valley, we are all registered with Llanidloes GP surgery, our hospital services etc are all located North of our address. Note, all houses in what is considered "Dernol" have a Llanidloes address and postcode. 2. It does not make any sense from a secondary school perspective, as Llanidloes High School is the nearest suitable school for any learners residing in the area of the Dernol; whereas most of Rhayader's catchment area is closer to YCC Llandrindod campus. 	<p>Please see response reference 225 above.</p> <p>Consideration will be given to which primary and secondary catchment area learners from Dernol will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>

I was surprised to note that according to the proposed maps, our children would ONLY be entitled to access primary education, and also by that virtue, school transport, at Rhayader CIW Primary School; yet when they move to secondary, they would then be able to choose between Llanidloes, Llandrindod or even Builth? This makes even less sense than removing them from their community of Llangurig/Llanidloes for their primary years.

3. There is also the issue of Llangurig CP School, which was closed by the Authority in 2008. This would have been our nearest suitable primary school by a clear margin, and when it closed the community was promised that there would always be a place in Llanidloes CP school for the children of Llangurig. It appears from the proposed maps -and to a degree, the current rules- that this has been completely forgotten. If a child is from Llangurig, whether in the village or the outer parts of the parish, they should have the right to attend their community school, i.e. Llanidloes CP school.

It should be noted that any families currently residing in the Dernol with children in Rhayader school have moved here some time after Llangurig's closure, and it could be argued that they already had strong existing links with Rhayader when they moved here, which is giving a skewed impression of the way the population of Dernol gravitates in general.

4. By placing the Dernol in Rhayader catchment area you are effectively cutting it off from Llangurig; schools are the heart of our communities as we all know, and where your children are educated affects your social circle, family arrangements & your employment prospects, especially if you happen to live in an area which is very rural such as Powys. This is even more pronounced when you get an area like the Dernol which is situated halfway between 2 reasonable sized towns, & the transport links are so linear - such as the A470 Rhayader-Llanidloes - that you have to either go one direction or the other, it is impractical to do both. Having said all that, it's not my aim to impose on the other families in the Dernol which community they "should" affiliate with.

	<p>I firmly believe that a 1 mile, or similar, buffer zone should be applied between rural catchments to allow for the sort of situation we have here, where families gravitate in different directions. A 954 signature petition calling for more flexibility with home to school transport has been formally lodged with Powys County Council this week, demonstrating the local support for a flexible approach. It specifically mentions a 1 mile buffer zone being applied. A crossover would alleviate most if not all the problems I've listed above & would not adversely affect school numbers or home to school transport. The school numbers will even out naturally as they always have, & linking bus routes are available in most outlying places such as this, due to their location in-between 2 schools, minimising cost.</p> <p>In our case, relevant bus actually passes our son's pickup point, yet he is not allowed on it, to support attendance at what should be considered his community & catchment school.</p> <p>I hope you will recognise the unfair disparities which would be caused by the proposed maps, & amend your plans.</p> <p>*Note, our property is marked in the wrong place on your map!</p>	
259	<p>Llanidloes CP: As my family currently lives in Trefeglwys we are being excluded from an English language curriculum. My children, under current catchment areas are forced to be educated in Welsh (or bilingual- I believe there are negatives of this identified where it was implemented in Machynlleth). As a family we are so unhappy with the lack of options that we are trying to move out of the village prior to applying for my eldest sons primary school place when applications open later this year. When Ysgol Dyffryn Trannon was made a single language site it was done so without consideration for those wishing to educate their child though the medium of English as there has been no provision transport or catchment area which would allow children of the village to be educated in Llanidloes via the English stream.</p>	<p>Please see response reference 225 above.</p> <p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
260	Llanidloes CP:	The Council notes your comment.

	<p>This mapping tool does not work properly. It makes an assumption that everyone living in the county knows the pay of the land and which schools are English medium and which are Welsh. This is simply not the case, especially when new people move into the area. Also the areas don't seem to make any sense, there's no overlap at all.</p>	
261	<p>Llanidloes CP: How do you justify half the dernal valley is in for Rhayader and half not.</p> <p>Powys closed the nearest school Llangurig so it is only fair when the area is in the middle of two possible primary school Llanidloes and Rhayader that the whole catchment area can cover either schools.</p>	<p>The Council notes your comment.</p> <p>Consideration will be given to which primary and secondary catchment area learners from Dernal will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
262	<p>Llanidloes CP: I would like to note my objection to the proposal of the new school boundary line of Bwlch-y-sarnau, as my children are already in Llanidloes. Would transport still be provided for them or would they be expected to move schools, as this would have a harrowing effect on their education and wellbeing.</p>	<p>Please see response reference 225 above.</p> <p>Consideration will be given to which primary and secondary catchment area learners from Bwlch Y Sarnau will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
263	<p>Llanidloes CP: Please see below my response to Public Consultation – School Admissions Policy 23/24 onwards and Catchment Maps Policy</p> <p>The transport element¹ of the policy lacks the flexibility that learners in Powys need. Due to the system being based on exact measurement (to the metre), learners who reside halfway between two schools are at a disadvantage, as their nearest suitable/catchment school may be in a community with which they do not associate normally. This is even more exacerbated in sparsely populated areas of the County.</p> <p>A crossover area is needed in between catchment areas which should be put in the policy as a caveat. I would suggest a buffer zone of one mile to allow for this natural intersection of</p>	<p>Please see response reference 225 above.</p> <p>Consideration will be given to which primary and secondary catchment area learners from Dernal will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>

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Powys County Council is required to consider the needs of communities under the Wellbeing of Future Generations (Wales) Act 2015 and failing to recognise the need for learners to attend their community school (if reasonably practicable) when setting policies could be considered in breach of this legislation. In fact, when asked about the matter last year the Future Generations Commissioner's office stated that they felt blunt distance to determine eligibility for services was perhaps not the most appropriate tool in a rural setting.

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Catchment Maps

Llanidloes CP School/Rhayader CIW School – Dernol (area within Montgomeryshire located to the south west of Llangurig)
The catchment areas for the above schools do not follow any conventional border such as

Electoral borders – this affects elected representation in schools i.e. Councillors, leaving residents without democratic representation at the school selected for them.

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There needs to be a crossover area between catchment areas. Dernol is a perfect example of somewhere located halfway between two towns with families gravitating either way. I would argue that Dernol is part of Llangurig, therefore should be in Llanidloes CP School catchment area by virtue of that alone (see above point regarding electoral, parish borders etc) however, implementing crossover areas of 1 mile would remove the current and proposed inequality of having a set line on a map or using exact distance as a tool to calculate entitlement to either a school place or school transport.

The proposed catchment area does not take into account the distribution of learners. The area between Rhayader and Dernol is very sparsely populated with only the main A470 and a impassable (for a minibus) unclassified back lane running parallel down the same river valley. Conversely, the Llanidloes catchment area has a more regular distribution of households along the roads between Dernol and Llanidloes, with the obvious village/population centre of Llangurig halfway in between.

The catchment areas – again, Dernol in particular – do not reflect current or future established school transport routes. Because the nearest high school to Dernol by some way is in Llanidloes, for the next 15 years at least, there will likely always be a school bus travelling from Dernol to Llanidloes whereas I would put the primary school transport route from Dernol to Rhayader primary school as less likely to have passengers, or that it would have less passengers.

	<p>When the high schools which the primary school feeds into are considered alongside their catchment area, the proposal for the Dernol area makes even less sense. If Dernol area is part of Rhayader catchment, what these maps and the underlying admissions/transport policy are saying is that a primary age learner may ONLY travel from Dernol to Rhayader by school transport, and not to Llanidloes despite existing transport routes; yet when they move to secondary school they can effectively choose from transport to either Llanidloes, Llandrindod or even Builth. That does not seem fair, logical or cost effective.</p> <p>A petition with 850+ signatures (mainly from those living in the SY18 postcode area) has been passed to Powys County Council calling for a more flexible approach to the allocation of school transport. This indicates a lack of support for such a rigid approach to boundaries and catchments where learners may be unfairly denied transport.</p>	
264	<p>Ysgol Dyffryn Trannon: The information that has been provided is false since it has already been decided that Ysgol Dyffryn Trannon will not take on any further pupils for the English medium from September 2021. Anyone looking at this consultation will be led into false hope that there is an English medium school in the area of Trefeglwys.</p> <p>With this in mind after looking at the other local schools e.g Caersws, Llandinam, Llandiloes the catchment area of Trefeglwys is completely missed out. Where are pupils supposed to go to school???? this is a complete oversight and very disappointing!!!!</p>	<p>Please see response reference 225 above.</p> <p>Any new pupils starting school would be able to access Welsh-medium provision when they start school, meaning that they would be fully immersed in the Welsh language, and would have the Welsh language skills needed to access Welsh-medium provision throughout their time in school. The Council also offer additional provision such as immersion provision and additional language support to support pupils and their families.</p>
265	<p>Ysgol Dyffryn Trannon: We show as just outside the catchment area however my daughter currently goes to the school and the bus picks her up and my second daughter is hopefully going to be going in September.</p>	<p>The Council notes this comment.</p>
266	<p>Ysgol Dyffryn Trannon:</p>	

<p>* Mae ein mab yn mynd i Ysgol Dyffryn Trannon ar y bws ysgol ar hyn o bryd o gartref sydd y tu allan i'r ffiniau ar y mapiau hyn ar gyfer yr ysgol (yn ardal Llidiart-y-waun). Mae ein cymdogion agosaf hefyd wedi derbyn, neu yn derbyn, trafndiaeth i Ysgol Dyffryn Trannon ar fws 52 sedd sy'n dod o fewn canllath i'n cartref ni am 8.05am yn ddyddiol. Mae'r bws wedi bod yn mynd â phlant o'r lleoliad hwn i Lanidloes a Threfeglwys dros y 40 mlynedd diwethaf.</p> <p>* Byddai angen i'n plant a'n cymdogion deithio bron i 2 filltir i gyfarfod bws sy'n mynd i Ysgol Rhaeadr, siwr o fod erbyn 7.30am o wybod beth sy'n digwydd yn lleol, sydd yn gynnar iawn i blentyn bach ddechrau bob bore. Byddai'n rhaid i'r cyngor sir hefyd dalu arian ychwanegol i drefnu trafndiaeth fyddai'n mynd a nhw o'n stepen drws ni i gyfarfod y bws ar ei daith i Rhaeadr. Fyddai'r bws sy'n mynd i Ysgol Dyffryn Trannon ddim yn costio ceiniog gan ei fod yn dod yma eisoes ac yn teithio'r holl ffordd i'n dewis cyntaf o ysgol.</p> <p>* Byddai'n anodd iawn egluro wrth ein plant nad ydyn nhw'n gallu mynd ar y bws rydyn ni'n ei weld trwy'r ffenest, er eu bod yn byw ychydig lathenni oddi wrtho - oherwydd polisi sydd ddim yn ystyried taith a chysylltiadau trafndiaeth presennol.</p> <p>* Dewison ni Ysgol Dyffryn Trannon er mwyn i'n plant allu derbyn addysg cyfrwng Cymraeg mewn ysgol Gymraeg (h.y. nid dwy ffrwd fel Ysgol Rhaeadr). Cymraeg yw iaith ein teulu, mae'n plant yn gyfforddus a bodlon yn eu mamiaith, ac rydyn ni eisiau iddyn nhw ddod yn ddinasyddion cwbl ddwyieithog yn y pen draw. Dim ond wrth fynd i ysgol cyfrwng Cymraeg mae hyn yn bosib a dylai trafndiaeth fod ar gael i bob plentyn sy'n dymuno hynny.</p> <p>Hyderwn y byddwch yn ailystyried y ffiniau ar y mapiau presennol gan ystyried i ble mae'r bysus yn dod ar hyn o bryd (ac ymgynghori â Celtic Travel ar y mater), ac yr un mor bwysig, os</p>	<p>Bydd ystyriaeth yn cael ei roi i ddalgylch dysgwyr o Lidiart y Waen yn seiliedig ar yr ysgol Gymraeg agosaf a ffactorau daearyddol a topolegol lleol.</p> <p>Consideration will be given to which primary catchment area Welsh medium learners from Llidiart y Waen will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
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nad pwysicach, ar sail y ffaith mai Ysgol Dyffryn Trannon fydd yr unig ysgol cyfrwng Cymraeg cyfagos i Lidiart-y-waun o fis Medi 2022 ymlaen.	
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vii) MAESYDDERWEN CLUSTER

Ysgol Maesydderwen

Bro Tawe
Dyffryn y Glowyr
Ysgol Cribarth
Ysgol Golwg y Cwm

Ref	POSITIVE comments	Local Authority Response
267	Ysgol Bro Tawe: I have a daughter in year 6 and throughout her period in primary education her classes exceeded 30 plus. My issue is why do pupils attend from outside of powys and the current catchment area? Surely smaller classes would benefit pupils	The Council notes this comment. Schools and governing bodies decide on their own class structure and size after careful consideration for learner needs and staffing capacity.

Ref	OBJECTIONS	Local Authority Response
268	Maesydderwen: The catchment areas shouldn't be restricted by county lines. My kids will have to pass a secondary school, to go to one 3 times as far because it's in a different county.	The Local Authority is unable to draw catchment maps which includes learners from outside Powys.
269	Ysgol Bro Tawe: The catchment map does not include large areas of the wider Ystradgynlais area which are not covered by the Ysgol golwyg Y cwm catchment either and misses out compleatley the whole of Gurnos and Cwmtwrch area who are only covered by the Welsh medium primary school map. Map for Ysgol Brotawe covers a vast area of mountain land where no houses are found - please look at the boundaries and adjust to reflect where the current catchment comes from.	Consideration will be given to which primary catchment area primary phase learners from Gurnos and Cwm Twrch will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.
270	Ysgol Bro Tawe:	Please see response reference 269 above.

	<p>The map appears to exclude the Gurnos and Cwmtwrch areas. It is my understanding that these should be included in the catchment area as the only school closer to these residents is a Welsh school. The current pupils in Bro Tawe include a lot of children from these areas.</p>	
271	<p>Ysgol Bro Tawe: Ysgol Bro Tawe is an English medium Primary School, Children who live in Cwmtwrch (the neighboring ward), Who wish to be taught through the medium of English may also attend this school. Ysgol Gymraeg Dyffryn Y Glowyr is the Area Welsh medium school for the whole of the Ystradgynlais District.</p>	<p>Please see response reference 269 above.</p> <p>Learners, parents, and carers are able to make a preference for their preferred school. However, home to school transport will only be provided to a learners nearest suitable or catchment school – regardless of language.</p>
272	<p>Ysgol Bro Tawe: I live in ystalyfera I have 2 children one currently in the school and one child not old enough yet. You are the closest English speaking soon to send my children too and we do not come under the catchment area. I feel like the catchment area goes the wrong side of the school as most of the pupils who attend are from the other side of the school</p>	<p>Learners, parents, and carers are able to make a preference for their preferred school. However, home to school transport will only be provided to a learners nearest suitable or catchment school – regardless of language.</p>
273	<p>Ysgol Bro Tawe: My area isn't included in the catchment area above. I live in Lower Cwmtwrch but Bro Tawe is actually my nearest English Medium school</p>	<p>Please see response reference 269 above.</p> <p>Learners, parents, and carers are able to make a preference for their preferred school. However, home to school transport will only be provided to a learners nearest suitable or catchment school – regardless of language.</p>

viii) **NEWTOWN HIGH SCHOOL CLUSTER**

NEWTOWN CAMPUS

Newtown High School – Newtown
Campus

Abermule
Maesyrhandir
Penygloddfa
St Mary’s
St Michael’s
Treowen
Ysgol Calon y Dderwen

Page 204

Ref	POSITIVE comments	Local Authority Response
274	Maesyrhandir CP: We are the closest school to Mochdre so the children should get free transport to us.	The Council notes this comment.

Ref	OBJECTIONS	Local Authority Response
275	<p>Newtown High School (Newtown Campus): I have just seen the new boundaries for catchment areas for primary and secondary schools, drawn by Powys CC.</p> <p>Under these new proposals our house now falls into Montgomery Primary and Welshpool High School in the secondary school boundaries.</p> <p>I still have 4 children in education in both Abermule Primary and Newtown High School and we have absolutely no wish to change their schools. The children from Cefn Y Coed have always gone to Abermule Primary School and Newtown High School. We are highly committed to these schools. I myself have been a parent</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys’ Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p>

	<p>governor in Abermule Primary School for over 6 years. I was a chair of Friends of the school and I ran the mother toddler group there for 3 years. Our ties are with Abermule and Newtown, NOT with Montgomery CoW Primary school or Welshpool High School, where the new boundary lines now place us.</p> <p>The newly drawn boundary line does a deliberate curve to leave our house out of Abermule Primary and Newtown HS catchment areas. This makes absolutely no sense whatsoever.</p> <p>The high school bus goes right by our house, onto Llandyssil, Green Lane, Abermule and onto Newtown. Under your newly drawn boundary lines, you would have two buses meeting on narrow country lanes every morning and every afternoon. Again, this makes no sense.</p> <p>Abermule Primary school offers spacious class rooms and plenty of outdoor areas, including a full size football pitch, tennis court and forest school area. These are something we value highly for our children. May I remind you that Montgomery CoW Primary school is full to bursting with no green areas to speak of. Surely it makes sense to leave us with Abermule CP catchment area where there is plenty of room for expansion. Our children have always been very happy in Abermule and the quality of teaching is first class.</p> <p>Abermule school was built to service the communities of Dolforwyn, Llandyssil and Cefn y Coed over 70 years ago. From Abermule children generally follow on to Newtown High School and our sincere wish is to keep it that way. (In the screenshot our house is circled in orange.)</p>	
276	<p>Newtown High School (Newtown Campus): Abermule only catchment for Newtown however would be better under Welshpool or Llanfair due to the rurality of the area</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p>

277	<p>Ysgol Calon y Dderwen: moving the school catchment areas, this would mean that children in Mochdre and Penstrowed would move from Ysgol Calon yr Derwen (Hafren & Ladywell Green) to Maesyrrhandir school. this would lead to the end of free transport to most of Mochdre, living in a rural setting is hard enough to manage work and children. The roads are unsuitable and far too fr to walk and the lack of free transport would be detrimental to us having a job due to the time it takes for school commute</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p> <p>Consideration will be given to which primary catchment area primary phase learners from Mochdre and Penstrowed will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
278	<p>Ysgol Calon y Dderwen: As person who has live in Mochdre all my life and attended hafren school when Mochdre school was shut, as well as sending my 3 sons and 5 grandchildren to the school. This school has a major part of the Mochdre community for many years with heads of the school supporting the community and vice a versa It would be a huge shame to loose another school the community and several generation have supported over the years I feel that hafren and lady well have intilled the sense of community that is hugely beneficial to living in small rural communities</p>	<p>Please see response reference 277 above.</p>
279	<p>Ysgol Calon y Dderwen: As a father of children children currently in ysgol calon y derwen and living in mochdre i feel that moving my children from a school that has such a strong ethos around the agriculture and the countryside to another that has not had this part of the make up would be very detrimental to my childrens sence of belonging</p>	<p>Please see response reference 277 above.</p>
280	<p>Ysgol Calon y Dderwen: I wish to send my daughter to this school. Unfortunately now not in the catchment area.</p>	<p>Please see response reference 277 above.</p>
281	<p>Ysgol Calon y Dderwen: I was of the understanding that when Mochdre school closed that free transport would be provided to Ladywell and Hafren School which is now Ysgol Calon Y Dderwen. My daughter started school last September and we received a letter that we weren't entitled to any free transport to Ysgol Calon Y Dderwen which we were expecting to receive.</p>	<p>Please see response reference 277 above.</p>

282	<p>Ysgol Calon y Dderwen: moving the school catchment areas would mean that children in Mochdre and Penstrowed would move from Ysgol Calon yr Derwen (Hafren & Ladywell Green) to Maesyrrhandir school. this would lead to the end of free transport to most of Mochdre, and living in a remote area its not possible for parents to walk their children to school.</p>	Please see response reference 277 above.
283	<p>Ysgol Calon y Dderwen: A proportion of our current intake is from the mochdre as transport can be offered to these pupils. These families help to diversify our school as it brings a balance between the children who live in town and the more rural farming community. It would be a real shame to no longer gave this dimension to our school if transport was no longer offered.</p>	Please see response reference 277 above.
284	<p>Ysgol Calon y Dderwen: I am writing in regards to Calon Y Dderwen Newtown's catchment area. We have a great deal of children from farming communities across mochdre, Dolfor and penstrowed area. The new catchment doesn't include this area and we feel the school community and those pupils benefit from their access to our school and free transport</p>	<p>Please see response reference 277 above.</p> <p>Consideration will be given to which primary catchment area primary phase learners from Dolfor and Penstrowed will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
285	<p>Ysgol Calon y Dderwen: This school has had the catchment area of Stepside and Mochdre for a very long time and with you change of the area the school will no longer have the children from the area as their free bus will take them to Ysgol Measyrrhandir. As most of these children come from the farming community parents are not always able to drive their children to Ysgol Calon y Dderwen. To me you are not letting these parents have a choice of schooling for their children.</p>	Please see response reference 277 above.
286	<p>Ysgol Calon y Dderwen: Having seen the map above with a new catchment area identified for Calon y Dderwen in Newtown, we are concerned that our access to school transport for our children from Mochdre will</p>	Please see response reference 277 above.

	<p>change and that our child will have to change schools or that we will have to bring her in. It is very difficult as our family business requires us to use the free school transport available as we are unable to pick up every day. Furthermore, the school go out of their way to support our children and offer a diverse and suitable curriculum, with a balance between the practical elements which suit our daughter and the choice of topics, including farming, a large part of our lives. It was a pleasure to be involved in a recent Cows on Tour experience - unforgettable. We feel the school embraces all aspects of farming and that are really important to us. I realise we may get this in another school, but I fully believe that the quality and space at Ladywell, Hafren and now Calon y Dderwen, has ensured that our children have thrived in this environment. Also, it's important to know that although the alternative school is closer as the crow flies, in actual timing, it takes 20 seconds longer to go to the alternatively named school, after observing speed limits and road speed bumps around Maesyddail. If this is the case, why aren't the houses along Milford Road named as part of the catchment for Calon y Dderwen as those houses are closer to Calon y Dderwen than their named school?</p>	
287	<p>Ysgol Calon y Dderwen: I have concerns about this proposed map on two lines as it takes away two key and valued areas of our school catchment.</p> <p>Stepaside and Mochdre - we have historically welcomed children from these communities into Ladywell Green, Hafren and now Calon y Dderwen. In fact, when the local country schools closed (Mochdre in 1950s and Dolfor in the 2000s), we were formally named the designated choice of school and transport provided to our site for these children. We have worked hard to embrace children of all backgrounds and value the contribution that our children and families from these communities offer, having built up relationships over the years culminating with our successful 'Cows on Tour' celebration just before lockdown. We feel that with</p>	<p>Please see response reference 277 above.</p> <p>Consideration will be given to which primary catchment area primary phase learners from Dolfor, Mochdre, Stepaside and Penstrowed will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>

a new school on our site, specifically embracing space, land, the natural environment and elements of agriculture, our approach to support the farming communities through our unique topic choices, keeping animals on site, we are an obvious choice for this.

With such a reduction in catchment area, a significant area and drop in number of children, this would inevitably mean a reduction in staff for us at Calon y Dderwen when our staffing structure for our new school has been robustly set up and based on current and projected numbers. This drop will inevitably mean staff losses through redundancy.

Further to this, plans are in place for a 300-360 pupil new school building to be built on our site within the next 3 years and I fear that these plans to replace our current aging and dated buildings, will be put in serious jeopardy, disadvantaging all present and future children in our school by the proposals to significantly reduce our catchment area.

My proposals would also ensure that children do attend their nearest school as per road routes, if not as the crow flies - navigation directly along the river, avoiding the busy Llanidloes Road and railway track with limited crossings.

I understand that parents will still have a choice of schools, but most follow guidelines and advice from the authority and in addition to this, our Mochdre and Stepside school community use the school transport service which under the new proposals, wouldn't be offered to Calon y Dderwen.

I hope that these valid points will go some way to validly challenging the areas proposed so that we can continue to welcome children from these communities into our school, and new purposed built environment at Calon y Dderwen.

	<p>It is clear that every school will want to serve their communities, but when we already have established links within these two communities, moving these boundaries will only split them and not bring them together.</p> <p>It's also important to note that this decision to change transport access will not save any financially however will have a great impact on the changes and relationships of a community with Calon y Dderwen.</p> <p>Many thanks and kindest regards,</p>	
288	<p>Ysgol Calon y Dderwen: Changing the catchment area will mean that my children best friends will no longer attend the same school as them. Changing schools for these children is classified as an ACE. If they already have other things going on in their lives why do it? It's just a money saving exercise again! PCC doing what they see fit and never mind the public opinion!</p>	Please see response reference 277 above.

NEWTOWN HIGH SCHOOL - JOHN BEDDOES CAMPUS

Newtown High School – John Gladestry
 Beddoes Campus Knighton
 Presteigne
 Radnor Valley

Ref	POSITIVE comments	Local Authority Response

Ref	OBJECTIONS	Local Authority Response
289	<p>Newtown High School (John Beddoes Campus):</p> <p>I am writing as Chair of Beguildy Community Council. When our school was closed, the designated primary school was Knighton, placing our learners in the NHS (JB Campus) catchment. The reality is pupils transferred to Knighton, Llanbister, Newtown and Kerry schools and others across the English border.</p> <p>The catchment maps displayed indicate three secondary schools as the designated schools for pupils from our valley, along the B4355 within a 2 mile stretch.</p> <p>If the aim were to give parental choice within the three schools then we would be satisfied but on the surface this looks like further segregation and fragmentation of our community.</p> <p>We do not wish to see the principle of having to draw the line somewhere overruling common sense and the well being of our children who may find themselves separated from their friends by the accident of a line on a map which does not reflect the makeup of their community.</p> <p>The coherence of our community has already been placed under strain by the closure of our primary school- please do not place it at greater risk.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p> <p>Consideration will be given to which primary and then secondary catchment area primary phase learners from Beguildy will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>

ix) WELSHPOOL HIGH SCHOOL CLUSTER

Welshpool High School Arddleen
 Berriew
 Buttington Trewern
 Churchstoke
 Forden
 Guilsfield
 Leighton
 Llandysilio
 Montgomery
 Welshpool CiW

Ref	POSITIVE comments	Local Authority Response

Ref	OBJECTIONS	Local Authority Response
290	<p>Welshpool High School: I live in Castle Caereinion which is now moving to Berriew School catchment area which feeds to Welshpool High School yet Castle Caereinion is in Llanfair Caereinion High School catchment area which isn't right.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p> <p>Consideration will be given to which primary and then secondary catchment area primary phase learners from Castle Caereinion will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
291	<p>Welshpool High School: I'm interested to know why children are allowed to Llanfair Caereinion high from Welshpool and Newtown but no bus goes from Llanfair Caereinion to Welshpool high school, please explain as this does not seem fair. My son would like to go to Welsh high school because it's a better school than Llanfair but with no</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p>

	transportation offered it makes it difficult. Why should he miss out on the better school?	
292	Llandysilio CiW: Llandysilio school (four crosses) is in the Welshpool high school catchment where as Bryn Hafren (crew green) school is in the llanfyllin high school catchment. You travel through four crosses to get to crew green Both have traditionally sent pupils to llanfyllin. Both should be in the llanfyllin catchment	This is based on historical close cluster working relationships between the primary and secondary school of the cluster to ensure strong transition arrangements.

x) **YSGOL CALON CYMRU**

BUILTH CAMPUS

Ysgol Calon Cymru – Builth Campus

Builth Wells CP
Irfon Valley
Llanelwedd
Newbridge on Wye
Ysgol Dolafon

Ref	POSITIVE comments	Local Authority Response
293	Ysgol Calon Cymru (Builth Campus): Does this mean I'll be able to get school transport for my son to Builth wells high school from LD6 5LU? I currently have to use work annual leave hours to take him to school and pick him up!!	All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.

Ref	OBJECTIONS	Local Authority Response
294	Ysgol Calon Cymru (Builth Campus): The east boundary for the Builth campus of Ysgol capon Cymru doesn't make sense. The north of Llandrindod is in catchment, but south isn't.	All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.

	We live in Crossgates and would very much welcome being in catchment, to provide a choice between two the campus’.	
295	Newbridge on Wye CiW: Builth pupils should have the option to attend Newbridge school when it is only a few miles away. Especially with the uncertainty of Builth’s school.	Please see response reference number 294 above.
296	Newbridge on Wye CiW: Thank you for the opportunity to respond to the admissions and catchments criteria. My husband and I live in Llanwrthwl and have have twin boys, Cai & Jac who were born in August 2020. We had planned for them to attend Newbridge on Wye primary school when they are old enough like Rhys and his brothers all did. It is a wonderful rural school which many of our friends’ children attend and it is where we have always imagined the boys going to school. Therefore we were really upset and disappointed to see that the proposed changes to the catchments would mean that we are outside of the area for Newbridge on Wye school. Having looked at the catchments I can see that glanrhydgrech is within the Newbridge catchment however anyone in that area would have to travel into the village of Llanwrthwl to get onto the main road and then travel to Newbridge, so they would actually travel further than we would from our home to the school. Having been brought up in a location such as Llanwrthwl we really want the boys to attend a rural school and feel really disappointed that currently that could be unlikely. I very much hope that you can adjust the catchments to include Llanwrthwl village in the catchment for Newbridge on Wye. Thank you for considering my comments, if you would like to discuss further please don’t hesitate to contact me.	Please see response reference number 294 above. Consideration will be given to which primary and then secondary catchment area primary phase learners from Llanwrthwl will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.

LLANDRINDOD CAMPUS

Ysgol Calon Cymru – Llandrindod Campus
 Crossgates
 Franksbridge
 Llanbister
 Llanfihangel Rhydithon
 Newbridge on Wye
 Ysgol Cefnlllys
 Ysgol Trefonnen

Ref	POSITIVE comments	Local Authority Response

Ref	OBJECTIONS	Local Authority Response
297	<p>Llanbister CP: The catchment area has fallen short of our entrance by 50 metres .. I have three kids already in the school .. transport has been provided to this school for my self my father and my grandparent over the last 50 years .. can anyone tell me that now my closest school is dolau which you are closing please someone with some commonsense please reply to me about this as I'm totally perplexed.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p> <p>Consideration will be given to the catchment area of Llanbister CP along with a further review following the final decision on Ysgol Llanfihangel Rhydithon (Dolau).</p>
298	<p>Llanbister CP: I have three children already attending llanbister primary which is our closest primary school. Yet our house is not showing in the catchment. It is literally yards outside. Where does this leave us?</p> <p>My eldest is in year 5, my youngest is in reception. All three get the bus currently. And llanbister is by far our closest</p>	<p>Please see response reference 297 above</p>

	school. My address is xxxxx	
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xi) YSGOL LLANFYLLIN

Ysgol Llanfyllin	Brynhafren Carreghofa Llanfechain Llangedwyn Llanrhaeadr Ym Mochnant Llansantffraid Ysgol Bro Cynllaith Ysgol Pennant
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Ref	POSITIVE comments	Local Authority Response

Ref	OBJECTIONS	Local Authority Response
299	Ysgol Llanfyllin: Not good!! Llanfyllin high school is the main high school for our school currently	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable school.</p> <p>In October 2022, the governing body of Ysgol Meifod wrote to the Director of Education and Children and Head of Education requesting to change clusters from Ysgol Bro Caereinion to Ysgol Llanfyllin. Based on the reasoning provided by the governing body, this request was agreed.</p> <p>Therefore, as of xxxxx all learners whom attend Ysgol Meifod will naturally transition to Ysgol Llanfyllin (as long as Ysgol Meifod is their nearest primary school). If a learner who lives closer to Ysgol</p>

		Bro Caereinion wishes to transfer to Ysgol Bro Caereinion rather than Ysgol Llanfyllin for their secondary education, then under the current transport policy, they would be eligible to free home to school transport.
300	Ysgol Llanfyllin: Ysgol meifod will no longer be in catchment area for llanfyllin. No good!!	Please see response reference 299 above.
301	Ysgol Llanfyllin: My children are in ysgol meifod. This means their catchment will be limited and no longer include Llanfyllin which is where my husband and I had always imagined sending them. Very disappointed with the new plan.	Please see response reference 299 above.
302	Ysgol Llanfyllin: I am concerned as at present I have two children attending ysgol meifod and they're not in the area to catch a mini bus for some reason even though we live at the back of Meifod. Also my eldest daughter will be leaving ysgol Meifod and will be hoping Llanfyllin high and I'm confused and concerned if I have to pay costs for transport to and from school from Meifod as my eldest son is also joining Llanfyllin high school next week. It will prove both difficult for both school runs and two different schools if bus services are not available and I really don't think we will be able to afford to pay for two lots of bus passes for the two eldest children attending Llanfyllin high school. Our postcode is Sy22 6dw.	Please see response reference 299 above.
303	Ysgol Llanfyllin: I live in heritage way the english side of the border and my son cant get free bus to his high dchool llanyfylin	Please see response reference 299 above.
304	Ysgol Llanfyllin: I'm concerned by reducing the welsh catchments area in Llanfyllin will have a negative impact on the amount of pupils who will be attending Welsh medium at the secondary phase of Ysgol Llanfyllin. It seems that Llanwddyn and Llanfihangel pupils fall into Pontrobert and Cwm Banwy catchment area, who then will later feed Ysgol Bro Caereinion. With a reduced amount of Welsh medium pupils then feeding the secondary. Secondary classes are	Please see response reference 299 above.

	currently 1 form out of 4 per school year, with roughly 20-28 pupils. This will reduce once more as no additional primary welsh medium primary provision will be introduced to this catchment area following changes to consultation of Pennant and Llanrhaeadr. My child will be attending Ysgol Llanrhaeadr, however, with a possible reduction of secondary phase pupils at Ysgol Llanfyllin, we're looking at a reduction of welsh medium options from year 9 options and above. With school budgets so tight, it will be cheaper to teach through the medium of English alone, rather than try to fund 2 classes for very little number of Welsh Medium classes.	
305	Ysgol Llanfyllin: Ysgol Meifod should be in the catchment for Ysgol Llanfyllin as it is an English Medium primary, it is the only English Medium primary in its cluster group and the majority of its pupils go to Ysgol Llanfyllin currently. Get this wrong PCC and pupils may just drive over the boarder for secondary education and you will ultimately loose them for A'level education then too.	Please see response reference 299 above.
306	Ysgol Llanfyllin: Ysgol Meifod is English and should be in an English cluster group feeding into Ysgol Llanfyllin where the majority of its pupils go and stay on to do A'levels.	Please see response reference 299 above.
307	Ysgol Llanfyllin: We would like the catchment to include Ysgol Meifod. As an English medium primary school feeding in to an English medium Secondary school it seems appropriate for Ysgol Meifod to be included.	Please see response reference 299 above.
308	Ysgol Llanfyllin: Historically Meifod village was split down the middle with half in the Llanfair and half in the Llanfyllin high school catchment area. The majority of meifod pupils go to Llanfyllin. Meifod is the only welsh speaking primary in its cluster group - I think it should be in the Llanfyllin cluster to help the smooth transition of year 6 pupils to high school as this is where the majority of its pupils go for english medium secondary education with many staying on for a'levels. There is concerns about transport costs among existing meifod	Please see response reference 299 above.

	<p>parents and if this proposed map change affects their ability to access free transport I'm afraid as we are so close to the boarder many will simply drive their children over the boarder to access other english medium secondary education and then PCC will ultimately lose them for a'level education too as it's well known the majority of secondary pupils stay on for a'levels where they sat GCSE's.</p>	
309	<p>Ysgol Llanfyllin: Ysgol Meifod is the only english speaking primary in their cluster - are they in the correct cluster group? Especially as the majority of pupils currently go to Ysgol Llanfyllin and pursue their secondary education in english with many staying on for A'levels through the medium of english. Meifod is in between both high schools but is english speaking and 3/4 of pupils go to Ysgol Llanfyllin annually. Historically the village was split in the middle, equal parts of the village were in the Llanfair and Llanfyllin catchments, there is concerns over transport costs if the whole of Meifod goes into the Llanfair catchment. Ultimately if children can't access free transport to Llanfyllin Meifod is so close to the border many may decide to drive their children over the boarder and PCC will lose the children altogether. However if they can access Llanfyllin they will highly likely stay on for A'levels with the extended offering of subjects now being offered at Llanfyllin.</p>	Please see response reference 299 above.
310	<p>Ysgol Llanfyllin: I am a parent and governor of a child in Ysgol Meifod and a child in Llanfyllin High School. I am unclear whether to comment on the catchment for Meifod, Llanfair or Llanfyllin.</p> <p>I disagree with the map showing that Ysgol Meifod is in the catchment for Ysgol Bro Caereinion.</p> <p>The majority of pupils go from Ysgol Meifod to Ysgol Llanfyllin (for High School Provision) 2021 Llanfyllin (8) Llanfair Caereinion (5) Oswestry (1) 2022 Llanfyllin (6) Llanfair Caereinion (2) Oswestry (2)</p>	Please see response reference 299 above.

	<p>This proposed map clearly shows Ysgol Meifod is in the Caereinion cluster. Ysgol Meifod covers a large area and was split equally between the 2 high schools, until now. A vast area of the Ysgol Meifod catchment area is significantly closer to Llanfyllin than Llanfair Caereinion.</p> <p>Ysgol Meifod is the only just English Medium school in Caereinion cluster, I would question whether Ysgol Meifod is in the correct cluster of schools (as Llanfyllin has lots of English medium feeder schools)?</p> <p>My understanding is that, under the current home to school transport policy a learner will only be transported to their nearest or catchment school. Transport costs are a concern for Ysgol Meifod Parents whose children wish to attend Llanfyllin High School. A number of parents have made the decision, that if they have to pay for transport that they choose to transport their children out of Powys. This will inevitably have result in continued loss of pupils and also 6th form students to Shropshire for this provision.</p> <p>Please consider including Ysgol Meifod in the Llanfyllin catchment area rather than the Llanfair Caereinion catchment.</p>	
311	<p>Ysgol Llanfyllin: I am a parent and governor of a child in Ysgol Meifod and a child in Llanfyllin High School. I am unclear whether to comment on the catchment for Meifod, Llanfair or Llanfyllin.</p> <p>I disagree with the map showing that Ysgol Meifod is in the catchment for Ysgol Bro Caereinion.</p> <p>The majority of pupils go from Ysgol Meifod to Ysgol Llanfyllin (for High School Provision) 2021 Llanfyllin (8) Llanfair Caereinion (5) Oswestry (1)</p>	Please see response reference 299 above.

	<p>2022 Llanfyllin (6) Llanfair Caereinion (2) Oswestry (2)</p> <p>This proposed map clearly shows Ysgol Meifod is in the Caereinion cluster. Ysgol Meifod covers a large area and was split equally between the 2 high schools, until now. A vast area of the Ysgol Meifod catchment area is significantly closer to Llanfyllin than Llanfair Caereinion.</p> <p>Ysgol Meifod is the only just English Medium school in Caereinion cluster, I would question whether Ysgol Meifod is in the correct cluster of schools (as Llanfyllin has lots of English medium feeder schools)?</p> <p>My understanding is that, under the current home to school transport policy a learner will only be transported to their nearest or catchment school. Transport costs are a concern for Ysgol Meifod Parents whose children wish to attend Llanfyllin High School. A number of parents have made the decision, that if they have to pay for transport that they choose to transport their children out of Powys. This will inevitably have result in continued loss of pupils and also 6th form students to Shropshire for this provision.</p> <p>Please consider including Ysgol Meifod in the Llanfyllin catchment area rather than the Llanfair Caereinion catchment.</p>	
312	<p>Ysgol Llanfyllin: We live in Meifod and my daughter goes to Llanfyllin, we would not be able to afford to pay for transportation if the catchment changes and my daughter has already had enough upset with covid and friends moving away that I would not want to move her to another highschool. Llanfyllin is actually closer to us so I don't understand why they are changing the catchment</p>	Please see response reference 299 above.
313	<p>Ysgol Llanfyllin: I feel it is ridiculous to have a break away section for Llanfyllin that is closer to Welshpool by a country mile. What is the logic behind</p>	Please see response reference 299 above.

	<p>this, when all other schools are in one block? Also, Powys' school transport policy should be reviewed further in order to allow for greater flexibility where distances between pupils' nearest schools are extremely marginal and also ensure that pupils have a reasonable choice to access both Welsh medium and English medium education.</p>	
314	<p>Ysgol Llanfyllin: Ysgol Llanfyllin is the the most suitable for Llanfihangel Village for accessibility reasons. The journey time to Bro Caereinion is double that to Llanfyllin as well as it being a narrow road to Llanfair Caereinion.</p>	Please see response reference 299 above.
315	<p>Ysgol Llanfyllin: All 3 of my older children attended Llanfyllin High school, we live on the border of Llanymynech just 5 minutes walk the wrong side. I wish for my youngest son to attend Llanfyllin High but worry with the amount of new houses being built around the local area that he won't get a placement there due to the number of people applying and with us living on the English side of the border he will have even less chance. I know Llanfyllin High school well, it is a very good school and helped all 3 of my older children progress well. This is a worry parents should not have to have, plus the school bus fees are ridiculous and totally unjustified. I am prepared to drive my youngest to Llanfyllin if he gets a place there next year, but having the catchment area moved will be a great worry removed for a lot of parents. Thank you</p>	Please see response reference 299 above.
316	<p>Ysgol Llanfyllin: I feel that crew green and coedway need the option to choose welshpool. If the flood is out it is a huge way round to get to llanfyllin whereas it is far closer, quicker and easier to get to welshpool. Also why the split so that we have to drive through other villages that are in a different catchment? Better to have local friends if at all possible to save on fuel and expense when driving for them to meet up, as there is no suitable public transport for this. Or is the idea that crew green and coedway will go out of area to Mary Webb? Welshpool is 12 miles and about 20 minutes, llanfyllin is 15 miles</p>	Please see response reference 299 above.

	and 30+minutes, both assuming the roads are open. Both options should be offered to children in these villages.	
317	Ysgol Llanfyllin: It would appear that steps are being taken to exclude pupils from Ysgol Meifod from progressing to high school in Llanfyllin.	Please see response reference 299 above.
318	Ysgol Llanfyllin: The majority of pupils go to Ysgol Llanfyllin (for High School Provision) 2021 Llanfyllin (8) Llanfair Caereinion (5) Oswestry (1) 2022 Llanfyllin (6) Llanfair Caereinion (2) Oswestry (2) This proposed map clearly shows Ysgol Meifod is in the Caereinion cluster. Ysgol Meifod covers a large area and was split equally between the 2 high schools, until now. Meifod is the only just English Medium school in Caereinion cluster – Are we in the correct cluster of schools (as Llanfyllin has lots of English medium feeder schools)? Transport costs are a concern. We are concerned about the map not showing Ysgol Meifod in the Llanfyllin catchment. Therefore, transport costs arising for some of our children who live in the Caereinion area of the map, who wish to go to Llanfyllin for high school provision. We are concerned about the future loss of 6th form places. As pupils not having free transport to Llanfyllin may result in pupils moving across the border into Shropshire for this provision.	Please see response reference 299 above.
319	Ysgol Llanfyllin: We live in meifod - our closest high school is llanfyllin- and my eldest daughter attends here! I want my other daughter to attend llanfyllin to, it is closest and there is transport there if I need to collect her- why would I want my child going to a school further away!	Please see response reference 299 above.
320	Ysgol Llanfyllin: I am responding to this consultation as the Local Member for the Meifod Ward. I am very concerned that the proposed Catchment Map for Ysgol Llanfyllin does not reflect the importance of the school as the first choice for the majority of parents when selecting	Please see response reference 299 above.

	<p>a school for their child to progress to after completing their primary education in Ysgol Meifod. Historically Ysgol Meifod has been regarded as a Feeder School for Ysgol Caereinion; in reality this is not now the case as we have seen a shift to parents sending their children to be educated at Ysgol Llanfyllin the medium of English. The proposed catchment map for Ysgol Llanfyllin excludes Meifod: this has caused some alarm amongst parents in Meifod who are concerned that there is an attempt being made by the Local authority to exert pressure on them to send their children to Ysgol Bro Caereinion, with free school transport to the school being withdrawn to Ysgol Llanfyllin because it would fall out of catchment. Whilst I accept that a parent will continue to be able to choose any school for their child, the proposed catchment map does lead me to ask is Ysgol Meifod currently working with the correct secondary school? This map would lead me to conclude that it isn't, and I would ask that the catchment map for Ysgol Llanfyllin is redrawn to accurately reflect the wish of parents.</p>	
321	<p>Ysgol Llanfyllin: My children attend Carreghofa Primary School. We believe that you should extend the catchment area in two ways. Firstly across the cross roads towards Knockin to include Heritage Way. And secondly along the A483 towards Oswestry tk include Bronwylfa. These changes would encompass a vast majority of the children that attend Carreghofa. This would allow children to stay together for their secondary education. It would also allow children access to the Welsh curriculum that their parents have chosen for them. This us currently not the case as the bus charges are just too high for families to afford.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school. However, we are unable to include areas from outside Powys into our catchment areas.</p>
322	<p>Ysgol Llanfyllin: Carreghofa primary is a catchment school for ysgol Llanfyllin but unfortunately because I live just metres over the border in Llanymynech my children are not entitled to free transport to this school, leaving the only option for parents to either send to the marches or pay extortionate bus fares which for many including myself are unaffordable.</p>	<p>Please see response reference number 321 above.</p>

	<p>Many children missing out going to high school with friends and also missing out on a Welsh education, which to me I feel important and an excellent opportunity for my children to continue learning Welsh.</p> <p>I feel it unfair that half the village are excluded from free school transport even though the children have been educated in Powys through primary years just because of a few metres difference.</p>	
323	<p>Ysgol Llanfyllin: Please bring Llandrinio into Llanfyllin secondary catchment area. My children are going to school with friends from age 4 and being asked to leave on their own to a seleeate high school.</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school.</p>
324	<p>Ysgol Llanfyllin: Myself and my children went to Ysgol Llanfyllin from the Main area on your map. Before Trefnanney School was closed we attended there and all children from that school would traditionally go to Ysgol Llanfyllin. Your map does not show this, and needs to be wider in this area to encompass Main, Trefnanney, Geuffordd and Sarnau - look at current children who live there and attend today. This rural region is in the middle of 3 schools, but by road, Llanfyllin is by far the fastest and the most natural choice as it is a rural school which suits these farming community children. Llanfair Caereinion takes double the time to get there due to the slower roads. Today, Ysgol Llanfyllin has a much wider catchment than is shown in this map.</p>	<p>Consideration will be given to which primary and then secondary catchment area primary phase learners from Trefnanney, Geuffordd and Sarnau will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.</p>
325	<p>Ysgol Llanfyllin: My son attends Carreghofa Primary School and would like to continue his education with the Welsh curriculum. We live in Llanynech but just over the border- by metres! I feel that as he has been able to attend a Welsh Primary school then he should be able to attend a Welsh Secondary school. This means being able to access the school via transport, the same as other children attending. This ensures equality and does not single out children as different to their peers- surely to do so is oppressive. The GP in Llanfyllin has a catchment area that covers all homes in Llanymynech and we are not discriminated about in relation to</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school. However, we are unable to include areas from outside Powys into our catchment areas.</p>

	<p>full access there- so why should it be different for education? I feel it is important for consistency in education to be able to follow the same curriculum throughout school life.</p> <p>This won't happen if transport costs prevents this. If my son isn't able to access Llanfyllin high school due to accessibility and inequality compared to his peers why was he allowed to attend a Welsh Primary school? I hope this is resolved.</p>	
326	<p>Ysgol Llanfyllin: I live at xxxxx. My front door falls within the catchment of Llanfyllin school, and my son attends Carreghofa where he is taught some Welsh. I would like for him to go to a Welsh secondary school so he continues learning Welsh, but as our house falls just outside of the catchment we would have to pay for the bus which isn't affordable. His school friends who live directly opposite get a free bus but we cannot</p>	<p>All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learner's nearest suitable or catchment school. However, we are unable to include areas from outside Powys into our catchment areas.</p>
327	<p>Ysgol Llanfyllin: I wish my children who are attending Carreghofa school to go to LLANFYLLIN High school, though they will be allowed to go as they are both adopted, I would have to pay for each child to go on the bus which is over £200 per child, and even then they are not guaranteed a space. I am a staff nurse at Royal Shrewsbury Hospital so it is impossible for me to get my children there and get to work on time so taking them myself is not an option.</p> <p>I believe because of the current ruling I have in fact no choice where to send my child. Both my children have had a bad start to their lives so their education is important to me and LLANFYLLIN instills my children's Welsh heritage that their catchment school of Marches does not.</p> <p>I only wish you as a council would scrap the ridiculous rules in transport to school to actually enable parents to send their children to the school they actually want to see their children attend.</p>	<p>The Council notes your comment</p>
328	<p>Ysgol Llanfyllin:</p>	<p>Please see response reference number 321 above.</p>

	The Llanfyllin catchment should be extended up to Pant and across the road at the Llanymynech crossroads to the roundabout. This would included children studying at Carreghofa who have access to the Welsh curriculum, thry can continue their education through this curriculum.	
329	Ysgol Llanfyllin: Not sure why Meifod is not included in this catchment. It is the closest school.	Please see response reference 299 above.
330	Ysgol Llanfyllin: I live in llandrinio and we are not covered by any catchment area according to the map. I have had 3 daughters attend Ysgol Llanfyllin and have my youngest due to leave Bryn Hafren Summer 2023	All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school. However, we are unable to include areas from outside Powys into our catchment areas. We will review the catchment map to identify any potential issues.
331	Ysgol Llanfyllin: We live in Meifod this should be part of the Llynfyllin catchment particularly as closer than Ardleen!	Please see response reference 299 above.
332	Ysgol Llanfyllin: Llangynog Community Council does not support the catchment area changes for secondary schools How can this be a valid consultation when no maps were provided,when asked, showing the present catchment areas?! Splitting the community of Llanwddyn / Llanfihangel into two secondary catchments is unfair. It will have a detrimental effect of community cohesiveness. We are most concerned that if the proposals went ahead then Welsh medium provision at Ysgol Llanfyllin would decline / or be removed. This would then mean that many families in the Penybontfawr / Llangynog area would either not be able to educate their children through medium of Welsh for their	All learners, parents and carers are able to make a preference for any school they feel most suitable. Based on Powys' Home to School Transport Policy, transport will be provided to a learners nearest suitable or catchment school. Consideration will be given to which primary and then secondary catchment area primary phase learners from Llanwddyn and Llanfihangel will be located. This will be based on nearest suitable school with minor amendments made for local geography and topography.

	<p>secondary phase which would be a shame after having a first-class primary Welsh medium education at Pennant, or many would drive to Bala for Welsh secondary education (just as they do for daily football etc at the moment - so it wouldn't be too much of an issue!)</p> <p>School buses will be criss-crossing the community of Llanwddyn - buses going to one school will be driving past children waiting for a bus to another school!</p> <p>The roads from Cownwy Valley / Llanfihangel/ Llanwddyn to Llanfair are not great at the best of times let alone through the winter months.</p>	
333	<p>Ysgol Llanfyllin: Pen-y-bont-fawr Community Council does not support the catchment area changes for secondary (or primary) schools</p> <p>How can this be a valid consultation when no maps were provided,when asked, showing the present catchment areas?!</p> <p>Splitting the community of Llanwddyn / Llanfihangel into two secondary catchments is unfair. It will have a detrimental effect of community cohesiveness.</p> <p>We are most concerned that if the proposals went ahead then Welsh medium provision at Ysgol Llanfyllin would decline / or be removed. This would then mean that many families in the Penybontfawr / Llangynog area would either not be able to educate their children through medium of Welsh which would be a shame after having a first-class primary Welsh medium education at Pennant, or many would drive to Bala for Welsh secondary education (just as they do for daily football etc at the moment - so it wouldn't be too much of an issue!)</p> <p>School buses will be criss-crossing the community of Llanwddyn -</p>	Please see response reference 332 above.

	buses going to one school will be driving past children waiting for a bus to another school!	
334	<p>Ysgol Llanfyllin: Llanwddyn community should not be divided into two secondary catchment areas. The idea of sending any to Llanfair doesn't make sense. The road between the two places is difficult in the summer let alone in the autumn/winter. It might be a shorter distance as the crow flies between the likes of Cownwy valley and Llanfair but the journey time would be substantially longer to Llanfair rather than Llanfyllin.</p> <p>If this is part of a plan to cut Welsh medium provision at Llanfyllin, please be aware that those of us in the North of the county ie Ysgol Pennant catchment, would travel to Bala for Welsh medium education rather than trek to Llanfair or stay at Llanfyllin and just have English medium education. Travel time is such an important factor to factor in. It is really important that the needs of the children are considered.</p>	Please see response reference 332 above.
335	<p>Ysgol Llanfyllin: For English medium education Bryn Hafren is shown as a feeder school for Llanfyllin. However, if pupils from the same catchment want to study through the medium of Welsh they will have to go to primary school in Welshpool, and secondary school in Caereinion. This makes no sense when they could complete both their primary and secondary education in Llanfyllin where, at least for their secondary education they would be able to mix with their peers from the same community and share the same school transport. This would be far better for friendships and community cohesion. It would also reduce transport costs as there would already be a bus running from Crew Green to Llanfyllin. There is no bus to Caereinion. Far from encouraging more pupils to learn through the medium of Welsh I believe that providing free transport only to Caereinion will have the opposite effect.</p> <p>I also believe that it is a mistake expecting pupils from the Llandysilio and Arddleen catchments to travel to Caereinion to access Welsh medium secondary education. It is a long way to</p>	Please see response reference 332 above.

	<p>travel and this community has never had links to Caereinion. People from this area do have links with Llanfyllin and many travel to the GP practice there. When I was making my own decision about which school to send my children to I would not have chosen a Welsh medium education for them if I had known that they would have to travel to Caereinion rather than Llanfyllin. Again, I fear that this proposal would result in fewer children completing their education through the medium of Welsh, not more.</p>	
336	<p>Ysgol Llanfyllin: Llanfyllin is a dual stream through school. The Welsh catchment is out of sync with the English. This needs to be rectified otherwise you will be increasing travel time for pupils to attend Llanfair for Welsh and vastly increasing transport costs. Money which is in short supply and should be used for increased learning experience and not wasted in unnecessary travel costs.</p>	Please see response reference 299 above.
337	<p>Ysgol Llanfyllin: You have designated areas such as crew green and four crosses in the Welsh medium Llanfair catchment. Crew green is in the Llanfyllin catchment for English and four crosses should be. Llanfyllin is a dual stream school. These areas should be in the Llanfyllin catchment. Financially it makes sense on so many levels eg bus costs as well as travel time for pupils and potentially increased Welsh medium children in the dual stream.</p>	There are different catchment maps for the English stream at Ysgol Llanfyllin and Bro Caereinion and the Welsh stream. We will review to ensure that they are accurate according to nearest suitable provision.
338	<p>Ysgol Llanfyllin: On behalf of Ysgol Meifod (as Headteacher) I would like to raise the following:</p> <ul style="list-style-type: none"> • The majority of pupils go to Ysgol Llanfyllin (High) <p>Figures last year / this year / Oswestry (loose from Powys)</p> <ul style="list-style-type: none"> • This proposed map clearly shows Ysgol Meifod is in the Caereinion cluster when it has a large area and was split between the 2 schools until now. 	Please see response reference 299 above.

	<ul style="list-style-type: none"> • Meifod is the only English Medium school in Caereinion cluster – Are we in the correct cluster of schools? • Transport costs are a concern. As parents we are concerned about the map not showing Ysgol Meifod in the Llanfyllin catchment and therefore transport costs arising for some of our children, who live in the Caereinion area of the map. • We are concerned about the future loss of 6th form places. As pupils not having free transport to Llanfyllin may result in pupils moving across the border into Shropshire for this provision. 	
339	<p>Ysgol Llanfyllin: Ysgol Meifod is clearly in Llanfair Caereinion Catchment according to this document and proposed catchment maps. But, more than half of our children go to Ysgol Llanfyllin for their high school provision. This is very concerning as Ysgol Meifod is currently considered in both catchments. This change and the catchment maps change will have enormous financial impact on the parents of Ysgol Meifod who choose to send their children to Ysgol Llanfyllin in the future.</p> <p>We wish Ysgol Meifod to be considered to be in both catchments especially as Ysgol Meifod is the odd one out in the Caereinion catchment (the only all English-speaking primary) and if Bro Caereinion does become a category 2a or full Welsh speaking school then no-one from Ysgol Meifod will go there. This document and proposed catchment maps therefore put Ysgol Meifod and it's future in jeopardy.</p> <p>We request receipt and consideration of this response,</p>	Please see response reference 299 above.
340	<p>Ysgol Llanfyllin: I am emailing as part of the Powys School Consultation process.</p> <p>My son currently attends Carreghofa Primary School (Year 4) and we are looking ahead to the future and which Secondary School we would like him to attend.</p> <p>At the moment we would prefer that he went to Llanfyllin High</p>	Please see response reference 330 above.

	<p>School, but looking at the catchment area we are a few hundred yards outside of the catchment. We live on the border in Llanymynech (SY22 6HB) and are just on the English side. The concern we have is that he would be unable to attend Llanfyllin and he would not be eligible for the school bus.</p> <p>So I would be grateful if it might be possible to forward my opinion that extending the catchment area to enable young people who live on (or just on the English side of the border) would be very beneficial.</p>	
341	<p>Ysgol Llanfyllin: In terms of commenting on the catchment area part of this public consultation, we reside a very small distance from the England, Wales border in Llanymynech. Our children have embraced the Welsh system by attending (youngest still does) Carreghofa Primary School which is the village school in this community, with the other nearby school Bryn Offa in Pant being full at the time anyway due to Covid restrictions, bubbles etc. and our other catchment area school on the English side being Trefonen which was simply unrealistic compared to an established school right on our doorstep, where our children can mix with all the other children from their village.</p> <p>As they made their friends and started to learn the Welsh language, as well as the Welsh system already understanding and coping with the additional needs of our eldest son, the sensible choice was to continue within that system and attend Ysgol Llanfyllin. As we live that short distance over the border we are obliged to pay over £240 a term, despite him leaving from the very same bus stop, but just walking an extra few yards to the other pupils.</p> <p>A small change to encompass both sides of our Llanymynech village would ensure that kids going to school together are not penalised financially when they want to continue their education</p>	Please see response reference 330 above.

	<p>in the Welsh system, which to be absolutely honest suits our two children down to the ground, and we are more than happy for them to learn Welsh especially as living in a border town, we are immersed in both. We are seriously having to consider, given all the current financial crisis going on, whether our youngest child who also wants to continue in the Welsh system is viable when you have to account for £580 per term.</p>	
342	<p>Ysgol Pennant: Llangynog Community Council does not support the proposed catchment area changes for Primary schools</p> <p>Dividing the very rural community of Llanwddyn/ Cownwy into three primary catchments is wrong. It will have a detrimental effect on community cohesiveness.</p> <p>We are most concerned that if the proposals went ahead then numbers at Ysgol Pennant would decline which could result in the closure of our local school leaving no Welsh medium primary provision for our children. Not what Welsh Government targets are striving for!</p> <p>School buses will be criss-crossing the community of Llanwddyn - buses going to one school will be driving past children waiting for a bus to another school - where's the logic in this?</p>	Please see response reference 332 above.
343	<p>Ysgol Pennant: Pen-y-bont-fawr Community Council does not support the catchment area changes</p> <p>How can this be a valid consultation when no maps were provided, when asked, showing the present catchment areas?!</p> <p>Splitting the community of Llanwddyn into three primary catchments is unfair. It will have a detrimental effect of community cohesiveness.</p>	Please see response reference 332 above.

	<p>We are most concerned that if the proposals went ahead, numbers at Ysgol Pennant, Penybontfawr would be affected which could ultimately mean a reduction of numbers of children educated through the medium of Welsh in the area of Ysgol Pennant were to close due to falling NOR.</p> <p>School buses will be criss-crossing the community of Llanwddyn - buses going to one school will be driving past children waiting for a bus to another school!</p>	
344	<p>Ysgol Pennant: It seems wrong that tge Llanwddyn community is proposed to be split into three primary school catchments and two secondary school catchments! This doesn't make sense - there will be school buses crossing each others paths and passing children waiting for a bus to a different school! Llanwddyn was promised transport to either llanfyllin or ysgol Pennant when its own school was closed. These proposals could have a negative affect on the numbers at Ysgol Pennant and at Ysgol Llanfyllin.... Is this the aim of PCC - judging by their track record, possibly so? Is this part of the plan to remove secondary welsh medium provision from Llanfyllin? Many pupils from ysgol Pennant would end up travelling to Bala for Welsh secondary education rather than making the ridiculously long journey to Llanfair. Hopefully, this is just an oversight and all those children in the Llanwddyn / dyffryn Cownwy / lake Vyrnwy area will get transport to either Pennant or Llanfyllin.</p>	Please see response reference 332 above.
345	<p>Ysgol Pennant: The catchment area for ysgol pennant doesnt include further than abertridwr. There are a number if children outside this catchment area who are already in pennant school, or will ge going in future! It is not right, that they are no longer showing in the catchment area. This is the area they are from and where their friends and</p>	Please see response reference 332 above.

	community are. They shouldnt be moved to another catchment area that they are not familiar with!	
346	<p>Ysgol Pennant: I don't understand why you are excluding areas that would naturally fall in to the catchments area of Ysgol Pennant (based on logistics and the past agreement / promise made when closing Llanwddyn school). It's not just about drawing a line on a map you need to address the transportation issues that will be caused by this.I fear that there is a bigger agenda here that we are not being made aware of.</p> <p>With all due respect Ysgol Pontrobert is a very small school (based on numbers & capacity) and somehow it is avoiding any mention of closure during school restructuring and seems to be getting an increased catchment area. Yes it's a Welsh medium school but so is Ysgol Pennant which carries far greater pupil numbers. We have already successfully fought off an unjustified school closure but I can see that this is going to be another method to get this raised again.</p> <p>Some of the areas you are dividing up would also have progressed to Llanfyllin High School but Banw & Pontrobert (majority) pupils normally transfer to Llanfair Caereinion High School</p>	Please see response reference 332 above.
347	<p>Ysgol Pennant: Mae dalgylch yr Ysgol fel y dangoswyd yn yr ymgynghoriad yn LLAI na'r presennol. Yn ogystal â gadael rhannau o bentref Llanwddyn allan o dalgylch yr ysgol, rydych yn ei gwtogi ar ochrau tuag at Lanfyllin a Llanrhaeadr ym Mochnant. Mae hyn yn gyrru fi i feddwl bod hyn yn rhan o Gynllun Powys i gau Ysgol Pennant. Powys Agored a Blaengar? Na, dwi ddim yn meddwl!</p>	Please see response reference 332 above.
348	Ysgol Pennant:	Please see response reference 332 above.

	<p>To whom it may concern,</p> <p>I am writing to you in regards to Powys County Council's Welsh medium primary catchments, i'm disappointed to see that the catchment area is being changed. I live in Llanwyddyn and have three children aged 9, 7 and 4. My children are all enrolled at Ysgol Pennant, Penybont Fawr. My eldest son is in year 4 and my daughter is in year 2 and my youngest in the reception class. My children adore their school as do we their parents. The ethos and environment of the school is a happy and well balanced one and our children have developed confidence and benefited greatly from their time there. We are incredibly lucky and proud to have such a wonderful and successful school within our local community.</p> <p>We as a part of Llanwyddyn community were promised when the school closed here that Ysgol pennant was for our children. PCC made that statement themselves when they closed Ysgol Llanwyddyn.</p> <p>Transport journeys would take longer for some children. A primary aged child shouldn't be on a bus no longer than 40 minutes</p> <p>PCC again you are going against their own policies .</p> <p>Penybont Fawr is our neighboring village where we shop and socialize and we are all familiar faces and a larger community so it only seems</p> <p>right that all children from Llanwddyn can remain travelling to Ysgol Pennant. (Ysgol Pennant is for the children of Llanwyddyn)</p> <p>Secondary school - My children will go to Llanfyllin High school as that is the closest secondary school in our area, and will be going with Friends, children from school and our community, Which will help make the transition a more pleasant experience.</p> <p>Please consider the above points when reading my letter as we strongly and firmly believe that Ysgol Pennant has a big role to play in our children's future and the future of the local community,</p>	
349	Ysgol Pennant:	Please see response reference 332 above.

Ysgol Pennant is an 80 pupil strong Primary school and the largest 1st language welsh medium primary school in the in the Llanfyllin catchment> The proposed catchment doesn't offer scope for expansion and looks to split the area surrounding llanwyddin into 3 catchments, this is potentially harmful to future pupil numbers in a thriving school with the highest Estyn results of its neighbouring primary schools. Ysgol Pennat provides Llanfyllin High school with 1 of the largest cohorts of Welsh Speaking children who continue their welsh medium education in Llanfyllin., Following the closure of Llanwyddyn Primary school, promises and assurances were given by Powys county Council that pupils would have free transport to their preferred school, Ysgol Pennant. Due to historical habits and the rural geography, people living in the area between llanwyddydn and Banwy and Llanwyddyn and Pont Robert tend to mostly travel on the roads to Penybontfawr / Llanfyllin, with many having their families registered with llanfyllin group medical practice and having formerly attended llanfyllin high school.To remove the free transport of pupils to their preferred Primary school and offer others which would see them attend a primary school then a high school (llanfair) again away from there preferred or more obvious area llanfyllin seems to go against what you are trying to achieve. This could lead to mini buses of children criss crossing each other on their journeys to & from school, and divide children of wide spread rural communties who would naturally come together at a typical focul point, i.e. the school itself or events organised by it, between multiple schools, and see the parent communtiy, who would naturally bond together over their childrens shared school, split in a very damaging way, it could impact on their sense of "Hiraeth" or belonging.I would urge you to reconsider the implecations to the future pupil numbers of a success story of a school like Ysgol Pennant, it should be championed and encouraged to flourish not see its catchement eroded in favour of smaller further away schools, outside of the typical geography the people of llanwyddyn and surrounds frequent. It bears repeating that this kind of division coming from a lack of local knowledge can

	<p>also deeply impact rural communities who rely on the social focus of a school to bring them together, forming life long links, fostering a sense of belonging and the community that springs up around a school often compliments the wider community. I urge you to take up further discussions with the Community Councils of the affected areas of Llanwyddyn, Penybontfawr & Llangynog as they will be able to offer detailed geographical references to better evidence the issues I have mentioned.</p>	
350	<p>Ysgol Pennant: The boundaries shown will impact on the provision of school transport affecting a number of pupils who are part of the nurturing Welsh medium provision at Ysgol Pennant - creating upheaval and disruption to their education.</p>	Please see response reference 332 above.
351	<p>Ysgol Pennant: To whom it may concern ,</p> <p>I have still not received a reply for my previous email regarding the consultations for catchment areas with transport . This was two days ago...and I am aware other parents have received a reply .</p> <p>As stated in my first email , my sons attend Ysgol Pennant , Penybontfawr. We live in the area of Llanwyddyn, SY10 0NJ - therefore under the Llanfyllin catchment and well within our rights of having school transport as we live 7.4 miles from Ysgol Pennant .</p> <p>Under this new catchment area we are under banwy//llanfair area (no sense at all , as these areas are further from the Llanfyllin catchment) To Penybontfawr it takes us 20 minutes , to Banwy or Llanfair it is 30-35 minutes . I sincerely hope PCC do not expect me to take my children to Penybontfawr each day due to this new catchment area . Moving schools is not an option , period . I will not send my sons to a school that they have no personal connection with .</p>	Please see response reference 332 above.

	<p>My eldest son is due to start Llanfyllin high school in September therefore he will need a minibus to the main high school bus ...which is what is being done now.</p> <p>I cannot fathom how ridiculous this consultation is! Do PCC know the area of Llanwyddn at all? Leave things how they are , you are destroying small communities bit by bit by idiotic consultation such as these!</p> <p>And once again , we have had school transport from Blaen Cownwy (our address) to Ysgol Pennant for nearly the last forty years..I will fight PCC all the way with this consultation!</p>	
352	<p>Ysgol Pennant: I'm concerned having been a Llanwddyn resident all my life that pupils from the Cownwy Valley will now be expected to go to Banwy. They are a part of our community. I certainly don't feel that it's acceptable to cut our community and expect children to move school or their parents will have to drive them to Pennant. This certainly needs to be looked at again and perhaps a site visit would be a good idea to fully understand our circumstances.</p>	Please see response reference 332 above.
353	<p>Ysgol Pennant: Stop trying to destroy our communities, children from this area will be going from their normal school to a completely new and unfamiliar environment, they have made life long freinds of which they would never see. Please reconcider the catchment area for the blaen Cownwy.</p>	Please see response reference 332 above.
354	<p>Ysgol Pennant: Ysgrifennaf i ddatgan syndod at y newid ffiniau a fydd yn rhannu dalgylch yr hen ysgol Efyrynwy yn dri. Nid oes problem gyda'r ffin cyfredol ac felly nid oes angen ei newid. Cystal ag y mae ysgolion Cwm Banwy a Pontrobert nid yw ffyrdd yr ardal yn cynnig trafndiaeth hawdd i'r ysgolion hynny. Ffocws naturiol y gymuned gan gynnwys Cwm Cownwy i'r gorllewin, Maes Dyfnant i'r de ac mor bell a chyffordd B4393/B4395 i'r</p>	Please see response reference 332 above.

Dwyrain, ydy pentref Llanwddyn/Abertridwr. Felly mae hi wedi bod erioed ac fe ddylid cynnal a meithrin y gymuned honno. Gwneir hyn drwy gludo plant bach yr ardal fel uned i Ysgol Pennant a phlant hŷn yr ardal fel uned i Ysgol Llanfyllin. Mae'r cynllun newydd digynsail hwn yn ceisio rhannu'r gymuned rhwng tair ysgol gynradd a dwy ysgol uwchradd. Cynllun i rannu cymuned a chynyddu costau diangen ydy hwn gyda dim manteision addysgol.

Disgwyliaf drafodaeth gyda swyddogion yn lleol oni bai bod y ffiniau cyfredol yn cael eu hail osod fel ag y maent.

Yn Gywir
Bryn Davies
Cynghorydd Sir Powys County Council
Ward Llanwddyn

Change of Ysgol Pennant catchment boundaries in the Llanwddyn area.

I write to express surprise at the change of boundaries that will divide the former Ysgol Efyrynwy catchment area in three. There is no problem with the current boundary and so there is no need to change it.

As good as both Ysgol Cwm Banwy and Ysgol Pontrobert are, the road network does not offer sensible Transport routes to these Schools.

The natural focus of the Community from Cwm Cownwy to the west, Maes Dyfnant to the south and the B4393/B4395 junction to the east is the village of Llanwddyn/Abertridwr. It has always been so and this community deserves to be maintained and nourished. This is done by transporting the youngest children as a unit to Ysgol Pennant and the older children as a unit to Ysgol Llanfyllin.

This new unprecedented proposal aims to divide the Community between three primary Schools and two secondary Schools. It is a plan to divide a Community and increase costs un-necessarily with no educational benefits.

	I expect local discussions with officers regarding this plan unless the current catchment boundaries are reinstated as they are.	
355	<p>Ysgol Pennant: To whom it may concern ,</p> <p>I'm extremely concerned with the catchment area planning for school transport . With this recent consultation our address is coming under the Llanfair/Banwy school catchment , my sons are in Ysgol Pennant , Penybontfawr and my Eldest will be attending Llanfyllin high school this September .</p> <p>I sincerely hope Powys County Council don't expect me to travel with four children every day because of this new catchment planning , it is ridiculous!</p> <p>We live on the Cowny road of Llanwyddn , SY10 0NJ! For the last 40 years Powys county council have provided transport to Ysgol Pennant from our address (my husband being one of those children) so why change it now? I will fight Powys County council all the way with this issue if this changes were to effect us! We live 7.4 miles from Ysgol Pennnat so my children have every right for school transport from our door step to Ysgol Pennant!</p> <p>You have let me and the community down by getting rid of the 4x4 transport four years ago , and now this consultation has enraged me in every possible way!</p>	Please see response reference 332 above.
356	<p>Ysgol Pennant: I notice from your consultation document that the catchment area which was previously served by Ysgol Efyrrwy, Llanwddyn, is now being split between 3 schools viz. Ysgol Pennant, Ysgol Pontrobert and Ysgol Cwm Banwy. Since the closure of Ysgol Efyrrwy [of which I am a former Chair of Governors] in 2009, pupils from Llanwddyn and the surrounding area, who would previously have attended Ysgol Efyrrwy, have been allocated places in Ysgol Pennant, an arrangement which has worked well. I therefore</p>	Please see response reference 332 above.

	<p>suggest that the current catchment area of Ysgol Pennant be retained including all homesteads east of Llanwddyn to the junction of the B4395 and B4393 and south of Llanwddyn to Maes Dyfnant.</p> <p>I should also like you to consider the likely effect of changing the current primary on the future secondary catchment areas for pupils from Llanwddyn in that, those attending Ysgol Cwm Banwy or Ysgol Pontrobert will be expected to attend Ysgol Bro Caereinion, whereas those attending Ysgol Pennant will be expected to attend Ysgol Llanfyllin, creating the prospect of [mini-]buses cross-crossing each other on the local roads in order to take pupils from neighbouring homes to different schools. Llanfyllin is far more accessible to pupils and their parents than Llanfair Caereinion and it has, crucially, the medical practice which serves every pupil in the Llanwddyn area.</p> <p>It is difficult to convey the negative effect of your proposals simply by completing this form so I look forward to a site visit from your officers at the earliest opportunity.</p>	
357	<p>Ysgol Pennant: Just writing to express my opinion on the catchment area change.</p> <p>I'm just sending my concerns over the village of Llanwddyn. I don't quite understand the need to change it? Also the random choice to send one part of the community to Banwy/Llanfair direction.</p> <p>Not an expert's on the roads around there and can't vouch for the condition of them either however probably not the safest or quickest route for the children?</p> <p>The village of Llanwddyn is where those children would go to be part of a community so they need to continue to be sent to the same school as the village.</p>	Please see response reference 332 above.
358	Ysgol Pennant:	Please see response reference 332 above.

	<p>I have still not received a reply for my previous email regarding the consultations for catchment areas with transport . This was tow days ago...and I am aware other parents have received a reply .</p> <p>As stated in my first email , my sons attend Ysgol Pennant , Penybontfawr. We live in the area of Llanwyddn, SY10 0NJ - therefore under the Llanfyllin catchment and well within our rights of having school transport as we live 7.4 miles from Ysgol Pennant .</p> <p>Under this new catchment area we are under banwy/llanfair area (no sense at all , as these areas are further from the Llanfyllin catchment) To Penybontfawr it takes us 20 minutes , to Banwy or Llanfiar it is 30-35 minutes . I sincerely hope PCC do not expect me to take my children to Penybontfawr each day due to this new catchment area . Moving schools is not an option , period . I will not send my sons to a school that they have no personal connection with .</p> <p>My eldest son is due to start Llanfyllin high school in September therefore he will need a minibus to the main high school bus ...which is what is being done now.</p> <p>I cannot fathom how ridiculous this consultation is! Do PCC know the area of Llanwyddn at all? Leave things how they are , you are destroying small communities bit by bit by idiotic consultation such as these!</p> <p>And once again , we have had school transport from Blaen Cownwy (our address) to Ysgol Pennant for nearly the last forty years..I will fight PCC all the way with this consultation!</p>	
359	<p>Ysgol Pennant: I am emailing with regards to the proposed plans to change school transport from Llanwyddyn. It has been linked to Banwy, and</p>	Please see response reference 332 above.

	<p>Pontrobert with regards to the transport links. This is ridiculous, there are many households from this area that use Ysgol Pennant, therefore they need the bus transport and are entitled to it!! Please please stop changing things!!!</p>	
360	<p>Ysgol Pennant: Another Llanwddyn mum here reiterating the feelings of others in the community re: potential cessation of transport to and from ysgol pennant/ llanwddyn.</p> <p>I would like to strongly voice my opposition to these proposals as providing my own transport to and from school on certain days wouldn't be possible for us, and therefore Keira would need to be home schooled part of the week without being penalised for absence.</p> <p>I hope you understand our need for the transport to remain and I look forward to hearing from you soon.</p>	Please see response reference 332 above.
361	<p>Ysgol Pennant: I strongly object to the proposals in the above document. Ysgol Pennant is a thriving school which is the closest to Llanwddyn (6 miles) the other schools are 9.5miles and 12 miles away. We are talking about young children who should be schooled as close to their home and friend network as possible. Sending children from 1 small area to 3 different schools is ludicrous, that's 3 buses going in different directions twice a day which is no good for the environment. Free transport will only be provided if the child goes to the school linked to their home address and they will struggle forming long term friendships close to home if they are going to different schools.</p>	Please see response reference 332 above.
362	<p>Ysgol Pennant: I am very concerned to learn about the proposed changes in the catchment area for Llanwyddn, and the associated free transport arrangements. Llanwyddn has always had strong links with Ysgol Pennant in Penybontfawr and it would be counter-productive to place Llanwyddn in a catchment area relating to the Banwy Valley.</p>	Please see response reference 332 above.

<p>There are Llanwyddn children already happily enjoying their schooling in Ysgol Pennant and it would be terrible if their free transport service was removed. Also if any of their siblings were then only allowed to go to Banwy Valley schools it would make life extremely difficult for the parents. Anyone who understands the geographical nature of the area would realise that Llanwyddn is much better served by Ysgol Pennant than by Banwy Valley or Llanfair Caereinion.</p>	
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Admissions Information and Arrangements 2022-23:

Early Years, Primary and Secondary



Byw, dysgu, gweithi a chwarae yn Mhowys

Live, learn, work and play in Powys

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Information and Advice

The specific requirements concerning the information to be made available to parents regarding schools and admission arrangements are laid down within:

- Section 84 of Schools Standards and Framework Act 1998¹
- Welsh Government's School Admissions Code (July 2013)²
- School Admission Appeals Code (December 2013)³

Further details can be found on the Welsh Government website:

www.wales.gov.uk/educationandskills

You may express a preference for admission of your child to any primary or secondary school listed in this booklet.

If for any reason you are unable to obtain a place for your child at the school of your preference, you have the right of appeal to the Appeals Panel established by the Local Authority (L.A) for that purpose. Applications should be made to the Education Support Services Manager, School Admissions, Schools Service, Powys County Hall, Llandrindod Wells, Powys, LD1 5LG. Further information in respect of the Admission Appeals process is shown on page 17 of this booklet.

If you wish to know more about a particular school, the school prospectus, which is a more detailed booklet, may be obtained direct from the school concerned. Once you have determined your school/s of choice, please ensure that you submit the relevant admissions application form to request a place.

The School Admissions Team are based in Powys County Hall, Llandrindod Wells, and are always available to give any advice on school admissions on the following contact details:

Early Years admissions - 01597 826449

Primary admissions (Reception) - 01597 826499

Secondary admissions (Year 7) - 01597 826499

Email: admissions@powys.gov.uk / preschooladmissions@powys.gov.uk

Where an admission is required outside of the admissions round (in-year admissions) please contact 01597 826477

Admissions webpage: <https://en.powys.gov.uk/article/1165/Admissions-and-appeals-timetables>

Should you wish to access Home to School Transport, please that ensure you check your eligibility

¹ Schools Standards and Framework Act 1998, <http://www.legislation.gov.uk/ukpga/1998/31/contents>

² Schools Admissions Code, <https://gov.wales/school-admissions-code>

³ Schools Admission Appeals Code, <https://gov.wales/school-admission-appeals-code>

Important Key Dates for 2022 / 2023 Academic Year

Pre-School Admission Round (Pupils Born Between 01/09/19 – 31/08/20)	
Tuesday, 1 March 2022	Pre-School Admission Round Opens
Thursday, 31 March 2022	Pre-School Admission Round Closes
Friday, 30 September 2022	Pre-School Offer Date

* As this is in respect of non-statutory education, there is no right of appeal.

Primary School Admission Round (Pupils Born Between 01/09/17 – 31/08/18)	
Monday, 4 October 2021	Primary School Admission Round Opens
Friday, 7 January 2022	Primary School Admission Round Closes
Tuesday, 19 April 2022 ⁴	Primary Common Offer Date
Tuesday, 3 May 2022 ⁵	Latest date by which appeal must be received
Monday, 20 June 2022	Latest date by which appeals are heard

Junior School Admission Round (Pupils Born Between 01/09/14 – 31/08/15)	
Monday, 4 October 2021	Primary School Admission Round Opens
Friday, 7 January 2022	Primary School Admission Round Closes
Tuesday, 19 April 2022 * due to Easter	Primary Common Offer Date
Tuesday, 3 May 2022 * due to Bank Holiday	Latest date by which appeal must be received
Monday, 20 June 2022	Latest date by which appeals are heard

Secondary School Admission Round (Pupils Born Between 01/09/10 – 31/08/11)	
Monday, 20 September 2021	Secondary School Admission Round Opens
Friday, 12 November 2021	Secondary School Admission Round Closes
Tuesday, 1 March 2022	Secondary Common Offer Date
Monday, 21 March 2022	Latest date by which appeal must be received
Monday, 16 May 2022	Latest date by which appeals are heard

⁴ Due to Easter Monday

⁵ Due to Bank Holiday Monday

Age of Admission and Application for a Place in a School

3 and 4-Year-Old Provision (Pre-School)

Welsh Government funds the Local Authority to ensure that all children in Wales have access to free part time Early Years Education from the beginning of the term following the child's third birthday. Each qualifying child can receive a maximum of **10** hours per week of funded Early Years Education if they attend an approved, funded pre-school education setting. Providers include playgroups, Cylch Meithrin, day nurseries and school-based settings. For details of Powys pre-school settings visit <https://en.powys.gov.uk/article/2002/Find-childcare-nurseries-and-playgroups>

Parents and carers are entitled to 10 hours funded education a week, one session per day, with some settings offering 5 x 2-hour sessions a week and others offering 4 x 2.5-hour sessions a week.

Parent / carers can apply for a part-time place, morning or afternoon, in a registered, approved funded pre-school education setting for a child born between **1 September 2019 and 31 August 2020**. There are 3 intakes during the school year – January, April and September. The actual dates for intake are linked to school term dates. These dates can be viewed on the Powys website <https://en.powys.gov.uk/article/1166/School-Term-Dates>

The table below shows when your child will become eligible for up to 5 terms of funded part time pre-school provision:

If your child was born between	Eligible Term
1st April & 31st August	Autumn Term after their 3rd birthday
1st September & 31st December	Spring Term after their 3rd birthday
1st January & 31st March	Summer Term after their 3rd birthday

An application form should be completed and returned to the Admissions Team accompanied by a **copy** of the child's birth certificate [**please do not send the original document**]. An application form is available on the Powys website <https://en.powys.gov.uk/article/3810/Apply-for-Pre-School-3-and-4-yr-olds-Early-Years-Education> It is important to check the opening times of a setting before completing the application form, as opening hours differ from setting to setting.

All application forms are to be received no later than **Thursday, 31 March 2022**. Forms received after this date will be a 'Late Application' and could result in your child not being allocated the setting/s or sessions you require. If more applications are received than places available, the following oversubscription criteria will be used to allocate the places. This is with the exception of children looked after or children previously looked after, who will be given priority before these criteria are considered:

- a. The nearest setting to child's ordinary place⁶ of residence, with a sibling⁷ attending the setting at the time the child will commence at the setting. If a setting is sited within a school campus, consideration will be given, if possible, if a sibling is attending the school when the child commences at the setting, provided the ordinary place¹ or residence is in the catchment area of the school
- b. The nearest setting to the child's ordinary place¹ of residence.
- c. Existing attendance at a Flying Start Setting which is co-located with the setting that the parent / carer has expressed a preference for.
- d. Residing outside the catchment area of the setting with a sibling² attending the setting at the time the child will commence at the setting. If a setting is sited within a school campus, consideration will be given, if possible, if a sibling is attending the school when the child commences at the setting.
- e. Residing outside the catchment area of the setting

For those children who already attend full-day care at a setting or a Flying Start setting at the time of application, every effort will be made to secure a place at that setting for the Early Years Funded Education Provision, however this may not always be possible, and it may be necessary to offer alternative provision.

As pre-school education is not statutory there is no right of appeal against the decision. Where early years settings are based on a primary school site, the allocation of a pre-school place does not guarantee a place in the Reception class in that primary school.

Home to School transport is not available for Early Years Education.

For information regarding Welsh medium education please see page 16.

Admission to Primary Schools

An online application for a place in the Reception class at a Powys Primary School has to be made between **Monday, 4 October 2021** and **Friday, 7 January 2022** by visiting the Powys website <https://en.powys.gov.uk/article/1158/Applying-for-a-School-Place> . Parents / carers will receive an email on **Tuesday, 19 April, 2022**, informing them if their child has been allocated a place at their first preference school.

⁶ Ordinary place of residence is the residence of the parent/carer who receives the Child Benefit for the pupil. (this is also the case where a child lives with parent/carers with shared responsibility for part of a week).

⁷ Sibling includes half-siblings, step-siblings, adopted and looked after, or previously children looked after living in the same household

Applications made after **Friday, 7 January 2022** are **late applications**.

Unless other acceptable arrangements are made, a child is required to attend school full-time from the beginning of the term following their fifth birthday. In Powys a child may be admitted to school, at the parent/carers' request, on either a full-time or part-time basis at the beginning of the Autumn Term following the fourth birthday; there is only one intake each academic year.

If your child was born between	School Start Date
1 September 2017 and 31 August 2018	September 2022
1 September 2018 and 31 August 2019	September 2023
1 September 2019 and 31 August 2020	September 2024
1 September 2020 and 31 August 2021	September 2025

There are eight Aided and Foundation Schools within Powys which are responsible for setting their own admission policy (see Appendix C). The policy for these schools could differ from the Local Authority. If you wish your child to attend a Faith or Aided School, you should contact the school direct as the Governing Body of the school are responsible for the admission of the pupils to the school.

The Aided and Foundation Schools in Powys are listed below, and full details are available in **Appendix B**:

- Archdeacon Griffiths Church in Wales Voluntary Aided School, Llyswen
- Llanbedr Church in Wales (Aided), Llanbedr
- Llangattock Church in Wales (Aided) School
- Llansantffraid Church in Wales (Aided) Primary School, Llansantffraid
- Priory Church in Wales (Aided) School, Brecon
- St Mary's Voluntary Aided (Roman Catholic) Primary School, Newtown
- St Michael's Church in Wales (Aided) School, Kerry
- Ysgol Cwm Banwy, Church in Wales Voluntary Aided, Llangadfan

All Powys Primary Schools are co-educational day schools, full details are available in **Appendix A**.

Pre-school settings organise visits to school prior to commencing on a full or part time basis, which will be during the Summer Term prior to commencement of the school year.

If your child attends a non-maintained nursery or maintained or non-maintained pre-school provision linked to an infant or primary school and you wish your child to attend that school,

you will still be required to apply for a place in the main school when your child is due to commence full time education.

Admissions to Primary and Junior Schools (year 3) from an Infant School

For those pupils attending Mount Street Infants School, they will be required to apply for admission into year 3 at any primary school or junior school in the September following their 7th birthday.

An on-line application for a place has to be made between **Monday, 4 October 2021 and Friday, 7 January 2022** by visiting the Powys website

<https://en.powys.gov.uk/article/1158/Applying-for-a-School-Place> .

Parents/carers will receive an email on **Tuesday, 19 April 2022**, informing them if their child has been allocated a place at their first preference school.

Applications made after **Friday, 7 January 2022** are **late applications**

Having a place in an infant school does not guarantee a place in the 'paired' junior school and the Authority's criteria for school admissions will apply if the demand exceeds the number of places available.

Admissions to Secondary Schools (year 7)

Admission to secondary school takes place at the beginning of year 7. An online application for a place at a Powys secondary school has to be made between **Monday, 20 September 2021 and Friday, 12 November 2021** by visiting the Powys website

<https://en.powys.gov.uk/article/1158/Applying-for-a-School-Place> .

Parents/Carers will receive an email on **Tuesday, 1 March 2022**, informing them if their child has been allocated a place at their first preference school.

If a parent/carer wishes their child to attend an out of county secondary school they will be required to complete a hard copy of the Parental Preference for Secondary School Application form, which is available by emailing admissions@powys.gov.uk The Admissions Team will liaise with the neighbouring Local Authority with regard to a place for your child.

Applications made after **Friday, 12 November 2021** are **late applications**.

Having a place in a primary school does not guarantee a place at the secondary school which is linked with that primary school, and the Authority's criteria for school admissions will apply if the demand exceeds the number of places available.

Admissions to Sixth Form (year 12 & 13)

All applications for a place in a 6th Form should be made via the Powys Learning Pathways website (www.powyslearningpathways.wales) which is provided by the Powys 14-19 Network. At present all Powys secondary schools are responsible for their 6th Form admissions

The Authority attempts to provide for all post 16 learners according to their needs. Post 16 provision for in special education is given careful consideration from the age of 14 plus onwards and parents are fully consulted. Options at post 16 include entry to employment, entry to Youth Training Schemes, staying on at school or entry to a Further Education course, either in the county or elsewhere

Criteria for Admission to a School.

The determination of school admission between the Local Authority Community and Church in Wales Controlled Schools differs from that of Faith and Foundation Schools in Powys. The Faith and Foundation Schools administer their own admissions policy (see **Appendix B**) which could differ from the Local Authority's.

Where schools are over-subscribed it is a requirement of the School Standards & Framework Act, 1998 that criteria are published, which are then used to determine admissions. Pupils with a statement of special education needs, which names a specific school which the child should attend because their needs can be best met by that school and its facilities will be automatically allocated a place.

Where a school is over-subscribed, all applicants will be considered against the over-subscription criteria set out below when allocating school places. This is with the exception of children looked after, children previously looked after, or children with a statement of Special Educational Needs (SEN) or a local authority maintained individual development plan (IDP), will be given priority before these criteria are considered.

The following criteria are applied, in order of priority when allocating **primary** school places:

- a. The presence of an elder sibling residing at the same household, with the household being the nearest primary school, when the pupil commences at the school. To qualify, primary siblings must be in Reception to Year 6 and, in the case of an All-Through school, secondary siblings must be in Years 7 – 13 ⁸.
- b. The primary school is closest to the location of the home.
- c. Any medical and social needs relating to the individual child where attendance at particular school is essential. Evidence will be required to accompany the application form.

⁸ Please note that siblings who join a secondary school for 6th form education only (years 12 & 13) or attend a 6th form on a dual basis arrangement under collaboration arrangement will not be taken into consideration as sibling at the school.

- d. The presence of an elder sibling residing at the same household, with the household **NOT** being the nearest primary school, when the pupil commences at the school. To qualify, primary siblings must be in Reception to Year 6 and in the case of an All-Through school, secondary siblings must be in Years 7 – 13 ⁶.
- e. The location of the home in relation to the school and alternative schools if the primary school applied for is not the one which is closest to the home location.

The following criteria are applied, in order of priority when allocating **secondary** school places:

- a. The presence of an elder sibling residing at the same household, with the household being within the secondary catchment area of the school, when the pupil commences at the school. To qualify, secondary siblings must be in Years 7 – 13. ⁶ In the case of an All-Through school, primary siblings must be in Reception to Year 6.⁶
- b. The location of the home if it is within the current secondary catchment area of the school.
- c. Any medical and social needs relating to the individual child where attendance at particular school is essential. Evidence will be required to accompany the application form.
- d. The presence of an elder sibling residing at the same household, with the household being outside the secondary catchment area of the school, when the pupil commences at the school. To qualify, secondary siblings must be in Years 7 – 13.⁶ In the case of an All-Through school, primary siblings must be in Reception to Year 6.⁶
- e. The location of the home in relation to the school and alternative schools if it is outside the current secondary catchment area of the school

The secondary school catchment is defined by the feeder primary schools (see **Appendix 4**).

The below points explain some of the criteria further:

- for the purposes of admissions, siblings must live in the same household. The term siblings includes half-siblings, step-siblings, adopted and children looked after, or children previously looked after.
- places will be allocated based on the safest, shortest, practicable walking route to the school, in strict order of distance, up to the number of places available, with the highest priority being given to the pupil living closest to the

school. The distance will be measured from the closest access point on the public highway to the pupil's ordinary place of residence which is nearest to the school and measured to the nearest school gate. MapInfo Geographical Information System is used to measure all distances.

- ordinary place of residence is the residence of the parent/carer who receives the Child Benefit for the pupil (this is also the case where a child lives with parent/carers with shared responsibility). The child must reside and sleep at that residence for the majority of the week.
- only **one** application should be made from **one** address, and in the case of parents/carers who have joint custody of the child, a decision regarding school preference must be reached **before** the application is made. This may have to be via the Courts and evidence may be requested to support the application.
- places are allocated from the address on the initial admission form, therefore, if a family moves, they **must** inform the Local Authority in order that the child's records can be amended. Failure to do this could result in a child's place being withdrawn.
- the Local Authority may also check council tax records. If you have not provided your council tax reference number on your application, they may write to ask you to provide additional proof of your address.
- in the event that a school is oversubscribed, and where an application has been made for multiple birth children to attend the same school and year group, the Authority will liaise closely with the school to discuss possible class size options.
- in the event of two applications in the same category being considered for a remaining place, priority will be given to whoever lives nearer to the school as measured by the safest, shortest, practicable walking route using the MapInfo Geographical Information System. If the two applicants live in the same block of flats, the place will be allocated to the applicant residing in the flat with the lowest number.

Following the allocation of places during a normal admission round, any pupil that is refused admission to an oversubscribed school will be placed on a waiting list for a placement until the **30 September** of that school year, in line with the School Admissions Code. Places for pupils on a waiting list will be allocated as per the oversubscription criteria and not by the length of time the pupil has been on the list. This also includes applications for in-years transfers.

After **30 September** parent/carers will be required to submit a new application for admission for their preferred school. The LA does not keep waiting lists for year groups that are not in the normal year of admission to the school.

Admissions for Pupils with Special Educational Needs or Additional Learning Needs

Special Schools

Powys County Council has three special schools. Two of the special schools (**Ysgol Cedewain** and **Ysgol Penmaes**) provide specialist and bespoke learning opportunities and environments for learners between the ages of 3-19 whom have a wide range of learning difficulties.

The majority of learners attending **Ysgol Cedewain** and **Ysgol Penmaes** will be classed as having Severe Learning Difficulties (SLD), Profound and Multiple Learning Difficulties (PMLD) and complex Autistic Spectrum Disorder (ASD). In addition, many learners will have co-morbid conditions that impact on them as learners, such as, Communication and Interaction Difficulties, Emotional and Social Difficulties, Sensory, Physical and Complex Medical Needs.

Ysgol Cedewain and **Ysgol Penmaes** aim to provide a broad and balanced curriculum that includes developing and implementing specialist and individualized programmes of learning. The third special school is **Brynllwarch Hall School**. Brynllwarch provides specialist and bespoke learning opportunities and environments for learners between the ages of 8-19 whom have learning needs associated with Behaviour, Social and Emotional Difficulties (BESD). Through quality teaching and nurture, Brynllwarch enables learners to manage their emotions and take their place in society as lifelong learners.

Criteria for Admission to Special Schools

Whilst access to the three special schools falls outside the standard admissions arrangements for mainstream schools, Powys County Council remains the admissions authority and determines the admissions arrangements:

- learners who live in Wales and attend one of Powys' special schools are required to have a Statement of Special Educational Need or local authority maintained Individual Development Plan as a pre-requisite to entry; learners who live in England but attend one of Powys' special schools will have an Education, Health and Care Plan (EHCP). In exceptional circumstances, pupils may be admitted while the relevant document is being prepared;
- learners will only be admitted into a special school if they meet the entry criteria for that school;
- learners will normally be admitted into a special school in September, although there may be admissions throughout the school year due to learners transferring from other local authorities. There may be other exceptional circumstances that mean an earlier admission is necessary; and
- admissions will be decided by the local authority's Statutory Assessment Panel. No commitment to admission can be given until the Statutory

Assessment Panel has met to discuss each individual case and a formal admissions offer is sent.

Admission to Specialist Centres and Pupil Referral Units

Whilst access to Specialist Centres and Pupil Referral Units falls outside the standard admissions arrangements for mainstream schools, Powys County Council remains the admissions authority and determines the admissions arrangements:

- learners who attend Specialist Centres and Pupil Referral Units are not required to have a Statement of Special Educational Need as a pre-requisite to entry;
- learners will normally be admitted into Specialist Centres and Pupil Referral Units at the beginning of a half term (or as soon as is practical), although there may be admissions throughout the school year due to learners transferring from other local authorities. There may be other exceptional circumstances that mean an earlier admission is necessary;
- admissions will be decided by the local authority's Inclusion Panel (PIP). No commitment to admission can be given until PIP has met to discuss each individual case and a formal admissions offer is sent; and
- where a provisional offer has been made for a learner to attend a Specialist Centre, parents / carers **must make an application to attend the school where the Specialist Centre is located as well, through the online application system**. A place at the Specialist Centre **cannot be formally agreed** until a placement at the school is **confirmed**.

Additional Admissions Information

Late Applications

Late applications, received after the closing dates, will only be considered if there are exceptional reasons why the applicant could not apply on time. This can be where the family moved into the LA between the closing date and the offer date (in which case evidence of the change of address will be required) or there are other exceptional reasons which prevented the family from applying on time.

Reasons for late applications must be included in writing with the application incorporating any appropriate supporting evidence.

All late applications that are not deemed as exceptions will be dealt with after those who made their application at the correct time.

The **Common Primary Offer Date** for all Welsh Admissions Authorities is **16 April**, or the next working day.

The **Common Secondary Offer Date** for all Welsh Admissions Authorities is **1 March**,

or the next working day

Late applications received for oversubscribed schools, after places have been allocated will be offered their 2nd choice school or a place in an alternative suitable school that has a place. There is a right of appeal against this decision.

Early Applications

Early application cannot be used as a criterion for giving priority in allocating places, and all parents who express a preference by the published deadline for primary and secondary schools will be considered against the Local Authority's published criteria.

Admissions at Other Times (In-Year Admissions)

Parents are required to complete and return an In-Year School Admission Request Form, which are available on the Powys County Council website <https://en.powys.gov.uk/article/1158/Applying-for-a-School-Place> .

Applications should not be made more than a term in advance, and school places cannot be reserved, therefore applications outside of this time scale will not be processed. Once a school place has been offered, the commencement date should be agreed with the school.

Forms need to be completed in full in order to be processed.

Home residence has not changed: Parents of pupils in primary and secondary schools who wish to transfer their child to a different school at any time except through change of residence should, in the first instance, discuss the matter with the Headteacher of their current school to explain their reason for requesting a change of school. Having spoken to the current Headteacher, parents should then approach the Headteacher of their chosen school and discuss the possibility of admission, explaining why the change of school is being requested.

Where a school transfer is approved, in cases that are not the result of a change of address, the transfer will normally take place at the beginning of the next term or half term, to minimise disruption to your own child and other children's education. Pupils should continue to attend their present school until a school placement has been arranged.

Home residence is changing: Where a request is made because of a change in address, you should ensure that adequate notice is given for the transfer to be considered and arranged.

The Admissions Team are unable to consider applications until confirmation of a moving date has been received. Documentary evidence in the form of a Solicitor's letter to confirm exchange of contracts or a copy of your signed rental agreement may be required to support your application. Please include this with your application if possible, to enable us to process your application.

If your application is due to a move into the UK, documentary evidence to support your application will be required. A copy of the pupil's passport, birth certificate, child benefit

letter or medical card are normally acceptable, along with a copy of your rental agreement or exchange of contracts letter. Please send copies with your application. The Admissions Authority reserves the right to seek further documentary evidence as it feels appropriate.

Where the home address changes and parents wish to transfer their child/ren to another school the normal admission process will apply.

Choice of Schools

Parents state two preferences on their application form. If the Admissions Authority are unable to offer a place at your 1st or 2nd preference, a place will be allocated to the nearest school to your home address with available places.

In choosing a school, there are many factors that parents/carers may wish to consider such as the language of education (Welsh or English), size, location, academic record and values of the school. Parents/carers may also wish to take into consideration the Authority's policy concerning the provision of transport, which is available on the Powys website <https://en.powys.gov.uk/article/3879/Apply-for-school-transport>

When parents/carers are considering a school, the following advice may be useful:

- ask for a prospectus for the school – this gives general information about the school. In addition, parents/carers may wish to ask for copies of recent school inspection reports and examination results;
- visit the schools being considered and have a list of pre-prepared questions relating to your child and his/her needs;
- enquire about facilities relating to the interests of your child (i.e. sports, science, music etc);
- if you choose a school outside your normal allocation, you will be responsible for the provision of transport and any costs related to it.

Discussions with the Headteacher are valuable for parents/carers wishing to know in detail about a school and they allow the Headteacher in turn to explain the attitudes, values and expectations of the school. While the Authority would seek to encourage such discussions, it is emphasised that discussion with the Headteacher will not affect the child's chances of gaining a place at the school.

Basic information regarding schools maintained by Powys County Council is shown in **Appendices A** and **C**. More detailed information regarding any individual school and a copy of the school prospectus should be sought from the Headteacher.

Voluntary Aided (Faith) Schools

Voluntary Aided (Faith) Schools control their own admissions applications and allocations. Admission to Voluntary Aided Schools is determined by the Governing Body of the individual school.

You should contact the school directly for information in relation to admissions, policies and appeals for that school. Details of these schools and links to their admissions policies can be found in **Appendix B**.

Admission to Schools not Maintained by Powys County Council

Parents/carers are able to apply for their child/ren to attend a school in another Local Authority. If a place is allocated outside of the county of Powys or is not maintained by Powys County Council, the Local Authority will not normally provide or meet the costs of transport or residence.

The Local Authority does not have any arrangements whereby children may attend schools not maintained by a Local Authority except for special education. If, therefore, it is your wish that your child attends a non-maintained or independent school, you should approach that school directly and you will be responsible for all costs incurred.

Welsh Medium Education

Powys County Council aims to ensure that Welsh-medium education is available to all children whose parents/guardians wish them to receive their education through the medium of Welsh. It is available across Powys, in Welsh-medium schools and in Welsh streams in dual stream schools.

Pupils who receive their primary education through the medium of Welsh are normally expected to continue to receive their education through the medium of Welsh in secondary school. In Powys, Welsh-medium secondary provision is provided in Welsh streams in a number of high schools across the county. Although the number of subjects taught through the medium of Welsh varies between secondary schools, the aim of Powys County Council and every secondary school that has a Welsh-medium stream is to teach all subjects offered on the curriculum through the medium of Welsh and English in every Key Stage, in order to ensure equal opportunity and equality of provision for all pupils in Powys. The County Council's commitment, through its emerging education transformation plans, is to improve provision for all learners, mindful that a significant growth in choice is required for pupils studying through the medium of Welsh.

The Use of the Welsh Language in English-medium education

Welsh is a compulsory subject for all pupils in Wales until the end of compulsory education (16 years old). So, even if your child is educated mainly through the medium of English, they will be taught Welsh as a Second Language.

In the primary sector, the Council's team of Athrawon Bro (Peripatetic Welsh teachers) supports schools with teaching Welsh as a Second Language.

Definitions of schools according to Welsh-medium provision

The Welsh Government uses categories to define schools according to their Welsh-medium provision. The categories for primary schools are:

Category 1 (WM)	Welsh-medium primary school
Category 2 (DS)	Dual Stream primary school
Category 3 (TR)	Transitional primary school: Welsh medium with significant use of English
Category 4 (EW)	Predominantly English medium with significant use of Welsh
Category 5 (EM)	Predominantly English medium primary school

The categories for secondary schools are:

Category 1 (WM)	Welsh-medium secondary school
Category 2a (AB)	Bilingual secondary school – at least 80% of subjects are taught through the medium of Welsh to all pupils
Category 2b (BB)	Bilingual secondary school – At least 80% of subjects are taught through the medium of Welsh but are also taught through the medium of English
Category 2c (CB)	Bilingual secondary school – 50-79% of subjects are taught through the medium of Welsh but are also taught through the medium of English
Category 2 (CH)	Bilingual secondary school – All subjects apart from English and Welsh are taught to all pupils using both languages
Category 3 (EW)	Predominantly English medium secondary school with significant use of Welsh
Category 4 (EM)	Predominantly English medium secondary school

Further information about these categories is available from the Welsh Government website <https://gov.wales/defining-schools-according-welsh-medium-provisionF>

Infant Class Sizes

The School Admissions (Infant Class Size) (Wales) Regulations 2013⁹ requires Foundation Phase pupils (children aged 5, 6 and 7) to be taught in classes of no more than 30 per teacher. The Council will not normally exceed the school's admission number or breach the limitations imposed by statutory maximum class size of 30 where this applies.

Appeals against Admission Decisions

If a school is oversubscribed and it is not possible to allocate a place at the preferred school, an alternative school place will be offered. It is then for parents to decide whether to accept the place at the alternative school or to appeal against the decision of the admission authority.

Submitting an Appeal

If you wish to appeal against the Local Authority's decision not to allocate a place for your child to your school of preference, please submit a letter of appeal to the Admissions Team,

⁹ [Schools Admissions \(Infant Class Size\) \(Wales\) Regulations 2013](#)

which details your case. Further details on how to submit an appeal are included in the letter you receive following your initial admission application.

If you appeal, we will ask a panel to consider your case. The panel must consist of three to five members appointed by the council, or the governing body of an Aided School from the below. The Panel are independent, unpaid volunteers and are not employees of Powys County Council:

- People who are eligible to be lay members (this excludes anyone who has managed the affected school or who has taught in any school);
- People who have experience in education; who are familiar with educational conditions in the area; or who are parents of registered children at a school (other than the school at which the appeal is made).

Independent appeal panels must consider each case individually and they cannot limit themselves, in advance, to the admission of any particular number of pupils. The appeal panel works in two stages:

- **The Factual Stage** looks at whether there was a lawful reason to refuse admission; if there was not, the child must be admitted; if there was, the committee moves on to the next stage;
- **The Balancing Stage** looks at the possible negative impact on the school and its pupils if the child is admitted and at the strength of the parents' case and 'balances' them to decide if the child should be admitted.

The decision of the appeal panel is binding on the council and the school governors.

What happens if I change my mind about the alternative schools offered?

You should contact the School Admissions Team admissions@powys.gov.uk if you want to accept a place in one of the alternative schools offered at any time before or after the hearing. Please note availability can change on a daily basis, which means School Admissions may provide you with details of different alternative schools.

School Admission Appeals operate in accordance with the Welsh Government's School Admissions Appeals Code which can be found in full on their website <https://gov.wales/school-admission-appeals-code>.

For details of the admission number for the previous academic year for Powys Primary and Secondary schools, please see **Appendices A and C**.

The LA will offer places in its schools up to the admission number. Places granted by the appeals panel, following successful appeal, will be in addition to the admission number. If the appeals process leads to the admission of pupils beyond the admission number, places given up, at a later date, will not be filled by the LA until numbers drop below the admission number.

School Transport

Who is entitled to Free School Transport?

Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school subject to them meeting the qualifying criteria. The learner will qualify for free home to school transport to their nearest suitable school as long as the home address is more than the statutory walking distance from the main entrance of their nearest school:

- Primary Aged Learners (up to the age of 11) – if they live 2 miles or more from the School
- Secondary Aged Learners (up to the age of 16) – if they live 3 miles or more from the School

The distance will be measured from the closest access point on the public highway (which could include footpaths and bridleways) to the learner's ordinary place of residence which is nearest to the school and measured to the nearest school gate. The footpath or bridleway will be considered if it has a stone or tarmac surface. Any other surface will only be considered if it can be walked in normal school footwear. The measurement will be made through the use of a Geographical Information System (GIS).

The Passenger Transport Team automatically checks eligibility for free school transport once a school place has been allocated.

Full details of Powys County Council's Home to School Transport Policy can be found on the Council's website <https://en.powys.gov.uk/article/3879/Apply-for-school-transport>

If you have any enquiries regarding school transport, please contact the Passenger Transport Team:

Email: buses@powys.gov.uk

Phone: 01597 826678

Phone: 01597 826509 (Special Educational Needs / Additional Learning Needs)

Appendices

Appendix A: Primary Schools

All Primary Schools accommodate pupils aged 4 -11 unless otherwise stated.

Admission Number	The maximum number of pupils per year group
C.i.W.	Church in Wales
C.P.	County Primary

School	Contact Details	Classification	Admission Number 2022 / 2023	No. on roll Jan 2021	Area
Abermule C.P School	Abermule, Montgomery, Powys, SY15 6ND Tel: 01686 630240 Website: www.abermule.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	13	66	North Powys
Arddleen C.P. School	Llanymynech, Powys, SY22 6RT Tel: 01938 590445 Website: www.arddleen.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	15	96	North Powys
Berriew C.P. School	Berriew, Welshpool, Powys, SY21 8BA Tel: 01686 640312 Website: www.berriew.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	15	85	North Powys

Brynhafren C.P. School	Bausley, Crew Green, Shrewsbury, SY5 9AT Tel: 01743 884455 Website: www.brynhafren.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	13	42	North Powys
Builth Wells C.P. School	Hospital Road, Builth Wells, Powys, LD2 3GA Tel: 01982 553600 Website: www.builth.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	40	202	Mid Powys
Buttington / Trewern C.P. School	Buttington, Welshpool, Powys, SY21 8TB Tel: 01938 570283 Website: www.trewern.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	27	152	North Powys
Caersws C.P. School	Caersws, Powys, SY17 5HG Tel: 01686 688458 Website: www.caersws.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	14	66	North Powys
Carreghofa C.P. School	Llanymynech, Powys, SY22 6PA Tel: 01691 830396 Website: www.carreghofa.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	15	93	North Powys
Castle Caereinion C.i.W. School	Castle Caereinion, Welshpool, Powys, SY21 9AL Tel: 01938 850275 Website: www.castleschool.org.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	10	23	North Powys
Churchstoke C.P. School	Churchstoke, Montgomery, Powys, SY15 6AA Tel: 01588 620330 Website: www.churchstoke.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	10	38	North Powys

Cradoc C.P. School	Cradoc, Brecon, Powys, LD3 9LR Tel: 01874 622555 Website: www.cradoc.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	25	109	South Powys
Crickhowell C.P. School	Crickhowell, Powys, NP8 1DH Tel: 01873 810300 Website: www.crickhowell.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	33	188	South Powys
Crossgates C.P. School	Crossgates, Llandrindod Wells, Powys, LD1 6RE Tel: 01597 851667 Website: www.crossgates.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	30	131	Mid Powys
Clyro C.i.W. Controlled School	Clyro, Hereford, HR3 5LE Tel: 01497 820860 Website: www.clyro.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	17	81	South Powys
Forden C.i.W. School	Forden, Welshpool, Powys, SY21 8NE Tel: 01938 580334 Website: www.forden.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	12	68	North Powys
Franksbridge C.P. School	Franksbridge, Llandrindod Wells, Powys, LD1 5SA Tel: 01982 570275 Website: www.franksbridge.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	6	43	Mid Powys

Gladestry C.i.W. Controlled School	Gladestry, Nr Kington, Herefordshire, HR5 3NR Tel: 01544 370207 Website: www.gladestry.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	8	35	Mid Powys
GUILDSFIELD C.P. School	GUILDSFIELD, Welshpool, Powys, SY21 9ND Tel: 01938 553979 Website: www.guilsfield.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	22	148	North Powys
Hay-on-Wye C.P. School	Oxford Road, Hay-on-Wye, Hereford, HR3 5BT Tel: 01497 820339 Website: www.hay.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	30	158	South Powys
Irfon Valley C.P. School	Garth, Llangammarch Wells, Powys, LD4 4AT Tel: 01591 620281 Website: www.irfon.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	8	41	Mid Powys
KNIGHTON C.i.W. Controlled School	KNIGHTON, Powys, LD7 1HP Tel: 01547 528691 Website: www.knighton.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	34	216	Mid Powys
Leighton C.P. School	Leighton, Welshpool, Powys, SY21 8HH Tel: 01938 553261 Website: www.leighton.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	12	71	North Powys

Llanbister C.P. School	Llanbister, Llandrindod Wells, Powys, LD1 6TN Tel: 01597 840258 Website: www.llanbister.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	7	61	Mid Powys
Llandinam C.P. School	Llandinam, Powys, SY17 5BY Tel: 01686 688457 Website: www.llandinam.powys.gov.uk	Community Primary Co-ed – Day School English Medium School: Category 5	7	47	North Powys
Llandysilio C.i.W. School	Four Crosses, Llanymynech, Powys, SY22 6RB Tel: 01691 830339 Website: www.llandysilio.powys.sch.uk	Voluntary Controlled (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	15	63	North Powys
Llanelwedd C.i.W. Voluntary Controlled School	Llanelwedd, Builth Wells, Powys, LD2 3TY Tel: 01982 552616 Website: www.llanelwedd.powys.sch.uk	Voluntary Controlled (V.P.) Primary Co-ed – Day School English Medium School: Category 5	14	110	Mid Powys
Llanfaes C.P. School	Bailihelig Road, Brecon, Powys, LD3 8EB Tel: 01874 623326 Website: www.llanfaes.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	29	235	South Powys
Llanfair Caereinion C.P. School (All-through School 4-18 as of September 2022)	Llanfair Caereinion, Welshpool, Powys, SY21 0SF Tel: 01938 810470 Website: www.llanfair.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	27	161	North Powys

Llanfechain C.i.W. School	Llanfechain, Powys, SY22 6UQ Tel: 01691 828537 Website: www.llanfechain.powys.sch.uk	Voluntary Controlled (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	6	43	North Powys
Llanfihangel Rhydithon C.P. School	Dolau, Llandrindod Wells, Powys, LD1 5TW Tel: 01597 851289 Website: www.dolau.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	5	37	Mid Powys
Llangedwyn C.i.W. Voluntary Controlled School	Nr Oswestry, Shropshire, SY10 9LD Tel: 01691 780264 Website: www.llangedwyn.powys.sch.uk	Voluntary Controlled (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	6	23	North Powys
Llangors Church in Wales Controlled School	Llangorse, Brecon, Powys, LD3 7UB Tel: 01874 658663 Website: www.llangorse.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	25	164	South Powys
Llangynidr C.P. School	Llangynidr, Crickhowell, Powys, NP8 1NY Tel: 01874 730681 Website: www.llangynidr.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	21	104	South Powys
Llanidloes C.P. School	Llanidloes, Powys, SY18 6EX Tel: 01686 412603 Website: www.llanidloes.powys.gov.uk	Community Primary Co-ed – Day School English Medium School: Category 5	39	291	North Powys

Llanrhaeadr Ym Mochnant C.P. School	Llanrhaeadr ym Mochnant, Oswestry, Shropshire, SY10 0LG Tel: 01691 780352 Website: www.llanrhaeadr.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	15	73	North Powys
Maesyrrhandir C.P. School	Newtown, Powys, SY16 1LQ Tel: 01686 626337 Website: www.maesyrrhandir.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	30	127	North Powys
Montgomery C.i.W. School	Montgomery, Powys, SY15 6QA Tel: 01686 668387 Website: www.montgomery.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	17	89	North Powys
Mount Street C.P Infants School (Infant School 4-7)	Brecon, Powys, LD3 7NG Tel: 01874 623038 Website: www.mountstreeti.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	43	148	South Powys
Mount Street C.P Junior School (Junior School 7-11)	Mount Street, Brecon, Powys, LD3 7LU Tel: 01874 622262 Website: www.mountstreetj.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	43	176	South Powys
Newbridge-on-Wye C.i.W. Controlled School	Newbridge-on-Wye, Llandrindod Wells, Powys, LD1 6LD Tel: 01597 860273 Website: www.newbridge.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	17	118	Mid Powys

Penygloddfa C.P. School	Newtown, Powys, SY16 2DF Tel: 01686 626715 Website: www.penygloddfa.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	45	302	North Powys
Presteigne C.P. School	Slough Road, Presteigne, Powys, LD8 2NH Tel: 01544 267422 Website: www.presteigne.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	34	161	Mid Powys
Radnor Valley C.P. School	New Radnor, Presteigne, Powys, LD8 2SS Tel: 01544 350203 Website: www.radnor.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	13	46	Mid Powys
Rhayader C.i.W. Controlled School	Bryntirion, Rhayader, Powys, LD6 5LT Tel: 01597 810288 Website: www.rhayader.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School Dual Stream School: Category 2	30	204	Mid Powys
Sennybridge C.P. School	Sennybridge, Brecon, Powys, LD3 8SL Tel: 01874 636268 Website: www.sennybridge.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	16	134	South Powys
Treowen C.P. School	Newtown, Powys, SY16 1NJ Tel: 01686 627569 Website: www.treowen.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	23	125	North Powys

Welshpool C.i.W. School	Salop Road, Welshpool, SY21 7FA Tel: 01938 552781 Website: www.welshpoolprimary.weebly.com	Community Primary Co-ed – Day School English Medium School: Category 5	48	275	North Powys
Ysgol Bro Cynllaith	Llansilin, Oswestry, Shropshire, SY10 7QB Tel: 01691 791365 Website: www.cynllaith.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	7	23	North Powys
Ysgol Bro Hyddgen (All-through School 4-18)	Machynlleth, Powys, SY20 8HE Tel: 01654 702386 Website: www.machynlleth.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	30	168	North Powys
Ysgol Bro Tawe	Wind Road, Ystradgynlais, Swansea, SA9 1BU Tel: 01639 846000 Website: www.brotawe.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	30	191	South Powys
Ysgol Cefnlllys	Cefnlllys Lane, Llandrindod Wells, Powys, LD1 5WA Tel: 01597 822297 Website: www.cefnlllys.powys.sch.uk	Foundation (C.P.) Primary Co-ed – Day School English Medium School: Category 5	37	226	Mid Powys
Ysgol Calon y Dderwen (Ladywell Green Infants School and Hafren C.P. Junior School merge to become one school in September 2021)	Newtown, Powys, SY16 1EG Tel: 01686 626303 Website: www.ladywell.powys.sch.uk / www.hafren.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	48	92 Ladywell 136 Hafren	North Powys

Ysgol Dafydd Llwyd	Newtown, Powys, SY16 1EG Tel: 01686 622162 Website: www.dafyddllwyd.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School – Category 1	38	157	North Powys
Ysgol Dolafon	Llanwrtyd Wells, Powys, LD5 4RA Tel: 01591 610326 Website: www.dolafon.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	9	56	Mid Powys
Ysgol Dyffryn Trannon	Trefeglwys, Caersws, Powys, SY17 5PH Tel: 01686 430644 Website: www.dyffryntrannon.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2 (As of September 2022 will be a Welsh Medium School for new entrants)	20	121	North Powys
Ysgol Glantwymyn	Cemmaes Road, Machynlleth, Powys, SY20 8LX Tel: 01650 511394 Website: www.glantwymyn.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	10	73	North Powys
Ysgol Golwg y Cwm	Hendre Ladus, Ystradgynlais, SA9 1SE Tel: 01639 846070 Website: www.golwgycwm.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	30	205	South Powys
Ysgol Gymraeg Dyffryn y Glowyr	Bethal Road, Lower Cwmtwrch, Swansea, SA9 2PT Tel: 01639 846060 Website: www.dyffrynyglowyr.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	50	403	South Powys

Ysgol Gymraeg y Trallwng	Welshpool, Powys, SY21 7PW Tel: 01938 552005 Website: www.ardwyn.powys.sch.uk	Community Primary Co-ed – Day School Welsh Medium School: Category 1	21	82	North Powys
Ysgol Gynradd Carno	Carno, Newtown, Powys, SY17 5LH Tel: 01686 420209 Website: www.carno.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	8	46	North Powys
Ysgol Llanbrynmair	Llanbrynmair, Powys, SY19 7AB Tel: 01650 521339 Website: www.llanbrynmair.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	10	60	North Powys
Ysgol Llanfyllin (All-through School 4-18)	Llanfyllin, Powys, SY22 5BJ Tel: 01691 648207 Website: www.llanfyllin.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2c	27	139	North Powys
Ysgol Meifod	Meifod, Powys, SY22 6DF Tel: 01938 500300 Website: www.meifod.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	11	79	North Powys
Ysgol Pennant	Pen-y-bont-fawr, Oswestry, Shropshire, SY10 0NT Tel: 01691 860326 Website: www.pennant.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	12	82	North Powys

Ysgol Pontrobert	Meifod, Powys, SY22 6JN Tel: 01938 500394 Website: www.pontrobert.powys.sch.uk	Community Primary Co-ed – Day School Welsh Medium School: Category 1	7	41	North Powys
Ysgol Rhiw Bechan	Tregynon, Powys, SY16 3EH Tel: 01686 650303 Website: www.rhiwbechan.powys.sch.uk	Community Primary Co-ed – Day School Dual Stream School: Category 2	21	160	North Powys
Ysgol Trefonnen C.i.W. Community Primary	Trefonnen Lane, Llandrindod Wells, Powys, LD1 5EP Tel: 01597 822190 Website: www.trefonnen.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School Dual Stream School: Category 2	28	207	Mid Powys
Ysgol-Y-Bannau	Penlan, Brecon, Powys, LD3 9SR Tel: 01874 622207 Website: www.bannau.powys.sch.uk	Voluntary Aided (C.i.W.) Primary Co-ed – Day School Welsh-medium School: Category 1	23	116	South Powys
Ysgol y Cribarth	School Road, Abercrave, Swansea, SA9 1XD Tel: 01639 731500 Website: www.cribarth.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	21	138	South Powys
Ysgol y Mynydd Du	Talgarth, Powys, LD3 0BB Tel: 01874 711396 Website: www.talgarth.powys.sch.uk	Community Primary Co-ed – Day School English Medium School: Category 5	21	104	South Powys

Appendix B: Voluntary Aided (Faith) Schools

Enquiries regarding admission to Voluntary Aided (Faith) Schools should be made to direct to the school:

School	Contact Details	Classification	Admission Number 2022 / 2023	No. on roll Jan 2021	Area
Archdeacon Griffiths C.i.W. (Aided) School	Llyswen, Brecon, Powys, LD3 0YB Tel: 01874 754334 Website: www.llyswenva.powys.sch.uk	Voluntary Controlled (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	21	151	South Powys
Llanbedr C.i.W. (Aided) Primary School	Llanbedr, Crickhowell, Powys, NP8 1SR Tel: 01873 810619 Website: www.llanbedrciw.org	Voluntary Aided (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	8	48	South Powys
Llangattock C.i.W. Aided School	Llangattock, Crickhowell, Powys, NP8 1PH Tel: 01873 810608 Website: www.llangattock.powys.sch.uk	Voluntary Controlled (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	20	101	South Powys
Priory C.i.W. (Aided) School	Pendre Close, Brecon, Powys, LD3 9EU Tel: 01874 623549 Website: www.priory.powys.sch.uk	Voluntary Controlled (C.i.W.) Primary Co-ed – Day School English Medium School: Category 5	21	144	South Powys

St. Mary's Voluntary Aided (RC) Primary School	Milford Road, Newtown, Powys, SY16 2EH Tel: 01686 625582 Website: www.st-marys.powys.sch.uk	Voluntary Aided (R.C.) Primary Co-ed – Day School English Medium School: Category 5	16	62	North Powys
St. Michael's C.i.W. Voluntary Aided School	Kerry, Newtown, Powys, SY164NU Tel: 01686 670208 Website: www.st-michaels.powys.sch.uk	Voluntary Aided (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	19	90	North Powys
Ysgol Cwm Banwy	Llangadfan, Powys, SY21 ONW Tel: 01938 820226 Website: www.banw.powys.sch.uk	Community Primary Co-ed – Day School Welsh-medium School: Category 1	10	44	North Powys
Ysgol Llansantffraid	Teflan, Llansantffraid, Powys, SY22 6AE Tel: 01691 828539 Website: www.llansantffraidprimaryschool.weebly.com	Voluntary Aided (C. in W.) Primary Co-ed – Day School English Medium School: Category 5	15	120	North Powys

Appendix C: Secondary Schools

School	Contact Details	Classification	Admission Number 2022 / 2023	No. on roll Jan 2021	Area
Brecon High School	School Penlan, Brecon Powys LD3 9SR Tel: 01874 622361/2 Website: www.brecon-hs.powys.sch.uk	Community Co-ed – Day School Bilingual School: Category 3	129	517	South Powys
Crickhowell High School	New Road, Crickhowell, Powys, NP8 1AW Tel: 01873 813500 Website: www.crickhowell-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	150	942	South Powys
Gwernyfed High School	Three Cocks, Brecon, Powys, LD3 0SG Tel: 01497 847445 Website: www.gwernyfed-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	105	515	South Powys
Llanidloes High School	Llanidloes, Powys, SY18 6EX Tel: 01686 412289 Website: www.llanidloes-hs.powys.sch.uk	Community Co-ed – Day School Bilingual School: Category 3	117	648	North Powys

Newtown High School (John Beddoes Campus)	Presteigne, Powys, LD8 2AY Tel: 01544 267259 Website: www.johnbeddoes.org	Community Co-ed – Day School Predominantly English Medium School: Category 4	96	1031 (Combined capacity John Beddoes Campus and Newtown High School)	Mid Powys
Newtown High School (Newtown Campus)	Newtown, Powys, SY16 1EJ Tel: 01686 626304 Website: www.newtown-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	167	1031 (Combined capacity John Beddoes Campus and Newtown High School)	North Powys
Welshpool High School	Welshpool, Powys, SY21 7RE Tel: 01938 552014 Website: www.welshpool-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	203	845	North Powys
Ysgol Bro Hyddgen (All-through School 4-18)	Machynlleth, Powys, SY20 8DR Tel: 01654 704200 Website: www.brohyddgen.cymru	Community Co-ed – Day School Dual Stream School	42	311	North Powys
Ysgol Calon Cymru (Builth Wells Campus)	College Road, Builth Wells, Powys, LD2 3BW Tel: 01982 55329 Website: www.builth-hs.powys.sch.uk	Community Co-ed – Day School Bilingual School: Category 3	115	997 (Combined capacity for Builth Wells and Llandrindod Wells Campus)	South Powys

Ysgol Calon Cymru (Llandrindod Wells Campus)	Dyffryn Road, Llandrindod Wells, Powys, LD1 6AW Tel: 01597 822992 Website: www.llandod-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	118	997 (Combined capacity for Builth Wells and Llandrindod Wells Campus)	Mid Powys
Ysgol Llanfyllin (All-through School 4-18)	Llanfyllin, Powys, SY22 5BJ Tel: 01691 648391 Website: www.llanfyllin-hs.powys.sch.uk	Community Co-ed – Day School Dual Stream School: Category 2c	146	675	North Powys
Ysgol Maesydderwen	Tudor Street, Ystradgynlais, Swansea, SA9 1AP Tel: 01639 842115 Website: www.maesydderwen-hs.powys.sch.uk	Community Co-ed – Day School Predominantly English Medium School: Category 4	125	523	South Powys
Ysgol Uwchradd Caereinion (All-through School 4-18 as of September 2022)	Llanfair Caereinion, Welshpool, Powys, SY21 0HW Tel: 01938 810888 Website: www.caer-hs.powys.sch.uk	Community Co-ed – Day School Dual Stream School Category 2b	114	458	North Powys

Appendix D: List of Feeder Schools

Secondary School	Contact Details	Feeder Primary Schools	Area
Brecon High School	School Penlan, Brecon Powys LD3 9SR Tel: 01874 622361/2 Website: www.brecon-hs.powys.sch.uk	Cradoc C.P. School Llanfaes C.P. School Mount Street Juniors Priory C.I.W. School Sennybridge C.P. School Ysgol y Bannau	South Powys
Crickhowell High School	New Road, Crickhowell, Powys, NP8 1AW Tel: 01873 813500 Website: www.crickhowell-hs.powys.sch.uk	Crickhowell C.P. School Llanbedr C.I.W. School Llangattock C.I.W. School Llangynidr C.P. School	South Powys
Gwernyfed High School	Three Cocks, Brecon, Powys, LD3 0SG Tel: 01497 847445 Website: www.gwernyfed-hs.powys.sch.uk	Archdeacon Griffiths C.I.W. School Clyro C.I.W. School Hay-on-Wye C.P. School Llangorse C.I.W. School Ysgol y Mynydd Du	South Powys

Llanidloes High School	Llanidloes, Powys, SY18 6EX Tel: 01686 412289 Website: www.llanidloes-hs.powys.sch.uk	Caersws C.P. School Llandinam C.P. School Llanidloes C.P. School Rhayader C.I.W. School Ysgol Dafydd Llwyd Ysgol Dyffryn Trannon	North Powys
Newtown High School (John Beddoes Campus)	Presteigne, Powys, LD8 2AY Tel: 01544 267259 Website: www.newtown-hs.powys.sch.uk	Gladestry C.I.W. School Knighton C.I.W. School Presteigne C.P. School Radnor Valley C.P. School	Mid Powys
Newtown High School (Newtown Campus)	Newtown, Powys, SY16 1EJ Tel: 01686 626304 Website: www.newtown-hs.powys.sch.uk	Abermule C.P. School Maesyrhandir C.P. School Penygloddfa C.P. School St. Mary's R.C. School St. Michael's C.I.W. School Treowen C.P. School Ysgol Calon y Dderwen * *New school, merger of Ladywell Green Infants School and Hafren C.P. School	North Powys

Welshpool High School	Welshpool, Powys, SY21 7RE Tel: 01938 552014 Website: www.welshpool-hs.powys.sch.uk	Ardleen C.P. School Berriew C.P. School Buttington / Trewern C.P. School Churchstoke C.P. School Forden C.P. School Guilsfield C.P. School Leighton C.P. School Llandysilio C.I.W. School Montgomery C.I.W. School Welshpool C.I.W. School	North Powys
Ysgol Bro Hyddgen (All-through School 4-18)	Machynlleth, Powys, SY20 8DR Tel: 01654 704200 Website: www.brohyddgen.cymru	Glantwymyn C.P. School Llanbrynmair C.P. School Ysgol Bro Hyddgen (Primary Phase) * Ysgol Gynradd Carno *Pupils already attending Ysgol Bro Hyddgen (Primary Phase) will not be required to complete a Year 6 Application Form as they have previously been	North Powys

<p>Ysgol Calon Cymru (Builth Wells Campus)</p>	<p>College Road, Builth Wells, Powys, LD2 3BW Tel: 01982 55329 Website: www.ysgolcalon.cymru/</p>	<p>Builth C.P. School Irfon Valley C.P. School Llanelwedd C.I.W. School Newbridge-on-Wye C.I.W. School Rhayader C.I.W. School (Welsh medium) Ysgol Dolafon Ysgol Trefonnen C.I.W. School (Welsh medium)</p>	<p>South Powys</p>
<p>Ysgol Calon Cymru (Llandrindod Wells Campus)</p>	<p>Dyffryn Road, Llandrindod Wells, Powys, LD1 6AW Tel: 01597 822992 Website: www.ysgolcalon.cymru/</p>	<p>Crossgates C.P. School Franksbridge C.P. School Llanbister C.P. School Llandrindod Wells C.P. School (Cefnlllys) Ysgol Trefonnen C.I.W. School Llanfihangel Rhydithon C.P. School Newbridge-on-Wye C.I.W. School Rhayader C.I.W. School</p>	<p>Mid Powys</p>

<p>Ysgol Llanfyllin (All-through School 4-18)</p>	<p>Llanfyllin, Powys, SY22 5BJ Tel: 01691 648391 Website: www.llanfyllin.powys.sch.uk</p>	<p>Brynhafren C.P. School Carreghofa C.P. School Llanfechain C.I.W. School Llangedwyn C.I.W. School Llanrhaedr ym Mochant C.P. School Llansantffraid C.I.W. School Ysgol Bro Cynllaith Ysgol Llanfyllin (Primary Phase) * Ysgol Pennant</p> <p>*Pupils already attending Ysgol Llanfyllin (Primary Phase) will not be required to complete a Year 6 Application Form as they have previously been allocated a place in the school</p>	<p>North Powys</p>
<p>Ysgol Maesydderwen</p>	<p>Tudor Street, Ystradgynlais, Swansea, SA9 1AP Tel: 01639 842115 Website: www.maesydderwen-hs.powys.sch.uk</p>	<p>Ysgol Bro Tawe Ysgol Golwg y Cwm Ysgol Gymraeg Dyffryn y Glowyr (Welsh medium transfer to Ysgol Gymraeg Ystalyfera Bro Dur) Ysgol y Cribarth</p>	<p>South Powys</p>
<p>Ysgol Uwchradd Caereinion</p>	<p>Llanfair Caereinion, Welshpool, Powys, SY21 0HW Tel: 01938 810888 Website: www.caer-hs.powys.sch.uk</p>	<p>Castle Caereinion C.I.W. School Llanfair Caereinion C.P. School Pontrobert C.P. School Ysgol Cwm Banwy Ysgol Dafydd Llwyd Ysgol Gymraeg y Trallwng Ysgol Meifod Ysgol Rhiw-Bechan</p>	<p>North Powys</p>

Appendix E: Year Groups

Key Stage	Birth Date		
	Year	From:	To:
Key Stage 5	13	01/09/04	31/08/05
Key Stage 5	12	01/09/05	31/08/06
Key Stage 4	11	01/09/06	31/08/07
Key Stage 4	10	01/09/07	31/08/08
Key Stage 3	9	01/09/08	31/08/09
Key Stage 3	8	01/09/09	31/08/10
Key Stage 3	7	01/09/10	31/08/11
Key Stage 2	6	01/09/11	31/08/12
Key Stage 2	5	01/09/12	31/08/13
Key Stage 2	4	01/09/13	31/08/14
Key Stage 2	3	01/09/14	31/08/15
Reception	2	01/09/15	31/08/16
Reception	1	01/09/16	31/08/17
Reception	R	01/09/17	31/08/18
3+ / Early Years	N2	01/09/18	31/08/19
3+ / Early Years	N1	01/09/19	31/08/20



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Welsh Government

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School admissions code



Statutory Code

Statutory Code document no: 005/2013

Date of issue: July 2013

School admissions code

Audience	Local authorities; governing bodies of foundation and voluntary aided schools; church diocesan authorities; community and voluntary controlled schools in Wales; Estyn; secretaries of professional organisations in Wales.
Overview	This Code imposes requirements and offers guidance in respect of the discharge by local authorities, the governing bodies of maintained schools, admission forums and admission appeal panels of their school admissions functions. These bodies must “act in accordance with” the Code.
Action required	Full compliance with the Code by the school year 2014/15.
Further information	Enquiries about this document should be directed to: Schools Management and Effectiveness Division Department for Education and Skills Welsh Government Cathays Park Cardiff CF10 3NQ Tel: 029 2082 6562 Fax: 029 2082 6109 e-mail: SchoolsManagementDivision3@wales.gsi.gov.uk
Additional copies	This document can be accessed from the Welsh Government’s website at www.wales.gov.uk/educationandskills
Related documents	Please see Annex H.

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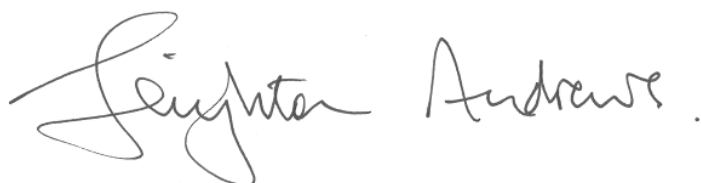
Ministerial foreword

The process of starting school or transferring between schools can be a time of uncertainty and anxiety therefore it is essential that the principles of fairness and openness are applied to all aspects of school admissions. A properly functioning admissions system, that reflects this, can play a vital part in helping to minimise concerns. It is also crucial in delivering equality of opportunity. This Code is intended to be the basis for further improvement to admissions systems.

The most recent Code was published in 2009 and at that time provided updated guidance for all those involved in school admissions. At the same time the Code also sought to safeguard the interests of parents, children and young people by ensuring that school admissions were administered in the fairest and most equitable way possible. This Code is building on the good work that has taken place and seeks to enhance the process and provide greater clarity to all.

This Code should further clarify the process for everyone with an interest in school admissions and school admission appeals, help admission authorities to fulfil their duties correctly and improve working practices.

I am sure that this Code will be welcomed by all those with an interest in school admissions. I anticipate that it will have a positive impact on the school admissions process in Wales.

A handwritten signature in black ink that reads "Leighton Andrews". The signature is written in a cursive style with a large initial 'L'.

Leighton Andrews AM
Minister for Education and Skills

Summary

This School Admissions Code (“the Code”) contains practical guidance and imposes requirements, on local authorities and admission authorities, regarding the discharge of their duties in respect of admissions. Local authorities (“LAs”), governing bodies of maintained schools, admission appeals panels and admission forums have school admissions functions under the School Standards and Framework Act 1998. The Code includes guidelines setting out the aims, objectives and other matters relating to the discharge of admissions functions and each of the bodies or persons covered **must** “act in accordance with” the Code. The Code replaces the Welsh Assembly Government School Admissions Code which was published in July 2009.

The Code will assist everyone with an interest in school admissions and school admission appeals and help ensure that the admission system works for the benefit of both schools and pupils. The main changes introduced by the Code are:

- a requirement that admission authorities’ oversubscription criteria includes alongside ‘looked after children’, ‘previously looked after children’ as the first criterion in all instances.
- the setting of common offer dates on which decision letters **must** be issued within each local authority on a phased basis.
- a requirement that waiting lists are maintained until 30 September where schools are oversubscribed.
- additional exceptions to the class size legislation
- more opportunities to vary existing admission arrangements without reference to Welsh Ministers.

1. Introduction

1.1 The Code is made under section 84 of the [School Standards and Framework Act 1998](#) (referred to in this Code as the [1998 Act](#)) as amended by section 40 of the [Education and Inspections Act 2006](#) (referred to in this Code as the [2006 Act](#)), which requires the Welsh Ministers to issue a Code in respect of the discharge of admissions functions by:

- **Admission authorities** – LAs are the admission authorities for community and voluntary controlled schools, unless, under section 88(1)(a)(ii) of the [1998 Act](#), the function has been delegated in full to the governing body. Governing bodies are the admission authorities for foundation schools and voluntary aided schools.
- **Governing bodies** (when not admission authorities).
- **LAs** (when not acting as admission authorities).
- **Admission forums.**
- **Admission appeal panels.**

Each of these bodies has a statutory duty to “act in accordance” with this Code and the School Admission Appeals Code.

1.2 This Code replaces the previous [School Admissions Code](#) (2009) and applies to all admissions to primary, secondary (including sixth forms (Year 12) and middle schools. It comes into force on 8 July 2013 and applies to arrangements for intakes from September 2014/15 onwards. (See Annex G for details of when particular provisions come into force.) In broad terms, for the day to day administration of admissions, the Code **must** be applied immediately. Where changes introduced by the Code would depend on consultation, determination and publication of admission arrangements these would be expected to be included in published arrangements for the year 2015/16 onwards. The Code is to be read alongside the School Admission Appeals Code and other guidance and legislation that affect admissions and admissions appeals in Wales.

1.3 The Code both refers to existing statutory requirements (i.e. imposed by primary or secondary legislation) and itself imposes mandatory requirements with which those bodies listed at paragraph 1.1 above **must** comply. A reference to the relevant statutory provision is provided in the text or footnote as appropriate. Where mandatory requirements are imposed by this Code (or by statutory provisions) it is stated that the relevant bodies **must** comply with the particular requirement or provision. Where this Code prohibits practices, it is stated that the relevant body or bodies **must not** use this practice.

1.4 This Code also includes guidelines which the relevant bodies should follow unless they can demonstrate that they are justified in not doing so. Where guidelines refer to good practice, the Code will state that the relevant bodies **should** follow the particular guidelines. On the other hand where the guidelines refer to actions normally regarded as poor practice, the Code will state that the practice **should not** be used although there may be exceptional circumstances when it is justified.

1.5 Failure by an authority or body to comply with the mandatory provisions in this Code may result in a statutory objection (see paragraph 2.14) or complaint being made to the Welsh Ministers. Failure to follow guidelines in this Code may also lead to an objection or complaint being upheld if admission authorities are unable to justify departing from those guidelines.

1.6 This Code does not aim to give exhaustive guidance. Local circumstances vary widely and admission authorities are best placed to take the lead in considering, with partners in their area, how the needs of parents and children are to be met. The Code aims to build on the good practice that already exists.

1.7 The Code is primarily for those responsible for determining and implementing admission arrangements and for appeal panel members and clerks to those panels but parents and others may also find it useful.

Nursery admissions

1.8 The legislation that applies in relation to admissions to primary, secondary and middle schools is different to that for nursery schools or to children admitted to the nursery class of a maintained school (see paragraph 2.57 to 2.59). Section 98 of the [1998 Act](#) (as amended¹) clarifies that the governing body is responsible for taking decisions about admissions to the nursery class in the case of foundation and voluntary aided schools, and in those community and voluntary controlled schools with delegated responsibility for admissions. The LA is responsible for deciding admissions to nursery classes in other community and voluntary controlled schools.

1.9 The admission authority **should** clearly identify separate admission arrangements for the nursery class. [NB: oversubscription criteria **should** be established using the same principles as those for statutory provision]. A place in a nursery class **does not** guarantee admission to the reception class.

1.10 The infant class size limit applies only to classes at maintained schools containing pupils of whom the majority will attain the ages of five, six and seven during the course of the school year. Therefore, the infant class size limit will not apply to nursery classes where the majority of pupils attending that class are below the ages set out above.

Admission forums – monitoring compliance with the Code

1.11 Admission forums **must** monitor compliance with this Code. Details on their role in this can be found at Annex D, together with the information to be included in the mandatory annual return to the Welsh Government, for monitoring purposes.

¹ [Education Act 2002](#), Schedule 4, paragraph 12 amended section 98 of the [1998 Act](#).

2. Setting admission arrangements

Duty to take account of parental and young peoples' preference

2.1 Admission authorities **must** make arrangements enabling the parents² of children in their area and, in the case of sixth form admissions, young people, to express a preference for a school and to give reasons for that preference. Where a parent or young person expresses a preference according to those arrangements, LAs and governing bodies **must** comply with that preference, subject to the exceptions set out in the [1998 Act](#)³. These can be summarised as:

- Where compliance with the preference would prejudice the provision of efficient education or the efficient use of resources (including prejudice which might arise by reason of relevant measures required to be taken to ensure compliance with the infant class size limit).
- Where arrangements for entry to a school's sixth form are based wholly on selection by reference to ability or aptitude and compliance with the preference would be incompatible with selection under those arrangements.
- Where a child has been permanently excluded from two or more schools and the latest exclusion took place within the last two years.

Principles to be applied

2.2 In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide on the allocation of school places:

- Are clear in the sense of being free from doubt and easily understood. Arrangements that are vague lead to uncertainty and this may reduce the ability of parents to make an informed choice for their children.
- Are objective and based on demonstrable fact. Admission authorities and governing bodies **must not** make subjective decisions, or use criteria which are subjective or arbitrary in nature.
- Are procedurally fair and are also equitable for all groups of children (including those with special educational needs (SEN), disabilities, those in public care, or who may be a young carer).
- Provide parents or carers with easy access to helpful admissions information (Regulations require the LA to produce a composite prospectus that covers admission arrangements for all schools in their area. See paragraph 2.12).
- Comply with all relevant legislation and have been determined in accordance with the statutory requirements and the provisions of this Code. Failure to comply with a statutory requirement or any proposal to use unlawful arrangements can be referred to the Welsh Ministers who may use their intervention powers⁴ to make a direction to enforce the statutory requirement or prevent an unlawful act.

² Section 576 of the Education Act 1996

³ Sections 86, 86A, 86B, 86(3) and 87 of the [1998 Act](#).

⁴ Under Chapter 2 of the School Standards and Organisation (Wales) Act 2013.

Process to be followed

Determination year

2.3 Admission arrangements **must** be consulted on for each maintained school⁵ between 1 September and 1 March, and set by 15 April, of the school year (the 'determination year'⁶) beginning two years before the school year in which the arrangements will apply. The first step in the process is for the admission authority to draw up proposed arrangements in accordance with the principles outlined above. These proposed arrangements **must** then be consulted upon (except where indicated below).

Consultation

2.4 LAs **must** consult each year on the admission arrangements for those schools for which they are the admission authority. Governing bodies when they are also the admission authority for a school **must** also consult annually unless they have consulted on their proposed arrangements within the previous two determination years, those arrangements are unchanged, and no objection has been made to the Welsh Ministers about their admission arrangements in the preceding five years. In addition, the LA maintaining the school **must** have notified the Welsh Ministers that all the admission authorities in the relevant area⁷ undertook the required consultation in the relevant determination year. This information is provided to the Welsh Ministers in the admission forum annual report.

2.5 **The bodies with which admission authorities **must** consult are set out in the following table:**

Admission Authority	Consultees
LAs.	<ul style="list-style-type: none">• The governing body of the relevant schools.• All neighbouring LAs.• Admission authorities for all other maintained schools in the relevant area.• Governing bodies of all other schools in the relevant area (i.e. community and voluntary controlled schools which do not have delegated admissions powers).• In the case of schools with a religious character, such body or person representing the religion or religious denomination in question.
The governing bodies of foundation and voluntary aided primary schools and of community and voluntary controlled primary schools where responsibility for admissions has been delegated to them.	<ul style="list-style-type: none">• The maintaining LA.• Admission authorities for all other maintained primary schools in the relevant area.• Any LA whose area adjoins the relevant

⁵ Section 20 of the [1998 Act](#).

⁶ [The Education \(Determination of Admission Arrangements\) \(Wales\) Regulations 2006](#).

⁷ The [Education \(Relevant Areas for Consultation on Admission Arrangements\) Regulations 1999](#)

	<p>area.</p> <ul style="list-style-type: none"> • The governing bodies for all other primary schools in the relevant area (i.e. community and voluntary controlled schools which do not have delegated admissions powers). • In the case of schools with a religious character, such body or person representing the religion or religious denomination in question.
Admission Authority	Consultees
<p>The governing bodies of foundation and voluntary aided secondary schools and of community and voluntary controlled secondary schools where responsibility for admissions has been delegated to them.</p>	<ul style="list-style-type: none"> • The maintaining LA. • Admission authorities for all other maintained schools in the relevant area. • Any LA whose area adjoins the relevant area. • Governing body for all other schools in the relevant area (i.e. community and voluntary controlled schools which do not have delegated admissions powers). • In the case of schools with a religious character, such body or person representing the religion or religious denomination in question.

2.6 The bodies with which admission authorities **should** also consult are set out in the following table:

Admission Authority	Consultees
LAs.	<ul style="list-style-type: none"> • The admission forum serving the relevant area. • Where a significant change is proposed, parents of children likely to be affected.
The governing bodies of foundation and voluntary aided schools and of community and voluntary controlled schools where responsibility for admissions has been delegated to them.	<ul style="list-style-type: none"> • The admission forum serving the relevant area. • In the case of schools with a designated religious character, the relevant diocesan authority. • Where a significant change is proposed, parents of children likely to be affected.

2.7 Consultation **must** be in writing and **must** cover the full details of proposed admission arrangements for each school, including:

- a. Admission numbers for any age group to which children are normally admitted (the relevant age groups).
- b. Application procedures and the timetable for the admissions process.
- c. The oversubscription criteria to be used.
- d. Any separate entry requirements and oversubscription criteria for the sixth form.
- e. Arrangements and oversubscription criteria for nursery places, if applicable.
- f. Information about how waiting lists operate and how long they will be maintained (i.e. admission authorities **must** maintain them until the 30 September in the year of entry and beyond that at the admission authorities' discretion).
- g. Information about handling of late applications (i.e. those which miss the deadline) and the making and processing of applications outside the normal admissions round (see paragraph 3.15 to 3.21).
- h. Details of how parents will be notified of admissions decisions and can take up their right of appeal.
- i. In the case of a school with pre-existing partially selective arrangements⁸ the manner in which partially selective arrangements operate.
- j. Information about any provision made for pupil banding.
- k. Catchment area maps (where appropriate).

2.8 Consultation **must not** start before the beginning of the determination year (1 September) and **must** be completed by 1 March of that determination year.

Admission number

2.9 The admission number for a school is the number of pupils that can be admitted to a year group. Admission authorities **must** have regard to the 'indicated admission number' for each year group. The indicated admission number is calculated in accordance with the capacity assessment method set out in the guidance document '[Measuring the capacity of schools in Wales](#)'. This guidance is available on the Welsh Government's website at www.wales.gov.uk.

Determination of admission arrangements

2.10 Once consultation has been completed, admission authorities **must** determine their admission arrangements either in their original form or with such modifications as the authority think fit by 15 April in the determination year. They **must** then notify in writing within 14 days all those with whom they consulted (or would have consulted had the exception outlined in paragraph 2.4 not applied) on their determined arrangements.

Publication of admission arrangements

2.11 Where the admission authority has determined an admission number for a relevant age group which is lower than the current indicated admission number, identified through the capacity assessment process, for that age group or where admission arrangements provide for selection of pupils by ability, these **must** be published in a local

⁸ As defined by section 100 of the [1998 Act](#).

newspaper within 14 days of the determination. The details published **must** include an explanation of parents' right to object to the Welsh Ministers about such selection arrangements or lower admission number. The admission authority **should** consult parents and other interested parties about the intention to determine a lower number.

2.12 Each LA **must** publish an annual composite prospectus which sets out the determined admission arrangements (including a timetable for the admissions process which sets out the relevant dates for the receipt and determination of applications and for the receipt of appeals) for **every** maintained school within its area⁹ and ensure that up to date arrangements are included. This prospectus **must** be published no later than 1 October in the publication school year and not later than six weeks before the date by which parents may express a preference for a school in respect of the admission school year.

2.13 Admission authorities other than LAs **must** ensure that they supply their relevant LA with a copy of their determined admission arrangements. They **should** do so by no later than 1 June to allow the LA to comply with these publication requirements. LAs **should** verify this information with all contributors where possible, prior to publication.

Objections to admission arrangements

2.14 If the bodies listed as consultees in paragraph 2.5 wish to object to the determined admission arrangements they **must** do so in writing to the Welsh Ministers within six weeks of the date on which they were notified that the arrangements had been determined¹⁰. Later objections will only be considered if the Welsh Ministers are satisfied that it was not reasonably practicable for the objection to have been received earlier than the time it was received.

2.15 However, the governing body of a community or voluntary controlled school (which does not have delegated admissions powers) may not make an objection to:

- The admission arrangements for any other community or voluntary controlled school in the relevant area for whom the LA are the admission authority, or
- The admission arrangements for the school for which they are the governing body, unless the objection relates to the determination of an admission number for that school (see paragraph 2.9).

2.16 Objections can not be made if the substance of the objection is to seek an alteration to the admission arrangements which can only be made by way of publishing statutory proposals, for example, the introduction of pupil banding or single sex admissions.

Parental objections to admission arrangements

2.17 Parents who are eligible to object (see paragraph 2.19) may do so in the case of 'pre-existing' selection arrangements, i.e. arrangements for selection by ability which have been in place since the beginning of the 1997/98 school year. This right of objection does not however, apply to pupil banding or admissions to sixth forms.

⁹ [The School Information \(Wales\) Regulations 2011.](#)

¹⁰ [Education \(Objections to Admission Arrangements\) \(Wales\) Regulations 2006.](#)

2.18 Eligible parents may also object to a proposed admission number for any year group which is set lower than that indicated by the capacity assessment method set out in the guidance document [‘Measuring the capacity of schools in Wales’](#) (see paragraph 2.9).

2.19 To be eligible to object to pre-existing selection arrangements a parent **must** be resident in the relevant area for the school and have a child of compulsory school age in primary education. To be eligible to object to a proposed admission number, a parent **must** be resident in the relevant area for the school and have a child who is aged between 2 and 5 years or who is of compulsory school age receiving primary education. An objection may only be determined by the Welsh Ministers if five or more parents make the same or substantially the same objection to the same admission arrangements.

Variation to determined admission arrangements

2.20 Once admission arrangements have been determined for a school year they may only be varied where:

- a. There has been a major change of circumstances (e.g. a fire which has destroyed classroom space).
- b. A genuine error occurred in the determined arrangements.
- c. An admission authority has been made aware of the inclusion of unlawful practices in its admission arrangements.
- d. An admission authority sees a need to revise its admission arrangements in the light of a Welsh Ministers determination in relation to another school with the same or substantially the same admission arrangements.
- e. An omission or misprint has occurred in the determined arrangements.
- f. It is necessary to vary the determined admission number, catchment areas or ordering of oversubscription criteria to implement approved school organisation proposals¹¹.
- g. Admission arrangements are not compliant with the statutory provisions of this Code.

2.21 In the case of a, b, c and d above, the admission authority **must** first notify the proposed variation to the consultees listed in paragraph 2.5 above and then refer the matter to the Welsh Ministers for determination. This process is not required in relation to the points e, f and g.

Admission arrangements for new schools

2.22 [The New School \(Admissions\) \(Wales\) Regulations 2006](#) set out the process by which the initial arrangements for admission to new schools should be determined. These arrangements **should** be made in accordance with the principles, requirements and guidance found in this Code.

Common dates of return and common dates of offer issue

2.23 In order to ensure consistency between admission authorities and avoid confusion on the part of parents, all admission authorities in any LA area **must** have common dates of return for primary applications and secondary applications for the normal year of entry, different common dates may be agreed for primary and secondary applications. Admission

¹¹ [The School Admissions \(Variation to the Admission Arrangements\) \(Wales\) Regulations 2013](#).

authorities **should** consult neighbouring authorities through their admission forum to agree common dates for return of application forms.

2.24 Admission authorities **must** ensure that offer letters for secondary school applications are made on the prescribed Secondary Offer Day, **1 March or the next working day**¹². For primary school applications, admission authorities **should** ensure that all offers are made on the prescribed Primary Offer Day, **16 April or the next working day** until regulations require that admission authorities **must** ensure that all offers are made on the prescribed Primary Offer Day¹³ or the next working day.

Content of the admission arrangements

2.25 All maintained schools in Wales (including schools with a designated religious character), that have enough places available (up to and including the admission number)¹⁴ **must** offer a place to every child who has applied (except where they are twice excluded, see paragraphs 3.58 to 3.60). However, some schools will have more applicants than places. Admission authorities **must** therefore have in place, as part of their admissions arrangements, criteria to determine the allocation of places in the event of oversubscription. Authorities **must** ensure these criteria are reasonable, clear, objective, procedurally fair, and comply with current legislation. Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly a child from a particular social or racial group, or a child with special educational needs. It **must** be clear in which order oversubscription criteria will be applied. Admission arrangements **must** include an effective, clear and fair tie-breaker for occasions when it is necessary to distinguish between applicants when the criteria are used. The criteria **must not** require any 'interpretation' and **must** be clear and unambiguous.

2.26 This chapter prohibits the use of oversubscription criteria that are unfair or undesirable. It also provides guidelines and examples of good practice for admission authorities to help them set criteria that are fair to all children and their families.

2.27 The most common oversubscription criteria are covered in this chapter but it is not practicable to provide an exhaustive list of what is good practice and what is not. For example, there may be criteria not mentioned here that are also unfair and should not feature in a school's admission arrangements. It is possible for a criterion to be fair in some circumstances and not in others. It is for admission authorities, acting in accordance with the provisions and guidelines in this Code, to decide which criteria they will use and in what circumstances. Admission authorities **must not** place any conditions on the consideration of any application other than those relevant to the oversubscription criteria published in their admission arrangements.

2.28 Examples of possible oversubscription criteria can be found at Annex B.

¹² The School Admissions (Common Offer Date) (Wales) Regulations 2013.

¹³ Please see Annex G for coming into force for both secondary and primary offer dates.

¹⁴ See paragraph 2.9.

Prohibition of undesirable oversubscription criteria

2.29 In setting oversubscription criteria admission authorities **must not**:

- Adopt criteria which select pupils on the basis of ability or aptitude (except in relation to school sixth forms)¹⁵ except schools with partially selective arrangements which already had such arrangements in place at the beginning of the 1997/98 school year and are permitted to continue to use selection by ability. There is only one school in Wales with partially selective arrangements. The general prohibition on ability based criteria includes, in the case of Welsh medium schools, the ability to speak Welsh.
- Give higher priority to children whose parents are more able or willing to support the ethos of the school or to support the school financially or in some other way.
- Give higher priority to applications on the basis of the order of preference.
- Give higher priority to children according to the background or status of parents, including marital status or sexual orientation.
- Take account of reports about past behaviour, attitude or achievement.
- Discriminate against or disadvantage children with SEN or disabilities.
- Allocate places at a school on the basis that a sibling or other relative is a former pupil.
- Take account of the behaviour of other members of a child's family, whether good or bad, including a good or bad attendance record.
- Give priority to children whose parents are current or former staff or governors or who have another connection to the school.
- Give priority to children who (or whose parents) have particular interests, specialist knowledge or hobbies.
- Give priority to children based on the order in which applications were received.
- Expressly exclude applicants from a particular social or religious group.
- State that **only** applicants from a particular social or religious group will be considered for admission.
- Give priority to children based on religious faith except where the school has been designated¹⁶ as having a religious character (Equality Act 2010).
- Allocate places on the basis of chronological age.
- In the case of application to a reception class, give priority to children who have attended the school's nursery class or co-located children's centre (see paragraph 2.59).
- Make admission to a school conditional on parents signing a home-school agreement¹⁷. (Schools must not ask parents to sign agreements before they have been offered a place at the school).
- Random allocation e.g. lottery.

Guidelines on setting fair oversubscription criteria

2.30 Looked after children (children in public care)¹⁸ (see paragraph 3.22) are among the most vulnerable children in society. As set out in the [Placement of Children \(Wales\)](#)

¹⁵ Except in relation to school sixth forms and banding the [1998 Act](#) made it unlawful for any school to adopt selection by ability as a means of allocating places. Section 39 of the [2006 Act](#) reaffirms the position.

¹⁶ [The Designation of Schools Having a Religious Character \(Wales\) Order 2007](#).

¹⁷ Section 111 of the [1998 Act](#).

[Regulations 2007](#) and [Towards a Stable Life and a Brighter Future Guidance](#) which came into force in July 2007, it is of paramount importance that a school place is found as quickly as possible, that is in the best interests of the child.

2.31 For the purposes of setting and administering oversubscription criteria a looked after child is a child who is looked after by a LA in Wales or England in accordance with the [Children Act 1989](#)¹⁹ and whom the LA has confirmed will be looked after at the time of child's admission to the school. Subject to the exceptions in paragraphs 2.32 to 2.34 all admission authorities **must** give highest priority in their oversubscription criteria to looked after children as required by the [Education \(Admission of Looked After Children\) \(Wales\) Regulations 2009](#) and previously looked after children as required by this Code.

2.32 Admission authorities for schools with a designated religious character (faith schools) may give first priority to all looked after children and previously looked after children, whether or not of the faith but **must** give first priority to looked after children and previously looked after children of their faith above any other children of their faith. If they give first priority to looked after children and previously looked after children of the faith, then they **must** give a higher priority to looked after children and previously looked after children not of the faith than other children not of that faith.

2.33 Admission authorities for schools which have provision for selection by ability **must** give higher priority to looked after children and previously looked after children who have been selected by ability over other children who have been selected by ability. Looked after children and previously looked after children who have not been allocated a place on the basis of ability **must** be given priority over other children who have not been allocated a place on that basis.

2.34 Admission authorities for schools which make provision for selection by banding **must** give priority to looked after children and previously looked after children within each band over another child who is eligible for a school place within that band.

2.35 The remaining criteria listed below, are not preferred criteria but rather those most commonly used. Guidance is provided on the circumstances in which their use will be acceptable and when it would not. It is for admission authorities to decide the order of and whether any or all of these criteria are appropriate in their local circumstances, but where this Code states that, in particular circumstances, a criterion **should not** be used, admission authorities must be prepared to justify their decision to use the criterion if an objection is made to the Welsh Ministers.

Siblings of pupils still at the school

2.36 Giving priority to children who have siblings who will be at the school when they join may support parents of young children. Admission authorities **should** give consideration particularly to the needs of younger children at primary schools, where parents may have problems with transporting children placed at different schools. Admission authorities **should** also consider carefully how twins or triplets or other relatives, including those adopted, living permanently in the household will be treated if a sibling criterion is adopted.

¹⁸ This means a child who is looked after by a LA in Wales or England in accordance with section 22 of the [Children Act 1989](#).

¹⁹ Section 22 of the [Children Act 1989](#).

2.37 If using a sibling criterion, admission authorities **should** clearly define what they mean by the term and bear in mind that different ethnic and social groups may understand terms such as “sibling” in different ways. Admission authorities **should** make clear the position of other children living in the same household and define terms used such as step-children, and once defined **must** use the same definition consistently.

Multiple birth children (e.g. twins or triplets)

2.38 Particular difficulties may occur if schools can admit a child but not his or her siblings, and parents may be deterred by the prospect of taking children to two or more schools. Admission authorities **should** consider how they will treat multiple birth children when prioritising applications. If necessary appropriate over-subscription criteria **should** be included in published admission arrangements.

Medical need

2.39 Admission authorities may give higher priority to children or families where there is a medical need (for example where one or both parents or the child has a disability that may make travel to a school further away more difficult).

2.40 If using this criterion, admission authorities **must** give a clear explanation of what supporting evidence will be required - for example a letter from a registered health professional such as a doctor or social worker - and how this will be assessed objectively. It should be made clear that the supporting evidence should set out the particular reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school. Admission authorities **must not** give higher priority to children under this criterion if the required documents have not been produced.

2.41 This criterion, if used, **must not** relate to particular aptitudes for some subjects such as in sport or music. For example, schools **must not** seek to admit children, under this criterion, on the basis e.g. that they ‘need’ to attend the school because they have an aptitude or interest in sport and the school has particularly good sports facilities.

Faith-based oversubscription criteria

2.42 Schools designated as having a religious character may give preference in their admission arrangements to members of a particular faith or denomination, providing this does not conflict with other legislation, such as equality legislation or the mandatory provisions of this Code. As with all other maintained schools faith schools **must not** keep open places if they have insufficient applicants of their own faith and other families have applied for a place at the school.

2.43 As with all oversubscription criteria, those that are faith-based **must** be objective and transparent. Parents and families **must** be able to understand easily how the criteria will be satisfied.

2.44 Where preference is to be given to members of a particular faith, published admission arrangements **must** make clear how religious affiliation or commitment is to be demonstrated - for example by a simple statement of affiliation, or through a reference signed by the family’s priest, minister, or other representative(s) of the church (any reference **should** be in writing). Where reference is made to the frequency of attendance at worship, the definition **should** be specific and refer, for example to ‘weekly worship’

rather than 'regular worship'. It also needs to be made clear whether any requirement is to be met by parents (or one parent if only one parent is an adherent of the particular faith) or by the child or both.

Guidance provided by church or religious authorities

2.45 Church or religious authorities may provide guidance for the admission authorities of schools of their faith that sets out what process and criteria may be used to establish membership of the faith. Such guidance **should** clearly define the terms used and how membership is to be determined, and **must** be consistent with the provisions and guidelines of this Code. Where such guidance is produced, the admissions authorities for schools of the faith **should** follow it.

2.46 Admission authorities for faith schools **should** consider how their particular admission arrangements impact on the local community. Faith schools can contribute to community cohesion by having admission arrangements that are inclusive of other faiths, beliefs and of all elements of the population of their local area.

2.47 Faith schools, as a minimum, **must** give first priority in their oversubscription criteria to looked after children and previously looked after children of their faith (see paragraph 2.32).

Distance between home and school

2.48 Distance between home and school is a clear and objective oversubscription criterion and is useful as a tie-breaker. Where an admission authority determines to use the distance between home and school as part of oversubscription criteria it **should** explain clearly how the shortest available route from home to the school will be measured including the points at the school and the child's home from which distance is to be measured (for example, the main school gate, the front door to the home, how flats will be treated) and care should be taken to use a reliable and reasonable system which parents can readily understand. Reference to 'straight line' and 'how the crow flies' **should not** be used as measures of distance.

2.49 Consideration may be given to the inclusion of the following oversubscription criteria 'furthest from the next appropriate alternative school'. This may also be useful as a tie-break where the pattern of school provision might lead to some children having to travel excessive distances to access a school place.

2.50 Where a child lives with parents with shared responsibility, each for part of a week, the oversubscription criteria need to make clear how the 'home' address will be decided in a fair and considered way.

Split-site schools

2.51 Where split site schools are in operation, the admission authority **should** in most cases, apply the admission arrangements as if the school were a single unit. They **should** make it clear to parents that admission applications are made to the school as a whole and not to a particular site. The site that children attend is a matter for the internal organisation of the school. Appeals cannot be made against the site allocated.

Catchment areas

2.52 The 1997 Rotherham Judgment²⁰ confirmed that there is nothing unlawful in the principle of admission authorities operating catchment areas as part of their oversubscription criteria and thereby giving priority to local children whose parents have expressed a preference for the school. However, admission authorities **should not** guarantee places to parents in a local catchment area, in case the number of in-catchment applications in any one year cannot be accommodated.

2.53 LAs **must not** suggest that parents should express a preference for the school in whose catchment area they live, or that they have been allocated a place at that school before they have expressed a preference. Although they **should** explain the possible consequences of not doing so, LAs **must** make it clear that parents are allowed to express a preference for any school.

2.54 For children of UK Service personnel, admission authorities **must** treat a family moving to their area as meeting the residency criteria for the relevant school catchment area once proof of the posting has been provided, even if no address is currently established in that area.

2.55 Where catchment areas are used, they should be designed so they are reasonable and clearly defined. Reference to historic/traditional or LA boundaries is not always appropriate and may be open to different interpretation. Admission authorities **must** make maps of the specified areas available, for example on their websites or in public libraries or otherwise enable parents to easily identify their home in relation to school catchment areas. Catchment areas **must not** be set or changed after applications have been made. There is nothing to prevent parents expressing a preference for a school if they live outside its catchment area.

Additional guidelines relating to primary schools

2.56 If a primary school has more than one year of entry (for example where a separate infant school feeds into a primary school junior department) separate arrangements **must** be determined for each of the years of entry.

Admission of children below the age of normal entry to school (nursery)

2.57 Local authorities in Wales are under a duty to secure sufficient provision of nursery places for their area for children in the term following their third birthday. When determining and publishing the arrangements for admission to a reception class, the admission authority **must** make it clear that:

- The arrangements do not apply to those being admitted for nursery education including nursery provision delivered in a co-located children's centre.
- Parents of children who are admitted for nursery education will still need to apply for a place at the school if they want their child to transfer to the reception class.
- Attendance at the nursery or co-located children's centre does not guarantee admission to the school.

²⁰ R v Rotherham Metropolitan Council ex parte Clark and others (1997) EWCA Civ 2768.

Primary schools with attached nursery class

2.58 Where schools admit nursery pupils, arrangements for their admission **must** be separately identified and published. The provisions in this Code only apply to nursery admissions to the extent set out in paragraphs 1.8 to 1.10 and in this and paragraphs 2.59 and 2.60. Published admission arrangements **must** make it clear to parents that their child's attendance at the nursery class does not guarantee admission to the school for primary education, and that a separate application **must** be made for transfer from nursery to primary school (as it **must** for transfers from infant to junior schools).

2.59 Nursery provision can be in a maintained or non-maintained setting. Admission authorities must ensure that parents are aware of the formal process for applying for a place²¹ and the practice of registering a child's name at a specific school should be discouraged. There is no role for headteachers in the allocation of places as this is the responsibility of the admission authority. In areas where nursery applications are in excess of the number of places available, admission authorities **should** apply fair oversubscription criteria in order to allocate the places.

2.60 Admission authorities **must not** include attendance at the nursery or the co-located children's centre for nursery education in their oversubscription criteria for admissions to primary school. Such arrangements can advantage those parents willing to travel a substantial distance to allow their child to attend nursery school so that they will have priority in admission to the primary school over more local parents. Such criteria may also disadvantage families who have recently moved to the area and those who have opted for other providers or who choose to take up the free entitlement at an alternative local provider. It may make some parents feel they have to enrol their child at the school before they consider him or her ready, in order to gain a place at the primary school.

Deferred entry to primary schools

2.61 The law does not require a child to start school until the start of the term following the child's fifth birthday. Where the admission authority for a primary school offers places in reception classes to parents before their children are of compulsory school age, they **must** allow parents the option of deferring their child's entry until later in the same school year. The effect is that the place is held for that child and is not available to be offered to another child. The parent would not however be able to defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the school year for which the original application was accepted. This **must** be made clear in the admission arrangements for the school.

2.62 Where there are separate but 'paired' infant and junior schools, published arrangements must make it clear that parents of children at the infant school will need to apply for places at the junior school and that attendance at the infant school does not guarantee a place at the junior school.

Additional guidelines for secondary schools

2.63 The use of named feeder primary schools as an oversubscription criterion can allow better continuity for pupils but needs to be used with caution. Admission authorities **should** ensure that such arrangements do not unduly disadvantage children who move

²¹ [Education Act 2002](#), Schedule 4, paragraph 12 amended section 98 of the [1998 Act](#).

into an area at a late stage and consider carefully the impact that such arrangements have on the ability of a school to serve its immediate local area.

Additional guidelines for middle schools

2.64 Admission authorities with middle schools²² need to determine tailored arrangements for each of the nursery, primary and secondary phases for the relevant years of entry, but once in attendance in the primary phase, those pupils would not need to apply for the secondary phase.

Sixth form admission arrangements

2.65 If an admission authority wishes to adopt specific arrangements for admissions to a school sixth form, including a separate admission number, it **must** consult on, determine and publish those arrangements at the same time and in the same way as all other admission arrangements.

2.66 Applications for admission/entry to a sixth form may be made by either the parent or the young person or both. These applications **must** be treated in the same way as any other application for admission to a school.

2.67 Admission authorities are permitted to set arrangements for entry to sixth forms which are wholly based on selection by reference to ability and where such arrangements exist, the duty to comply with that preference does not apply²³. This means that a young person can be refused a place even if the year group is not full. However, before setting criteria for transfer or admission to the sixth form which are based on ability, admission authorities **should** take into account the needs of the young person and the provision of suitable post compulsory education available in the area that a young person would have access to if they failed to meet the criteria.

2.68 Admission authorities may establish a set of oversubscription criteria for entry to sixth forms which differ from the oversubscription criteria applied in the case of younger year groups. These criteria might include selection by ability. If selection arrangements are adopted, the minimum requirements **should** be fully identified (for example, where entry is dependent on applicants having achieved 5 GCSEs at Grade C or above, this **must** be clearly set out). Such arrangements **should** also include information on how applicants will be prioritised if there are more applications than sixth form places available. These would only need to be used where there are more applications than places.

2.69 To enable the effective application of sixth form oversubscription criteria, admission authorities need to publish a separate sixth form admission number calculated using the '[Measuring the capacity of schools in Wales](#)' formula. Unless this is done, the relevant admission number would be the admission number that applies at Year 7 and this is likely to be too high.

2.70 Any admission authority which sets wholly selective sixth form admission arrangements **must** apply those arrangements equally to both young people who are currently attending the same school but seeking entry to the sixth form and those who are applying to be admitted to the school for the first time. In all other instances young people

²² As defined by Section 5 of the Education Act 1996.

²³ Section 86(3a) of the [1998 Act](#).

who are already attending the school will not need to apply for entry to the sixth form and cannot be refused entry.

2.71 Schools **must not** interview young people or their families for entry to a sixth form, although meetings can be held to provide advice on options and entry requirements for particular courses. Entry **must not** be dependent on attendance, behaviour record, or perceptions of attitude or motivation.

3. Applying admission arrangements

3.1 All admission authorities **must** consider and decide on applications for school places in accordance with their published arrangements.

3.2 If a school is oversubscribed then the admission authority **must** consider all applicants against its published oversubscription criteria (except looked after children, and previously looked after children or children with a statement of SEN).

3.3 Wherever possible all applications for admissions, **should** be returned to the admission authority.

3.4 In a normal year of entry, a child **must not** be refused admission to a school on the grounds of prejudice to efficient education or the efficient use of resources except where the number of applications for admission exceeds the admission number²⁴.

3.5 The admission number reflects the school's ability to accommodate pupils and it **should not** be exceeded. However, it may be reasonable for the admission authority to consider exercising discretion, in exceptional circumstances, to admit more pupils than the admission number indicates. Such instances might include:

- Where there are a significant number of surplus places across the year groups in the school, so that the pupil can be accommodated without prejudicing future intakes if the increased uptake of places continues.
- If there is a temporary shortage of a particular type of provision in an area, for example Welsh medium education, while additional provision is being established.

3.6 It would not be appropriate to exceed the admission number of a school as described above where there are places available at a suitable alternative school which is within a reasonable travelling distance of a child's home having had regard to the local authority's school travel policy.

3.7 It is important to note the difference between class size legislation and admission numbers. Class size legislation should not be confused with the admission number for a school. If the admission number is lower, or higher than 30, pupils **must** be admitted up to the admission number in the normal year of entry, as this reflects the school's capacity to admit children in the relevant age group. The infant class size limit of 30 applies to the organisation of the classes not to the number of children to be admitted.

3.8 When considering applications to years other than the normal year of entry, (i.e. reception or year 7) admission authorities **should** admit to the school's admission number and will rarely be able to prove prejudice as a ground for refusing an additional pupil while numbers remain below the admission number. As the admission number reflects the school's ability to accommodate pupils, it **should not** be exceeded to any significant degree in relation to any year group. If an admission number is routinely exceeded overcrowding could result.

²⁴ Section 86(5) of the [1998 Act](#) as substituted by section 47 of the [Education Act 2002](#).

Application forms

3.9 All applications for admission **must** be made by means of a completed application form whether hard copy or electronic. The information requested **must** be the same on both forms and treated in the same way when submitted. This includes applications made on behalf of a looked after child by a corporate parent where the LA is both the corporate parent and the admission authority. Admission authorities **must** ensure that an application form is produced for each of the schools for which they are responsible. These forms may relate to just one school or to a group of schools. Each form **must** include the deadline by which it is to be returned (i.e. the common date of return) together with the name and address of the person to whom it should be sent. They **should** ask for the following information (a model form is provided at Annex F):

- The child's or young person's full name, date of birth and place of residence (as this may differ from the parent's address).
- The child's or young person's sex (where authorities have single sex secondary schools).
- Whether the child is a 'looked after child' (child in care) or previously looked after child.
- Whether the child has a statement of SEN which includes a named school.
- The young person's or parent's preferred school/s (in order of preference).
- The name/s and dates of birth of older children already in attendance at the preferred school/s (where sibling links are an oversubscription criterion).
- The young person's or child's current school (where feeder schools are a criterion).
- The young person's or parent's signature, printed name, correspondence address and telephone number.
- Over-riding medical reasons for admission with supporting evidence (where medical reasons are an oversubscription criterion).

3.10 To avoid the potential for discrimination, additional information on matters which are not directly relevant to the published oversubscription criteria **should not** be sought.

3.11 Admission authorities **should** also consider providing the following information on application forms:

- That the child/young person on behalf of whom a preference has been expressed will be given priority and that failure to express a preference/submit a form will make it less likely that the child/young person will be able to attend a school of their or their parent's choice.
- That attendance at a nursery class within a primary or infant school does not guarantee a place in the school's reception class and that an application form **must** be submitted.
- That all first preferences will be met except where the number of applications exceeds the number of places available and that in such cases places will be allocated on the basis of the published oversubscription criteria.
- The authority's oversubscription criteria.
- A number to contact in the event that parents/young person wish to find out the relevant catchment area school/s (English/Welsh medium or denominational) where a catchment policy is in operation.
- That there is no right of appeal in relation to nursery admissions.

3.12 Admission authorities **should** also consider acknowledging receipt of application forms so as to provide assurances to young people, parents and carers.

Interviewing

3.13 The [1998 Act](#)²⁵ prohibits the interviewing of parents, a young person and/or a child as a method for deciding whether a place should be offered to the child/young person at a school. This includes both face to face interviews and those using the telephone or other means, for example written questions and answers and essays. Open evenings and other events for prospective parents, young people and children are not affected, but information gained at these events **must not** play a part in the decision making process. Attendance at an open evening or other meeting at the school **must not** be a condition for the allocation of a place.

3.14 This prohibition does not apply to interviews conducted by boarding schools solely for the purpose of determining a child's suitability for a boarding place (see Annex C).

Handling late applications and applications outside the normal admission round

3.15 Admission authorities **should** have an agreed policy on handling late applications. They **should** accept applications which are received after the closing date for application when a good reason is given, for example, when a single parent has been ill for some time, or a family has just moved into the area, or is returning from abroad - provided applications are received before offers of places are made. Looked after children and children with statements of SEN that name a specific school **must** be admitted regardless of when their application was received.

3.16 In dealing with applications outside the normal admissions round, whether in-year or for a school year which is not the normal point of entry to the school, admission authorities **must** comply with parental preference or in the case of a sixth form a young person's preference unless one of the statutory reasons (see paragraph 2.1) for refusing admission applies.

3.17 Anyone expressing an interest in admission **must** be given an application form at the first point of contact. Once received, such applications **must** be considered without delay and a formal decision either to offer or to refuse a place **should** be made and notified to the applicant within 15 school days or 28 calendar days whichever is the sooner. Applicants **must not** be refused the opportunity to make an application, or told that they can only be placed on a waiting list rather than make a formal application.

3.18 Applications for admission to school for a short period only **must** be treated in the same way as any other application for admission.

3.19 The same statutory reasons for refusing admission apply outside the normal admission round as with applications made during the normal admissions round. Admission authorities **must not** refuse to admit a child because they followed a different curriculum at their previous school. However, in such instances, parents should be made aware of the curriculum on offer at the chosen school.

²⁵ Section 88A of the [1998 Act](#) inserted by the [Education and Skills Act 2008](#).

3.20 While it is essential that children who have no school place are found one quickly, the [Education Act 1996](#)²⁶ permits deferment of admission to the start of a school term. In cases involving school transfers that do not require a house move, or where there is no need for an immediate move, admission authorities may wish to arrange for a child to start at the school at the beginning of term to minimise disruption to their own and other children's education. Admission authorities **must** ensure this does not prejudice vulnerable children such as those described in the paragraphs below.

3.21 Where an application outside the normal admission round is made some time in advance of the requested start date (e.g. where a pupil is due to move into an area several months hence) the admission authority **should** consider carefully in the circumstances of the case, the length of time it would be reasonable to hold open the place for the pupil. It would not normally be appropriate to hold open a place for more than a school term.

Looked after children

3.22 [The Education \(Admission of Looked after Children\) \(Wales\) Regulations 2009](#) places a duty on admission authorities in Wales to admit children looked after by a LA in Wales where an application for admission outside the normal admissions round is made by the corporate parent on their behalf. However, before making an application, the corporate parent (i.e. the Welsh LA responsible for looking after the child) **must** consult with the relevant admissions authority (and in the case of a looked after child permanently excluded from two or more schools, the governing body of the relevant community or voluntary controlled school) and make every effort to ensure the appropriateness of the named school in the light of the child's background including SEN and/or faith needs. The consultation need not be onerous and a telephone call between the parties should be sufficient.

3.23 Where an admission authority (or governing body of a community or voluntary controlled school in the case of a looked after child permanently excluded from two or more schools) believes that compliance with the duty to admit a looked after child would seriously prejudice the provision of efficient education or the efficient use of resources, it may, within 7 calendar days of the date on which the application is received, refer the matter to the Welsh Ministers. Any such reference must be made in writing, and **must** set out the admission authority's (or governing body's) basis for believing that serious prejudice will arise. The Welsh Ministers may either uphold the duty to admit, or if the LA that looks after the child agrees, determine that another school in Wales **must** admit the child. The decision of the Welsh Ministers is binding.

3.24 The Welsh Ministers may not determine that an alternative school must admit the child if the child has already been excluded from that school or if the admission would seriously prejudice the provision of efficient education or the efficient use of resources. Where an admission application on behalf of a looked after child or previously looked after child is not referred to the Welsh Ministers, the decision to admit **must** be notified to the applicant within 10 calendar days and the child **must** be permitted to take up the place from the next available school day.

Gypsy and Traveller children

3.25 The Gypsy Traveller community is very strongly family orientated and parents will normally want all of the children in their family to attend the same school. It is an

²⁶ Section 433 of the [Education Act 1996](#).

important element of their culture that older children are expected to look after younger siblings and this especially applies in the school context. If places are not found for all children in the family in the same school, this could result in them being kept home for long periods whilst waiting for places. This potentially presents particular difficulties for admission authorities where families arrive outside the normal admissions cycle.

3.26 Arrangements **must** be in place for Gypsy and Traveller children to be registered quickly at a school whether residing permanently or temporarily in the area. Guidance on best practice in relation to access to education for this group of learners can be found in Welsh Assembly Government Circular 003/2008 [‘Moving Forward - Gypsy Traveller Education’](#).

Waiting lists

3.27 Admission authorities **must** maintain waiting lists for oversubscribed schools, details of which must be set out in the published admission arrangements. Following the allocation of places during the normal admissions round, children **must** remain on the waiting list until the 30 September in the school year for which they have applied. Thereafter the parents **should** be expected to make a fresh application for admission.

3.28 If additional places become available while the waiting list is in operation they **must** be allocated to children on the waiting list on the basis of the published oversubscription criteria. Waiting lists **must not** give priority to children based on the date the application was added to the list. For example, if a child moves to an area outside the normal admissions round and has higher priority under the oversubscription criteria, they **must** be ranked above those with lower priority already on the list. Admission authorities **should** notify parents of where their child has been placed on a waiting list but **must not** give any indication of the likelihood of being offered a place.

3.29 Where school places become vacant before admission appeals are heard, admission authorities **must** fill these vacancies from any waiting list. Placing a child’s name on a waiting list does not affect the parent’s right of appeal against an unsuccessful application.

Admission outside the normal age group

3.30 Although most children will be admitted to a school with their own chronological age group, from time to time parents seek places outside their normal age group for gifted and talented children, or those who have experienced problems or missed part of a year, often due to ill health. While it would not normally be appropriate for a child to be placed in a year group that is not concurrent with their chronological age, admission authorities **should** consider these requests carefully and make decisions on the basis of the circumstances of each case and in consultation with the parents and the school, and specifically in relation to what is most beneficial to the child. Due regard **should** also be given to the Educational Psychologist’s report where available, and clear reasons ascertainable for such a decision to be made.

3.31 If it is decided that there are grounds to consider an ‘out of year’ application, parents refused an application for a place at a school have a statutory right of appeal. However, there is no right of appeal if a place has been offered but not in the desired year group.

Decision taking

3.32 Where the school is its own admission authority, the admissions committee established by the governing body, **must** make such decisions²⁷. Decisions on admissions **must not** be made by one individual in a school. Where the LA is the admission authority the decision **must** be taken by the appropriate LA officer(s) (usually the admissions officer). Whilst LAs may delegate all of their admissions functions to a governing body of a community or voluntary controlled school, they **must not** delegate to the governing body (or Head) part of the functions of an admission authority such as the power to decide admissions applications.

3.33 Heads or other school officials **must not** give parents an expectation that their application will be successful, or tell them that their child has been given a place at the school, before an offer of a place has been made formally. However, where there is evidence that parents have been told by a head, or other school official, that their child will be given a place at a school, they could reasonably expect that the person making the offer had authority to do so. If an informal offer has been made the admission authority **should** normally honour the offer, even though in fact it may not have authorised that person to make it. It is important to note that this offer **should not** prejudice the admission of other children who would otherwise have been offered a place if the informal offer had not been made. The making of unofficial offers could result in a breach of the class size regulations²⁸ (in the case of infant classes), and this is a matter that the school would have to address. It is therefore important to avoid such situations arising.

Notifying parents

3.34 The outcome of all admission applications **must** be notified to parents in writing. The letter **must** be expressed clearly without the use of jargon.

3.35 Where the application is being accepted, a starting date **should** be included where possible. Admission authorities may include a return proforma asking parents if they will/will not be taking up the place offered and set a deadline for its return.

3.36 Where the application is being rejected, the letter **must** set out the reasons for the decision taken including the number of applications received, the number of places available, and the oversubscription criteria applied. If the refusal is because of the infant class size limit this **must** be made clear (see paragraph 3.46). The letter **must** also include information on the parents' right of appeal against the decision, the process for doing this, and the deadline for responding.

Admission appeals

3.37 Parents may appeal against decisions "as to the school at which education is to be provided for the child in the exercise of the authority's functions"²⁹. In the case of sixth form admissions, the parent and the young person are able to appeal separately or jointly. Where they apply separately, the appeals **must** be heard together. Where an admission application is being rejected, admission authorities **must** inform parents of their right of appeal in the letter of rejection and **must not** comment on the likelihood of success. They

²⁷ Regulations made under Sections 21 and 138 of the 1998 Act; and Sections 19-21, 23-25, 34-36, 210 and 214 of the Education Act 2002.

²⁸ The School Admissions (Infant Class Sizes) (Wales) Regulations 2013.

²⁹ Section 94 of the [1998 Act](#).

are also required to establish independent panels to which parents can appeal against decisions to refuse admission to preferred schools. Admission authorities **must** ensure that appeals made during the timetabled admissions process are heard within 30 school days of the specified closing date for the receipt of appeals. Appeal hearings for appeals made outside the timetabled admissions process **must** be held within 30 school days of the appeal being received in writing. During the summer holidays admission authorities **must** arrange their appeals hearings within 30 working days of the appeal being received in writing (see paragraph 4.9 of the School Admission Appeals Code).

3.38 The Education (Admission Appeals Arrangements) (Wales) Regulations 2005 as amended set out the constitution of admission appeal panels. The School Admission Appeals Code imposes mandatory requirements and provides guidelines on how panels should be set up and how they should conduct their hearings.

3.39 Admission authorities **must** admit a child whose parents have won an appeal. If the admission authority wants to challenge the decision of the appeal panel, it may seek judicial review. The Welsh Government has no jurisdiction over the decisions of appeal panels.

Withdrawing offers of places

3.40 Once an admission authority has made an offer of a school place, it may only lawfully withdraw that offer in very limited circumstances. These may include when the admission authority offered the place on the basis of a fraudulent or intentionally misleading application from a parent or young person (for example, a false claim to residence in a catchment area) which effectively denied a place to a child with a stronger claim or where a place was offered by the LA rather than by the admission authority in error.

3.41 A school place **must not** be withdrawn once a child or young person has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child had been at the school **must** be taken into account. Where a place is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if a place is refused.

Duty of a governing body to implement the decision of an admission authority

3.42 The governing body of a community or voluntary controlled school, for which a LA is the admissions authority, **must** implement any decision taken by the admission authority relating to the admission of pupils³⁰ without undue delay.

LA power of direction

3.43 A LA may direct the governing body for a maintained school for which it is **not** the admission authority to admit any child in their area where the child has been refused admission to, and/or is permanently excluded from, each school which is a reasonable distance from their home and provides suitable education, except where the child has been permanently excluded from that school³¹.

³⁰ Section 88(1A) of the [1998 Act](#) (as inserted by section 43 of the [2006 Act](#)).

³¹ Section 96 of the [1998 Act](#) as amended by paragraph 10 of Schedule 4 to the [Education Act 2002](#).

3.44 Before giving a direction the LA **must** consult the governing body for the school they propose to specify in the direction. If following the consultation, the LA decides to issue the direction it **must** first serve a notice in writing of its decision on the governing body and head. The governing body may, within a period of 15 days on which the notice was served, refer the matter to the Welsh Ministers informing the LA that they have done so. If the matter is not referred and the direction is issued, the governing body **must** admit the child to the school.

Other information relevant to school admission arrangements

Infant class size limit

3.45 Statutory limits on class sizes provide that when a single school teacher³² is present, and subject to certain limited exceptions (see below), infant classes (reception, Year 1 and Year 2) may not contain more than 30 pupils³³.

3.46 An admission authority can refuse to admit a child to a school where to do so would cause class size prejudice, that is to say, prejudice to efficient education or efficient use of resources as a result of the relevant measures that would be needed to comply with the duty to limit the size of infant classes. However, in relation to the reception year such prejudice can not be said to arise unless the schools admission number would be exceeded.

3.47 Whilst there is no legislation limiting Key Stage 2 classes to 30 or fewer this is the class size target for the Welsh Government.

3.48 Where certain types of children (“excepted pupils”) cannot be provided with education at the school in another infant class in which the limit is not exceeded without relevant measures being taken which would prejudice efficient education or the efficient use of resources, those children are not to be counted for the purpose of ascertaining whether or not the limit of 30 pupils is exceeded. Excepted children are:

1. Children whose statements of SEN specify that they should be educated at the school concerned, and who were admitted to the school outside a normal admission round.
2. Children who are looked after by local authorities (looked after children), or who have ceased to be looked after (previously looked after children) as a result of being adopted or being placed with a family or given a special guardian and are admitted to the school outside a normal admissions round.
3. Children initially refused admission to a school, but subsequently offered a place outside a normal admission round by direction of an admission appeal panel, or because the person responsible for making the original decision recognises that an error was made in implementing the school's admission arrangements.
4. Children admitted outside the normal admission round who:
 - the maintaining local authority confirmed cannot gain a place at any other suitable school within a reasonable distance of their home because they have moved into the area outside a normal admission round, or

³² A person qualified under the [Education \(School Teachers Qualifications\) \(Wales\) Regulations 2004](#).

³³ Section 1 of the [1998 Act](#) and the School Admissions (Infant Class Sizes) (Wales) Regulations 2013.

- they desire a religious education, or a Welsh speaking education and the school in question is the only suitable school within a reasonable distance.
5. Children who were admitted to the school outside the normal admission round after which the school has arranged its classes, and after the first day of the school year, the effect of which would mean that the school would have to take a relevant measure if such children were not excepted pupils.
 6. Children of armed forces personnel who are admitted outside the normal admission round.
 7. Children whose twin or other sibling from a multiple birth are admitted as non-excepted pupils, as the final pupil(s) allocated a place before the admission number is reached.
 8. Children who are registered pupils at special schools, but who receive part of their education at a mainstream school.
 9. Children with SEN who are normally educated in a special unit in a mainstream school, who receive part of their lessons in a non-special class.

3.49 Excepted pupils will remain so, once admitted, for the remainder of their time in an infant class or until class numbers fall back and they can be organised to comply with the infant class size limit. For example, because a non-excepted child leaves the class, an additional infant class is created, or an additional teacher is appointed, then that child ceases to be an excepted pupil. Classes **must** be organised so as to comply with the limit wherever possible.

3.50 The exceptions in respect of previously looked after children, children of armed forces personnel and twins or other siblings from multiple births will apply in respect of admissions from 2014/15 school year. All other exceptions will apply from the 2013/14 school year.

Children with statements of SEN

3.51 In general, the admission of children with statements of SEN is covered by the [Education Act 1996](#)³⁴. Guidance on the admission of children with statements is provided in the Special Educational Needs Code of Practice for Wales. Consequently the admissions provisions in the [1998 Act](#) do not generally apply to children with statements of SEN. Section 324 of the [Education Act 1996](#) requires a maintained school that is named in a statement of SEN to admit the child. Schools cannot refuse to admit even if by doing so they would exceed their admission number.

3.52 If a LA has provided a statement for a child with SEN it is responsible for ensuring that the special educational provision is made for the child. The LA may identify a particular school which it considers to be suitable for the child's needs, and name the school in the statement. Admission authorities must be mindful of their duties with regards to Equalities Legislation and guidance on improving the ³⁵accessibility of schools³⁶. If the parent of a child with a statement of SEN wishes to appeal against the school named in the statement, or the fact that no school has been named, the appeal is to the Special Educational Needs Tribunal for Wales, not to the admission appeal panel.

³⁵ Sections 312 to 349 of, and Schedules 26 and 27 to the [Education Act 1996](#)

³⁶ Planning to Increase Access to Schools for Disabled Pupils: National Assembly for Wales Circular No: 15/2004.

Children with SEN without statements

3.53 Children with SEN but without statements **must** be treated as fairly as other applicants. Admission authorities **must not** refuse to admit a child because they consider themselves unable to cater for his or her SEN. Admission authorities **must** consider applications from children who have SEN but no statement, on the basis of the school's published admission criteria. They **must not** refuse to admit a child on the grounds that he or she does not have a statement of SEN, or is currently being assessed for one. Where admission authorities give some priority to children with special, medical or social needs etc but without a statement, their published admission arrangements **should** explain what evidence of need is required to qualify under the criterion.

3.54 If a child is going through an assessment process for a statement, the parents may wish to apply for a school place under the normal admissions procedures in case the LA concludes that the child's needs do not require a statement of SEN. If the LA decides that the child **should** have a statement of SEN then decisions about an appropriate school placement will be addressed as part of the statementing process.

Children with disabilities

3.55 Schools and admission authorities have had a duty to provide reasonable adjustments for disabled pupils since 2002 (originally under the Disability Discrimination Act and from October 2010 under the Equality Act 2010). Admission authorities **must not** discriminate against a disabled child by:

- a) the arrangements they make for determining pupil admission to the school
- b) the terms on which they offer to admit a disabled child to the school
- c) refusing or deliberately omitting to accept an application for admission or
- d) failing to provide auxiliary aids and services for disabled pupils.

The reasonable adjustments duty is owed to disabled pupils, as defined in the Equality Act 2010. The new duty is anticipatory and applies in respect of potential pupils so admission authorities and schools **must** think ahead, anticipate barriers to disabled pupils and remove or minimise them.

Children with challenging behaviour

3.56 Admission authorities **should not** refuse to admit a child on the basis of their behaviour elsewhere. Schools **should not** refuse to admit a child thought to be potentially disruptive, or to exhibit challenging behaviour, on the grounds that the child ought first to be assessed for SEN. The law disapplies the normal principle that parents' preferences should be complied with, only in the 'twice excluded' situation described in paragraph 3.57. If following admission, a child is found to be seriously and persistently disruptive, then the school may consider disciplinary action, including temporary and, ultimately, permanent exclusion procedures. However it is important to note that children with challenging behaviour may be disabled as defined in the [Equality Act 2010](#) and therefore require reasonable adjustments to be made for them in the school, or require SEN support. The school **must** be proactive in promoting disability equality in relation to these pupils, as with all disabled pupils.

3.57 Some undersubscribed schools may find that they have been required to admit an undue proportion of children with a recent history of challenging behaviour, which may

have led to a permanent exclusion from another school. Admission forums **should** discuss how local admission arrangements might allow all schools to admit a more even share of such children, including children excluded from other schools, and to agree protocols for the admission of hard to place children. Consideration should be given to the guidance in the Welsh Assembly Government Information Document: Effective managed moves: A fresh start at school for children and young people. Admission authorities **must** have regard to their admission forum's advice.

Twice-excluded pupils

3.58 Where a child has been permanently excluded from two or more schools, their parents can still express a preference for a school place, but the requirement to comply with that preference is removed for a period of two years from the date on which the latest exclusion took place³⁷.

This does not apply to:

- Children with statements of SEN.
- Children who were below compulsory school age when excluded.
- Children who were reinstated following a permanent exclusion.
- Children who would have been reinstated following a permanent exclusion had it been practicable to do so.
- Looked after children and previously looked after children, where the application for admission is made by or on behalf of the corporate parent.

3.59 A permanent exclusion is regarded as taking effect from the first school day the head has told the child not to attend school.

3.60 The admission authority for the school may refuse admission, or in the case of a community or voluntary controlled school, the governing body may appeal against the decision of the LA as the admission authority to admit the child (see the School Admission Appeals Code for information on these appeals). LAs are still responsible for providing suitable full-time education for these children and may need to use their powers of direction or provide a place in a Pupil Referral Unit.

Hard-to-place children

3.61 All admission authorities **must** have protocols in place for admitting children they consider hard to place. All need to play their part in ensuring that these children, especially the most vulnerable, are admitted to a suitable school as quickly as possible. This includes, potentially, admitting children to schools that are already full.

3.62 There is a balance to be struck between finding a place quickly in an undersubscribed school or one facing challenging circumstances and finding a school place that is appropriate for the child. The protocol **should** therefore ensure that no school, including those with places available, is asked to take an excessive or unreasonable number of children who have been excluded from other schools.

3.63 Protocols may include all children who arrive outside the normal admissions round who may have difficulty securing a place. Admission authorities should make reference to

³⁷ Section 87 of the [1998 Act](#).

the guidance provided at paragraph 3.25 to 3.26 in relation to Gypsy and Traveller children. Children with SEN but without statements **should** be treated in the same way as all applicants, but protocols **should** include arrangements for ensuring that, where there is prior knowledge of a need for particular SEN support, such children are placed quickly.

3.64 Once these protocols have been agreed, admission forums **should** monitor how well they are working, how quickly the children are found places, and the contribution every school in the area is making.

Children of UK Service personnel and other Crown Servants (including diplomats)

3.65 Families of UK Service personnel and other Crown Servants³⁸ are subject to frequent movement within the UK and from abroad, often at relatively short notice. School places **must** be allocated to children and their families in advance of the approaching school year if accompanied by an official Ministry of Defence (MOD) or Foreign and Commonwealth Office (FCO) letter declaring a return date. Children of UK Service Personnel may be given excepted status for infant class size purposes when admitted to a school outside the normal admission round.

3.66 Admission authorities **must**:

- Ensure that the needs of the children of these families are taken into account.
- Allocate a school place in advance, if the applicant would meet the criteria when they move to their destination.
- Invite a Service representative or representatives of other significant concentrations of Crown Servants to join the admission forum.
- Accept a Unit postal address for applications from service personnel in the absence of a new home postal address.

3.67 Admission authorities **must not**:

- Reserve places for blocks of these children, or
- Refuse a place to such a child because the family does not currently live in the LA area.

Children from overseas

3.68 Admission authorities **must** treat applications for children coming from overseas in accordance with European Union law or Home Office rules for non-European Economic Area nationals. The Home Office website³⁹ carries the most up to date information and should be used as first point of reference.

Teacher exchange schemes

3.69 Where a child goes abroad to accompany his or her parent on a teacher exchange scheme, the school **should** ensure that the child is able to take up his or her place on return. The child **should** remain on roll and time away may be treated as an “approved educational activity”.

³⁸ A Crown Servant is an officer of the United Kingdom Government.

³⁹ www.homeoffice.gov.uk

3.70 The LA has a duty to find a place for a child who will become resident in their area as a result of his or her parent's participation in a teacher exchange scheme. LAs **should** plan in advance for the needs of these children to ensure that they can take up a suitable school place for the duration of the exchange, wherever this is practicable.

Transfers from the independent sector

3.71 Lone children may be admitted to the UK if they can show that they have a place at an independent, fee-paying school. Where a child has been given leave to enter on that basis, the Home Office will not normally grant an extension of stay, or amend the child's conditions of entry, if the child transfers to a community, voluntary or foundation school. LAs and governing bodies may wish to bear this in mind when considering a request for a transfer in respect of a child from overseas who has been previously attending a fee-paying school. The Home Office website should always be checked for the most up to date advice.

Applications made in the UK for children living abroad

3.72 Admission authorities may receive an application from parents overseas for a school place for a child who is not yet resident in the UK. The admission authority will not necessarily know when the child is expected to be resident in the UK, or whether the parents' application for leave to enter the UK has been or will be successful, or if it has been, on what terms entry has been granted. These are all considerations that an admission authority may reasonably wish to take into account when considering the application.

School uniform

3.73 School uniform plays a valuable role in contributing to the ethos and setting the tone of a school. Admission authorities should have regard to Welsh Government guidance on this matter⁴⁰.

Learner travel

3.74 The [Learner Travel \(Wales\) Measure 2008](#) sets out specific requirements for home to school transport in Wales. The Welsh Government has issued guidance on this⁴¹.

⁴¹ [Guidance for Governing Bodies on School Uniform and Appearance Policies – Welsh Government Circular No: 15/2011.](#)

⁴¹ [Learner Travel Operational Guidance, Welsh Assembly Government, April 2009.](#)

Annex A: The admissions timetable

The timetable and procedures for school admissions are set out in this Code and the relevant regulations. The admissions timetable applied to all maintained schools.

Local authorities have a key role in providing information to parents on admission arrangements and schools in their area.

Example timetable

Determination year (20**/20**)	
1 September	Earliest date to start consultation on proposed arrangements. Consultation should be of a reasonable length in all the circumstances.
1 March	Deadline for the completion of the consultation on proposed admission arrangements.
15 April	Deadline for admission arrangements to be determined even if they have not changed from the previous year and a consultation has not been required.
1 June	Latest date by which governing body admission authorities should send a copy of their full determined admission arrangements to their LA to allow them to compile composite prospectus. LAs should verify this information where possible prior to publication with all contributors.
Autumn Term	Publish and distribute composite prospectus to parents.

Offer year (20**/20**)	
1 October and not later than six weeks before closing date	Deadline for admission authority to publish composite prospectus.
February	Deadline for admission authorities to publish their Appeals timetables on their websites.
1 March or next working day	National offer day for secondary school places (from 2015/16).
16 April or next working day	National offer day for primary school places (from 2018/19).

Annex B: Oversubscription criteria

B.1 The following are **examples only**. Arrangements for individual schools **must** be set in the context of local circumstances and practical application of the criteria.

Community schools

B.2 Children with a statement of special educational needs naming a particular school will be admitted to that school. Where the number of applications on behalf of other pupils is equal to or less than the number of places remaining (please see the relevant school's published admission number) all applications will be agreed. However, where the number of applications exceeds the number of places available the admission authority will apply the following oversubscription criteria and allocate places accordingly.

1. Looked after children (children in public care) and previously looked after children.
2. Children who live within the school's catchment area with a sibling (see definition) attending the school when they join.
3. Children who live within the school's catchment area.
4. Children who live outside the catchment area with a sibling attending the school when they join.

B.3 If the number of pupils in any one of the above categories exceeds the published admission number, the admission authority will use the following tie-breaker to allocate places e.g. the shortest available route between home and school as measured from the main school entrance to the main entrance of the pupil's home using ... software. The same tie - breaker will be applied to any remaining applications if all pupils in the above categories have been allocated a place.

B.4 Admission authorities should clearly define what they consider to be a 'sibling' where the term is used in their oversubscription criteria.

Voluntary-aided schools

B.5 Children with a statement of special educational needs naming a particular school will be admitted to that school. Where the number of applications on behalf of other pupils is equal to or less than the number of places remaining (please see the relevant school's published admission number) all applications will be agreed. However, where the number of applications exceeds the number of places available the admission authority will apply the following oversubscription criteria and allocate places accordingly.

B.6 Admission authorities for schools with a designated religious character (faith schools) may give first priority to all looked after children and previously looked after children, whether or not of the faith but **must** give first priority to looked after children and previously looked after children of their faith above any other children of their faith. If they give first priority to looked after children and previously looked after children of the faith, then they **must** give a higher priority to looked after children and previously looked after children not of the faith than other children not of that faith. Such as in the following example:

1. Looked after children (children in public care) and previously looked after children of the faith.

2. Children of the faith who live within the school's defined area with a sibling (see definition) attending the school when they join.
3. Children of the faith who live within the school's defined area.
4. Children of the faith who live outside the defined area with a sibling attending the school when they join.
5. Children of the faith who live outside the defined area.
6. Looked after children (children in public care) and previously looked after children not of the faith.
7. Children not of the faith who live within the school's defined area with a sibling (see definition) attending the school when they join.
8. Children not of the faith who live within the school's defined area.
9. Children not of the faith who live outside the defined area with a sibling attending the school when they join.

B.7 If the number of pupils in any one of the above categories exceeds the published admission number, the admission authority will use the following tie-breaker to allocate places e.g. the shortest available route between home and school as measured from the main school entrance to the main entrance of the pupil's home using ... software. The same tie - breaker will be applied to any remaining applications if all pupils in the above categories have been allocated a place.

B.8 It is for individual admission authorities, in accordance with diocesan guidance, to define the means by which parents/guardians will evidence compliance with their faith oversubscription criteria. Likewise where parishes form the 'determined area' details of these should be available to parents. Admission authorities **should** clearly define what they consider to be a 'sibling' where the term is used in their oversubscription criteria.

Annex C: Boarding schools

C.1 There is currently only one maintained boarding school in Wales. This Annex applies specifically to that school and sets out the framework within which admissions to boarding places at the school should be made.

Admission procedures

C.2 As maintained schools, boarding schools **must** adopt a set of published admission criteria for both day and boarding places which comply with education and equality legislation and with the provisions of this Code.

C.3 Boarding schools may adopt separate admission numbers and, if they wish, separate oversubscription criteria for day and boarding places.

C.4 Where there are more applicants who are suitable to board than there are boarding places available, the school **must** apply the oversubscription criteria set out in its published admission arrangements. These criteria **must** be set in accordance with the provisions of this Code and legal requirements and **must not** amount to any form of selection by aptitude or ability, except where otherwise permitted. The oversubscription criteria **must not** include criteria for deciding which pupils are most suitable to board. Interviews and any other information used to judge suitability **must not** be used to determine admission to day places. Setting fair, clear and objective admission criteria should ensure that admission authorities can clearly demonstrate to parents and carers how places have been allocated.

Boarding need

C.5 Boarding schools **must**, after giving the required priority to looked after children and previously looked after children, give next priority in their oversubscription criteria for boarding places to 'children with a boarding need'. Boarding schools **must** ensure that it is clear to parents what is meant by 'boarding need'.

C.6 Although this is not a comprehensive list, children with a boarding need include:

1. Children at risk.
2. Children from single parent families.
3. Children with an unstable home environment.
4. Children of members of the British forces overseas.
5. Children of key workers working abroad (e.g. the children of charity workers, people working for voluntary service organisations, the diplomatic service or the European Union, teachers, law enforcement officers and medical staff working abroad) whose work dictates that they spend much of the year overseas.

C.7 Those children described at paragraph C.6 (1) to (3) **should** be given priority regardless of their normal place of residence, and children described in paragraph C.6 (4) and (5) **should** be given priority when the normal place of residence is based in the locality or priority area of the school.

Suitability for boarding

C.8 A maintained boarding school is entitled to consider an applicant's suitability for boarding before deciding whether to award a boarding place.

C.9 In order to determine the suitability of an applicant to board, the school may have regard to:

- The outcome of an interview with the applicant carried out for that sole purpose.
- Information provided by the applicant's parent, corporate parent, or guardian, on a supplementary application form provided for the same purpose.
- Information provided by the applicant's current school or - if he or she is currently out of school - previous school, requested and provided for the same purpose.
- Information provided by the home LA on safeguarding issues.

C.10 An 'interview' in this context means face-to-face or telephone interviews or meetings with the candidate used to determine suitability for boarding. The general prohibition on interviewing as part of the admissions process does not apply to such interviews.

C.11 Boarding schools **must not** use any other processes to determine suitability. They **must not** ask for or consider information on religious background (unless this is relevant to assessment against published admission arrangements), home circumstances, academic ability, sporting or artistic ability, academic interests or other extraneous matters such as low level misbehaviour. If any such information is provided it **must** be disregarded.

C.12 There is no requirement for admission authorities to use interviews and supplementary application forms to assess suitability, but where they do, they **must** take account of the guidelines contained in this Code.

C.13 Suitability for boarding **must not** be adopted as an oversubscription criterion. Schools with boarding places **must** determine their oversubscription criteria in accordance with the mandatory provisions and guidelines set out in Chapter 2 of this Code. Published admission arrangements **must** state that the school will additionally carry out a process to establish suitability for boarding which will involve an interview and/or using supplementary application forms (if the boarding school decides it wishes to use interviews and supplementary application forms).

Definition of suitability

C.14 Suitability does not refer to those children who best fit the school's ethos. Suitability refers to:

- Whether a child presents a serious health and safety hazard to other boarders, or
- Whether a child is developmentally suited to a boarding place.

C.15 For boarding places, the admission authorities are entitled to take the view that a history of major behavioural difficulties such as sexual misconduct, arson or extreme physical violence is likely to render an applicant unsuitable to board. Low level misbehaviour would not do so.

Preparing for and conducting an interview

C.16 In preparing for and conducting interviews for boarding places schools must:

- Focus purely on whether the applicant would be able to cope with and benefit from a boarding environment.
- Be fair and open. Children and parents **must** be informed of the process in advance, and know what to expect from the interview.
- Give children a chance to state separately from their parents whether they wish to board.

C.17 It is good practice to brief applicants and their parents carefully about the purpose and structure of the interview beforehand. Applicants **should** be put at their ease during the interview, and interviewers **must** make every reasonable effort to accommodate the needs of those with special needs or a disability (e.g. hearing impairment or speech difficulty). In some circumstances, it may be necessary for interviews to be conducted through an interpreter.

C.18 Admission authorities **must not**:

- Require or request children to sit any form of written or verbal test of knowledge, ability or attitudes.
- Seek to screen out pupils who have a record of low level poor discipline which has not resulted in them being twice permanently excluded. This prohibition includes asking questions which seek to ascertain whether applicants' reactions to conflict situations are conciliatory or confrontational.
- Seek to screen out pupils who are not as outgoing or confident as others, or as eloquent.
- Seek information about parental background, finances, marital status or religion.
- Seek information about home circumstances.
- Seek to obtain information about low level misbehaviour, absenteeism, academic ability, sporting, artistic or any other form of achievement or ability, or
- Ask questions about whether applicants know any existing boarders.

C.19 If an admission authority determines that an applicant is not suitable for boarding, it **must** inform the parents in writing of the reasons for the determination and, as with other refusals of admission (i.e. for a day place), the right of appeal and who to contact to lodge an appeal.

Annex D: Admission forums

D.1 Admission forums have a key role in ensuring a fair admissions system that does not disadvantage one child compared with another and is straightforward and easy for parents to understand. Forums are responsible for monitoring compliance with this Code and where they consider admission arrangements to be unfair or not in accordance with this Code and cannot resolve the matter locally they may refer the matter to the Welsh Ministers for consideration. These guidelines should be read in conjunction with the [Education \(Admission Forums\) \(Wales\) Regulations 2003](#).

Legal requirement

D.2 Section 85A of the [1998 Act](#) (inserted by section 46 of the [Education Act 2002](#)) requires all LAs to establish an admission forum. Admission forums provide a vehicle for admission authorities and other key interested parties to discuss the effectiveness of local admission arrangements, consider how to deal with difficult admission issues and advise admission authorities on ways in which their arrangements can be improved. Admission authorities of all maintained schools, when exercising their functions, **must** have regard to any advice offered by the forum. LAs may establish a joint forum with one or more other LAs to consider and advise on admissions in more than one authority area.

Role of admission forums

D.3 Admission forums have a key role in ensuring a fair admissions system that promotes social equity and **must** under section 84 of the [1998 Act](#), act in accordance with this Code. The role of admission forums is set out in Regulations⁴². Admission forums **must**:

- Consider how well existing and proposed admission arrangements serve the interests of children and parents within the area of the LA.
- Promote agreement on admission issues.
- Consider the comprehensiveness and accessibility of the admissions literature and information produced for parents by each admission authority within the area of the forum.
- Consider the effectiveness of any proposed co-ordinated admission arrangements.
- Consider the means by which admissions processes might be improved and how actual admissions relate to the admission numbers published;
- Monitor the admission of children who arrive in the LA's area outside a normal admission round with a view to promoting arrangements for the fair distribution of such children among local schools, taking account of any preference expressed in accordance with arrangements made under section 86(1) of the [1998 Act](#) and in accordance with this Code.
- Promote effective admission arrangements for children with SEN, looked after children and children who have been excluded from school.
- Consider any other admissions issues that arise.

⁴² [Education \(Admission Forums\) \(Wales\) Regulations 2003](#).

D.4 Admission forums should consider appropriate application dates for all primary and secondary school admissions within their area in consultation with neighbouring authorities as appropriate.

Ensuring fair access

D.5 In discharging these responsibilities, admission forums **must**:

- Review the comprehensiveness, effectiveness and accessibility of advice and guidance for parents by the LAs and schools through the published composite prospectus (see paragraph 2.12).
- Agree procedures for ensuring that potentially vulnerable children and those who arrive in the area outside the normal admissions round are placed in a school as quickly as possible. Vulnerable children include those previously excluded from school, children in care, young offenders, children with SEN and/or disabilities, Gypsy and Traveller children, or those who are hard to place, or have challenging behaviour. Managed transfers of such children should be handled as quickly and sensitively as possible. The forum should ensure that all admission authorities in the area are aware of the agreed procedures and should monitor to ensure that they are working effectively.
- Monitor compliance with the School Admissions, and School Admission Appeals Codes and related legislation.

Annual reports on effectiveness of local admission arrangements

D.6 Admission forums **must** provide a summary annual report which **should** be made public (with due consideration for confidential references to pupils) and include the following information:

- Membership of forum.
- Dates of meetings held during the year.
- Number of attendees.
- Number of parental preferences that were met.
- number of admission appeals made for schools in the area (including information on how many were successful and unsuccessful).
- What admission arrangements have been put in place to serve the interests of vulnerable children.
- How well in-year agreed admission procedures are working and the number of children admitted to each school under the procedures and
- A short summary of the key admission issues in the area and how the forum has addressed them.

D.7 Such reports are a valuable tool in ensuring an open and fair admission system as admission authorities **must** have regard to any advice published by the admission forum. A copy of the report **should** be sent by 30 November each year to Schools Management and Effectiveness Division of the Welsh Government, and be distributed to those with a vested interest in ensuring the needs of vulnerable children are met.

Membership

D.8 The core membership of admission forums is set out in Regulations and is shown in the table below:

Members nominated by	Number
LA - any member or officer of the authority	1 to 5
Church in Wales Diocesan representatives	1 to 3
Roman Catholic Diocesan representatives	1 to 3
Schools - community and voluntary controlled	1 to 3
Schools - foundation	1 to 3
Schools - voluntary aided	1 to 3
Parent governor representatives	1 to 3
Representatives of the local community	up to 3

D.9 Each representative of a school **should** be a head, or a governor (other than one appointed to the school by the LA who is also a member of the authority). Admission forums **should** include representatives of neighbouring LAs where, for example, there are significant cross-border issues or they have a contribution to make. These representatives would be in addition to those of the home LA.

D.10 The core membership of each forum may ask the LA to appoint anyone it considers appropriate to represent significant interests in the local community. For instance, in areas where there is a significant concentration of service personnel the forum **must** invite a UK service representative and where appropriate, representatives from faith groups not already represented, and minority ethnic groups **should** be appointed.

D.11 If the forum considers that it would be useful to appoint additional members to represent the interests of any section of the local community the LA **should** appoint such members. For example, where the forum is considering issues relating to the admission of looked after children and previously looked after children, it **should** ask the LA to appoint LA officers with expertise in children's social care. Where there is a particular issue that needs investigation and more detailed consideration LAs **should** create a working group (which does not need to consist of forum members) to carry out this work and report-back to the forum.

Tenure

D.12 Core members and school members of the forum are appointed for a period not exceeding 4 years, after which they are eligible for reappointment. Other members of the forum are appointed on the terms determined by the core members, including whether or not they are to be eligible for reappointment at the end of their term. Membership of the forum **should** be reviewed in September each year. If a school member ceases to be a head or school governor, they cannot continue on the forum in that capacity.

D.13 The LA may also establish sub-committees to help the forum in the performance of its functions. Sub-committees might be appropriate for considering primary and secondary issues separately, or, if the relevant area is large and has areas with distinct admissions patterns, separate sub-committees might consider issues in each area, before bringing them back to the main forum for discussion.

Procedure for meetings and appointment of officers

D.14 Regulations require forums to meet at least twice a year, but the procedure for the meetings is regulated by the core members themselves. All members of the forum **should** be given at least 7 working days notice of the time and date of the meeting and be given any documents relevant to that meeting 7 days in advance. The forum **must** appoint a Chair and Vice Chair, who may or may not be members of the forum, and a Secretary to convene its meetings.

Promulgating advice and making objections

D.15 Admission forums **should** seek to achieve a consensus among the whole membership rather than secure a majority opinion and **should** only promulgate advice that represents the agreed views of the forum as a whole.

D.16 The LA **must**, as a minimum, publish the forum's advice on the school admissions section of their website and send copies to all admission authorities in the area. The advice **should** also be included in the composite prospectus published by the LA each year for parents.

Annex E: Other relevant legislation

E.1 Below is set out the primary legislation most relevant to admissions decisions. Admission authorities, adjudicators, appeal panels, LAs and schools **must** comply with the relevant law as well as acting in accordance with the provisions of this Code and following its guidelines. The information here aims to signpost the relevant law; it does not aim to provide definitive guidance on interpreting the law: that is for the courts.

Equality Act 2010

E.2 This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools **must** have due regard to their obligations under the Act and review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.

E.3 An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.

E.4 An admission authority **must not** harass a person who has applied for admission as a pupil, in relation to their disability; race; or sex.

E.5 An admission authority **must not** victimise a person in relation to a protected act either done, or believed to have been done by that person (e.g. bringing proceedings under the [Equality Act 2010](#)) in the arrangements and decisions it makes as to who is offered admission as a pupil.

E.6 This Act contains limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Welsh Ministers as having a religious character (faith schools) are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

E.7 Admission authorities are also subject to the Public Sector Equality Duty and therefore **must** have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.

E.8 The protected characteristics for these purposes are: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

E.9 Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission.

Human Rights Act

E.10 The [Human Rights Act 1998](#) confers a right of access to education. This right does not extend to securing a place at a particular school. Admission authorities, however, do need to consider parents' reasons for expressing a preference when they make decisions about the allocation of school places, to take account of the rights of parents under the Act, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' right to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

United Nations Convention on the Rights of the Child (UNCRC) and the Rights of Children and Young Persons (Wales) Measure 2011

E.11 The UNCRC is an international agreement, which brings together additional human rights into a single Convention, which aims to protect and provide support for children and help them to achieve wellbeing.

E.12 The UNCRC has been incorporated into Welsh domestic law, in so much as it affects the Welsh Ministers, through the [Rights of the Children and Young Persons \(Wales\) Measure](#) 2011.

Annex F: Model application form

This is a model application form and should be amended to reflect the needs of the admission authority.

Name and address of Admissions Authority

Application for admission to [Infant/Junior/Primary/Secondary] school (NB: Separate forms should be made available for each relevant year of entry).

Please read this form carefully and complete it as fully as possible. The information you give will be used to allocate a school place to your child.

1. Child's full name [A]

2. Child's date of birth

3. Child's sex M/F

4. Child's place of residence, including post code [B]

5. Parent's name/s [C]

6. Parent's address and telephone number

Please telephone [name of person] on [tel. no.] for information on your catchment area, English and Welsh medium schools and Roman Catholic and Church in Wales schools. [D]

7. Please indicate below your preferred school/s (in order of preference); you may express more than one preference and give a reason for your preference/s. [E]

1. _____

2. _____

3. _____

*Expressing a preference does not guarantee admission to your chosen school but it will give your child priority over children whose parents have **not** expressed a preference for that school. If you do not express a preference, or you submit this form late it will be less likely that your child will be able to attend the school of your choice.*

8. Is the child a Looked After Child/Previously Looked After Child? Yes/No. If yes, please also state the corporate or previous corporate parent. [F]

9. Does the child hold a statement of SEN which names a school? Yes/No. If yes, which school is named? [G]

10. Please give the names and dates of birth of the child's siblings who are already attending the preferred school/s. [H]

Name	_____	DOB	_____	School	_____
Name	_____	DOB	_____	School	_____

11. Please give the name of the child's current infant/junior/primary school. [I]

12. Please indicate your child's special medical circumstances, if any. [J]

13. Has the child been baptised? Yes/No. If, yes, please submit a copy of the baptismal certificate with this form. [K]

14. Is the child/Are the child's parents communicant members of X Church? Yes/No. If yes, please submit with this form a supporting statement from the priest/minister or other Church representative. [L]

*If the number of applications to your preferred school is fewer than or equal to the number of places available, **all** applicants will be admitted. **However**, if the number of applications to your preferred school is greater than the number of places available, the information you give below will be used to rank your child's priority for a place in line with the oversubscription criteria which are:*

[List of oversubscription criteria.]

Your preferred schools will be considered equally and you will be offered a place in the most preferred school where a place is available.

This form must be returned to [name] at [address] by [date].[M] Applications received by this date will be considered together and places allocated.

Signed _____ **Parent**

Date _____

We recommend that you keep a copy of the completed form for your own records.

Notes

- A. It is not appropriate to ask for “Christian” name since not all applicants may be Christian.
- B. Where necessary the authority may wish to indicate that proof of residency may be required.
- C. In relation to a young person or child, the term ‘Parent’ includes any person who is not a parent but who has parental responsibility or care of the child.
- D. Insert the name and telephone number of a person who holds information on catchment area English/Welsh/denominational schools.
- E. You may not limit the number of preferences a parent may express.
- F. All applications made on behalf of Looked After Children and Previously Looked After Children must be approved by the relevant admission authority.
- G. If a school is named in a statement of SEN, the admissions authority has a duty to admit the child to that school.
- H. You may only ask for siblings’ details where these feature in your admissions arrangements’ oversubscription criteria. You should clarify in your admissions arrangements how you intend to define ‘siblings’ e.g. full, half, step, adopted and fostered brothers and sisters. This criterion may not include relatives who previously attended the school.
- I. You should normally only ask for the child’s previous school where a feeder school system is in operation. However, where the information is required for administrative purposes it may still be requested but you must ensure parents are aware of the reason for the request and that such information will not be taken into consideration when allocating a place.
- J. You may only ask this question if your oversubscription criteria give priority to children under medical circumstances.
- K. You may only ask this question if your oversubscription criteria give priority to children baptised into the faith of the school.
- L. You may only ask this question if your oversubscription criteria give priority to children who are themselves/whose parents are communicant members of the Church named.
- M. Insert name and address of person responsible for receiving admission forms.

Annex G: Commencement

Provision	Coming into force
Infant class size exceptions in respect of all those (paragraph 3.48) not listed below.	For the 2013/14 school year.
Infant class size exceptions in respect of previously looked after children, children of armed forces personnel and twins or other siblings from multiple births (paragraph 3.48).	For the 2014/15 school year.
Common date of offer for secondary schools (paragraph 2.24).	In respect of admission arrangements for 2015/16.
Common date of offer for primary schools (paragraph 2.24).	In respect of admission arrangements for 2018/19.

Annex H: Related documents

- Children Act 1989
- Designation of Schools Having a Religious Character (Wales) Order 2007
- Education (Admission Appeals Arrangements) (Wales) (Amendment) Regulations 2013⁴³
- Education (Admission Appeals Arrangements) (Wales) (Amendment) Regulations 2009
- Education (Admission Appeals Arrangements) (Wales) (Amendment No. 2) Regulations 2009
- Education (Admission Appeals Arrangements) (Wales) Regulations 2005
- Education (Admission Forums) (Wales) Regulations 2003
- Education (Admission of Looked After Children) (Wales) Regulations 2009
- Education (Determination of Admission Arrangements) (Wales) Regulations 2006
- Education (Middle Schools) (Wales) Regulations 2012
- Education (Objections to Admission Arrangements) (Wales) Regulations 2006
- Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999
- Education (School Teachers Qualifications) (Wales) Regulations 2004
- Education (Start of Compulsory School Age) Order 1998
- Education Act 1996
- Education Act 2002
- Education and Inspections Act 2006
- Education and Skills Act 2008
- Effective managed moves: A fresh start at school for children and young people: Welsh Assembly Government Information Document No: 096/2011
- Equality Act 2010
- Guidance for Governing Bodies on School Uniform and Appearance Policies – Welsh Government Circular No: 15/2011
- Human Rights Act 1998
- Learner Travel Operational Guidance, Welsh Assembly Government, April 2009
- Learner Travel (Wales) Measure 2008
- Measuring the Capacity of Schools in Wales - Welsh Government Circular No: 021/2011
- Moving Forward - Gypsy Traveller Education – Welsh Assembly Government Circular 003/2008
- New School (Admissions) (Wales) Regulations 2006
- Parents and Parental Responsibility National Assembly for Wales Circular No 12:2007
- Placement of Children (Wales) Regulations 2007
- Planning to Increase Access to Schools for Disabled Pupils: National Assembly for Wales Circular No: 15/2004
- R v Rotherham Metropolitan Council ex parte Clark and others (1997) EWCA Civ 2768
- Rights of Children and Young Persons (Wales) Measure 2011
- School Admission Appeals Code
- School Admissions (Common Offer Date) (Wales) Regulations 2013
- School Admissions (Infant Class Sizes) (Wales) Regulations 2013

⁴³ to be laid before the National Assembly for Wales in September 2013

- School Admissions (Variations to the Admission Arrangements) (Wales) Regulations 2013
- School Information (Wales) Regulations 2011
- School Standards and Framework Act 1998
- School Standards and Organisation (Wales) Act 2013
- Special Educational Needs Code of Practice for Wales
- The School Information (Wales) Regulations 2011
- Towards a Stable Life and a Brighter Future
- United Nations Convention on the Rights of the Child (UNCRC)

Glossary

Admission arrangements

The overall procedure, practices and oversubscription criteria used in deciding the allocation of school places.

Admission authority

The body responsible for setting and applying a school's admission arrangements. For community or voluntary controlled schools, the LA is the admission authority; and for foundation or voluntary aided schools, the governing body of the school is the admission authority.

Admission forum

A statutory local body charged with co-ordinating the effectiveness and equity of local admission arrangements. The Forum comprises representatives of admission authorities and schools, dioceses, the local community and parent governors.

Admission number

The number of school places that the admission authority **must** offer in each relevant age group of a school for which it is the admission authority. Admission numbers are part of a school's admission arrangements, and **must** be consulted upon with the rest of a school's admission arrangements and be published with those arrangements in the school's prospectus and the LA composite prospectus.

Admission round (Normal)

The normal admission round begins in September/October it is the period when parents are invited to apply for admission to any community, voluntary or Foundation school and ends on the date that offers of places are issued in the school year before admission or transfer. This is usually in the years before reception, year 2 and year 6 for those authorities operating infant, junior and secondary schools.

Appeal panel

The people responsible for considering appeals against decisions not to admit a child or young person to a school. They are totally independent of the LA. Any decision taken by an appeal panel is final and binding on the relevant admission authority.

Banding

A system of oversubscription criteria in which all children applying for a place at a banding school are placed into ability bands based on their performance in a test or other assessment. Places are then allocated so that the school's intake either reflects the ability profile of those children applying to the school, those children applying to a group of schools banding jointly, the LA ability profile or the national ability profile.

Catchment area

A geographical area, from which children may be afforded priority for admission to a school. A catchment area is part of a school's admission arrangements and **must** therefore be consulted upon, determined and published in the same way as other admission arrangements. Voluntary aided schools may choose to define their catchment area as their parish boundary, this **must** be made clear.

Children in public care; Looked after children; Children in care

Children who are in the care of LAs as defined by section 22 of the [Children Act 1989](#). In relation to school admissions legislation a 'looked after child' is only considered as such if the LA confirms he or she will be in public care when he or she is admitted to a school.

Complaints

The Welsh Ministers may use their powers of intervention in the Education Acts to consider complaints about the actions of an admission authority in Wales.

Composite prospectus

The prospectus that a LA is required to publish by 1 October and not later than six weeks before parents express their preferences for schools. This prospectus **must** include the detailed admission arrangements of all maintained schools in the area (including admission numbers, catchment areas and the timetabled admissions process).

Compulsory school age

Section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998 explain that a child reaches compulsory school age in the term following their fifth birthday. The term dates being prescribed as 31 August, 31 December and 31 March. A child ceases to be of compulsory school age if they have attained the age of 16 on the prescribed school leaving date, or before the next school year, which is the last Friday in June.

Conditionality

Oversubscription criterion that stipulates conditions that affect the priority given to an application, for example taking account of other preferences or giving priority to families who include in their other preferences a particular type of schools (e.g. where other schools are of the same religious denomination). Conditionality is prohibited by this Code.

Corporate parent

The Welsh LA responsible for making an application for admission to school on behalf of a looked after child/child in care.

Determination year

The school year immediately preceding the offer year. This is the school year in which admission authorities determine their admission arrangements.

Furthest from and nearest to

Children who live the furthest from the next nearest appropriate alternative school, at which places are available and where the preferred school is the nearest school to them.

Governing bodies

School governing bodies are bodies corporate responsible for conducting schools with a view to promoting high standards of educational achievement. Governing bodies have three key roles: setting strategic direction, ensuring accountability and monitoring and evaluation. Governing bodies of voluntary aided and foundation schools are admission authorities for their schools.

Home Schooling/Flexi Learning

The education of children at home, typically by parents but sometimes by tutors rather than in a formal setting. Some children attend schools part time on days arranged between parents and head teachers.

Home-school agreements

A statement explaining: the school's aims and values; the school's responsibilities towards its pupils who are of compulsory school age; the responsibilities of the pupil's parents; and what the school expects of its pupils. It is not acceptable to require signature of a home-school agreement as a condition of admitting a child to a school.

Infant class size exceptions

These are prescribed exceptions to the statutory requirement that infant classes **must** be no more than 30 children per school teacher. Please see paragraphs 3.45 – 3.50 for full information.

Infant class size limit

The [1998 Act](#) requires children aged 5, 6, and 7 to be taught in classes of no more than 30 children per school teacher.

Junior class size target

The Welsh Government has a target of ensuring children aged 7 to 11 are taught in classes of no more than 30 children per school teacher.

Middle school

Middle schools are schools providing full-time education suitable to the requirements of pupils who—

- a) have attained a specified age below 10 years and six months, and
- b) are under a specified age above 12 years.

Normal year of entry

The point at which pupils are normally admitted to school for example, reception or year 7.

Nursery class

Part of a primary school that is used by pre-school pupils – those under compulsory school age – and which provides a range of structured educational experiences suitable for children of that age.

Nursery school

A primary school is a nursery school if it is used wholly or mainly for the purpose of providing education for children who have attained the age of two but are under compulsory school age (see section 6 of the Education Act 1996).

Oversubscription criteria

The list of criteria an admission authority **must** adopt for its school(s) which are used only when the school is oversubscribed to assess which children will be offered a place. Once determined, admissions criteria, including the admission number, **must** be published by the school and in the LA composite prospectus at least 6 weeks before parents express their preferences.

Parent

The definition of “parent” in section 576 of the [Education Act 1996](#) includes: all natural parents, whether married or not; any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although neither a natural parent nor a person with parental responsibility, has care of a child or young

person. Any reference to a “parent” for the purpose of this Code should be interpreted as the above definition of “parent” under the [Education Act 1996](#).

Parental responsibility

“Parental responsibility” is defined in the [Children Act 1989](#) and means assuming all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his property. The [Children Act 1989](#) states that if a child’s natural parents were not married when the child was born the mother automatically has parental responsibility. The father can, however, acquire parental responsibility by various legal means. It is now the case (following the enactment of the [Adoption and Children Act 2002](#)) that a father who is registered as such in the register of births and deaths also automatically attains parental responsibility. In addition, it is now the case that ‘step-parents’ (which includes civil partners) can acquire parental responsibility, for example by entering into an agreement with a parent with parental responsibility.

Previously looked after children

Looked after children who ceased to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after.

Primary school

The Education Act 1996 defines “primary school” as a school for providing primary education, whether or not it also provides further education.

Public Services Ombudsman for Wales

An independent, impartial and free service that looks into complaints by members of the public where they have suffered hardship or injustice through maladministration or service failure on the part of a public body in Wales.

Relevant age group

The age group to which children are normally admitted. Each relevant age group **must** have admission arrangements, including an admission number attached. Some schools (for example schools with a sixth form which admit children into the sixth form) have more than one relevant age group.

Relevant area

The area for a school (determined by its LA and then reviewed every two years) within which the admission authority for that school must consult all other schools on its admission arrangements.

School day

School day is defined in section 579 of the [Education Act 1996](#) as follows: “‘school day’, in relation to a school, means any day on which at that school there is a school session”. A school session can be a morning session or an afternoon session, so a school day is any day when the school meets for all or part of the day.

School year

In relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July.

Secondary school

The Education Act 1996 defines “secondary school” as a school for providing secondary education, whether or not it also provides further education.

Twice excluded

A child who has been permanently excluded from two or more schools.

Waiting list

A list of children/young people held and maintained by the admission authority, when the school has had all of its places allocated, on which children/young people are ranked in priority order against the school’s published oversubscription criteria.

Young person

A child who is seeking admission to a sixth form or a transfer from year 11 to year 12 at their current school.



Home to School Transport Policy

To be applied to all learners entering the 2021 – 22 academic year onwards

Version 1.0 17/08/2020 JF
Version 1.1 16/02/2022 JF/SLM



Introduction

Powys County Council (“the Council”) has a legal duty to provide learners of compulsory school age with free transport to their nearest suitable maintained school if they live over the statutory walking distance.

Transport will be provided in accordance with the Learner Travel (Wales) Measure 2008 (“the Measure”)¹ and the statutory guidance issued by Welsh Ministers entitled ‘Learner Travel - Statutory Provision and Operational Guidance - June 2014’ (“the Guidance”)² and the local authority’s School Transport Policy as set out below. These arrangements apply to learners who ordinarily reside in Powys or those deemed to be the responsibility of Powys local authority.

This policy is aligned with the ‘**Strategy for Transforming Education in Powys**’ that was approved by the Leader of the Council (following extensive public engagement) 14th April 2020.

Note: This information is correct at time of publication but may be subject to change as a result of changes in the law or Council Policy. This policy will be subject to periodic review.

¹ Learner Travel (Wales) Measure 2008, <http://www.legislation.gov.uk/mwa/2008/2>

² Learner Travel - Statutory Provision and Operational Guidance - June 2014, <https://gov.wales/sites/default/files/publications/2018-03/learner-travel-statutory-provision-and-operational-guidance-june-2014.pdf>

Section 1: Transport for Primary and Secondary Aged Learners **(Reception to Year 11)**

1.2 Legal duties of the Council

The legal duties of a local authority in relation to school transport, as outlined in the Measure, are as follows:

The Council **must**:

- Assess the travel needs of learners in their authority area
- Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school
- Provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school
- Assess and meet the needs of “looked after” children in their authority area
- Promote access to Welsh medium education
- Promote sustainable modes of travel

The definition of a ‘suitable school’ is a school where the education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have.

The Council recognises its obligations under the School Standards and Framework Act 1998 to comply with parental preference regarding choice of school. However, where parents/guardians exercise a preference for a school other than their nearest suitable school, the child/ren will not be entitled to free home to school transport. Parents must make their own transport arrangements and are wholly responsible for their child/rens to travel to the school of their choice and all associated transport costs.

Where parents have shared responsibility for a child and the child has dual residency at both parents homes, the Council will provide transport from both home addresses, providing that parents can provide evidence that the child/ren live at both addresses and that the child/ren will meet the qualifying criteria in 1.2 below.

1.2 Qualifying criteria

Home to school transport will be provided for learners who ordinarily reside in Powys to attend their nearest suitable school or catchment school.

A ‘catchment’ school means the nearest school within a geographic area.

To be eligible for free home to school transport, the learners’ nearest school or catchment school must be:

- The nearest to the learners’ home address and if so,
- They are more than 2 miles from their home address for primary school (aged 4 -11) or more than 3 miles for secondary school (age 11 to 16)

The distance will be measured from the closest access point on the public highway (which could include footpaths and bridleways) to the learner’s ordinary place of residence which is nearest to the school and measured to the nearest school gate. A footpath or bridleway will be considered suitable if it has a stone or tarmac surface. Any other surface will only be considered if it can be walked in normal school footwear. The measurement will be made through the use of the Councils Geographical Information System (GIS).

Under section 3(7) of the Measure the walking distance should be measured by the “shortest available route”. A route is considered to be available if it is safe (as far as reasonably practicable) for a learner without a disability or learning difficulties to walk the route alone or with an accompanying adult if the learners age and levels of understanding requires this.

If a route is not ‘available’ and there is no alternative ‘available’ walking route within the respective distance threshold applicable to the learner’s age, which can be used instead, as prescribed within Section 3 of the Measure, the learner cannot be expected to walk to their nearest school. Even though the distance from home to school is less than the distance limit that applies to the learner’s age.

1.3 Looked After Children

It will be for the Council with parental responsibility for looking after a learner to determine which school they should attend, which might be a school other than their nearest school to their current place of residence because, for instance, of priority to maintain continuity in their education or contact with siblings and friends. Subject to the Looked After Child meeting the same distance criteria, free school transport will be provided to the school of the Councils choosing.

1.4 Learners with SEN/ALN

The Council will make suitable and relevant educational provision for all children with additional learning needs to ensure they are able to develop to their maximum potential.

The level of transport need is assessed by relevant professionals in the Council’s education department, and this informs the type of transport provided. Transport will then be provided in line with the advice given and reviewed on an annual basis.

If a child has a statutory plan, school transport may be included as part of the non-educational provisions made for the child as part of their plan. If it is, then transport will be provided. However, free transport will not be provided if parents / carers exercise their right to preference of school which is not the nearest suitable school named in the statutory plan. (See Admissions Policy).

If school transport is not included in a child’s statutory plan, or if a child does not have a statutory plan, then they may still be entitled to home to school transport under the policy, provided that the school they are attending is the nearest appropriate school, subject to the eligibility criteria being met (See Admissions Policy).

Where the Council arranges transport for learners to attend special school / specialist centre attached to a mainstream school, it will do so ensuring that the learner(s) will have an appropriate journey time for the school they are attending. There are no specific set journey times, but the learners age, disability or learning difficulty will be considered when arranging their transport.

Passenger Assistants may be provided on some vehicles. This will be determined following an initial travel needs application/assessment and risk assessment where necessary.

1.5 Method of transport

For primary aged learners who meet the qualifying criteria, dedicated school transport vehicles will be provided. Wherever required, dedicated school transport vehicles will carry primary, secondary aged and Post 16 learners together. Primary aged learners will not be transported on a public transport service.

For Secondary aged learners who meet the qualifying criteria, where public transport is available this will be used as first choice and a bus pass will be issued. Where no public transport is available, dedicated school transport will be provided.

1.6 Schools that are over-subscribed

When the nearest suitable school is full and unable to admit a learner, free transport will be provided to the next nearest suitable school that has room to take the child, as long as the home is 2 miles or more away from the next nearest suitable school, or 3 miles or more for secondary school learners. If a learner has been refused a place at a school through an admissions appeal, then free transport will be provided to the next nearest suitable school that has room to take the child, if the child qualifies for free transport.

1.7 Closure of school/school reorganisation

If a decision is made to close a school following a statutory school reorganisation process, then free transport will be provided to the nearest suitable or catchment school, but only as long as the home address is 2 miles/3 miles (as appropriate) or more away from that school.

When a new school opens, free transport will only be provided to that school if it is the child's nearest school and the home is 2 miles / 3 miles (as appropriate) or more away from new school.

1.8 Safety

The Council is subject to a legal duty to assess the travel needs of learners who walk to school under Section 2 of the Measure. For learners who do not meet the qualifying distance criteria shown in section 1.2, the Local Authority may provide transport to the nearest school if the route is deemed hazardous.

Hazardous routes are assessed by an appropriate Officer in the Corporate Passenger Transport Unit and they will follow the guidance provided in the Learner Travel: Statutory Provision and Operational Guidance June 2014.

Parents must apply, in writing, to the Corporate Transport Unit: transport.applications@powys.gov.uk stating the reasons why they believe the walked route is unsafe.

Section 2: Discretionary Travel Arrangements

The Measure gives local authorities power under Section 6 to make discretionary arrangements for learners who would not otherwise qualify for free school transport. Where the authority grants discretionary transport for learners outside the terms of the policy parents will be informed in writing that the transport has been granted outside the terms of the policy. The decision to offer discretionary travel does not necessarily create a precedent for future applications.

This discretion will be operated in accordance with Measure and the Guidance, and this will apply to any arrangements that the authority thinks fit to facilitate the travel of learners to and from a place of education and learning.

2.1 Welsh Medium

In order for the Council to comply with Section 10 of the Learner Wales Travel Measure 2008 which states that each local authority must promote access to education and training through the medium of the Welsh language, the Council will make an exception to the qualifying criteria if your child attends a Welsh medium school, and the chosen school isn't the nearest to their home address.

Free school transport is only available if your child lives over the minimum distance from the school shown in 1.2.

If the child then changes from Welsh medium to the English stream (in a dual stream school) and their school is not their closest English medium school, transport will be withdrawn.

2.2 Transport for 16-19 learners

There is no requirement for the local authority to provide school or college transport free of charge to learners after they complete Year 11 (post 16 years of age)

Free transport is made available for full-time learners who live 3 miles or more from their nearest secondary school or nearest further education college site within Powys providing education for 16 – 19-year-olds. The nearest further education college site is defined as the nearest Powys site to the learner's ordinary place of residence.

Transport will be provided to those learners whose ordinary place of residence is within the county of Powys to access the school(s) where their A Level subjects are being delivered subject to the qualifying criteria being met.

The Council does not provide transport to Post 16 education establishments outside the county boundary. However, we may provide assistance with travel costs if the establishment attended is the nearest suitable provision to the learner's ordinary place of residence and the school or college do not provide or arrange their own transport.

2.3 Transport related to learner referral services

Learners who access the pupil referral unit (PRU) or who follow an alternative curriculum may need to travel to different centres for provision during the week. Under these circumstances, the Council will provide free transport to the centres attended by a learner on a weekly basis, subject to the standard distance qualification criteria.

Where free school transport is in place, learners accessing the PRU will normally be expected to travel on mainstream school transport where appropriate. Other specific arrangements based on an individual learner's need will be decided by the Powys Inclusion Panel.

2.4 Transport related to permanent exclusions and managed moves

The authority will provide transport for permanently excluded learners or learners subject to managed moves who meet the standard distance qualification criteria to enable them to attend the nearest appropriate alternative school identified by the Council.

2.5 High school induction days

Year 6 learners who will be transferring into Year 7 in September are able to make use of existing school transport if they meet the qualifying criteria for secondary aged learners (i.e live more than 3 miles from their nearest suitable school) when attending induction days if a seat is available on a bus.

2.6 Special arrangements for learners with short-term medical needs

Consideration will be given to provision being made for all learners with a short-term medical need for transport because the nature of the medical condition severely impacts upon their mobility (e.g. a broken leg), not just those who qualify for transport on distance. In all instances, transport will only be provided if the learner is attending their nearest or catchment school.

Requests, supported by evidence of the medical need for transport from a medical professional, should be made in writing to the Corporate Transport Unit or by e-mailing transport.applications@powys.gov.uk. Provision will be reviewed on a termly basis or earlier if necessary.

2.7 Transport for those who do not meet the qualifying distance criteria

Consideration will be given to provision being made for those learners who attend their nearest suitable school but do not qualify for free school transport under the distance criteria. Where public transport can meet their needs, learners will be made aware of this and they can access the service bus upon payment of the appropriate fare. Where no suitable public transport provision is in place, the Council may provide a permit for a seat on a dedicated school bus (if one is available) subject to the appropriate fee being paid and the vehicle meeting the requirements of PSVAR2000 regulations. The seat will only be available on a temporary basis and may be withdrawn at any time at the discretion of the authority e.g. when seats become unavailable. This could take place at short notice and responsibility for transport then reverts back to the parents / guardian.

2.8 Transition Arrangement

The following transitional arrangements will apply to enable existing learners to complete their education:

- For primary aged learners (ages 4 to 11): Until they complete the end of their primary school or they leave their school
- For secondary aged learners (ages 11 to 16): To the end of Key Stage 4 (statutory school age) or leave their school

- To the end of Key Stage 5 (aged 16-19) for a learner in Years 12-13.

Where the policy changes and transition arrangement are put in place for learners, any younger siblings that apply for transport will be considered under the new policy and will not be granted a place on transitional transport with their brother or sister

Section 3: General Transport Matters

3.1 Seat Belts

In accordance with the Travel Behaviour Code, learners are expected to wear a seat belt.

3.2 Provision of passenger assistants on transport

Passenger assistants are not normally provided on transport to mainstream schools. The need for a passenger assistant on a vehicle to support an individual learner/learner will be decided following completion of a risk assessment by the Council.

Passenger assistants will be provided on vehicles to supervise learners on their journey to and from certain ALN schools / specialist centres attached to mainstream schools based on the learner's specific needs. In most cases the need will be established during the statementing/review process and will be in accordance with the needs of the learner. For learners that require individual transport, the provision of an assistant is qualified through the transport application form where officers identify the need and, where applicable, with key stakeholders. The requirements will be confirmed by the authority's ALN Manager.

3.3 Journey times

In assessing the travel needs of learners, the local authority will consider the fact that travel arrangements must be safe and reasonable.

In accordance with the Learner Wales Operational Guidance, the authority will aim to ensure that, except in exceptional circumstances, a learner being transported to their nearest mainstream school/site will have an appropriate journey time for the school they are attending, and the geographical area they live in.

3.4 Behaviour

This policy is aligned with the All Wales Travel Behaviour Code and as such, by applying for free / discretionary school transport learners will be expected to follow the Code.

Parents are therefore encouraged to make themselves aware of the All Wales Travel Behaviour Code by following these links:

<https://gov.wales/sites/default/files/publications/2018-03/wales-travel-behaviour-code-a4.pdf>

<https://gov.wales/sites/default/files/publications/2018-03/school-bus-travel-behaviour-code-a4.pdf>

3.5 Cameras

CCTV will be installed in some contracted vehicles to ensure the safety of passengers and drivers and to identify individuals who demonstrate unacceptable behaviour. Where CCTV is used, learners will be made aware that recording services are in operation, including details around the confidentiality, use, storage, and retention of images.

3.6 Pick up points

It is not always possible to arrange the routes of vehicles to pass close to the home of all learners. Parents may therefore be required to make their own arrangements for their children to get to and from the nearest 'pick-up' point of the vehicle, which is the parent's responsibility. Every effort is made to keep this distance to a minimum and it should not exceed 1 mile. In

these instances, the assistance of parents in escorting learners safely to and from vehicles is sought.

3.7 Change in school session times

Under the Changing of School Session Times (Wales) Regulations 2009, where the authority considers that a change in school session times is necessary to make travel arrangements more efficient or effective, or sustainable, it will undertake appropriate consultation to change the time a school's first (morning) session begins and its second (afternoon) session ends.

3.8 Safeguarding

Required safeguarding checks (enhanced DBS clearance) will be undertaken by operators on all bus drivers, taxi drivers and passenger assistants every 3 years.

All drivers are required to undertake safeguarding training with the authority. They also complete online training through the NSPCC. During the tendering process, all contractors must evidence that they adhere to a safeguarding policy.

3.9 Adverse weather

During periods of adverse weather, the authority or contractor may suspend free transport provision. Every effort will be made to contact parents/guardians to inform them of school closures. Where learners need to be transported home earlier than the normal closing time, the school will contact parents/guardians to inform them of the school's closure to ensure the safety of learners after they leave the school. Where parents/guardians transport learners who would normally travel on home-to-school transport to school in the morning they are responsible for collecting them at the end of the school day.

3.10 Payments to parents/guardians

In remote areas where it would not be viable to the authority to provide transport to qualifying learners, agreement may be sought for parents/guardians to transport their learner/ren to/from school on payment of an agreed fuel allowance rate. Such cases will be considered on an individual basis and arrangements will be reviewed regularly.

3.11 Complaints

All complaints regarding home-to-school transport from learners, parents/guardians, members of the public, drivers, etc. will be investigated.

Any concerns or complaints regarding learner behaviour, drivers, passenger assistants or vehicles should be made, as soon as possible after the incident, to both the school and the Corporate Transport Unit, County Hall, Llandrindod Wells, LD1 5LG, by emailing buses@powys.gov.uk.

3.12 Contract Compliance

In addition to statutory vehicle safety checks, the Council will, on unspecified days, undertake random checks on Council-contracted vehicles to ensure that contracts are being complied with.

3.13 Appeals procedure

Entitlement to free school transport will be decided by an officer in the Corporate Transport Unit. Where a request is refused, parents/guardians will be advised of the reason(s) not to award free transport.

If a parent/guardian is not satisfied by the decision of the of the Corporate Transport Unit, then they can challenge the decision using the following appeal process:

- **Stage 1:**
In the first instance, parents should put in writing the details of an appeal with any supporting evidence. This appeal should be sent either by letter or email to the Passenger Transport Manager, Corporate Fleet & Transport, Corporate Transport Unit at County Hall, Llandrindod Wells, LD1 5LG / transport.appeals@powys.gov.uk. Confirmation of receipt of the appeal will be sent to the parent within 5 working days and a formal response will be sent to the parent within 20 working days of receipt of the appeal.
- **Stage 2:**
If the parent/guardian is not satisfied by the decision of the Passenger Transport Manager Corporate Fleet & Transport, an appeal can be made within 14 working days of the date of the stage 1 appeal response letter in writing to the Head of Highways, Transport and Recycling. Confirmation of receipt of this second appeal will be sent to the parent/guardian within 5 working days. The parent/guardian will be invited to an appeal hearing. The appeal will be decided within 4 weeks/20 working days of receipt, by the Head of Highways, Transport and Recycling and where possible/applicable prior to the start of the Autumn term, unless agreed otherwise by both parties. The Head of Highways, Transport and recycling will make the final decision on the outcome of the appeal, parents will be informed either at the appeal hearing or as soon as possible thereafter but within the 4 weeks/20 working days time-frame..

The decision at all transport appeals are heard and decided upon on a case by case basis. If following the Stage 2 process you remain dissatisfied, you may raise your complaint with Public Service Ombudsman for Wales, 1 Ffordd yr Hen Gae, Pencoed, CF35 5LJ or <https://www.ombudsman.wales/>

There is also a right of appeal on a point of law by way of Judicial Review. This right must be exercised within 6 weeks of the decision.

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Learner Travel (Wales) Measure 2008

2008 nawm 2

A Measure of the National Assembly for Wales to make provision about the travel of persons receiving primary, secondary or further education or training to and from schools or other places where they receive it; and for connected purposes.

This Measure, passed by the National Assembly for Wales on 30 September 2008 and approved by Her Majesty in Council on 10 December 2008, enacts the following provisions:—

Main terms

1 Main terms used in this Measure

- (1) This section applies for the purposes of this Measure.
- (2) “Travel arrangements” are travel arrangements of any description and include—
 - (a) the provision of transport;
 - (b) the provision of one or more persons to escort a child when travelling;
 - (c) the payment of the whole or any part of a person's reasonable travelling expenses;
 - (d) the payment of allowances in respect of the use of particular modes of travel.
- (3) “Learners” means persons who receive education or training.
- (4) The following are “relevant places”—
 - (a) maintained schools;
 - (b) institutions in the further education sector;
 - (c) independent schools named in [F1individual development plans maintained under section 14 or 19 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018];
 - (d) non-maintained special schools;
 - (e) pupil referral units;
 - (f) places other than pupil referral units where education is arranged under section 19(1) of the Education Act 1996;

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *Learner Travel (Wales) Measure 2008*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (g) places where education or training funded by the Welsh Ministers under section 34(1) of the Learning and Skills Act 2000 (c. 21) is provided;
- (h) ^[F2]independent special post-16 institutions within the meaning given by section 56 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 which are named in individual development plans maintained under section 14 or 19 of that Act];
- (i) places where nursery education is provided—
 - (i) by a local authority, or
 - (ii) by any other person who is in receipt of financial assistance given by a local authority under arrangements made by them in pursuance of the duty imposed by section 118 of the School Standards and Framework Act 1998 (c. 31);
- (j) places where work experience is undertaken.

Textual Amendments

- F1** Words in s. 1(4)(c) substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 14(2)(a)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3(o)(xvi); S.I. 2021/1244, art. 3(o)(xvi); S.I. 2021/1245, arts. 3(o)(xvi), 4 (with art. 1(4))
- F2** S. 1(4)(h) substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 14(2)(b)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3(o)(xvi); S.I. 2021/1244, art. 3(o)(xvi); S.I. 2021/1245, arts. 3(o)(xvi), 4 (with art. 1(4))

Commencement Information

- I1** S. 1(1)-(3)(4)(a)-(i) in force at 6.3.2009 by [S.I. 2009/371](#), **Sch. Pt. 1**
- I2** S. 1(4)(j) in force for specified purposes at 30.10.2009 by [S.I. 2009/371](#), **art. 2(1)(a)**
- I3** S. 1(4)(j) in force for specified purposes at 30.10.2009 by [S.I. 2009/2819](#), **art. 2(1)(a)**

Learner travel arrangements

2 Duty to assess learner travel needs

- (1) This section applies in relation to—
 - (a) learners who have not attained the age of 19;
 - (b) learners who have attained the age of 19 who have begun a course of education or training before attaining that age and continue to attend that course;
 - (c) such other learners as may be prescribed.
- (2) In each academic year, a local authority must assess the learner travel needs of their area for the following academic year. But this duty is subject to the provisions of section 5.
- (3) For the purposes of subsection (2), the “learner travel needs” of a local authority's area are the needs of learners who are ordinarily resident in the authority's area for suitable travel arrangements each day to and from the relevant places where they receive education or training.
- (4) In making an assessment under subsection (2) a local authority must have regard in particular to—

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- (a) the needs of learners who are disabled persons,
- (b) the needs of learners with learning difficulties,
- (c) the needs of learners who are children looked after, or formerly looked after, by a local authority,
- (d) the age of learners, and
- (e) the nature of the routes which learners could reasonably be expected to take to the relevant places where they receive education or training.

Commencement Information

I4 S. 2 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

3 Local authority duty to make transport arrangements

- (1) This section applies in relation to a child of compulsory school age if—
- (a) the child is ordinarily resident in a local authority's area,
 - (b) the circumstances set out in an entry in column 1 of the following table apply to the child, and
 - (c) the condition, or all of the conditions, set out in the corresponding entry in column 2 of the table are met in relation to the child.
- (2) The local authority must make suitable transport arrangements to facilitate the attendance of the child each day at the relevant places where the child receives education or training. But this duty is subject to the provisions of section 5.

TABLE

Column 1 Circumstances	Column 2 Condition(s)
The child is receiving primary education at— <ul style="list-style-type: none">(a) a maintained school,(b) a pupil referral unit,(c) an independent school [^{F3}or other institution named in an individual development plan maintained for the child under section 14 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or(d) a non-maintained special school, at which the child is a registered pupil.	<ul style="list-style-type: none">(a) The child is ordinarily resident at a place 2 miles (3.218688 kilometres) or more from the school or unit.(b) No arrangements have been made by the local authority for enabling the child to become a registered pupil at—<ul style="list-style-type: none">(i) a suitable maintained school,(ii) a suitable pupil referral unit,(iii) an independent school [^{F4}or other institution named in an individual development plan maintained for the child under section 14 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or(iv) a suitable non-maintained special school, nearer to the place where the child is ordinarily resident.(c) No arrangements have been made by the local authority for suitable boarding

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The child is receiving secondary education at—

- (a) a maintained school,
- (b) a pupil referral unit,
- (c) an independent school [^{F3}or other institution named in an individual development plan maintained for the child under section 14 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or
- (d) a non-maintained special school, at which the child is a registered pupil.

The child is receiving education or training at an institution in the further education sector at which the child is enrolled as a full-time student.

The child—

- (a) is a registered pupil at a maintained school, and
- (b) receives secondary education at a relevant place other than that school.

The secondary education referred to in paragraph (b) is education arranged—

- (i) by the local authority, or
- (ii) by, or on behalf of, the governing body of the school at which the child is a registered pupil.

The child is looked after by a local authority and is receiving primary education at—

- (a) a maintained school,
- (b) a pupil referral unit,

accommodation for the child at or near the school or unit.

- (a) The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the school or unit.
- (b) No arrangements have been made by the local authority for enabling the child to become a registered pupil at—
 - (i) a suitable maintained school,
 - (ii) a suitable pupil referral unit,
 - (iii) an independent school [^{F4}or other institution named in an individual development plan maintained for the child under section 14 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or
 - (iv) a suitable non-maintained special school,

nearer to the place where the child is ordinarily resident.

(c) No arrangements have been made by the local authority for suitable boarding accommodation for the child at or near the school or unit.

(a) The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the institution.

(b) No arrangements have been made by the local authority for enabling the child to become enrolled at a suitable institution nearer to the place where the child is ordinarily resident.

The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the relevant place.

The child is ordinarily resident at a place 2 miles (3.218688 kilometres) or more from the school or unit.

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(c) an independent school [^{F5}or other institution named in an individual development plan maintained for the child under section 19 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or

(d) a non-maintained special school, at which the child is a registered pupil.

The child is looked after by a local authority and is receiving secondary education at—

(a) a maintained school,

(b) a pupil referral unit,

(c) an independent school [^{F5}or other institution named in an individual development plan maintained for the child under section 19 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018], or

(d) a non-maintained special school, at which the child is a registered pupil.

The child is ordinarily resident at a place 3 miles (4.828032 kilometres) or more from the school or unit.

-
- (3) The local authority must not charge a child or a parent who is an individual for any transport arrangements made in accordance with this section.
- (4) Transport arrangements made in accordance with this section may include—
- (a) the provision of transport;
 - (b) the payment of the whole, but not part, of a child's transport expenses.
- (5) For the purposes of subsection (2), transport arrangements are not suitable if—
- (a) they cause unreasonable levels of stress for the child,
 - (b) they take an unreasonable amount of time, or
 - (c) they are unsafe.
- (6) For the purposes of each paragraph (b) in the second column of the table in this section, the school, unit or institution is suitable for the child if the education or training provided there is suitable, having regard to the age, ability and aptitudes of the child and any learning difficulties he or she may have.
- (7) The distances mentioned in column 2 of the table in this section are to be measured by the shortest available route.
- (8) A route is “available” for the purposes of subsection (7) if—
- (a) it is safe for a child without a disability or learning difficulty to walk the route alone, or
 - (b) it is safe for such a child to walk the route with an escort, if the age of the child would call for the provision of an escort.
- (9) Regulations may prescribe circumstances and conditions for the purposes of paragraphs (b) and (c) of subsection (1); such regulations may amend the table

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or subsections (6), (7) and (8) (including repealing an entry in the table or those subsections).

Textual Amendments

- F3** Words in s. 3 substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), [Sch. 1 para. 14\(3\)\(a\)\(i\)](#); S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3(o)(xvi); S.I. 2021/1244, art. 3(o)(xvi); S.I. 2021/1245, arts. 3(o)(xvi), 4 (with art. 1(4))
- F4** Words in s. 3 substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), [Sch. 1 para. 14\(3\)\(b\)](#); S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3(o)(xvi); S.I. 2021/1244, art. 3(o)(xvi); S.I. 2021/1245, arts. 3(o)(xvi), 4 (with art. 1(4))
- F5** Words in s. 3 substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), [Sch. 1 para. 14\(3\)\(a\)\(ii\)](#); S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3(o)(xvi); S.I. 2021/1244, art. 3(o)(xvi); S.I. 2021/1245, arts. 3(o)(xvi), 4 (with art. 1(4))

Commencement Information

- I5** S. 3 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

4 Local authority duty to make other travel arrangements

- (1) This section applies in relation to a child of compulsory school age if—
 - (a) the child is receiving education or training at a relevant place,
 - (b) the child is ordinarily resident in a local authority's area, and
 - (c) the local authority consider that travel arrangements are necessary to facilitate the attendance of the child each day at the relevant place where the child receives education or training.
- (2) The local authority must make suitable travel arrangements to facilitate the attendance of the child each day at the relevant places where the child receives education or training. But this duty is subject to the provisions of section 5.
- (3) A local authority must not charge a child or a parent who is an individual for any travel arrangements made in accordance with subsection (2).
- (4) Travel arrangements made in accordance with subsection (2) may include the payment of the whole, but not part, of a child's travel expenses.
- (5) In considering whether travel arrangements are suitable for the purposes of this section, a local authority must have regard in particular to—
 - (a) the assessment they carry out in accordance with section 2(2);
 - (b) the transport arrangements they are under a duty to make for the child under section 3;
 - (c) the age of the child;
 - (d) any disability or learning difficulty of the child;
 - (e) the nature of the routes which the child could reasonably be expected to take.
- (6) For the purposes of this section, travel arrangements are not suitable if—
 - (a) they cause unreasonable levels of stress for the child,
 - (b) they take an unreasonable amount of time, or

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- (c) they are unsafe.
- (7) In considering whether travel arrangements are necessary for the purposes of this section a local authority—
- (a) must have regard in particular to the matters specified in subsection (5);
 - (b) may have regard in particular to whether or not the child is attending the nearest suitable relevant place to the child's place of ordinary residence.
- (8) Subsection (7)(b) applies if—
- (a) the child is not looked after by a local authority, and
 - (b) arrangements have been made by the local authority for enabling the child to attend a suitable relevant place nearer to the child's place of ordinary residence.
- (9) For the purposes of this section, a relevant place is suitable for a child if the education or training provided there is suitable, having regard to the age, ability and aptitudes of the child and any learning difficulties he or she may have.

Commencement Information

I6 S. 4 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

5 Limits of learner travel duties

Section 2 does not require the assessment of learner travel needs and sections 3 and 4 do not require the making of travel arrangements—

- (a) for learners to travel during the day between relevant places or between different sites of the same institution, or
- (b) for any purpose other than attendance at a relevant place to receive education or training.

Commencement Information

I7 S. 5 in force in so far as not already in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

I8 S. 5 in force for specified purposes at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

6 Power of local authorities to make learner travel arrangements

- (1) This section applies in relation to a learner if—
- (a) the learner is ordinarily resident in the local authority's area, or
 - (b) the learner receives education or training in the local authority's area.
- (2) The local authority may make travel arrangements to facilitate the attendance of the learner at a place where that person receives education or training.
- (3) A local authority may charge for travel arrangements made under this section for registered pupils of compulsory school age in accordance with the provisions of sections 455 and 456 of the Education Act 1996.
- (4) A local authority may charge for travel arrangements made under this section for other learners.

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Commencement Information

I9 S. 6 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

7 Travel arrangements for learners in post-16 education or training

- (1) This section applies in relation to learners ordinarily resident in Wales—
 - (a) who—
 - (i) are over compulsory school age but have not attained the age of 19, or
 - (ii) have attained the age of 19 and have begun a particular course of education or training before attaining that age and continue to attend that course; and
 - (b) who receive education or training—
 - (i) at a place in Wales, or
 - (ii) which is funded by the Welsh Ministers at a place outside Wales.
- (2) Regulations may make provision about travel arrangements for learners to and from the places where they receive education or training.
- (3) The regulations may in particular—
 - (a) confer powers or impose duties on the following—
 - (i) the Welsh Ministers;
 - (ii) local authorities;
 - (iii) institutions in the further education sector;
 - (b) specify the kinds of place to and from which travel arrangements may or must be made;
 - (c) specify the travel arrangements that may or must be made;
 - (d) specify the matters that must be taken into account in making decisions about travel arrangements;
 - (e) make provision about charges;
 - (f) require any person to give any information or other assistance that is reasonably required by any other person in connection with the performance of the other person's functions under the regulations;
 - (g) make provision about the standards of behaviour required of learners while travelling to and from the places where they receive education or training.

Commencement Information

I10 S. 7 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

8 Travel arrangements to and from nursery education

- (1) Regulations may make provision about travel arrangements for children under compulsory school age to and from the places where they receive nursery education.
- (2) The regulations may in particular—
 - (a) require a local authority to make travel arrangements;
 - (b) permit a local authority to make travel arrangements;

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- (c) specify the kinds of place to and from which travel arrangements may or must be made;
- (d) specify the travel arrangements that may or must be made;
- (e) specify the matters that must be taken into account in making decisions about travel arrangements;
- (f) make provision about charges;
- (g) require any person to give any information or other assistance that is reasonably required by the local authority in connection with the performance of the authority's functions under the regulations.

Commencement Information

I11 S. 8 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

9 Learner travel arrangements not to favour certain types of education or training

- (1) This section applies if arrangements under section 3, 4, or 6 are made in respect of learners of a description set out in an entry in column 1 of the following table.
- (2) Arrangements must also be made in accordance with those sections in respect of the learners of the description set out in the corresponding entry in column 2 of the table.
- (3) The arrangements referred to in subsection (2) must be no less favourable than the arrangements referred to in subsection (1).

TABLE

Column 1	Column 2
Children of compulsory school age receiving education or training at maintained schools.	Children of the same age receiving education or training at other relevant places.
Learners over compulsory school age receiving full-time education or training at maintained schools.	Learners of the same age receiving full-time education or training at other relevant places.
Learners with learning difficulties receiving education or training at maintained schools.	Learners of the same age with learning difficulties receiving education or training at other relevant places.
Learners who have a disability receiving education or training at maintained schools.	Learners of the same age who have a disability receiving education or training at other relevant places.
Children looked after by a local authority receiving education or training at maintained schools.	Children of the same age who are looked after by a local authority receiving education or training at other relevant places.

Commencement Information

I12 S. 9 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

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Promoting access to Welsh medium education

10 Promoting access to education and training through the medium of the Welsh language

Each local authority and the Welsh Ministers must promote access to education and training through the medium of the Welsh language when exercising functions under this Measure.

Commencement Information

I13 S. 10 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

Sustainable modes of travel

11 Sustainable modes of travel

- (1) Each local authority and the Welsh Ministers must promote the use of sustainable modes of travel when exercising functions under this Measure.
- (2) “Sustainable modes of travel” are modes of travel which the authority or the Welsh Ministers (as the case may be) consider may improve either or both of the following—
 - (a) the physical well-being of those who use them;
 - (b) the environmental well-being of—
 - (i) the whole or part of the local authority's area, in the case of an authority, or
 - (ii) the whole or part of Wales, in the case of the Welsh Ministers.

Commencement Information

I14 S. 11 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

Travel behaviour code

12 Travel behaviour code

- (1) The Welsh Ministers must make a travel behaviour code.
- (2) A travel behaviour code is a code setting out the standards of behaviour required of learners to whom subsection (3) applies while they are travelling to and from the relevant places where they receive education or training (whether or not they take advantage of travel arrangements made by a local authority).
- (3) This subsection applies to—
 - (a) learners who have not attained the age of 19;
 - (b) learners who have attained the age of 19 who have begun a course of education or training before attaining that age and continue to attend that course;
 - (c) such other learners as may be prescribed.
- (4) The Welsh Ministers must review the travel behaviour code from time to time.

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- (5) The Welsh Ministers must publish the code.
- (6) Before making or revising a code the Welsh Ministers must consult such persons as they consider appropriate.

Commencement Information

- I15** S. 12 in force at 30.10.2009 by [S.I. 2009/371](#), [art. 2\(1\)\(b\)](#)
I16 S. 12 in force at 30.10.2009 by [S.I. 2009/2819](#), [art. 2\(1\)\(b\)](#)

13 Enforcement of travel behaviour code: pupils at relevant schools

- (1) Section 89 of the Education and Inspections Act 2006 is amended as follows.
- (2) In subsection (2), after “The head teacher” insert “ of a relevant school in England ”.
- (3) After subsection (2) insert—
 - “(2A) The head teacher of a relevant school in Wales must in determining such measures—
 - (a) act in accordance with the current statement made by the governing body under section 88(2)(a),
 - (b) have regard to any notification or guidance given to him under section 88(2)(b), and
 - (c) require pupils at the school to comply with the travel behaviour code made by the Welsh Ministers under section 12 of the Learner Travel (Wales) Measure 2008.”
- (4) In subsection (3) for “The” substitute “ In relation to a relevant school in England, the ”.
- (5) After subsection (3) insert—
 - “(3A) In relation to a relevant school in Wales, the standard of behaviour which is to be regarded as acceptable must be determined by the head teacher, so far as it is not determined by—
 - (a) the governing body, or
 - (b) the Welsh Ministers.”
- (6) In subsection (5), after “head teacher” insert “ of a relevant school in England ”.
- (7) After subsection (5) insert—
 - “(5A) The measures which the head teacher of a relevant school in Wales determines under subsection (1) may, to such extent as is reasonable and not required by subsection (2A)(c), include measures to be taken with a view to regulating the conduct of pupils at a time when they are not on the premises of the school and are not under the lawful control or charge of a member of the staff of the school.”

Commencement Information

- I17** S. 13 in force at 4.1.2010 by [S.I. 2009/2819](#), [art. 2\(2\)\(a\)](#)

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I18 S. 13 in force at 4.1.2010 by [S.I. 2009/371](#), [art. 2\(2\)\(a\)](#)

14 Enforcement of travel behaviour code: withdrawal of travel arrangements

- (1) This section applies to learners for whom travel arrangements are made under section 3 or 4.
- (2) The local authority may withdraw travel arrangements made for a learner if—
 - (a) the authority is satisfied that the learner has failed to comply with the travel behaviour code made under section 12, and
 - (b) the following conditions applicable to the learner are satisfied.
- (3) All six of the following conditions apply to any learner who is a registered pupil at a relevant school.
- (4) The first, third and fourth of the following conditions apply to any learner who is not a registered pupil at a relevant school.
- (5) The first condition is that before any decision is taken to withdraw travel arrangements—
 - (a) the learner and the parent of the learner are given the opportunity to make representations, and
 - (b) those representations are considered by the local authority.
- (6) The second condition is that the head teacher of the relevant school at which the learner is a registered pupil—
 - (a) is consulted about the decision to withdraw travel arrangements; and
 - (b) is given notice of the decision at least 24 hours before the withdrawal takes effect.
- (7) The third condition is that the decision to withdraw travel arrangements is reasonable in the circumstances.
- (8) The fourth condition is that the local authority gives notice of the withdrawal of travel arrangements to the learner's parent at least 24 hours before the withdrawal takes effect.
- (9) The fifth condition is that the period of withdrawal does not exceed 10 consecutive school days.
- (10) The sixth condition is that the period of withdrawal would not result in the learner having travel arrangements withdrawn for more than 30 school days in the school year in which the withdrawal takes effect.
- (11) In determining whether a decision to withdraw travel arrangements is reasonable for the purposes of subsection (7), the following matters in particular must be taken into account—
 - (a) whether the period of withdrawal is proportionate in the circumstances of the case,
 - (b) any special circumstances relevant to the withdrawal of travel arrangements which are known to the local authority (or of which the authority ought to be aware) including in particular—
 - (i) the learner's age,
 - (ii) any [^{F6}learning difficulty] the learner may have,

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- (iii) any disability the learner may have,
 - (iv) whether the learner would lose an opportunity to take a public examination, and
 - (v) whether suitable alternative travel arrangements can reasonably be made by the learner's parent.
- (12) A notice under subsection (6) or (8) must be in writing and specify—
- (a) the period for which travel arrangements are to be withdrawn, and
 - (b) the authority's reasons for withdrawal of the travel arrangements.
- (13) For the purposes of this section and section 17, a “relevant school” means—
- (a) a maintained school,
 - (b) a pupil referral unit, or
 - (c) a non-maintained special school.
- (14) Regulations may—
- (a) amend or repeal either or both of subsections (9) and (10);
 - (b) make provision for reviews of decisions under subsection (2);
 - (c) make provision for appeals from decisions under subsection (2).
- (15) Regulations under subsection (14)(c) may in particular—
- (a) specify the categories of person who may appeal;
 - (b) specify the circumstances in which appeals may be made;
 - (c) provide for the constitution of appeals panels;
 - (d) provide for appeal procedures;
 - (e) make provision about the effect of appeal decisions;
 - (f) provide for the payment of allowances to members of appeals panels;
 - (g) require the provision of information about appeals.

Textual Amendments

- F6** Words in s. 14(11)(b)(ii) substituted (1.9.2021) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 14(4)**; S.I. 2021/373, art. 8(j)(xxvii)

Commencement Information

- I19** S. 14 in force at 4.1.2010 by S.I. 2009/2819, **art. 2(2)(b)**
I20 S. 14 in force at 4.1.2010 by S.I. 2009/371, **art. 2(2)(b)**

^{F7}Safety on learner transport

Textual Amendments

- F7** S. 14B and cross-heading inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 2, 16(2)**

^{F8}14A Requirement for seat belts on buses used for learner transport

- (1) A relevant body must ensure that every bus used for the learner transport it provides or otherwise secures is one that has a seat belt fitted to every passenger seat.

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- (2) A person who provides learner transport secured by a relevant body must ensure that every bus used for such transport is one that has a seat belt fitted to every passenger seat.
- (3) A person who fails to comply with subsection (1) or (2) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (4) It is a defence to show that the failure to comply with subsection (1) or (2) was justified by exceptional circumstances.
- (5) Nothing in this section is to be interpreted as setting technical standards for a vehicle's construction or equipment which differ from the standards that would or might otherwise apply to that vehicle by virtue of any enactment or [^{F9}requirement of retained direct EU legislation].
- (6) In this section—
- “bus” means a motor vehicle constructed or adapted to carry more than eight seated passengers in addition to the driver;
- “enactment” means any of the following, whenever passed or made—
- an Act of Parliament;
 - subordinate legislation made under an Act of Parliament;
 - a provision of any such Act or subordinate legislation;
- “seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle.]

Textual Amendments

- F8** S. 14A inserted (1.10.2014) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 1, 16(1)**
- F9** Words in s. 14A(5) substituted (31.12.2020) by [The Learner Travel \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/236\)](#), **regs. 1(2), 2; 2020 c. 1, Sch. 5 para. 1(1)**

14B Further provision as to descriptions of vehicle that may be used for learner transport

- (1) Regulations may make further provision to—
- require a relevant body to ensure that only prescribed descriptions of vehicle are used for the learner transport it provides or otherwise secures;
 - require a person who provides learner transport secured by a relevant body to use only prescribed descriptions of vehicle;
 - provide for criminal offences and penalties for breaches of requirements imposed under this section.
- (2) Regulations under paragraphs (a) and (b) of subsection (1) may describe vehicles by reference to a vehicle's construction, equipment or other characteristics.]

[^{F10}14C Recording visual images or sound on learner transport

- (1) Regulations may—

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- (a) require prescribed arrangements to be made for recording visual images or sound of events occurring on the learner transport provided or otherwise secured by a relevant body;
 - (b) make provision about the use, storage and retention of visual images or sound recorded on learner transport provided or secured by a relevant body;
 - (c) provide for criminal offences and penalties for breaches of requirements imposed under this section.
- (2) Regulations under subsection (1) may (among other things) confer powers or duties on any of the following—
- (a) a relevant body;
 - (b) a person who provides learner transport secured by a relevant body.
- (3) Regulations under subsection (1) may not authorise or require recording to be carried out in a manner that is calculated to ensure that persons who are subject to it are unaware that it is or may be taking place.]

Textual Amendments

F10 S. 14C inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 3**, 16(2)

[^{F11}14D Safety risk assessment of learner transport

- (1) Regulations may require a relevant body to carry out safety risk assessments of the learner transport it provides or otherwise secures.
- (2) Regulations under subsection (1) may—
 - (a) impose requirements as to the nature of the assessment to be carried out;
 - (b) require the production and publication of reports;
 - (c) prescribe the form and manner of publication;
 - (d) prescribe the frequency of assessments.]

Textual Amendments

F11 S. 14D inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 4**, 16(2)

[^{F12}14E Driver training

- (1) Regulations may require a relevant body that provides or otherwise secures the provision of learner transport to ensure that drivers of vehicles used for such transport have completed prescribed training to a prescribed standard.
- (2) Training and standards may be prescribed by reference to a document published, as specified in the regulations, by the Welsh Ministers.
- (3) In this section “ training ” means training about safety on learner transport and working with children.]

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Textual Amendments

F12 S. 14E inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 5, 16(2)**

[^{F13}14F Supervisors on learner transport

- (1) Regulations may make provision for the supervision of learners using learner transport provided or otherwise secured by a relevant body.
- (2) Regulations under subsection (1) may (among other things)—
 - (a) confer powers or impose duties on a relevant body;
 - (b) make provision about training for persons supervising learners.]

Textual Amendments

F13 S. 14F inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 6, 16(2)**

[^{F14}14G Civil sanctions

Schedule A1 has effect.]

Textual Amendments

F14 S. 14G inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 7(1), 16(2)**

[^{F15}14H Enforcement authority

- (1) Regulations may appoint a person or body (including the Welsh Ministers) to be an enforcement authority.
- (2) More than one person or body may be appointed as an enforcement authority.
- (3) Regulations may confer powers or impose duties on an enforcement authority to enforce provision made by section 14A and by regulations under sections 14B and 14C and Schedule A1 and may (among other things)—
 - (a) confer power on an enforcement authority to authorise a person (referred to in this Measure as an “inspector”) to exercise the powers in sections 14I and 14J,
 - (b) make modifications to any enactment applying to the enforcement authority, or
 - (c) provide for any such enactment to apply, with or without modifications, for the purposes of section 14A and regulations under sections 14B and 14C, this section and Schedule A1.
- (4) References in this Measure to an enforcement authority are references to a person or body appointed under this section and include a person appointed by an enforcement authority.

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- (5) In this section “ enactment ” includes—
- (a) an enactment whenever passed or made,
 - (b) an enactment comprised in a Measure or Act of the National Assembly for Wales, and
 - (c) provision contained in subordinate legislation within the meaning of the Interpretation Act 1978 (including subordinate legislation made under a Measure or Act of the National Assembly for Wales).]

Textual Amendments

F15 S. 14H inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 8**, 16(2)

[^{F16}14I Power of entry

- (1) This section applies to—
- (a) a vehicle or any premises owned or controlled by a relevant body;
 - (b) a vehicle or premises falling within subsection (2).
- (2) A vehicle or premises falling within this subsection are those—
- (a) which are used, or proposed to be used, by any person in connection with the provision of learner transport provided or otherwise secured by a relevant body, or
 - (b) which an inspector reasonably believes to be so used, or proposed to be so used.
- (3) An inspector may at any reasonable time—
- (a) detain a vehicle;
 - (b) enter a vehicle or premises.
- (4) But the power in subsection (3) does not include the power to enter premises used wholly or mainly as a private dwelling.
- (5) An inspector exercising any power conferred under subsection (3) or section 14J must, if so required, produce some duly authenticated document showing the inspector's authority to do so.]

Textual Amendments

F16 S. 14I inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 9**, 16(2)

[^{F17}14J Power of inspection

- (1) An inspector who detains a vehicle or enters a vehicle or premises under section 14I may—
- (a) inspect the vehicle or premises;
 - (b) inspect, take copies of and remove from the vehicle or premises any documents or records relating to the provision of learner transport;

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- (c) inspect any other item and remove it from the vehicle or premises.
- (2) The power in subsection (1)(b) includes—
 - (a) power to require any person holding or accountable for documents or records kept on the vehicle or premises to produce them, and
 - (b) in relation to records which are kept by means of a computer, power to require the records to be produced in a legible form which can be taken away.
- (3) The power in subsection (1)(b) does not include power—
 - (a) to require a person to produce any document or record in respect of which a claim to legal professional privilege could be maintained in legal proceedings, or
 - (b) to take copies of such a document or record or to remove it.
- (4) In connection with inspecting any such documents, an inspector—
 - (a) may obtain access to, and inspect and check the operation of, any computer and associated apparatus or material which he or she considers is or has been in use in connection with the documents, and
 - (b) may require a person within subsection (5) to afford him or her such reasonable assistance as may be required for that purpose.
- (5) A person is within this subsection if he or she is—
 - (a) the person by whom or on whose behalf the computer is or has been used, or
 - (b) a person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material.
- (6) An inspector detaining a vehicle or entering a vehicle or premises may require any person to afford him or her such facilities and assistance with respect to matters within the person's control as are necessary to enable him or her to exercise powers under section 14I or this section.
- (7) Any person who without reasonable excuse—
 - (a) obstructs an inspector exercising any power under section 14I or this section, or
 - (b) fails to comply with any requirement imposed under this section,
 is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.]

Textual Amendments

F17 S. 14J inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 10, 16(2)**

[^{F18}14K Power to require provision of information

- (1) An enforcement authority may at any time require any person specified in subsection (2) to provide it with any information, documents, records or other items—
 - (a) which relate to the provision of learner transport, and
 - (b) which the enforcement authority consider necessary or expedient to have for the purpose of its functions as the enforcement authority.
- (2) The persons referred to in subsection (1) are—

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- (a) a relevant body;
 - (b) any person who provides learner transport secured by a relevant body.
- (3) The power in subsection (1) includes, in relation to information, documents or records kept by means of a computer, power to require provision of them in a legible form which can be taken away.
- (4) The power in subsection (1) does not include power to require the provision of information, documents or records in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- (5) Any person who without reasonable excuse fails to comply with any requirement imposed by virtue of this section is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.]

Textual Amendments

F18 S. 14K inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 11, 16\(2\)](#)

[^{F19}14L Offences: liability of officers and partners

- (1) Where an offence under section 14A, 14B or 14C committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer of the body corporate, regulations may provide for the officer to be liable as well as the body corporate itself.
- (2) Where an offence under section 14A, 14B or 14C committed by a partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner of the partnership, regulations may provide for the partner to be liable as well as the partnership itself.]

Textual Amendments

F19 S. 14L inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 12, 16\(2\)](#)

[^{F20}14M Regulations: consultation

The Welsh Ministers must consult each local authority and such other persons as they consider appropriate before making any regulations under sections 14B to 14F, section 14H or 14L or Schedule A1.]

Textual Amendments

F20 S. 14M inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 13, 16\(2\)](#)

[^{F21}14N Interpretation of sections 14A to 14K

- (1) This section applies for the purposes of sections 14A to 14K.

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- (2) Each of the following is a “relevant body”—
- (a) a local authority;
 - (b) a governing body of a maintained school.
- (3) “Learner transport” means transport to facilitate the attendance of a child at any relevant place where he or she receives education or training; but it does not include transport provided for the purpose of travel during the day between relevant places or between different sites of the same institution.
- (4) The act of making any of the following arrangements is not to be considered, by itself, as providing or otherwise securing the provision of learner transport.
- (5) The arrangements mentioned in subsection (4) are—
- (a) arrangements to pay the whole or any part of a person's reasonable travelling expenses;
 - (b) arrangements to pay allowances in respect of the use of transport.
- (6) The Welsh Ministers may by order amend subsection (3) so as to omit the words from “but it does not include” to the end of the subsection.]

Textual Amendments

F21 S. 14N inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\)](#), **ss. 14**, 16(2)

Supplementary

15 Guidance and directions

- (1) In exercising their functions under this Measure, the following bodies must have regard to guidance given from time to time by the Welsh Ministers —
- (a) local authorities;
 - (b) governing bodies of maintained schools;
 - (c) governing bodies of institutions in the further education sector.
- (2) A local authority must make such learner travel arrangements under section 3, 4 or 6 as the Welsh Ministers direct.
- (3) In making arrangements under section 3, 4 or 6 a local authority must comply with any directions given by the Welsh Ministers.
- (4) Directions under this section may be given to one or more local authorities or local authorities generally.

Commencement Information

I21 S. 15 in force at 6.3.2009 by [S.I. 2009/371](#), **Sch. Pt. 1**

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16 Information about travel arrangements

Regulations may require a local authority to publish, at such times and in such manner as may be prescribed, information—

- (a) received while carrying out assessments under section 2(2);
- (b) about assessments made under that section;
- (c) about the travel arrangements made under this Measure;
- (d) about the travel behaviour code made under section 12.

Commencement Information

I22 S. 16 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

17 Co-operation: information or other assistance

- (1) The governing body of a maintained school or an institution in the further education sector in Wales must give a local authority any information or other assistance that is reasonably required by them for the performance of their functions under this Measure.
- (2) A local authority must give another local authority any information or other assistance that is reasonably required by the other authority for the performance of their functions under sections 2, 3, 4 and 6.
- (3) A local authority must give the head teacher of a relevant school any information or other assistance that is reasonably required by the head teacher about the behaviour of a registered pupil of his or her school while the pupil was taking advantage of travel arrangements made by the local authority under this Measure.
- (4) A head teacher of a relevant school must give a local authority any information or other assistance that is reasonably required by the local authority for the performance of their functions under section 14.

Commencement Information

I23 S. 17(1)(2) in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

I24 S. 17(3) in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

I25 S. 17(4) in force at 4.1.2010 by [S.I. 2009/2819](#), [art. 2\(2\)\(c\)](#)

I26 S. 17(4) in force at 4.1.2010 by [S.I. 2009/371](#), [art. 2\(2\)\(c\)](#)

18 Payment of travel costs by a local authority which looks after a child

- (1) This section applies where a local authority (“authority A”) makes travel arrangements under sections 3 or 4 for a child who is looked after by a local authority responsible for a different area (“authority B”).
- (2) Authority A may demand reimbursement from authority B for the full cost or part of the cost of making the travel arrangements.
- (3) Authority B must comply with the demand.

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Commencement Information

I27 S. 18 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

19 Determination of ordinary residence in particular circumstances

- (1) If a person has no ordinary residence, that person is to be treated for the purposes of this Measure as being ordinarily resident at the place at which he or she is for the time being resident.
- (2) Subsections (3) to (6) apply to a child or young person who is either—
 - (a) a registered pupil at a school, or
 - (b) enrolled as a full-time student at an institution in the further education sector.
- (3) This subsection applies to a child or young person—
 - (a) whose parents are not living together, and
 - (b) who usually lives with more than one parent in the periods during which the child or young person receives education or training.
- (4) This subsection applies to a child or young person who usually lives with a parent and also at a children's home in the periods during which the child or young person receives education or training.
- (5) For the purposes of this Measure—
 - (a) a child or young person to whom subsection (3) applies is ordinarily resident at the places where each of his or her parents is ordinarily resident;
 - (b) a child or young person to whom subsection (4) applies is ordinarily resident at the children's home and the place where his or her parent is ordinarily resident.
- (6) But if there are more than two such places, the child or young person is ordinarily resident at the two places nearest—
 - (a) the school at which the child or young person is a registered pupil, or
 - (b) the institution in the further education sector at which the child or young person is enrolled as a full-time student.
- (7) In this section—
 - [^{F22}(a) “children’s home” means premises at which—
 - (i) a care home service is provided wholly or mainly to children or young persons; or
 - (ii) a secure accommodation service is provided;
 and in this paragraph “care home service” and “secure accommodation service” have the meaning given in Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2);]
 - (b) “parent” means a parent within the meaning of section 576(1) of the Education Act 1996 who is an individual.

Textual Amendments

F22 S. 19(7)(a) substituted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), [42](#)

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Commencement Information

I28 S. 19 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

20 Amendments to section 444 of the Education Act 1996

- (1) Section 444 of the Education Act 1996 (school attendance) is amended as follows.
- (2) For subsection (4) substitute —
 - “(4) The child is not to be taken to have failed to attend regularly at the school if the parent proves that the local authority have failed to discharge—
 - (a) a duty to make transport arrangements in relation to the child under section 3 of the Learner Travel (Wales) Measure 2008, or
 - (b) a duty to make travel arrangements in relation to the child under section 4 of that Measure.”
- (3) In subsection (5) for “subsections (3D) and (4)” substitute “ subsection (3D) ”.

Commencement Information

I29 S. 20 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

21 Amendments to the Education Act 2002

- (1) The Education Act 2002 is amended as follows.
- (2) Section 32 (fixing dates of terms and holidays and times of school sessions) is amended as follows—
 - (a) in subsection (1)(b) before “the governing body” insert “ subject to subsections (5) to (9), ”;
 - (b) in subsection (2)(b) before “the times” insert “ subject to subsections (5) to (9) ”;
 - (c) after subsection (4) insert—
 - “(5) Subsections (1)(b) and (2)(b) do not apply in relation to a school in Wales in the circumstances specified in subsection (6).
 - (6) The circumstances are—
 - (a) that the local education authority in whose area the school is situated have given notice in writing to the governing body of the school that the times of the school sessions are to be determined in accordance with subsection (8), and
 - (b) that the notice has not been withdrawn by the local education authority.
- (7) A local education authority must not issue a notice of the kind mentioned in subsection (6)(a) unless they consider a change in the times of the sessions of that school to be necessary or expedient in order to—
 - (a) promote the use of sustainable modes of travel within the meaning of section 11 of the Learner Travel (Wales) Measure 2008, or

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- (b) improve the effectiveness or efficiency of travel arrangements made, or to be made, by the authority under that Measure.
- (8) In relation to a school subject to a notice of the kind mentioned in subsection (6)(a)—
- (a) where there are two school sessions on the relevant school day—
 - (i) the local education authority must determine the time each day at which the first school session starts and the second school session ends, and
 - (ii) the governing body must determine the time each day at which the first school session ends and the second school session starts;
 - (b) where there is one school session on the relevant school day the local education authority must determine the time each day at which the school session starts and ends.
- (9) The Welsh Ministers may make provision by regulations—
- (a) as to the procedure to be followed where the local education authority propose to issue a notice of the kind mentioned in subsection (6)(a);
 - (b) as to the matters to be included in such a notice;
 - (c) as to the implementation of any determination under subsection (8);
 - (d) for enabling the local education authority to determine, for any purposes of the regulations, whether any person is to be treated as a parent of a registered pupil at the school.
- (10) In giving notice as described in subsection (6) and in discharging any function conferred by subsections (7) or (8) or by regulations under subsection (9), a local education authority must have regard to guidance given by the Welsh Ministers.”
- (3) In section 210 (orders and regulations)—
- (a) in subsection (1) for “the National Assembly for Wales” substitute “ the Welsh Ministers ”;
 - (b) after subsection (6) insert—
 - “(6A) Any statutory instrument containing regulations made under section 32(9) by the Welsh Ministers is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
 - (6B) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the National Assembly for Wales procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the National Assembly for Wales by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule.”;
 - (c) in subsection (7)—
 - (i) for “the National Assembly for Wales” substitute “ the Welsh Ministers ”,

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- (ii) for “the Assembly thinks” in paragraph (c) substitute “ the Welsh Ministers think ”.

Commencement Information

I30 S. 21 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

22 Amendments to sections 455 and 456 of the Education Act 1996

- (1) The Education Act 1996 is amended as follows.
- (2) In section 455 (permitted charges)—
- (a) after subsection (1)(b) insert—
- “(ba) travel arrangements provided under section 6 of the Learner Travel (Wales) Measure 2008 (“the Measure”) for a registered pupil at a maintained school in Wales, other than arrangements in respect of which, by virtue of section 454(3) of this Act or sections 3 or 4 of the Measure, no charge may be made,”;
- (b) in subsection (1)(c) after “maintained school” insert “ in England ” and omit “or 509(2)”;
- (c) at the end of subsection (2)(b) omit “or”;
- (d) after subsection (2)(b) insert—
- “(ba) by virtue of subsection (1)(ba) in respect of the provision for a pupil of travel arrangements, or”;
- (e) in subsection (3) after “entry” insert “ travel arrangements, ”.
- (3) In section 456 (regulation of permitted charges), in subsection (3) after “A regulated charge” insert “ , except any charge permitted by virtue of section 455(1)(ba), ”.

Commencement Information

I31 S. 22 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

23 Amendments to the Education and Inspections Act 2006

- (1) The Education and Inspections Act 2006 is amended as follows.
- (2) In section 162 (power to repeal references to “local education authority”), after subsection (5) insert—
- “(5A) The Welsh Ministers may by order make such provision as appears to them to be appropriate for the purpose of—
- (a) repealing any reference in a Measure of the National Assembly for Wales to a local education authority (however expressed), and
- (b) replacing it, where it appears to them to be appropriate, with a reference (however expressed) to a Welsh local authority.”
- (3) In section 181—
- (a) for subsection (1) substitute—

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- “(1) Any power of the Secretary of State or the Welsh Ministers to make an order or regulations under this Act is exercisable by statutory instrument.”;
- (b) in subsection (2)—
- (i) for “the Assembly”, the first time that expression appears, substitute “ the Welsh Ministers ”,
 - (ii) for “the Assembly thinks” in paragraph (c) substitute “ the Welsh Ministers think ”.
- (4) After section 182 insert—

“182A Assembly control of orders and regulations

- (1) Any statutory instrument containing an order made under section 162(5A) by the Welsh Ministers may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the Assembly.
- (2) Paragraphs 33 to 35 of Schedule 11 to the Government of Wales Act 2006 make provision about the Assembly procedures that apply to any statutory instrument containing regulations or an order made in exercise of functions conferred upon the Assembly by this Act that have been transferred to the Welsh Ministers by virtue of paragraph 30 of that Schedule.”

Commencement Information

I32 S. 23 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

General

24 General interpretation

- (1) In this Measure—
- “academic year” (“blwyddyn academaidd”) means any period from 1 August to 31 July;
- “disability” (“anabledd”) and “disabled person” (“person anabl”) have the same meaning as in section 1 of the Disability Discrimination Act 1995 (c. 50);
- “education” (“addysg”) does not include higher education;
- “learning difficulty” (“anhawster dysgu”) in respect of a person means—
- (a) a significantly greater difficulty in learning than the majority of persons of the same age, or
 - (b) a disability which either prevents or hinders that person from using facilities of a kind provided at relevant places,
- but a person is not to be taken as having a learning difficulty solely because the language (or form of the language) in which the person is taught or will be taught is different from a language (or form of a language) which has at any time been spoken in the person's home;
- “local authority” (“awdurdod lleol”) means a [^{F23}local authority] in Wales; but in any reference to a child looked after by a local authority it means a council of a county or county borough in Wales exercising social services

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functions within the meaning of [^{F24}the Social Services and Well-being (Wales) Act 2014.]

“maintained school” (“ysgol a gynhelir”) means a community, foundation or voluntary school, a community or foundation special school or a maintained nursery school;

“non-maintained special school” (“ysgol arbennig nas cynhelir”) means a school approved under section 342 of the Education Act 1996;

“nursery education” (“addysg feithrin”) means education suitable for children who have not attained compulsory school age;

“prescribed” (“rhagnodi”) means prescribed in regulations;

“regulations” (“rheoliadau”) means regulations made by the Welsh Ministers;

“work experience” (“profiad gwaith”) means work experience arranged for—

- (a) a registered pupil of a maintained school or a pupil referral unit, or
- (b) a student enrolled at an institution within the further education sector,

by, or on behalf of, the governing body of the relevant educational institution.

- (2) References in this Measure to a child who is looked after by a local authority have the same meaning as they have in [^{F25}section 74 of the Social Services and Well-being (Wales) Act 2014].
- (3) Subject to subsection (4), the Education Act 1996 and the provisions of this Measure are to be read as if those provisions were contained in the Education Act 1996.
- (4) Where an expression is given for the purposes of any provision of this Measure a meaning different from that given to it for the purposes of the Education Act 1996, the meaning given for the purposes of that provision is to apply instead of the one given for the purposes of that Act.

Textual Amendments

- F23** Words in s. 24(1) substituted (5.5.2010) by [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) \(Wales\) Order 2010 \(S.I. 2010/1148\)](#), arts. 1, 2
- F24** Words in s. 24(1) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **268(2)**
- F25** Words in s. 24(2) substituted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(No. 413\)](#), regs. 2(1), **268(3)**

Commencement Information

- I33** S. 24 in force at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

25 Minor and consequential amendments

Schedule 1 contains minor and consequential amendments relating to the provisions made by this Measure.

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Commencement Information

- I34** S. 25 in force for specified purposes at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)
I35 S. 25 in force for specified purposes at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

26 Repeals

The enactments specified in Schedule 2 are repealed to the extent specified.

Commencement Information

- I36** S. 26 in force for specified purposes at 30.10.2009 by [S.I. 2009/371](#), [art. 2\(1\)\(c\)](#)
I37 S. 26 in force for specified purposes at 30.10.2009 by [S.I. 2009/2819](#), [art. 2\(1\)\(c\)](#)
I38 S. 26 in force for specified purposes at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)
I39 S. 26 in force for specified purposes at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

27 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Measure is exercisable by statutory instrument.
 - (2) Any power of the Welsh Ministers to make an order or regulations under this Measure includes power—
 - (a) to make different provision for different cases or [^{F26}classes of case or different purposes or]areas;
 - [^{F27}(aa) make provision subject to specified exemptions or exceptions;]
 - (b) to make provision generally or in relation to specific cases[^{F28}or classes of case];
 - (c) to make such incidental, supplementary, transitional or saving provision as the Welsh Ministers think fit.
 - (3) The power of the Welsh Ministers to make regulations under section 3(9), 7 ^{F29}...[^{F30}, 8, 14B, 14C, 14D, 14E, 14F, 14H or 14L or Schedule A1] also includes power to make such consequential provision as the Welsh Ministers think fit.
- t
- (4) The incidental, supplementary, transitional, saving or consequential provision to be made in regulations may include such provision that amends or repeals any provision of—
 - (a) this Measure or any other Measure of the National Assembly for Wales passed before or in the same Assembly year as this Measure;
 - (b) an Act passed before the passing of this Measure;
 - (c) subordinate legislation made before the passing of this Measure.
- [^{F31}(4A) In the application of subsection (4) to regulations made under sections 14B to 14F, section 14H or 14L or Schedule A1 the reference to “this Measure” in subsection (4) is to be interpreted as a reference to the Safety on Learner Transport (Wales) Measure 2011.]

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- (5) Any statutory instrument containing regulations made under this Measure is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (6) Subsection (5) does not apply to regulations to which subsection (7) applies.
- (7) A statutory instrument which contains (alone or with other provisions)—
- (a) regulations under section 3(9),
 - (b) regulations under section 7,
 - (c) regulations under section 8,
 - (d) regulations under section 14(14)(a), ^{F32} ...
 - [^{F33}(da) regulations under section 14B, 14C, 14D, 14E, 14F, 14H or 14L or Schedule A1, or
 - (db) an order under section 14N(6).]
 - (e) regulations under subsection (4) which amend or repeal any provision of an Act or Assembly Measure,
- may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

Textual Amendments

- F26** Words in s. 27(2)(a) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(2\)\(a\), 16\(2\)](#)
- F27** S. 27(2)(aa) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(2\)\(b\), 16\(2\)](#)
- F28** Words in s. 27(2)(b) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(2\)\(c\), 16\(2\)](#)
- F29** Words in s. 27(3) omitted (10.7.2011) by virtue of [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(3\), 16\(2\)](#)
- F30** Words in s. 27(3) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(3\), 16\(2\)](#)
- F31** S. 27(4A) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(4\), 16\(2\)](#)
- F32** Word in s. 27(7)(d) omitted (10.7.2011) by virtue of [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(5\)\(a\), 16\(2\)](#)
- F33** S. 27(7)(da)(db) inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), ss. 15\(5\)\(b\), 16\(2\)](#)

28 Commencement

- (1) The following provisions come into force at the end of a period of two months beginning on the day on which this Measure is approved by Her Majesty in Council—
- this section;
 - section 27;
 - section 29.
- (2) The remaining provisions of this Measure come into force in accordance with provision made by the Welsh Ministers by order.

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29 Short title and inclusion of Measure within the Education Acts

- (1) This Measure may be cited as the Learner Travel (Wales) Measure 2008.
- (2) This Measure is to be included in the list of Education Acts set out in section 578 of the Education Act 1996.

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[^{F34}SCHEDULE A1

(introduced by section 14G)

CIVIL SANCTIONS

Textual Amendments

F34 Sch. A1 inserted (10.7.2011) by [Safety on Learner Transport \(Wales\) Measure 2011 \(nawm 6\), s. 16\(2\), Sch.](#)

Civil sanctions

- 1 (1) Regulations may make provision about civil sanctions for breaches of safety regulations.
- (2) For the purposes of this Schedule a person breaches safety regulations if, in such circumstances as may be prescribed, the person—
- (a) fails to comply with a requirement made by or under the safety regulations, or
 - (b) obstructs or fails to assist an enforcement authority.
- (3) In this Schedule—
- “civil sanction” means—
 - (a) a fixed monetary penalty (see paragraph 2),
 - (b) a discretionary requirement (see paragraph 4),
 - (c) a stop notice (see paragraph 7), or
 - (d) an enforcement undertaking (see paragraph 11);
- “safety regulations” means regulations made under section 14B or 14C.

Fixed monetary penalties

- 2 (1) The regulations may make provision conferring on an enforcement authority the power by notice to impose a fixed monetary penalty on a person who breaches safety regulations.
- (2) The regulations may only confer such a power in relation to a case where the enforcement authority is satisfied on the balance of probabilities that the breach has occurred.
- (3) For the purposes of this Schedule a “fixed monetary penalty” is a requirement to pay to an enforcement authority a penalty of an amount specified in or determined in accordance with the regulations.
- (4) The regulations may not provide for the imposition of a fixed monetary penalty in excess of £5,000.

Fixed monetary penalties: procedure

- 3 (1) Provision under paragraph 2 must secure that—
- (a) where an enforcement authority proposes to impose a fixed monetary penalty on a person, the enforcement authority must serve on that person a notice of what is proposed (a “notice of intent”) that complies with sub-paragraph (2),

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- (b) the notice of intent also offers the person the opportunity to discharge the person's liability for the fixed monetary penalty by payment of a specified sum (which must be less than or equal to the amount of the penalty),
 - (c) if the person does not so discharge liability—
 - (i) the person may make written representations and objections to the enforcement authority in relation to the proposed imposition of the fixed monetary penalty, and
 - (ii) the enforcement authority must at the end of the period for making representations and objections decide whether to impose the fixed monetary penalty,
 - (d) where the enforcement authority decides to impose the fixed monetary penalty, the notice imposing it (“the final notice”) complies with sub-paragraph (4), and
 - (e) the person on whom a fixed monetary penalty is imposed may appeal against the decision to impose it.
- (2) To comply with this sub-paragraph the notice of intent must include information as to—
- (a) the grounds for the proposal to impose the fixed monetary penalty,
 - (b) the effect of payment of the sum referred to in sub-paragraph (1)(b),
 - (c) the right to make representations and objections,
 - (d) the circumstances in which the enforcement authority may not impose the fixed monetary penalty,
 - (e) the period within which liability to the fixed monetary penalty may be discharged, which may not exceed the period of 28 days beginning with the day on which the notice of intent was received, and
 - (f) the period within which representations and objections may be made, which may not exceed the period of 28 days beginning with the day on which the notice of intent was received.
- (3) Provision pursuant to sub-paragraph (1)(c)(ii) must include provision for circumstances in which the enforcement authority may not decide to impose a fixed monetary penalty.
- (4) To comply with this sub-paragraph the final notice referred to in sub-paragraph (1) (d) must include information as to—
- (a) the grounds for imposing the penalty,
 - (b) how payment may be made,
 - (c) the period within which payment must be made,
 - (d) any early payment discounts or late payment penalties,
 - (e) rights of appeal, and
 - (f) the consequences of non-payment.
- (5) Provision pursuant to sub-paragraph (1)(e) must secure that the grounds on which a person may appeal against a decision of the enforcement authority include the following—
- (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unreasonable.

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Discretionary requirements

- 4
- (1) The regulations may make provision conferring on an enforcement authority the power by notice to impose one or more discretionary requirements on a person who breaches safety regulations.
 - (2) The regulations may only confer such a power in relation to a case where the enforcement authority is satisfied on the balance of probabilities that the breach has occurred.
 - (3) For the purposes of this Schedule a “discretionary requirement” means—
 - (a) a requirement to pay a monetary penalty to an enforcement authority of such amount as the enforcement authority may determine, or
 - (b) a requirement to take such steps as an enforcement authority may specify, within such period as the enforcement authority may specify, to secure that the breach does not continue or recur.
 - (4) In this Schedule—
 - “variable monetary penalty” means a requirement referred to in sub-paragraph (3)(a);
 - “non-monetary discretionary requirement” means a requirement referred to in sub-paragraph (3)(b).
 - (5) The regulations must, in relation to each kind of breach of safety regulations for which a variable monetary penalty may be imposed—
 - (a) specify the maximum penalty that may be imposed for a breach of that kind, or
 - (b) provide for that maximum to be determined in accordance with the regulations.
 - (6) The regulations may not permit discretionary requirements to be imposed on a person on more than one occasion in relation to the same act or omission.

Discretionary requirements: procedure

- 5
- (1) Provision under paragraph 4 must secure that—
 - (a) where an enforcement authority proposes to impose a discretionary requirement on a person, the enforcement authority must serve on that person a notice of what is proposed (a “notice of intent”) that complies with sub-paragraph (2),
 - (b) that person may make written representations and objections to the enforcement authority in relation to the proposed imposition of the discretionary requirement,
 - (c) after the end of the period for making such representations and objections, the enforcement authority must decide whether to—
 - (i) impose the discretionary requirement, with or without modifications, or
 - (ii) impose any other discretionary requirement that the enforcement authority has power to impose under paragraph 4,
 - (d) where the enforcement authority decides to impose a discretionary requirement, the notice imposing it (the “final notice”) complies with sub-paragraph (4), and

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- (e) the person on whom a discretionary requirement is imposed may appeal against the decision to impose it.
- (2) To comply with this sub-paragraph the notice of intent must include information as to—
- (a) the grounds for the proposal to impose the discretionary requirement;
 - (b) the right to make representations and objections;
 - (c) the circumstances in which the enforcement authority may not impose the discretionary requirement;
 - (d) the period within which representations and objections may be made, which may not be less than the period of 28 days beginning with the day on which the notice of intent is received.
- (3) Provision pursuant to sub-paragraph (1)(c) must include provision for circumstances in which the enforcement authority may not decide to impose a discretionary requirement.
- (4) To comply with this sub-paragraph the final notice referred to in sub-paragraph (1) (d) must include information as to—
- (a) the grounds for imposing the discretionary requirement,
 - (b) where the discretionary requirement is a variable monetary penalty—
 - (i) how payment may be made,
 - (ii) the period within which payment must be made, and
 - (iii) any early payment discounts or late payment penalties,
 - (c) rights of appeal, and
 - (d) the consequences of non-compliance.
- (5) Provision pursuant to sub-paragraph (1)(e) must secure that the grounds on which a person may appeal against a decision of the enforcement authority include the following—
- (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) in the case of a variable monetary penalty, that the amount of the penalty is unreasonable;
 - (d) in the case of a non-monetary discretionary requirement, that the nature of the requirement is unreasonable;
 - (e) that the decision was unreasonable for any other reason.

Discretionary requirements: enforcement

- 6 (1) Provision under paragraph 4 may include provision for a person to pay a monetary penalty (a “non-compliance penalty”) to an enforcement authority if the person fails to comply with a non-monetary discretionary requirement imposed on the person.
- (2) Provision under sub-paragraph (1) may—
- (a) specify the amount of the non-compliance penalty or provide for that amount to be determined in accordance with the regulations, or
 - (b) provide for the amount to be determined by the enforcement authority or in some other way.
- (3) If the regulations make provision within sub-paragraph (2)(b), they must, in relation to each kind of failure for which a non-compliance penalty may be imposed—

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- (a) specify the maximum penalty that may be imposed for a failure of that kind, or
 - (b) provide for that maximum to be determined in accordance with the regulations.
- (4) Provision under sub-paragraph (1) must secure that—
- (a) the non-compliance penalty is imposed by notice served by the enforcement authority, and
 - (b) the person on whom it is imposed may appeal against that notice.
- (5) Provision pursuant to paragraph (b) of sub-paragraph (4) must secure that the grounds on which a person may appeal against a notice referred to in that sub-paragraph include the following—
- (a) that the decision to serve the notice was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unfair or unreasonable for any reason (including, in a case where the amount of the non-compliance penalty was determined by the enforcement authority, that the amount is unreasonable).

Stop notices

- 7 (1) The regulations may confer on an enforcement authority the power to serve a stop notice on a person.
- (2) For the purposes of this Schedule a “stop notice” is a notice prohibiting a person from carrying on an activity specified in the notice until the person has taken the steps specified in the notice.
- (3) Provision under this paragraph may only confer such a power in relation to a case falling within sub-paragraph (4) or (5).
- (4) A case falling within this sub-paragraph is a case where—
- (a) the person is carrying on the activity,
 - (b) the enforcement authority reasonably believes that the activity as carried on by that person is causing, or presents a significant risk of causing, serious harm to human health, and
 - (c) the enforcement authority believes that the activity as carried on by that person involves or is likely to involve a breach of regulations made under section 14B by that person.
- (5) A case falling within this sub-paragraph is a case where the enforcement authority reasonably believes that—
- (a) the person is likely to carry on the activity,
 - (b) the activity as likely to be carried on by that person will cause, or will present a significant risk of causing, serious harm to human health, and
 - (c) the activity as likely to be carried on by that person will involve or will be likely to involve a breach of regulations under section 14B by that person.
- (6) The steps referred to in sub-paragraph (2) must be steps to remove or reduce the harm or risk of harm referred to in sub-paragraph (4)(b) or (5)(b).

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Stop notices: procedure

- 8 (1) Provision under paragraph 7 must secure the results in sub-paragraph (2) in a case where a stop notice is served.
- (2) Those results are that—
- (a) the stop notice must comply with sub-paragraph (3),
 - (b) the person on whom it is served may appeal against the decision to serve it,
 - (c) where, after service of the notice, the enforcement authority is satisfied that the person has taken the steps specified in the notice, the enforcement authority must issue a certificate to that effect (a “completion certificate”),
 - (d) the notice ceases to have effect on the issue of a completion certificate,
 - (e) the person on whom the notice is served may at any time apply for a completion certificate,
 - (f) the enforcement authority must make a decision as to whether to issue a completion certificate within 14 days of such an application, and
 - (g) the person on whom the notice is served may appeal against a decision not to issue a completion certificate.
- (3) To comply with this sub-paragraph a stop notice must include information as to—
- (a) the grounds for serving the notice,
 - (b) rights of appeal, and
 - (c) the consequences of non-compliance.
- (4) Provision pursuant to sub-paragraph (2)(b) must secure that the grounds on which a person may appeal against a decision of the enforcement authority to serve a stop notice include the following—
- (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unreasonable;
 - (d) that any step specified in the notice is unreasonable;
 - (e) that the person has not breached the regulations and would not have breached them had the stop notice not been served;
 - (f) such other grounds as may be prescribed.
- (5) Provision pursuant to sub-paragraph (2)(g) must secure that the grounds on which a person may appeal against a decision of the enforcement authority not to issue a completion certificate include the following—
- (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unfair or unreasonable.

Stop notices: compensation

- 9 (1) Provision under paragraph 7 conferring power on an enforcement authority to serve a stop notice on a person must include provision for the enforcement authority to compensate the person for loss suffered as the result of the service of the notice.
- (2) Provision under sub-paragraph (1) may provide for compensation—
- (a) only in prescribed cases;
 - (b) only in relation to prescribed descriptions of loss.

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- (3) Provision under sub-paragraph (1) must secure that the person on whom the stop notice is served is able to appeal against—
- (a) a decision by the regulator not to award compensation, or
 - (b) a decision of the regulator as to the amount of the compensation.

Stop notices: enforcement

- 10 (1) Provision under paragraph 7 conferring power on an enforcement authority to serve a stop notice must provide that, where a person on whom a notice is served does not comply with it, the person is guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale, or imprisonment for a term not exceeding twelve months, or both, or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years, or a fine, or both.
- (2) In the application of this section in relation to an offence committed before the commencement of [F35 paragraph 24(2) of Schedule 22 to the Sentencing Act 2020], the reference in sub-paragraph (1)(a) to twelve months is to be read as a reference to six months.

Textual Amendments

F35 Words in Sch. A1 para. 10(2) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 443\(1\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); S.I. 2020/1236, reg. 2

Enforcement undertakings

- 11 (1) The regulations may make provision—
- (a) to enable an enforcement authority to accept an enforcement undertaking from a person in a case where the enforcement authority has reasonable grounds to suspect that the person has contravened a restriction or requirement imposed in safety regulations, and
 - (b) for the acceptance of the undertaking to have the consequences in sub-paragraph (4).
- (2) For the purposes of this Part, an “enforcement undertaking” is an undertaking to take such action as may be specified in the undertaking within such period as may be so specified.
- (3) The action specified in an enforcement undertaking must be—
- (a) action to secure that contravention of the restriction or requirement does not continue or recur, or
 - (b) action of a prescribed description.
- (4) The consequences in this sub-paragraph are that, unless the person from whom the undertaking is accepted has failed to comply with the undertaking or any part of it—
- (a) that person may not at any time be convicted of an offence under safety regulations in respect of the act or omission to which the undertaking relates,
 - (b) the enforcement authority may not impose on that person any fixed monetary penalty which it would otherwise have power to impose by virtue of paragraph 2 in respect of that act or omission, and

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- (c) the enforcement authority may not impose on that person any discretionary requirement which it would otherwise have power to impose by virtue of paragraph 4 in respect of that act or omission.
- (5) The regulations may (among other things) include provision—
- (a) as to the procedure for entering into an undertaking;
 - (b) as to the terms of an undertaking;
 - (c) as to publication of an undertaking by an enforcement authority;
 - (d) as to variation of an undertaking;
 - (e) as to circumstances in which a person may be regarded as having complied with an undertaking;
 - (f) as to monitoring by an enforcement authority of compliance with an undertaking;
 - (g) as to certification by an enforcement authority that an undertaking has been complied with;
 - (h) for appeals against refusal to give such certification;
 - (i) in a case where a person has given inaccurate, misleading or incomplete information in relation to the undertaking, for that person to be regarded as not having complied with it;
 - (j) in a case where a person has complied partly but not fully with an undertaking, for that part-compliance to be taken into account in the imposition of any criminal or other sanction on the person;
 - (k) for the purpose of enabling criminal proceedings to be instituted against a person in respect of the contravention of the requirement or restriction in the event of breach of an undertaking or any part of it;
 - (l) to extend any period within which those proceedings may be instituted.

Combination of sanctions

- 12 Provision may not be made under the paragraphs specified in an entry in column 1 of the following table in relation to the same kind of breach of safety regulations unless the first and second conditions set out in the corresponding entries in columns 2 and 3 are met.

TABLE

Column 1	Column 2	Column 3
Paragraphs of this Schedule	First Condition	Second Condition
Paragraphs 2 and 4	The provision must secure that the enforcement authority may not serve a notice of intent referred to in paragraph 3(1)(a) on a person in relation to a breach where a discretionary requirement has been imposed on that person in relation to the same breach.	The provision must secure that the enforcement authority may not serve a notice of intent referred to in paragraph 5(1)(a) on a person in relation to a breach where— (a) a fixed monetary penalty has been imposed on that

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		person in relation to the same breach, or
		(b) the person has discharged liability to a fixed monetary penalty in relation to that breach pursuant to paragraph 3(1)(b).
Paragraphs 2 and 7	The provision must secure that the enforcement authority may not serve a notice of intent referred to in paragraph 3(1)(a) on a person in relation to a breach where a stop notice has been served in relation to the same breach.	The provision must secure that the enforcement authority may not serve a stop notice on a person in relation to a breach where— (a) a fixed monetary penalty has been imposed on that person in relation to the same breach, or (b) the person has discharged liability to a fixed monetary penalty in relation to that breach pursuant to paragraph 3(1)(b).
Paragraphs 4 and 7	The provision must secure that the enforcement authority may not serve a notice of intent referred to in paragraph 5(1)(a) on a person in relation to a breach where a stop notice has been served in relation to the same breach.	The provision must secure that the enforcement authority may not serve a stop notice on a person in relation to a breach where a discretionary requirement has been imposed on that person in relation to the same breach.

Monetary penalties

- 13 (1) If the regulations confer power on an enforcement authority to require a person to pay a fixed monetary penalty, a variable monetary penalty or a non-compliance penalty under paragraph 6(1), they may include provision—
- (a) for early payment discounts;
 - (b) for the payment of interest or other financial penalties for late payment of the penalty, such interest or other financial penalties not in total to exceed the amount of that penalty;
 - (c) for enforcement of the penalty.
- (2) Provision under sub-paragraph (1)(c) may include—
- (a) provision for the enforcement authority to recover the penalty, and any interest or other financial penalty for late payment, as a civil debt;

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- (b) provision for the penalty, and any interest or other financial penalty for late payment to be recoverable, on the order of a court, as if payable under a court order.

Costs recovery

- 14 (1) Provision under paragraph 4 may include provision for an enforcement authority, by notice, to require a person on whom a discretionary requirement is imposed to pay the costs incurred by the enforcement authority in relation to the imposition of the discretionary requirement up to the time of its imposition.
- (2) In sub-paragraph (1), the reference to costs includes (among other things)—
- (a) investigation costs;
 - (b) administration costs;
 - (c) costs of obtaining expert advice (including legal advice).
- (3) Provision under this paragraph must secure that, in any case where a notice requiring payment of costs is served—
- (a) the notice specifies the amount required to be paid;
 - (b) the enforcement authority may be required to provide a detailed breakdown of that amount;
 - (c) the person required to pay costs is not liable to pay any costs shown by the person to have been unnecessarily incurred;
 - (d) the person required to pay costs may appeal against—
 - (i) the decision of the enforcement authority to impose the requirement to pay costs;
 - (ii) the decision of the enforcement authority as to the amount of those costs.
- (4) Provision under this paragraph may include the provision referred to in paragraph 13(1)(b) and (c) and (2).
- (5) Provision under this paragraph must secure that the enforcement authority is required to publish guidance about how the enforcement authority will exercise the power conferred by the provision.

Appeals

- 15 (1) The regulations may not provide for the making of an appeal other than to—
- (a) the First-tier Tribunal, or
 - (b) another tribunal created under an enactment (within the meaning of section 14H(5)).
- (2) In sub-paragraph (1)(b) “tribunal” does not include an ordinary court of law.
- (3) If the regulations make provision for an appeal in relation to the imposition of any requirement or service of any notice, they may include—
- (a) provision suspending the requirement or notice pending determination of the appeal;
 - (b) provision as to the powers of the tribunal to which the appeal is made;
 - (c) provision as to how any sum payable in pursuance of a decision of that tribunal is to be recoverable.

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- (4) The provision referred to in sub-paragraph (3)(b) includes provision conferring on the tribunal to which the appeal is made power—
- (a) to withdraw the requirement or notice;
 - (b) to confirm the requirement or notice;
 - (c) to take such steps as the enforcement authority could take in relation to the act or omission giving rise to the requirement or notice;
 - (d) to remit the decision whether to confirm the requirement or notice, or any matter relating to that decision, to the enforcement authority;
 - (e) to award costs.

Publicity for imposition of civil sanctions

- 16 (1) The regulations may make provision enabling an enforcement authority to give a publicity notice to a person on whom a civil sanction has been imposed in accordance with regulations under this Schedule.
- (2) A “publicity notice” is a notice requiring the person to publicise—
- (a) the fact that the civil sanction has been imposed, and
 - (b) such other information as may be specified in the regulations, in such manner as may be specified in the notice.
- (3) The regulations may provide for a publicity notice to—
- (a) specify the time for compliance with the notice, and
 - (b) require the person to whom it is given to supply an enforcement authority with evidence of compliance within such time as may be specified in the notice.
- (4) The regulations may provide that, if a person fails to comply with a publicity notice, an enforcement authority may—
- (a) publicise the information required to be publicised by the notice, and
 - (b) recover the costs of doing so from that person.

Persons liable to civil sanctions

- 17 The regulations may make provision about the persons liable to civil sanctions under regulations under this Schedule and may (among other things) provide for—
- (a) the officers of a body corporate to be so liable as well the body corporate itself, and
 - (b) for the partners of a partnership to be liable as well as the partnership itself, in such circumstances as may be specified.

Guidance as to use of civil sanctions

- 18 (1) Where power is conferred on an enforcement authority by the regulations to impose a civil sanction in relation to a breach of regulations under this Schedule, the provision conferring the power must secure that—
- (a) the enforcement authority must publish guidance about the enforcement authority's use of the civil sanction,
 - (b) the guidance must contain the relevant information,
 - (c) the enforcement authority must revise the guidance where appropriate,

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- (d) the enforcement authority must consult such persons as the provision may specify before publishing any guidance or revised guidance, and
 - (e) the enforcement authority must have regard to the guidance or revised guidance in exercising the enforcement authority's functions.
- (2) In the case of guidance relating to a fixed monetary penalty, the relevant information referred to in sub-paragraph (1)(b) is information as to—
- (a) the circumstances in which the penalty is likely to be imposed,
 - (b) the circumstances in which it may not be imposed,
 - (c) the amount of the penalty,
 - (d) how liability for the penalty may be discharged and the effect of discharge, and
 - (e) rights to make representations and objections and rights of appeal.
- (3) In the case of guidance relating to a discretionary requirement, the relevant information referred to in sub-paragraph (1)(b) is information as to—
- (a) the circumstances in which the requirement is likely to be imposed,
 - (b) the circumstances in which it may not be imposed,
 - (c) in the case of a variable monetary penalty, the matters likely to be taken into account by the enforcement authority in determining the amount of the penalty (including, where relevant, any discounts for voluntary reporting of non-compliance), and
 - (d) rights to make representations and objections and rights of appeal.

Publication of enforcement action

- 19 (1) Where power is conferred on an enforcement authority by the regulations to impose a civil sanction in relation to a breach of safety regulations, the provision conferring the power must, subject to this paragraph, secure that the enforcement authority must from time to time publish reports specifying—
- (a) the cases in which the civil sanction has been imposed, and
 - (b) where the civil sanction is a fixed monetary penalty, the cases in which liability to the penalty has been discharged pursuant to paragraph 3(1)(b).
- (2) In sub-paragraph (1)(a), the reference to cases in which the civil sanction has been imposed do not include cases where the sanction has been imposed but overturned on appeal.
- (3) The provision conferring the power need not secure the result in sub-paragraph (1) in cases where the relevant authority considers that it would be inappropriate to do so.

Compliance with regulatory principles

- 20 An enforcement authority must act in accordance with the principles that—
- (a) regulatory activities should be carried out in a way that is transparent, accountable, proportionate and consistent;
 - (b) regulatory activities should be targeted only at cases in which action is needed.

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Review

- 21 (1) The Welsh Ministers must in accordance with this paragraph review the operation of any provision made by them conferring power on an enforcement authority (including themselves) to impose a civil sanction in relation to a breach of safety regulations.
- (2) The review must take place as soon as practicable after the end of the period of three years beginning with the day on which the provision comes into force.
- (3) The review must in particular consider whether the provision has implemented its objectives efficiently and effectively.
- (4) In conducting a review under this paragraph the Welsh Ministers must consult such persons as they consider appropriate.
- (5) The Welsh Ministers must publish the results of a review under this section.
- (6) The Welsh Ministers must lay a copy of a review under this paragraph before the National Assembly for Wales.

Suspension

- 22 (1) Where provision has been made by the Welsh Ministers conferring power on an enforcement authority other than themselves to impose a civil sanction in relation to a breach of safety regulations, the Welsh Ministers may direct the enforcement authority—
- (a) where the power is power to impose a fixed monetary penalty, not to serve any further notice of intent referred to in paragraph 3(1)(a) in relation to a breach of that kind;
- (b) where the power is power to impose a discretionary requirement, not to serve any further notice of intent referred to in paragraph 5(1)(a) in relation to a breach of that kind;
- (c) where the power is power to impose a stop notice, not to serve any further stop notices in relation to a breach of that kind;
- (d) where the power is power to accept an enforcement undertaking, not to accept any further undertaking in relation to a breach of that kind.
- (2) The Welsh Ministers may only give a direction under sub-paragraph (1) in relation to a breach of safety regulations if they are satisfied that the enforcement authority has failed on more than one occasion—
- (a) to comply with any duty imposed on it under or by virtue of this Schedule in relation to a breach of that kind,
- (b) to act in accordance with the guidance it has published under paragraph 18 in relation to a breach of that kind, or
- (c) to act in accordance with the principles referred to in paragraph 20 or with other principles of best practice in relation to the enforcement of a breach of that kind.
- (3) The Welsh Ministers may by direction revoke a direction given by them under sub-paragraph (1) if they are satisfied that the enforcement authority has taken the appropriate steps to remedy the failure to which that direction related.
- (4) Before giving a direction under sub-paragraph (1) or (3) the Welsh Ministers must consult—

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- (a) the enforcement authority, and
 - (b) such other persons as they consider appropriate.
- (5) Where the Welsh Ministers give a direction under this section, they must lay a copy before the National Assembly for Wales.
- (6) Where the Welsh Ministers give a direction under this section, the enforcement authority must—
- (a) publish the direction in such manner as the Welsh Ministers think fit, and
 - (b) take such other steps as the enforcement authority thinks fit or the Welsh Ministers may require to bring the direction to the attention of other persons likely to be affected by it.

Payment of penalties into Welsh Consolidated Fund

- 23 Where pursuant to any provision made under this Schedule an enforcement authority other than the Welsh Ministers receives—
- (a) a fixed monetary penalty, a variable monetary penalty or a non-compliance penalty,
 - (b) any interest or other financial penalty for late payment of such a penalty, or
 - (c) a sum paid in discharge of liability to a fixed monetary penalty,
- the enforcement authority must pay it into the Welsh Consolidated Fund.]

SCHEDULE 1

(introduced by section 25)

MINOR AND CONSEQUENTIAL AMENDMENTS

Public Passenger Vehicles Act 1981 (c. 14)

- 1 In section 46 of the Public Passenger Vehicles Act 1981 (fare-paying passengers on school buses), in subsection (3), in the definition of “free school transport”—
- (a) in paragraph (a) omit “section 509(1) or (1A)”;
 - (b) omit “or” at the end of paragraph (aa);
 - (c) after paragraph (aa) insert —
 - “(ab) in pursuance of arrangements under sections 3 or 4 of the Learner Travel (Wales) Measure 2008, or”.

Commencement Information

I40 Sch. 1 para. 1 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

Transport Act 1985 (c. 67)

- 2 (1) Section 6 of the Transport Act 1985 (registration of local services) is amended as follows.
- (2) In subsection (1B)—
- (a) omit “section 509(1) or (1A),” in paragraph (a);
 - (b) omit “or” at the end of paragraph (b);

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- (c) after paragraph (c) insert—
 - “(d) the obligation placed on a local authority by sections 3 or 4 of the Learner Travel (Wales) Measure 2008; or
 - (e) the exercise of the power of a local authority under section 6 of that Measure.”

(3) In subsection (1C)(a), for “or (c)” substitute “, (c), (d) or (e)”.

Commencement Information

- I41** Sch. 1 para. 2(1)(2)(a)(b) in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)
- I42** Sch. 1 para. 2(2)(c)(3) in force in so far as not already in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)
- I43** Sch. 1 para. 2(2)(c)(3) in force for specified purposes at 6.3.2009 by [S.I. 2009/371](#), [Sch. Pt. 1](#)

Further and Higher Education Act 1992 (c. 13)

- 3 (1) Section 57 of the Further and Higher Education Act 1992 is amended as follows.
 - (2) In subsection (2)(b) after “any Act” insert “ or any Measure of the National Assembly for Wales ”.
 - (3) In subsection (2)(c) after “any Act” insert “ or any Measure of the National Assembly for Wales ”.

Commencement Information

- I44** Sch. 1 para. 3 in force at 1.9.2009 by [S.I. 2009/371](#), [Sch. Pt. 2](#)

Education Act 1996 (c. 56)

- 4 (1) The Education Act 1996 is amended as follows.
 - (2) In section 509AA (provision of transport for persons of sixth form age)—
 - (a) in subsection (1) after “authority” insert “ in England ”;
 - (b) in subsection (2)(d) omit “or the National Assembly for Wales”;
 - (c) in subsection (9) for “appropriate authority may, if it” substitute “ Secretary of State may, if he ”;
 - (d) omit subsection (9A);
 - (e) in subsection (10) omit the words “(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)”.
 - (3) In section 509AB (further provision about transport policy statements)—
 - (a) omit subsection (4);
 - (b) in subsection (5), for the words from “under this section” to the end substitute “ under this section by the Learning and Skills Council for England. ”;
 - (c) in subsection (6)—
 - (i) in paragraph (c) omit “(in the case of a local education authority in England)”;
 - (ii) in paragraph (d) omit the words after “England” the first time that word appears to the end of that paragraph.

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- (4) In section 509AC (interpretation of sections 509AA and 509AB)—
- (a) omit subsection (3);
 - (b) in subsection (6) omit the words after “subsection (5)” to the end of that subsection;
 - (c) omit subsection (7).
- (5) In section 509A (travel arrangements for children receiving early years education otherwise than at school)—
- (a) in subsection (1), after “authority” insert “ in England ”;
 - (b) in subsection (4A), after “Regulations” insert “ made by the Secretary of State ”;
 - (c) in subsection (5) (as substituted by paragraph 23 of Schedule 2 to the Childcare Act 2006 (c. 21)), omit “in relation to England,” and paragraph (b).

Commencement Information

I45 Sch. 1 para. 4(1)-(4) in force at 6.3.2009 by [S.I. 2009/371](#), **Sch. Pt. 1**

I46 Sch. 1 para. 4(5) in force at 1.9.2009 by [S.I. 2009/371](#), **Sch. Pt. 2**

Childcare Act 2006 (c. 21)

- 5 In section 110(5)(a) of the Childcare Act 2006, for “20 to 24” substitute “ 20 to 22, 24 ”.

Commencement Information

I47 Sch. 1 para. 5 in force at 1.9.2009 by [S.I. 2009/371](#), **Sch. Pt. 2**

SCHEDULE 2

(introduced by section 26)

REPEALS

Commencement Information

I48 Sch. 2 in force for specified purposes at 30.10.2009 by [S.I. 2009/2819](#), **art. 2(1)(d)**

I49 Sch. 2 in force for specified purposes at 30.10.2009 by [S.I. 2009/371](#), **art. 2(1)(d)**

I50 Sch. 2 in force for specified purposes at 1.9.2009 by [S.I. 2009/371](#), **Sch. Pt. 2**

I51 Sch. 2 in force for specified purposes at 6.3.2009 by [S.I. 2009/371](#), **Sch. Pt. 1**

Short title and chapter

Extent of repeal

Public Passenger Vehicles Act 1981 (c. 14)

In section 46(3)(a) the words “section 509(1) or (1A)”.

Transport Act 1985 (c. 67)

In section 6(1B) the words “section 509(1) or (1A)” in paragraph (a) and the word “or” in paragraph (b).

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Education Act 1996 (c. 56)	<p>In section 444(5) the words “and (4)”.</p> <p>In section 455, in subsection (1)(c) the words “or 509(2)” and in subsection (2)(b) “or” at the end of the subsection.</p> <p>Section 509.</p> <p>In section 509AA, in subsection (2)(d) the words “or the National Assembly for Wales”, subsection (9A), and in subsection (10) the words “(in relation to local education authorities in England) or the National Assembly for Wales (in relation to local education authorities in Wales)”.</p> <p>In section 509AB, subsection (4), in subsection (6)(c) the words “(in the case of a local education authority in England)”, in subsection (6)(d) the words after “England” the first time that word appears to the end of that subsection.</p> <p>In section 509AC, subsection (3), in subsection (6) the words after “subsection (5)” to the end of the subsection, subsection (7).</p> <p>In section 509A, in subsection (5), the words “in relation to England,” and paragraph (b).</p>
School Standards and Framework Act 1998 (c. 31)	Schedule 30, paragraph 133.
Learning and Skills Act 2000 (c. 21)	Schedule 9, paragraph 59.
Education Act 2002 (c. 32)	Schedule 19, paragraph 2. Schedule 21, paragraph 51.
Education and Inspections Act 2006 (c. 40)	<p>Section 83, subsection (1), in subsection (2) the words after “England” the first time that word appears to the end of that subsection, and subsection (3).</p> <p>Schedule 10, paragraphs 4 and 5(b).</p>

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Learner Travel (Wales) Measure 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 1(4)(f) word substituted by [S.I. 2022/744 Sch. 2 para. 10](#)
- s. 1(4)(g) words substituted by [2022 asc 1 Sch. 4 para. 23\(2\)](#)
- s. 7(1)(b)(ii) words inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(a\)](#)
- s. 24(1) words omitted by [2013 anaw 1 Sch. 5 para. 25\(2\)](#)
- Sch. A1 para. 10(2) words substituted by [2020 c. 17 Sch. 24 para. 443\(2\)](#) (This amendment not applied to legislation.gov.uk. It relates to the Welsh text version only)
- Sch. A1 para. 10(2) words substituted by [S.I. 2022/500 reg. 5\(1\)Sch. Pt. 1](#)
- Sch. A1 para. 10(2) words substituted by [S.I. 2022/500 reg. 5\(3\)Sch. Pt. 3](#)

Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:

Whole provisions yet to be inserted into this Measure (including any effects on those provisions):

- s. 7(3)(a)(ai) inserted by [2022 asc 1 Sch. 4 para. 23\(3\)\(b\)](#)



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Welsh Government

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Learner Travel

Statutory Provision and Operational Guidance

June 2014



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Section 1: Statutory Provisions.

Summary

In 2004, the Welsh Government adopted the United Nations Convention on the Rights of the Child (UNCRC)¹ as a basis of all policy making for children and young people in Wales. In 2011 Welsh Ministers passed the Rights of Children and Young Persons (Wales) Measure 2011² which provides that Welsh Ministers must have due regard to the requirements of the Convention when exercising any of their functions.

The safety of children is of paramount importance and the Learner Travel (Wales) Measure 2008³ (“the 2008 Measure”) requires local authorities to assess the suitability of travel for learners between home and places of education and training.

It is also important to secure the views of children and young people in accordance with the Rights of Children and Young Persons (Wales) Measure 2011. The views and perceptions of children can inform the local authority officers who have responsibility for assessing home to school travel provision. Working collaboratively with partners, such as governing bodies, head teachers, schools, Local Safeguarding Children’s Boards, operators, parents and other agencies to share information and best practice can assist safeguarding of children travelling to and from school.

The Welsh Government has adopted the social model of disability however, much of the legislation is not written to reflect this model. Consequently this document contains non social model terminology.

¹ <https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/the-united-nations-convention-on-the-rights-of-the-child-uncrc>

² 2011 nawm 2. <http://www.legislation.gov.uk/mwa/2011/2/contents>

³ 2008 nawm 2. <http://www.legislation.gov.uk/mwa/2008/2/contents>

Section 1: Statutory Provisions.

Chapter 1: The Learner Travel (Wales) Measure 2008.

Overview

- 1.1 The Education Act 1996 (as amended) sets out the law in Wales and England for the **attendance** of pupils at school and the Learner Travel (Wales) Measure 2008 (as amended) ('the Measure') sets out the legal framework specifically related to **travel and transport** provisions for learners⁴ travelling from home to school⁵ in Wales.
- 1.2 This Statutory Guidance ("the Guidance") is published by Welsh Ministers under section 15 of the Learner Travel (Wales) Measure 2008.
- 1.3 Under section 15 of the Learner Travel (Wales) Measure 2008, Welsh Ministers have the power to issue statutory guidance. Where guidance is statutory, local authorities are required to have regard to the guidance and will only be able to depart from such guidance where they can provide justification for doing so.
- 1.4 The Guidance has no special authority in regards to matters of legal interpretation. Where there appear to be differences between the Measure and the Guidance, the Measure always takes precedence.
- 1.5 Where the Guidance says that something **must** be done, this means that it is a requirement in either primary or secondary legislation and a footnote gives the appropriate provision.
- 1.6 Section 1 of this guidance document outlines the statutory provisions, specific duties and key responsibilities for Welsh Ministers, local authorities, governing bodies of maintained schools, head teachers, learners, parents and any other relevant body as appropriate.

⁴ Definition of 'learner' is provided in the glossary (Section 2).

⁵ For the purposes of this document the term 'school' has the same meaning as the term "relevant places" defined in Section 1(4) of the Measure. For ease of reference, the definition of 'relevant places' is provided in the glossary (Section 2).

1.7 The Measure sets out specific requirements for home to school transport in Wales. Its main provisions are :-

1.8 Legal Duties of the Welsh Ministers.

The Welsh Ministers **must**:

- Make an All-Wales Travel Behaviour Code ('Travel Code'⁶)
- Promote access to Welsh Medium education⁷ and training
- Promote sustainable modes of travel⁸

- Welsh Ministers may also issue direction and/or make statutory guidance⁹.

1.9 Legal Duties of the local authority.

Local authorities¹⁰ **must**:

- Assess the travel needs of learners in their authority area¹¹
- Provide free home to school transport for learners of compulsory school age attending primary school who live 2 miles or further from their nearest suitable school¹²
- Provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school¹³
- Assess and meet the needs of "looked after"¹⁴ children in their authority area¹⁵
- Promote access to Welsh medium education¹⁶
- Promote sustainable modes of travel¹⁷

⁶ Section 12 of the Measure

⁷ Section 10 of the Measure

⁸ Section 11 of the Measure

⁹ Section 15 of the Measure

¹⁰ Local authority means all relevant departments within the authority and is not limited to learner travel teams

¹¹ Section 2 of the Measure

¹² Section 3 of the Measure

¹³ Section 3 of the Measure

¹⁴ Definition of 'looked after' children is provided in Chapter 1 paragraph 1.49

¹⁵ Sections 2 and 3 of the Measure

¹⁶ Section 10 of the Measure

¹⁷ Section 11 of the Measure

Under section 32 of the Education Act 2002¹⁸ (which was amended by section 21 of the Measure), local authorities have the power to change school session times¹⁹, **if the change is considered necessary or expedient to promote the use of sustainable modes of travel, or to make travel arrangements more effective or efficient**²⁰. The Welsh Government has made regulations setting out the appropriate procedure.²¹

Where learners are not entitled to free transport, local authorities have the power to provide transport on a discretionary basis²².

1.10 Legal Duties of Head-teachers.

They **must**:

- Ensure compliance with the Travel Code²³

Head Teachers should also:

- Promote knowledge and awareness of the Travel Code²⁴
- Incorporate the Travel Code into the school's overarching school behaviour policy²⁵

Assessing Needs

1.11 Section 2 of the Measure places a duty on a local authority to assess the travel needs of learners under the age of 19. This includes those who have reached 19 but started a course when under 19 and continue to attend that course

¹⁸ 2002 c.32. <http://www.legislation.gov.uk/ukpga/2002/32/section/32>

¹⁹ This provision applies to community special schools, maintained nursery schools, foundation schools, voluntary aided schools and foundation special schools.

²⁰ Change can only be made if it meets these criteria

²¹ The Changing of School Session Times (Wales) Regulations 2009 (S.I. 2009/572).

<http://www.assemblywales.org/bus-home/bus-guide-docs-pub/bus-business-documents/bus-business-documents-doc-laid.htm?act=dis&id=119939&ds=4/2009>

²² Section 6 of the Measure

²³ Section 89(2A) of the Education and Inspections Act 2006 states that in determining a behaviour policy for a school the head teacher must require pupils to comply with the travel behaviour code. <http://www.legislation.gov.uk/ukpga/2006/40/section/89>

²⁴ <http://wales.gov.uk/topics/transport/integrated/learnertravel/travelcode/?lang=en>

²⁵ Section 89 Education and Inspections Act 2006

<http://www.legislation.gov.uk/ukpga/2006/40/section/89>

who receive education or training and who are ordinarily resident in the authority's area²⁶.

- 1.12 Assessing the travel needs of learners does not mean providing free transport. Learners will only qualify for free transport provision if they meet the entitlement criteria outlined in Chapter 1 paragraphs 1.21 – 1.26 and 1.51 of this document.
- 1.13 Learner travel needs are the specific needs of learners in terms of the travel arrangements between home and school each day. Those learners whose travel needs are assessed by the local authority also include those whose nearest suitable schools are in other local authority areas.
- 1.14 It is recommended that in assessing the travel needs of learners, local authorities should consider:-
- Who the learners are in their area
 - Where those learners currently attend or are due to attend school
 - Which learners they are under a legal duty to provide with transport under Sections 3 and 4 of the Measure
 - Which learners they want to provide with travel on a discretionary basis under Section 6 of the Measure
 - What other arrangements already exist / will exist for those for whom they do not provide transport (e.g. does the further education college provide transport for 16-18 year olds?)
- 1.15 The local authority is also required to have regard to:-
- The needs of disabled learners²⁷ and learners with learning difficulties²⁸
 - Any particular needs of learners who are 'looked after' or formerly looked after by a local authority²⁹

²⁶ Local authorities are required to assess the travel needs of learners under the age of 5 (nursery age) and aged 16-19, but there is currently no legal duty to provide free or assisted transport arrangements for nursery or post-16 learners.

²⁷ Section 24(1) of the Measure. The definition of disability can be read as that from the Equality Act 2010, which is explained in the glossary (see Section 2)

²⁸ Section 24(1) of the Measure

²⁹ The statutory definition of 'looked after' children is defined in section 22(1) Children Act 1989 and is provided in Chapter 1 paragraph 1.49.

- The age of a learner
 - The nature of the route that the learner is expected to take between home and the places where they receive education or training.
- 1.16 In assessing the travel needs of learners, local authorities must³⁰ take into account the fact that the travel arrangements they make in light of the assessment must not cause unreasonable levels of stress; take an unreasonable amount of time or be unsafe.
- 1.17 The assessment will give a local authority an overview of the travel needs of learners in their area. This will allow them to make travel arrangements for learners in an efficient and effective manner and enable them to provide information to others about the travel arrangements available. Local authorities must also promote sustainable modes of travel³¹ when exercising their functions under the Measure as far as reasonably practicable.
- 1.18 The assessment is only required to take into account travel to and from the learner's home to the nearest suitable school and not the learner's travel needs during the day between different places of education or training, including:
- residential trips or day trips organised by schools.
 - travel between schools or between different sites of the same school (i.e. travel incurred by learners during the school day to access courses in relation to the learning pathways programme)
- 1.19 When exercising functions under the Measure the local authority is not required to take account of extra curricular activities, breakfast or after-school clubs when assessing learner travel needs.
- 1.20 In each academic year, the local authority must assess the learner travel needs for the following academic year³².

³⁰ Sections 3(5) (transport arrangements) and 4(6) of the Measure (travel arrangements)

³¹ Definition of 'sustainable modes of travel' is outlined in Section 11 of the Measure and is provided in the glossary (Section 2)

³² Section 2(2) of the Measure

Entitlement

- 1.21 Section 3 of the Measure places a duty on a local authority to make transport arrangements for learners of compulsory school age in specified circumstances and subject to specified conditions. The section makes provision for free transport defined by whether children receive primary or secondary education and whether they live further than set distances from the schools at which they receive education or training.
- 1.22 Learners receiving primary education will be entitled to free transport if they live two miles or more from their nearest suitable maintained school; pupil referral unit; or non-maintained special school. The exception is if the authority has arranged for the learner to board at or near the school.
- 1.23 Where a learner receiving primary education has a statement of special educational needs (SEN), which names an independent school, then should that school be two miles or more from the learner's home, a local authority will have to provide free transport. The exception is if the authority has arranged for the learner to board at or near the school.
- 1.24 A similar entitlement is provided for learners receiving secondary education, but in this case if they live three miles or more from their nearest suitable maintained school; pupil referral unit; non-maintained special school or independent school named in a statement of special educational needs. Where the local authority has arranged for the learner to board at or near the school, the duty to provide free transport does not apply.
- 1.25 The entitlement includes transport for any learners of compulsory school age who attend their nearest suitable further education institution as a full time student if it is three miles or more from the learner's home and the local authority has not arranged for the learner to attend a suitable institution closer than three miles from the learner's home.
- 1.26 The entitlement also includes travel between home and school, where a learner is registered at more than one school and needs to attend different schools on different days of the week. For example this would cover travel at the

beginning and/or end of the day to a different school. Transition may include when a learner is moving from a special needs unit into mainstream education.

Making Suitable Transport Arrangements

1.27 The local authority must³³ make suitable transport arrangements to facilitate the attendance of the learner each day at their nearest suitable school where they receive education and training. Under Sections 3(5) and 4(6) of the Measure transport arrangements are not suitable if:

- they cause unreasonable levels of stress for the learner
- they take an unreasonable amount of time
- they are unsafe

1.28 Unreasonable Levels of Stress

Local authorities must provide suitable transport arrangements to ensure that, as far as reasonably practicable, they do not cause unreasonable levels of stress to the learner³⁴. There is no legal definition of 'stress', nor is there a definitive list of what criteria local authorities should take into account to determine if the journey causes an unreasonable level of stress. It is for local authorities to determine how stress assessments are carried out, in accordance with their own learner travel policy.

1.29 Journey Times

The Measure does not specify a time limit for journeys, however, local authorities are required to assess the individual needs of learners when considering if a journey time is reasonable. An assessment should take into account the nature, purpose and circumstances of each journey. It is recommended that local authorities consider the following whilst assessing learner journey times³⁵ :-

- the learner's age

³³ Section 3 of the Measure.

³⁴ Section 3(5) of the Measure.

³⁵ Information on what might be considered suitable journey times is provided in Section 3 (Question 4)

- whether the learner has any disability or learning difficulties that need to be accounted for³⁶
- for the purposes of this document the locality of the learner's home in relation to available schools in the vicinity³⁷

1.30 Safe Travel

For the purpose of this document 'safe travel' is defined as 'providing appropriate travel arrangements to ensure that as far as reasonably practicable a learner is not placed at risk³⁸, whether known or foreseen, which might result in them or other persons sustaining a trauma and or serious physical injury'.

1.31 Further information on safe travel with regards to available walking routes is provided in Chapter 1 paragraphs 1.60-1.64 and Chapter 5 of this document..

1.32 It is recommended that local authorities ensure that appropriate health and safety checks and risk assessments on learner transport are carried out. The assessment should take into account stress factors; appropriate journey times and safe travel arrangements³⁹ when determining what transport provisions are suitable for learners.

1.33 Local authorities should satisfy themselves that contracted arrangements for learner transport are safe. This is an ongoing duty so local authorities should ensure that processes are in place to monitor contracts and that prompt action is taken to remedy problems. There is no legal specification of when assessments should be carried out therefore local authorities have discretion in deciding how to meet this requirement. Further information on risk assessment best practice is provided in Section 3 (Questions 1 and 2) of this document.

³⁶ Both the journey time and the suitability of the school (which the learner may need access to) need to be accounted for – especially if a named specialist school is specified in the learner's statement of special education needs.

³⁷ 'Vicinity' refers to suitable schools both within and outside the authority's area.

³⁸ For the purposes of this document the definition of 'risk' is provided in the glossary (Section 2)

³⁹ Section 3(5) of the Measure

1.34 Making Other Travel Arrangements

Section 3 of the Measure is about dedicated transport provision, where this provision does not apply or it is an inappropriate transport arrangement, local authorities are under a duty to make other travel arrangements.

1.35 Section 4 of the Measure places a duty on a local authority to make other travel arrangements for children of compulsory school age if the authority thinks that it is necessary to facilitate a child's attendance at school. These travel arrangements only apply to travel to and from the learner's nearest suitable school at the start and/ or finish of the school day and does not include travel during the day.

1.36 Section 4 provides the basis for local authorities to support travel for learners if they have specific needs whether arising from a learning difficulty, a disability or any other factor which makes particular travel arrangements necessary to facilitate the child's attendance.

1.37 In considering whether travel arrangements are suitable, the local authority must⁴⁰ have regard to:

- the needs assessment undertaken under Section 2 of the Measure (outlined in Chapter 1 paragraphs 1.11 -1.20 of this document)
- the transport arrangements it is duty bound to make under Section 3 of the Measure
- the age of the learner
- any disability or learning difficulty⁴¹
- the nature of the route a learner is expected to take

Nearest Suitable School

1.38 The definition of nearest "suitable school" is where the "education or training provided is suitable having regard for the age, ability and aptitudes of the learner and any learning difficulties he or she may have⁴²".

⁴⁰ Section 4(5) of the Measure.

⁴¹ This includes taking into account a learner's disability and / or a learner's parent's disability. See Chapter 1 paragraphs 1.83- 1.97 for further information on this provision

⁴² Section 4(9) of the Measure

1.39 Local authorities need to consider the suitability of the school when deciding if the placement is appropriate for the learner. Deciding which suitable school is the learners 'nearest' is a matter for the local authority to determine in accordance with their own learner travel and education policy. Local authorities need to set out how the nearest suitable school is identified and publish this information in their learner travel policy in accordance with provisions outlined in the Learner Travel Information (Wales) Regulations 2009⁴³.

1.40 Parents and learners may express a preference for a particular school, a particular type of language provision or faith school, but the Measure does not confer on those parents and learners any rights to free transport to their preferred school and or location, unless that school is determined by the local authority to be the learner's nearest suitable school and the learner meets the distance criteria. Further information regarding parental and learner preference is provided in Chapter 1 paragraphs 1.44 – 1.47 and Chapter 6 paragraphs 6.6 – 6.9.

1.41 Transport must be provided free of charge⁴⁴ to a school outside a local authority's area if that establishment is deemed (under provisions outlined in Chapter 1 paragraphs 1.38 and 1.41) to be the learner's nearest suitable school and if the learner lives:

- further than the statutory distances specified for their age (see Chapter 1 paragraph 1.9 (bullet points 1 and 2)); or
- under the statutory distance specified for their age where the prescribed route the learner is expected to travel has been classified unavailable by the relevant authority

1.42 Admission to School

If a learner cannot be admitted to their nearest suitable school which results in the learner having to attend the next available nearest suitable school, the local authority has the same duty to provide free transport.

⁴³ <http://www.legislation.gov.uk/wsi/2009/569/regulation/4/made>

⁴⁴ This relates to learners of compulsory school age only.

1.43 The School Admissions Code 2013⁴⁵ (the ‘2013 Code’) outlines in more detail the statutory requirements governing school admissions. The 2013 Code came into force on 8 July 2013 and applies to admission arrangements for intakes from September 2014/15 onwards. Paragraphs 2.48 – 2.55 of the 2013 Code outline how distance between home and school can be used as a determinant for entitlement to admission at a school where demand for places means that the oversubscription criteria applies⁴⁶.

1.44 Parental Preference

Section 86 of the School Standards and Framework Act 1998⁴⁷ requires a local authority to enable a parent to express a preference for the school they wish their child to attend. For the purpose of this document this is defined as ‘enacting parental preference’.

1.45 Parental preference does not give a right to a place in their chosen school. If there are places available at the parents’ preferred school, the admission authority’s decision should usually be to accept an application for admission. This can mean that some learners do not attend their nearest suitable school and live some distance away from the school they attend.

1.46 If a parent exercises their parental preference when determining which school their child attends and the chosen school is not the nearest suitable school agreed by the local authority, the learner is not entitled to free transport provision – even if the learner meets the distance or age criteria usually entitling them to free transport provision. In these circumstances, a local authority may provide discretionary transport provision under section 6 of the Measure. If the local authority decides to use this power in accordance with section 9 of the Measure, which outlines that transport arrangements must not favour certain types of education or training, they must ensure that they provide the same provision to all learners in the same circumstance within their

⁴⁵ 005/2013.

<http://wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en>

⁴⁶ Further information regarding the oversubscription criteria is outlined in Section 3 (Question 44) of this document

⁴⁷ 1998 c. 31. <http://www.legislation.gov.uk/ukpga/1998/31/section/86>

authority. Further information regarding this provision is provided in Chapters 5 – Risk Assessing Walked Routes to School paragraph 5.54 and 5.56 and Chapter 6 – ‘Parental Responsibilities’ paragraphs 6.1 - 6.9 and 6.11 - 6.12.

Children’s Preference

Local authorities should also bear in mind the United Nations Convention on the Rights of the Child (“UNCRC”)⁴⁸ and any commitments made in relation to it.

- 1.47 When a child exercises their preference for a school they would like to attend, if it is not their nearest suitable school the learner is not entitled to free transport provision even if they meet the distance and age criteria usually applied to receive free transport provision. Further information regarding this provision is provided in Chapter 6 – ‘Parental Responsibilities’ paragraphs 6.1– 6.9 and 6.11– 6.12.

Attendance of Pupils at School

- 1.48 Section 444 of the Education Act 1996 creates the offence on the part of a parent of failing to secure the regular attendance at school of a registered pupil. Section 20 of the Measure amends section 444⁴⁹ to provide that a parent will have a defence to a prosecution if a local authority has failed to discharge, where required, their statutory duties under this Measure to make travel arrangements to facilitate the attendance of their child at school.

Looked After Children

- 1.49 The definition of a ‘looked after’ child is the term used within the Children Act 1989 to describe a person (under the age of 18) who is in the care of the local authority, or who is provided with accommodation for more than 24 hours by a local authority⁵⁰ in the exercise of its social services

⁴⁸ <https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/the-united-nations-convention-on-the-rights-of-the-child-uncrc>

⁴⁹ <http://www.legislation.gov.uk/ukpga/1996/56/section/444>

⁵⁰ As defined by Section 22(1) of the Children Act 1989
<http://www.legislation.gov.uk/ukpga/1989/41/section/22>

functions⁵¹ This could be a placement with foster carers; in residential homes or with parents or other relatives ('kinship care').'

1.50 A learner who is classified as a 'looked after child' is different to a child (learner) with dual residency⁵².

1.51 Under Section 3 and 4 of the Measure, the same age and distance criteria apply to 'looked after' children (learners) as to those who are not looked after. But the provision that the learner must attend their nearest suitable school to their home does not apply to 'looked after' learners (in the same way it applies to learners who are not looked after). Further information explaining the justification for this difference in provision is provided in Section 3 (Question 6) of this document.

Ordinary Residence

1.52 Section 19 of the Measure sets out the provisions for determining a person's ordinary residence in particular circumstances. There is no statutory definition of the term 'ordinary residence'. However for the purposes of this document, 'ordinary residence is defined as 'where a learner usually lives, or if under 16, where those with parental responsibility for the learner live.'

1.53 'Living' means more than occasionally visiting. If a learner has no ordinary residence they should be treated as being ordinarily resident at the place at which they are for the time being resident⁵³.

1.54 Dual Residency

⁵¹ These are social services functions within the meaning of the Local Authority Social Services Act 1970 (apart from functions under Section 17, 23B and 24B of the Children Act 1989). From the commencement of the Social Services and Well-being (Wales) Act 2014, "looked after" child will be defined in the Act to refer to a child who is in the care of the local authority or who is provided with accommodation for more than 24 hours by a local authority in the exercise of its social services functions as described in Schedule 2 to the Act (apart from functions under section 15, Part 4 or section 109, 114 or 115 of the Act).
<http://www.legislation.gov.uk/ukpga/1989/41/part/III>

⁵² Further information on looked after children is provided in Section 3 (Questions 5 and 6) of this document. Further information of what transport entitlement is given to learners in dual residency is outlined in Chapter 1 paragraphs 1.54 – 1.59

⁵³ Section 19(1) of the Measure.

Dual residency means a learner who has more than one home (ordinary place of residence). This provision applies to learners whose parents are not living together with the learner living partly with each parent⁵⁴, or with a parent and other carer, foster placement etc.

- 1.55 Where a learner has dual residence both places of residence should be regarded as the learner's ordinary residence. If a learner lives at more than two such places then only those two places nearest to their school will qualify⁵⁵.
- 1.56 Sections 3 and 19 of the Measure place a duty on a local authority to provide free transport for learners (of dual residence) to their nearest suitable school if the learner is of compulsory school age and the residence(s) meet the statutory distance criteria (see paragraphs 1.21– 1.26 and 1.51). If the statutory criteria is not met local authorities still have the option of providing discretionary transport under section 6 powers. Further advice regarding this provision is provided in Section 3 (Questions 7 and 8) of this document.
- 1.57 Section 9 of the Education Act 1996⁵⁶ states that local authorities must have regard to the general principle that learners are to be educated in accordance with the wishes of their parents so far as reasonably practicable and so far as that is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure.
- 1.58 Where a learner has two places of ordinary residence which are located in two different local authorities, each of those local authorities will be responsible for the learner's travel arrangements when the learner is residing in its area.
- 1.59 Further information regarding dual residency is provided in, Chapter 6 – 'Parental Responsibilities' – paragraph 6.11 and Section 3, Questions 7 and 8.

⁵⁴ 'Parent' means a parent within the meaning of section 576(1) of the Education Act 1996 who is an individual and includes any person who is not a parent but who has parental responsibility, or who has care for the child.

<http://www.legislation.gov.uk/ukpga/1996/56/section/576>

⁵⁵ Section 19(6) of the Measure.

⁵⁶ <http://www.legislation.gov.uk/ukpga/1996/56/section/9>

Walking Distances and Available Walking Routes

- 1.60 Section 3 of the Measure sets out the distance criteria whereby learners are entitled to free transport to and from their nearest suitable school. Distances below these thresholds for the purpose of this document are referred to as 'walking distances'.
- 1.61 Under section 3(7) of the Measure the walking distance should be measured by the 'shortest available route'. A route is considered to be available if it is safe (as far as reasonably practicable) for a learner without a disability or learning difficulty to walk the route alone or with an accompanying adult if the learner's age and levels of understanding requires this.
- 1.62 If a route is not 'available' and there is no alternative 'available' walking route within the respective distance threshold applicable to the learner's age, which can be used instead as prescribed within section 3 of the Measure, the learner cannot be expected to walk to their nearest suitable school, even though the distance from home to school is less than the distance limit that applies to the learner's age.
- 1.63 In such cases the local authority has a duty to provide the learner with free transport to and from their nearest suitable school, but only if the learner is attending their nearest suitable school. If a learner does not attend their nearest suitable school and if the walking route is not 'available' the local authority is not required to provide free transport.
- 1.64 It is recommended that assessment of walking distances and routes to school be carried out by local authorities in accordance with:
- the risk assessment procedure outlined in Chapter 5 of this document
 - the Health and Safety Executive guidance and other relevant legislation governing health and safety provision⁵⁷

⁵⁷ <http://www.hse.gov.uk/workplacetransport/separating.htm>

Further advice on when risk assessments should be undertaken is provided in Section 3 (Question 2) of this document.

Transport for Learners Not in Compulsory Education or Training

Post-16 Learners

- 1.65 Section 2 of the Measure requires local authorities to assess the travel needs of all learners under the age of 19 who receive education or training and who are ordinarily resident in the authority's area. This includes those who have reached 19 but started a course when under 19 and continue to attend that course.
- 1.66 There is no statutory duty for a local authority to provide free transport to post - 16 learners who continue their studies in mainstream further education or training.
- 1.67 There is no statutory duty on a local authority to provide free transport to a learner with a disability or learning difficulty in post-16 further education or training, although in assessing learner travel needs under section 2(4) of the Measure, a local authority "must have regard in particular" to the needs of learners who are disabled or with learning difficulties. Further information on transport costs for children with statements is provided at 8.87 to 8.90 of the SEN Code of Practice for Wales⁵⁸.
- 1.68 Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for post-16 learners. Further information on discretionary transport provisions is provided in Chapter 1 paragraphs 1.98 – 1.105.
- 1.69 The Measure repeals Section 509AA of the Education Act 1996 so local authorities in Wales are no longer required to publish a separate transport policy statement for learners of sixth form age. However, under the Learner Travel

⁵⁸ <http://learning.wales.gov.uk/resources/special-education-needs-code-of-practice/?lang=en>

Information (Wales) Regulations 2009⁵⁹, local authorities are required to include information on post-16 learners' travel provisions within the information they publish about general arrangements and policies in respect of home to school learner travel. Further information on the Learner Travel Information (Wales) Regulations 2009 is provided in Chapter 3 paragraphs 3.1 -3.6.

1.70 Children Under 5 Years of Age (Nursery)

Section 2(1) of the Measure requires local authorities to assess the travel needs of learners who are under the compulsory school age (under five years of age), attending nursery education⁶⁰ and who are ordinarily resident in the authority's area.

- 1.71 There is no statutory duty for a local authority to provide free transport to any nursery learner who is under five years of age.
- 1.72 Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners under the age of five who attend nursery. Further information on discretionary transport provisions are provided in Chapter 1, paragraphs 1.98 – 1.105.
- 1.73 Under the Learner Travel Information (Wales) Regulations 2009, local authorities are required to include information about nursery learners' travel provisions within the information they publish on general arrangements and policies in respect of home to school learner travel. Further information on the Learner Travel Information (Wales) Regulations 2009 is provided in Chapter 3 paragraphs 3.1 - 3.6).

Welsh Medium / English Medium Education

- 1.74 When deciding which schools are the nearest suitable schools for learners in their area, local authorities and Welsh

⁵⁹ <http://www.legislation.gov.uk/wsi/2009/569/contents/made>

⁶⁰ This provision covers all children aged under 5 (those aged 3 and 4) who receive education in any school or nursery setting whether the learning establishment is maintained or non-maintained.

Ministers have a duty under Section 10 of the Measure to 'promote access to education and training through the medium of Welsh'.

- 1.75 Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of language preference. Further information regarding discretionary transport provision is provided in Chapter 1, paragraphs 1.98– 1.105.
- 1.76 Authorities should make clear in their school admissions documents their policy on providing free or assisted travel to schools teaching through the medium of Welsh or English. Preference for either language should be treated equally. Authorities should also take into account the authority's Welsh Language Scheme⁶¹ and Welsh in Education Strategic Plan (WESP).⁶²
- 1.77 Under the Learner Travel Information (Wales) Regulations 2009, local authorities are required to include information about learners' travel provisions with regard to accessing Welsh and English medium schools. This information must be included within the information they publish about general arrangements and policies in respect of home to school travel. Information on the Learner Travel Information (Wales) Regulations 2009 is provided in Chapter 3 paragraphs 3.1 - 3.6.
- 1.78 The School Standards and Organisation (Wales) Act 2013 places a duty on local authorities in Wales⁶³ to prepare a Welsh in Education Strategic Plan (WESP) for their area. A WESP sets out a local authority's proposals on how it will carry out its education functions to:

⁶¹ From November 2014 Welsh Language Schemes will be replaced by Welsh Language Standards. In accordance with the Welsh Language (Wales) Measure 2011.

<http://wales.gov.uk/topics/educationandskills/publications/guidance/welshmededstrat/?lang=en>

⁶²

<http://wales.gov.uk/topics/educationandskills/publications/guidance/welshmededstrat/?lang=en>

⁶³

Section 84 of the School Standards and Organisation (Wales) Act 2013
<http://www.legislation.gov.uk/anaw/2013/1/section/84/enacted>

- improve the planning of the provision of education through the medium of Welsh (“Welsh medium education”) in its area
- improve the standards of Welsh medium education and of the teaching of Welsh in its area

1.79 In setting out how this will be delivered, the travel of learners to access this provision may need to be taken into account and incorporated into the plan.

Transport to Denominational Schools

1.80 Under current school transport legislation, a learner is entitled to free transport to a denominational school if that school is considered by the local authority to be the learner’s nearest suitable school. Section 6 of the Measure provides local authorities with the power to provide discretionary transport arrangements for learners who are not attending their nearest suitable school because of denominational preference. Further information regarding discretionary transport provision is provided in Chapter 1, paragraphs 1.98 – 1.105.

1.81 Paragraph 1 of the Schedule to the Learner Travel Information (Wales) Regulations 2009 (SI 2009/569)⁶⁴ requires local authorities to make clear in their school admissions documents their policy on providing free or assisted travel to denominational schools.

1.82 Under the Learner Travel Information (Wales) Regulations 2009, local authorities are required to include information about learners’ travel provisions to denominational schools. This information should be included within the information they publish about general arrangements and policies in respect of home to school travel. Information on the Learner Travel Information (Wales) Regulations 2009 is provided in Chapter 3, paragraphs 3.1 -3.6.

Special Educational Needs (SEN), Disabilities and Learning Difficulties

⁶⁴ <http://www.legislation.gov.uk/wsi/2009/569/contents/made>

- 1.83 Under Sections 2 (4) (a) and (4) (b) of the Measure a local authority must consider a learner’s disabilities and learning difficulties when assessing the travel needs of learners in their area.
- 1.84 With regard to the provision of learner transport, when determining whether a child is attending their nearest suitable school, a local authority must take into account the suitability of that school by having regard to (amongst other things) any learning difficulties the learner may have, irrespective of whether the learner has a SEN statement⁶⁵. The definition of “learning difficulty” within the Measure⁶⁶ includes reference to any disability the learner may have which either prevents or hinders that person from using facilities provided at a school or other educational establishment.
- 1.85 Under Section 3 of the Measure, if an independent school is named in a statement for a child⁶⁷ or a non-maintained special school is determined to be a learner’s nearest suitable school and the learner meets the eligibility criteria for free transport, a local authority is required to provide free home to school transport provision for the learner.
- 1.86 The transport arrangements for a learner with SEN will depend on their individual circumstances and the route they must travel. Under Section 4 of the Measure, if a learner of compulsory school age cannot walk (accompanied or unaccompanied) to their nearest suitable school, because of a disability or learning difficulty which they have, even if the distance to their nearest suitable school is less than the statutory limit for their age group, section 4 of the Measure places a duty on local authorities to make suitable travel arrangements for that child. The local authority will need to consider what arrangements are appropriate to facilitate the learner’s attendance at school in accordance with their learner travel policy.

⁶⁵ Section 3(6) of the Measure

⁶⁶ Section 24(1) of the Measure

⁶⁷ Under section 324 of the Education Act 1996.

<http://www.legislation.gov.uk/ukpga/1996/56/section/324>

- 1.87 The Equality Act 2010⁶⁸ contains a number of duties which are relevant when local authorities are complying with their duties under the Measure.
- 1.88 The Public Sector Equality Duty (PSED) in section 149 of the Equality Act 2010⁶⁹ places a duty on local authorities, when carrying out their powers and duties, *to have due regard* to the need to promote equality and opportunity for people with protected characteristics and to eliminate unlawful discrimination. The Measure specifically requires local authorities to have regard to any disability or learning difficulty of learners in making various assessments and decisions under it. However, this does not replace the need to also comply with the PSED in making assessments and decisions under the Measure. Therefore, local authorities should always consider whether there are any wider adverse impacts on protected groups of the assessments and decisions which they make under the Measure and, if there are, whether it would be appropriate to take steps to mitigate the effects of those.
- 1.89 Separately from the PSED, section 29(7) of the Equality Act 2010,⁷⁰ places a duty on local authorities to make certain reasonable adjustments in relation to disability when providing services or carrying out public functions. An authority cannot charge for any reasonable adjustments it makes under this duty.
- 1.90 Section 4 of the Measure in effect creates a specific requirement for local authorities to adjust their travel arrangement provision so that if a child with a disability or learning difficulty lives closer to their nearest suitable school than the distances specified in section 3, but travel arrangements are necessary to facilitate the child's attendance at that school, the authority has a duty to make those arrangements.
- 1.91 However, the reasonable adjustments duty is still relevant to the nature of transport or travel arrangements which the local authority make under the Measure. The local authority should ensure that the arrangements they make allow

⁶⁸ <http://www.legislation.gov.uk/ukpga/2010/15/contents>

⁶⁹ <http://www.legislation.gov.uk/ukpga/2010/15/section/149>

⁷⁰ <http://www.legislation.gov.uk/ukpga/2010/15/section/29>

disabled learners to benefit in the same way as those who are not disabled – for example, by ensuring that the transport provided is accessible and safe for the particular disabled learner.

- 1.92 Local Authorities have a duty to assess the travel needs of all learners under the age of 19 who receive education or training within their area⁷¹. Local authorities do not have a duty to provide free or subsidised school transport arrangements for learners over the age of 16, regardless of any additional learning needs they may have. Local authorities may use their discretionary powers in section 6 of the Measure to provide assistance if they wish. Section 9 of the Measure places a duty on local authorities to ensure that transport arrangements must not favour certain types of education or training. Therefore if a local authority provides discretionary transport, this provision should apply to all learners in similar circumstances within their authority area.
- 1.93 ‘The Special Educational Needs Code of Practice for Wales’⁷² sets out the issues to be considered by authorities when providing transport for learners with a SEN statement. An authority should review a learner’s entitlement and transport needs on a regular basis, irrespective of whether or not the statement specifically includes transport provision.
- 1.94 It is recommended that local authorities have a clear and consistent policy on transport provision for pupils with SEN. Further information on this provision is provided in Section 3 (Questions 14 to 16).
- 1.95 As part of the procurement procedures for tendering, including where they are procuring transport which may be used for disabled learners, local authorities need to bear in mind their duties under the Data Protection Act 1998⁷³ in relation to personal data, including sensitive personal data⁷⁴. Tender documents should not identify learners to be transported or information that could be used to identify the learner.

⁷¹ Section 2(2) of the Measure.

⁷² Reprinted in January 2004 (ISBN 0 7504 2757 4) (paragraphs 8:87 to 8:90) [SEN code of practice].

⁷³ <http://www.legislation.gov.uk/ukpga/1998/29/contents>

⁷⁴ http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/guidance_on_data_security_breach_management.pdf

- 1.96 It is recommended that local authorities work with schools and operators appropriately to ensure that the only information which is made available to operators about learners is that which it is necessary for the operators to have to ensure that appropriate transport provision for the learner can be made.
- 1.97 Further information on the provision of disclosure and barring of information is provided in Chapter 1, paragraphs 1.106 – 1.116 and Section 3 (Questions 19 – 22).

Discretionary Transport Arrangements

- 1.98 Section 6 of the Measure gives local authorities the power to make any arrangement they think fit to facilitate the travel of learners to and from a place where they receive education or training. The power applies in relation to a learner living or studying in the authority's area.
- 1.99 Discretionary travel provisions are not the same as statutory transport provisions⁷⁵. A local authority does not have to use their discretionary powers to provide free or assisted travel, if they do not think the provision is appropriate to facilitate the transport of learners within their authority.
- 1.100 Examples of when discretionary transport provision might be used include:
- Transport for learners who are not of compulsory school age (i.e. under the age of five attending nursery school or in post-16 education or training)
 - Transport for learners who are not attending their nearest suitable school
 - Transport for learners who live below the statutory distance limit relevant to the learner's age
- 1.101 If a local authority does make use of their Section 6 powers, in accordance with section 9 of the Measure, the authority must ensure that the policy applies to all learners in similar circumstances living in that authority's area. The local

⁷⁵ Statutory provisions are those which a local authority must provide to specific learners who meet the eligibility criteria entitling those learners to free transport.

authority should ensure that any policy is fair, reasonable and complies with relevant equality legislation to ensure that they do not discriminate unlawfully between learners when using their section 6 powers.

- 1.102 Travel arrangements made by a local authority cannot discriminate between different categories of learners. Learners of compulsory school age, at establishments that are not maintained schools but do fall within Section 1(4) of the Measure as “other relevant places”, must not be treated less favourably than learners of the same age at maintained schools⁷⁶. Other learners receiving full-time education or training at establishments which are not maintained schools (but do fall within Section 1(4) of the Measure) must not be treated less favourably than learners of the same age at maintained schools. Likewise there should be no discrimination between learners attending maintained schools and those of the same age with learning difficulties, a disability or who are ‘looked after’ by a local authority attending learning establishments other than maintained schools.
- 1.103 In accordance with the Learner Travel Information (Wales) Regulations 2009, local authorities must⁷⁷ publish information about their policies for providing discretionary travel within their learner travel policy. Further information on these Regulations is provided in Chapter 3 paragraphs 3.1 - 3.6.
- 1.104 If a local authority chooses to make use of the Section 6 power to provide discretionary transport arrangements, the local authority also has the power to remove this provision at a later date. In doing this, the authority should follow the correct procedures for withdrawal of transport provision in line with their relevant policy protocols, for instance, public consultation.
- 1.105 If a local authority decides to change or remove the discretionary transport provision it provides, it must publish⁷⁸ the information before 1 October of the year preceding the academic year in which the changes will come into force in

⁷⁶ Section 9 of the Measure

⁷⁷ Regulation 4 of the Learner Travel Information (Wales) Regulations 2009

⁷⁸ In accordance with regulation 4 of the Learner Travel Information (Wales) Regulations 2009 (SI 2009/569) <http://www.assemblywales.org/sub-ld8637-e.pdf>

accordance with the Learner Travel Information (Wales) Regulations 2009.

The Disclosure and Barring Arrangements

- 1.106 The Protection of Freedoms Act 2012⁷⁹ ('the 2012 Act') sets out the new pre-employment vetting processes that must be followed by local authorities and education providers when checking the records of people who want to work with vulnerable groups which include children. The purpose is to ensure they are suitable and do not pose a risk.
- 1.107 The new disclosure and barring arrangements came into force on 10 September 2012. For individuals who do not work in regulated activity, but work (paid or unpaid) with children and vulnerable people, employers can, but are not required to, obtain criminal records checks.
- 1.108 In December 2012, the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) merged and are now called the Disclosure and Barring Service (DBS)⁸⁰. CRB checks are now called DBS checks.
- 1.109 The DBS helps employers make safer recruitment decisions and prevent unsuitable people from working with children and vulnerable groups, through its criminal record checking and barring functions:
- 1.110 The checking service allows employers to access the criminal record history of people working, or seeking to work with children or adults. The DBS issues three types of disclosure, each representing a different level of check. The level of check is determined by the duties of the particular position or job involved. Jobs that involve caring for, supervising or being in sole charge of children or adults require an enhanced DBS check.
- 1.111 The barring side of the DBS provides expert caseworkers who process referrals about individuals who have harmed or pose a risk of harm to children and/or vulnerable groups. They make decisions about who should be placed on the

⁷⁹ <http://www.legislation.gov.uk/ukpga/2012/9/contents/enacted>

⁸⁰ <https://www.gov.uk/disclosure-barring-service-check/overview>

children's barred list and/or adults barred list and prevented by law from working with children or vulnerable groups. It is against the law for employers to employ someone or allow them to volunteer in this kind of work if they are on one of the barred lists.

1.112 The DBS will only issue certificates to applicants. Employers will need to ask applicants for sight of their DBS Certificate. Someone who is aged under 16 cannot apply for a DBS check.

New definition of 'Regulated Activity'

1.113 The DBS only covers those who may have regular or close contact with children and vulnerable adults, defined as 'Regulated Activity' in legislation. Importantly for schools and FE colleges, the definition and scope of Regulated Activity with children has changed. Being clear about the definition of Regulated Activity is important because:

- Roles that fall within the new definition of Regulated Activity will require an enhanced DBS check and the appropriate barred list check (for children, adults or both)
- An organisation which knowingly allows a barred person to work in regulated activity will be breaking the law
- If you dismiss or remove someone from regulated activity (or you would have done had they not already left) because they harmed or posed a risk of harm to vulnerable groups, including children, you are legally required to forward information about that person to the DBS (known as the 'duty to refer'). It is a criminal offence not to do so. If you believe that the person has committed a criminal offence, you are also strongly advised to pass the information to the police

1.114 Regulated Activity⁸¹ (i.e. work that a barred person must not do) in relation to children can be summarised as unsupervised activity in a limited range of establishments with the opportunity for contact with children. These specified establishments include schools, children's homes, childcare premises and pre-school establishments.

⁸¹ Section 5 and Schedule 4, Part 1 of the Safeguarding Vulnerable Groups Act 2006
<http://www.legislation.gov.uk/ukpga/2006/47/schedule/4>

1.115 Under the new disclosure and barring arrangements the scope of Regulated Activity includes unsupervised activities such as driving a vehicle only for children (dedicated learner transport).

1.116 In addition, in order to be regarded as Regulated Activity such unsupervised activity performed must be done frequently. 'Frequently' means carried out by the same person frequently (once a week or more often), or on more than three⁸² days in a 30 day period (or in some cases, between the hours of 2am and 6am).

Vehicle Standards

1.117 Vehicles used for learner transport are required to comply with UK road safety and transport legislation requirements. Local authorities and Governing Bodies of Maintained schools should liaise with the Driver and Vehicle Standards Agency (DVSA) (Formerly the Vehicle and Operator Services Agency (VOSA))⁸³, the Health and Safety Executive (HSE)⁸⁴ and the Traffic Commissioner⁸⁵ about any concerns they have about suspected breaches of legal standards.

1.118 Local authorities should put in place robust monitoring and evaluation procedures to ensure that current legislation requirements are clearly set out in their contracts and are met. This includes the provision that seat belts must be fitted to every seat on dedicated buses used to transport learners to and from school (Safety on Learner Transport (Wales) Measure 2011). This requirement had to be met by 1 October 2014. Further information on the Safety on Learner Transport (Wales) Measure 2011 and seat belt provision is provided in Chapter 4 paragraphs 4.6 – 4.22.

Licensing and Training of Bus Drivers

⁸² Amended by SI 2010/1154 The Safeguarding Vulnerable Groups Act 2006 (Regulated Activity, Devolution, Miscellaneous Provisions) Order 2010.
<http://www.legislation.gov.uk/uksi/2010/1154/contents/made>

⁸³ Further information about the DVSA and VOSA are provided in the glossary (Section 2) and Section 3 (Question 23)

⁸⁴ <http://www.hse.gov.uk/>

⁸⁵ <https://www.gov.uk/government/organisations/traffic-commissioners>

1.119 In 2008 under the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007⁸⁶ the Driving Standards Association (DSA) required that by 10 September 2013 all coach and bus drivers in the UK must have a 'Driver Certificate of Professional Competence' (CPC)⁸⁷. To obtain a CPC, a driver must complete a minimum of 35 hours periodic driver training within a 5 year period⁸⁸. Once a driver has successfully completed the CPC training, they will be issued with a 'Driver Qualification Card' (DQC), which they will need to keep with them when driving professionally. The CPC and DQC will need to be renewed every 5 years, therefore a bus or coach driver will need to undertake 35 hours (minimum) of driver training over the next 5 year time period (2013-2018) to qualify for renewal. The DSA has agreed a 'one off arrangement' that dual category drivers (meaning drivers of both bus and coaches and lorries) once having completed their initial September 2013 training deadline, will have 6 years to undertake their next block of training – meaning this training session will need to be completed between September 2013 and September 2019.

1.120 There is currently no legal requirement that the bus and coach or dual category CPC training has to include a specific learner transport training module for drivers who work on buses or coaches used for learner travel. Further guidance on driver training is provided in Section 3 (Question 3)

Change in School Session Times

1.121 Section 11 of the Measure requires local authorities and the Welsh Ministers to promote the use of sustainable modes of travel when exercising their functions under the Measure. This means that a local authority should consider sustainability when assessing needs and making travel arrangements.

⁸⁶ derived from EU Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods and passengers.

<http://www.legislation.gov.uk/ukxi/2007/605/contents/made>

⁸⁷ <https://www.gov.uk/driver-certificate-of-professional-competence-cpc>

⁸⁸ In 2009, CPC for lorry drivers was also introduced, with a requirement that by 10 September 2014 a lorry driver will be required to have completed a minimum of 35 hours driver training to obtain a CPC certificate.

1.122 Section 21 of the Measure amends Section 32 of the Education Act 2002 to allow local authorities to issue a notice to governing bodies of certain schools to change school session times where it would promote sustainable modes of travel or improve the effectiveness or efficiency of travel arrangements. The Changing of School Session Times (Wales) Regulations 2009⁸⁹ set out the procedures to follow when the local authority intends to change school session times.

1.123 Section 32 of the Education Act 2002⁹⁰, as amended by the Learner Travel (Wales) Measure 2008, sets out who is responsible for determining:

- the dates of school terms
- school holidays
- the times of school sessions

1.124 For foundation, voluntary aided and foundation special schools, the governing body determines the above⁹¹. For community, voluntary controlled, community special schools and maintained nursery schools, the governing body determines the times of school sessions and the local education authority determines the dates of the school terms and holidays⁹².

1.125 Where a local authority considers that a change in a school's session times is necessary or expedient in order to promote the use of sustainable modes of travel, or improve the effectiveness or efficiency of travel arrangements made or to be made, it can give written notice to the governing body that they will determine the time the school's first session begins and its second session ends (or if there is only one session, its start and end⁹³).

1.126 Regulation 3 of the Changing of School Session Times (Wales) Regulations 2009 sets out the procedures to be taken by the local education authority when it proposes to change the session times of a community school, voluntary controlled school, community special school, maintained

⁸⁹ <http://www.assemblywales.org/bus-home/bus-guide-docs-pub/bus-business-documents/bus-business-documents-doc-laid.htm?act=dis&id=119939&ds=4/2009>

⁹⁰ <http://www.legislation.gov.uk/ukpga/2002/32/section/32>

⁹¹ Section 32(2) Education Act 2002

⁹² section 32(1) Education Act 2002

⁹³ section 32(5) to (9) Education Act 2002

nursery school, foundation school, voluntary aided school or foundation special school.

These procedures include:

- Consulting with the governing body; head teacher and other staff at the school
- Holding a meeting with the parents and pupils at the school
- Giving at least three months notice of the change and when it is to take effect.

1.127 In accordance with the Learner Travel Information (Wales) Regulations 2009, any changes to learner travel arrangements, which occur as a result of amendments to school session times must⁹⁴ be made available and published by 1 October preceding the academic year to which the information relates.

1.128 Regulation 4 of the Changing of School Session Times (Wales) Regulations 2009 sets out the procedures to be taken by a governing body of a community, voluntary controlled, community special school or maintained nursery school when it proposes to make changes to school session times.

1.129 Governing bodies must⁹⁵ consult with the local authority and school staff, prepare a statement outlining the changes and hold a meeting with the parents of pupils at the school before making a change. This regulation does not apply to foundation, voluntary aided and foundation special schools. If the change is to the time that a school session begins in the morning or ends in the afternoon, the governing body must give at least three months' notice of the change and the change must only take effect at the beginning of a school year. Otherwise it must give at least six weeks' notice, and the change can only take effect at the beginning of a school term.

Charging for Transport

⁹⁴ Regulation 4 of the Learner Travel Information (Wales) Regulations 2009.
<http://www.legislation.gov.uk/wsi/2009/569/contents/made>

⁹⁵ Regulation 4 of the Changing of School Session Times (Wales) Regulations 2009.
<http://www.assemblywales.org/sub-ld7424-e.pdf>

- 1.130 Local authorities may not charge for transport arrangements that it is required to make for learners of compulsory school age under Section 3 and 4 of the Measure, except in relation to looked after children where the authority making the travel arrangements for a child who is looked after by another authority. In these cases it can recoup costs from the placing local authority (under section 18 of the Measure).
- 1.131 When a local authority uses its section 6 powers to provide discretionary travel arrangements for learners not entitled to free transport provision, a charge can be made for these arrangements.
- 1.132 For learners who are not of compulsory school age, there is no restriction on charging. With regard to learners of compulsory school age, charging must be in accordance with Section 455 and 456 of the Education Act 1996⁹⁶ (as amended by Section 22 of the Measure⁹⁷). Further information on this provision is provided in Section 3 (Question 26).
- 1.133 Section 6 of the Transport Act 1985⁹⁸ provides for the compulsory registration of local bus services with the Traffic Commissioner. Local Education Authorities must register all services carrying fare paying passengers under section 6 of the 1985 Act. Under Section 46 of the Public Passenger Vehicles Act 1981⁹⁹, a local authority can use a school bus to carry fare paying passengers when it is (or is not) being used to carry children entitled to free school transport. Contracted operators must register any services where learners not entitled to free learner transport are carried on payment of a fare.

General Powers

- 1.134 Under Section 15 of the Measure Welsh Ministers have the power to give guidance and directions. When exercising any of their functions under the Measure, local authorities and governing bodies of maintained schools and further

⁹⁶ <http://www.legislation.gov.uk/ukpga/1996/56/section/455>

⁹⁷ <http://www.legislation.gov.uk/mwa/2008/2>

⁹⁸ <http://www.legislation.gov.uk/ukpga/1985/67/section/6>

⁹⁹ <http://www.legislation.gov.uk/ukpga/1981/14>

education institutions must have regard to guidance issued by the Welsh Ministers.

1.135 Welsh Ministers may also issue a direction under section 15 to require authorities to make learner travel arrangements under sections 3, 4 or 6 of the Measure. Such directions can be given to one or more local authorities or local authorities generally. It allows Welsh Ministers to direct on individual cases or on general policy matters. The power may be exercised irrespective of whether a local authority is in default of its duties. It does not take the place of, or affect, the more general powers of direction that Welsh Ministers have under sections 496-497A of the Education Act 1996¹⁰⁰.

1.136 The Welsh Government has no functions in relation to vehicle standards, inspection, enforcement or licensing of vehicles or drivers. These matters are the responsibility of the UK Government.

Other Legal Considerations

1.137 Local authorities and governing bodies of maintained schools are also required to take the following into account:

Equality and human rights legislation and policy such as:

- Equality Act 2010 - <http://www.legislation.gov.uk/ukpga/2010/15/contents>
- Welsh Language Act 1993 - <http://www.legislation.gov.uk/ukpga/1993/38/contents>
- Human Rights Act 1998. - <http://www.legislation.gov.uk/ukpga/1998/42/contents>
- Welsh Language (Wales) Measure 2011 - <http://www.legislation.gov.uk/mwa/2011/1/contents>
- Data Protection Act 1998 - <http://www.legislation.gov.uk/ukpga/1998/29/contents>
- Protections of Freedom Act 2012 - <http://www.legislation.gov.uk/ukpga/2012/9/contents>
- Children Act 1989 - <http://www.legislation.gov.uk/ukpga/1989/41/contents>

¹⁰⁰ <http://www.legislation.gov.uk/ukpga/1996/56/part/IX/chapter/II/crossheading/general-functions>

- Children Act 2004 - <http://www.legislation.gov.uk/ukpga/2004/31/contents>
- United Nations Convention of the Rights of the Child (UNCRC) - <https://www.gov.uk/government/policies/creating-a-fairer-and-more-equal-society/supporting-pages/the-united-nations-convention-on-the-rights-of-the-child-uncrc>
- Rights of Children and Young People (Wales) Measure 2011 - <http://www.legislation.gov.uk/mwa/2011/2/contents>
- Children's Rights Scheme 2014 <http://wales.gov.uk/topics/childrenyoungpeople/rights/uncrc/?lang=en>
- Children and Young Persons Plan (Wales) Measure 2007 - <http://www.legislation.gov.uk/wsi/2007/2316/contents/made>
- Criminal Justice Act 2003 - <http://www.legislation.gov.uk/ukpga/2003/44/contents>

Health and safety legislation, policy and guidance such as:

- Health and Safety at Work etc Act 1974 - <http://www.legislation.gov.uk/ukpga/1974/37/contents>
- Management of Health and Safety at Work Regulations 1999 (SI 1999/3242) - <http://www.legislation.gov.uk/uksi/1999/3242/contents/made>
- Workplace Health, Safety and Welfare Regulations 1992 (SI 1992/3004) = <http://www.legislation.gov.uk/uksi/1992/3004/contents/made>
- Guidance in 'Workplace Transport Safety' (HSG 136), published by the Health and Safety Executive in 2005 - <http://www.hse.gov.uk/pubns/books/hsg136.htm>
- Safeguarding Vulnerable Group Act 2006 - <http://www.legislation.gov.uk/ukpga/2006/47/contents>
- Safeguarding Vulnerable Groups Act (Regulated Activity, Devolution, Miscellaneous Provisions) Order 2010 - <http://www.legislation.gov.uk/uksi/2010/1154/contents/made>

Social Service legislation, policy and guidance such as:

- Local Authority Social Service Act 1970 - <http://www.legislation.gov.uk/ukpga/1970/42/contents>
- Shared Planning for Better Outcomes Guidance 2007 <http://wales.gov.uk/topics/educationandskills/publications/guidance/sharedplanningforbetteroutcomes?lang=en#>

- Stronger Partnerships for Better Outcomes Guidance 2006 - <http://wales.gov.uk/topics/childrenyoungpeople/publications/strongerpartnerships/?lang=en>
- Social Service and Wellbeing (Wales) Act 2014 - <http://www.legislation.gov.uk/anaw/2014/4/enacted>

Education legislation, policy and guidance such as:

- Education Acts (1996 and 2002) - <http://www.legislation.gov.uk/ukpga/1996/56/contents>
<http://www.legislation.gov.uk/ukpga/2002/32/contents>
- Educations and Inspections Act 2006 - <http://www.legislation.gov.uk/ukpga/2006/40/contents>
- Learning and Skills Act 2000 - <http://www.legislation.gov.uk/ukpga/2000/21/contents>
- School Standards and Framework Act 1998 - <http://www.legislation.gov.uk/ukpga/1998/31/contents>
- School Standards and Organisation (Wales) Act 2013 - <http://www.legislation.gov.uk/anaw/2013/1/contents/enacted>
- Special Educational Needs Code of Practice for Wales 2004 (reprint) - [http://www.ipsea.org.uk/AssetLibrary/Downloadable%20documents/specialeducationneedse\[1\].pdf](http://www.ipsea.org.uk/AssetLibrary/Downloadable%20documents/specialeducationneedse[1].pdf)
- Statutory School Organisation Code 2013 - <http://wales.gov.uk/topics/educationandskills/publications/guidance/school-organisation-code/?lang=en>
- Statutory School Admissions Code 2013 - <http://wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en>
- Statutory School Admissions Appeals Code 2013 - <http://wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en>
- Welsh in Education Strategy Plan and Assessing Demand for Welsh-medium Education (Wales) Regulations 2013 - <http://www.assemblywales.org/sub-ld9585-e.pdf>
- Social Inclusion (Inclusion and Pupil Support) Guidance 2006 - <http://wales.gov.uk/topics/educationandskills/publications/circulars/2463797/?lang=en>
- Changing of School Session Times (Wales) Regulations 2009 - <http://www.legislation.gov.uk/wsi/2009/572/contents/made>

- Education (Start of Compulsory School Age) Order 1998 - <http://www.legislation.gov.uk/uksi/1998/1607/contents/made>
- The Education (school leaving date) Order 1997 - <http://www.legislation.gov.uk/uksi/1997/1970/contents/made>

Transport legislation, policy and guidance such as:

- Transport Act 1985 - <http://www.legislation.gov.uk/ukpga/1985/67/contents>
- Public Passenger Vehicles Act 1981 - <http://www.legislation.gov.uk/ukpga/1981/14/contents>
- Road Vehicles (Construction and Use) Regulations 1986 (SI 1986/1078) - <http://www.legislation.gov.uk/uksi/1986/1078/contents/made>
- Motor Vehicles (Wearing of Seat Belts) Regulations 1993/176 - <http://www.legislation.gov.uk/uksi/1993/176/contents/made>
- Road Traffic Reduction (National Targets) Act 1998 - <http://www.legislation.gov.uk/ukpga/1998/24/contents>
- The Learner Travel (Wales) Measure 2008 - <http://www.legislation.gov.uk/mwa/2008/2/contents>
- The Learner Travel Information (Wales) Regulations 2009 - <http://www.legislation.gov.uk/wsi/2009/569/contents/made>
- Travel Behaviour Code Statutory Guidance 2009 - <http://wales.gov.uk/topics/transport/integrated/learnertravel/travelcode/tbcstatutoryguidance/?lang=en>
- The Travel Code - <http://wales.gov.uk/travelcode>
- Active Travel (Wales) Act 2014 - <http://www.legislation.gov.uk/anaw/2013/7/contents/enacted>
- Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 <http://www.legislation.gov.uk/uksi/2007/605/contents/made>
- Safety on Learner Transport (Wales) Measure 2011 - <http://www.legislation.gov.uk/mwa/2011/6/contents>
- Guidance on Home to School Transport Risk Assessment 2009 (Welsh Government publication) - <http://wales.gov.uk/topics/transport/integrated/learnertravel/hometoschooltransport/?lang=en>

Section 1: Statutory Provisions.

Chapter 2: The All-Wales Travel Behaviour Code.

Overview

- 2.1. The Learner Travel (Wales) Measure 2008 (“the Measure”) places a legal duty¹⁰¹ on the Welsh Ministers to make a Travel Behaviour Code and to publish it. The statutory All Wales Travel Behaviour Code (the “Travel Code¹⁰²”) was introduced by section 12 of the Measure and has been in operation since January 2010.
- 2.2. The Travel Code sets out learners’ responsibilities when travelling. It is accompanied by statutory guidance issued under section 15 of the 2008 Measure, which provides advice on how to ensure, as far as reasonably practicable, a safe journey and describes the rights of learners when travelling.
- 2.3. The purpose of the Travel Code and associated Guidance is to promote safety when travelling, by laying down a set of behavioural standards across Wales, for all learners. The Guidance outlines the procedures local authorities, governing bodies and head teachers must adhere to under the Travel Code.
- 2.4. The Travel Code is divided into two Sections. Section one applies to behaviour when travelling on all modes of transport (i.e. buses, trains, cycling, walking, passengers in a parent’s or other person’s car or any other mode of travel). Section two covers behaviour specific to bus travel and is known as the “Bus Travel Code”. The latter provides additional instruction on behavioural requirements for learners travelling on buses to and from school.
- 2.5. The Travel Code supersedes all other learner travel codes of conduct used by local authorities prior to the Travel Code’s introduction. However local authorities may wish to publish supplementary travel information and policies in accordance with the Travel Code provided that they do not contradict the statutory provisions outlined within the Travel Code.

¹⁰¹ Section 12 of the Measure

¹⁰² <http://wales.gov.uk/topic/transport/publications/travelbehaviourcode/?lang=en>

- 2.6. The Travel Code sets out specific requirements regarding the behavioural conduct of learners. It outlines a set of common behaviour standards which apply to all modes of travel by learners irrespective of whether the travel is provided by a local authority, governing body or other modes of travel or transport used by learners (such as taxis, public buses, trains, bicycles, walking, parents' cars or any other modes of travel).
- 2.7. It is a compulsory code of conduct for all learners under the age of 19 years (or who have reached 19 but started a course when under 19 and continue to attend that course)¹⁰³.
- 2.8. It is recommended that local authorities, education institutions, parents, train and bus service operators, taxi and other contracted operators in Wales promote awareness and understanding of and compliance with the Travel Code. (Further information regarding parents' and schools' responsibilities in relation to the Travel Code are provided in Chapter 6 paragraph 6.10 and Chapter 7 paragraphs 7.2 – 7.5 (respectively) and Section 3 Questions 13, 29 and 31).
- 2.9. Section 12 of the Measure states that the Travel Code applies to home to school journeys and journeys undertaken between places of learning during the day¹⁰⁴.
- 2.10. The Travel Code statutory guidance¹⁰⁵ sets out a framework for the sanctions regime within the Travel Code and provides for the removal of free or subsidised transport for set periods of time if a learner misbehaves on learner transport.
- 2.11. Welsh Ministers have a statutory duty to review the Travel Code from time to time¹⁰⁶. Prior to reviewing the Travel Code, Welsh Ministers must consult such persons as they consider

¹⁰³ Section 89(2A) of the Education and Inspections Act 2006 provides that head teachers must include the Travel Code within their behaviour policy and ensure compliance with the Travel Code. <http://www.legislation.gov.uk/ukpga/2006/40/section/89>

¹⁰⁴ Such as travel to attend courses in line with the Learning and Skills (Wales) Measure 2009 (14-19 Pathways) - Further information on the Learning and Skills (Wales) Measure 2009 is provided in Section 3 (Question 28).

¹⁰⁵ <http://wales.gov.uk/topics/transport/integrated/learnertravel/travelcode/tbcstatutoryguidance/?lang=en>

¹⁰⁶ This duty is set out in Section 12(4) of the Measure.

appropriate, for example, local authorities, schools and learners¹⁰⁷.

Enforcement of the Travel Code - Sanctions¹⁰⁸

2.12. Where a local authority is under a duty (under Section 3 and 4 of the Measure) to provide transport, it must follow the requirements set out in Section 14 of the Measure, before withdrawing transport provision, namely:

- Be satisfied that the learner has failed to comply with the travel behaviour code (table below)

Your Responsibility	Your Safety	Your Rights
<ul style="list-style-type: none"> • Always respect others including other learners, drivers and the public • Always respect vehicles and property • Always be polite • Never drop litter • Always obey the law 	<ul style="list-style-type: none"> • Always behave well when travelling • Always follow the driver's instructions when travelling • You must not distract the drivers • Always cross the road safely and sensibly • Always travel by a safe route 	<ul style="list-style-type: none"> • To be safe when travelling • To be treated fairly and with respect • To tell someone if somebody is causing you problems • Not to be bullied or picked on

and that the following conditions applicable to the learner are met:

- 1. Provide the learner and the parent of the learner with an opportunity to make representations and take those representations into account

¹⁰⁷ Section 12(6) of the Measure.

¹⁰⁸ Guidance about the recommended procedures for enforcing sanctions with relation to the Travel Code are provided in Section 3 (Question 29).

- 2. Consult with the head teacher of the school or relevant place of learning at which the learner is a registered pupil, and give the head teacher notice of the decision at least 24 hours before the withdrawal takes place.
- 3. Ensure that the decision to withdraw transport arrangements is reasonable in the circumstances. In determining whether this is the case, the local authority must take the following matters into account:
 - whether the period of withdrawal of transport is proportionate in the circumstances of the case
 - whether there are any special circumstances relevant to the withdrawal of travel arrangements which are known to the local authority (or of which the authority ought to be aware of) including:
 - the learner's age
 - any special educational needs the learner may have
 - any disability the learner may have
 - whether the learner would lose an opportunity to take a public examination and
 - whether suitable alternative arrangements can be reasonably made by the learner's parents
- 4. Give the learner's parents at least 24 hours notice before the withdrawal of transport provision takes place (Chapter 6 – 'Parental Responsibilities' paragraph 6.10 explains the parental obligations regarding what provisions must be put in place where transport is removed)
- 5. Ensure the period of withdrawal of transport provision does not exceed 10 consecutive schools days
- 6. Ensure that the period of withdrawal would not result in the learner having travel arrangements withdrawn for more than 30 school days in the school year in which the withdrawal takes effect

2.13. The Measure provides Welsh Ministers with the power to make regulations to¹⁰⁹:

¹⁰⁹ Section 14(15) of the Measure.

- Change the number of days for which transport can be withdrawn
- Specify the categories of person who may appeal
- Specify the circumstances in which appeals can be made
- Specify the constitution of appeal panels
- Specify the appeals procedures
- Make provisions for appeals against withdrawal of transport
- Make provisions for reviews of the decision to withdraw transport
- Make provision about the effect of appeal decisions
- Provide for payment of allowances to members of appeal panels
- Require information about appeals to be made available.

2.14. Where a learner has special educational needs, local authorities should consider what constitutes reasonable steps, as detailed in this document. The Special Educational Needs Code of Practice for Wales¹¹⁰ and sections 2 and 3 of the National Assembly for Wales Circular 47/2009 – Inclusion and Pupil Support¹¹¹ guidance provide further guidance on dealing with misbehaviour for disabled learners and those with learning difficulties.

Publication of Local Authority Travel Codes

2.15. Local authorities are under a duty to publish the Travel Code in accordance with section 12(5) of the Measure and the requirements within the Learner Travel Information (Wales) Regulations 2009¹¹². Chapter 3 paragraphs 3.1 -3.6 provide further information on what provisions needs to be covered by these Regulations.

Raising Awareness of Issues

2.16. School Councils have a key role to play and in particular could usefully raise the issue of bullying each year and discuss the progress that has been made in taking forward action to address the issue. In doing so, this would be in accordance with article 12

¹¹⁰

<http://wales.gov.uk/topics/educationandskills/publications/guidance/specialedneedsop/?lang=en>

¹¹¹ <http://wales.gov.uk/topics/educationandskills/publications/circulars/2463797/?lang=en>

¹¹² Paragraph 4, Schedule 1 to the 2009 Regulations

of the UNCRC which states children should have their opinions taken into account when adults make decisions that affect them¹¹³

¹¹³ <http://wales.gov.uk/topics/childrenyoungpeople/rights/uncrc/?lang=en>

Section 1: Statutory Provisions.

Chapter 3: The Learner Travel Information (Wales) Regulations 2009

Publication of School Transport Policies and Information for Parents

- 3.1. The Learner Travel Information (Wales) Regulations 2009¹¹⁴ (“the 2009 Regulations”) replace paragraphs 8, 19 and 20 of Schedule 1 to the Education (School Information)(Wales) Regulations 1997¹¹⁵. The Regulations require local authorities to publish and make available information on travel arrangements made under the Measure. They set out not only what information local authorities are required to publish but also when and how the information should be published and made available to parents, learners, governing bodies, head teachers and/or other persons.
- 3.2. Travel arrangements for learners during the school day (e.g. travel to attend courses at other places of learning such as those as a consequence of the (14-19) Learning Pathways Programme) are not covered by the Regulations and are not subject to these provisions.
- 3.3. In addition to the Travel Behaviour Code, local authorities are required under the 2009 Regulations to publish the following information:-
- the general policy on providing free transport
 - the general policy on any travel arrangements made for learners for whom free transport is not provided
 - the circumstances that payment of reasonable travelling expenses will be made
 - arrangements and policies in relation to learners with learning difficulties/disabilities
 - information on how to make enquiries/complaints about travel arrangements, and any local authority appeals procedure
 - any other information that the local authority considers would be useful for learners in its area about travel arrangements made by other organisations.

¹¹⁴ <http://www.legislation.gov.uk/wsi/2009/569/contents/made>

¹¹⁵ S.I. 1997/1832.

3.4. The information must be made available by the 1 October preceding the academic year to which the information relates¹¹⁶. The information must be made available¹¹⁷:-

- on the local authority website
- to parents without charge on request and made available for reference by parents and other persons at:
 - the local authority's offices; and
 - every school maintained by the local authority
- public libraries
- any other relevant place which learners in the area may consider attending
- distributed to parents of pupils who are in the final year of school and may transfer to another school maintained by that authority. (The local authority only needs to give the information that is relevant to the school to which the pupil may transfer)

3.5. Local authorities must also provide free of charge¹¹⁸ and on request from a governing body, a head teacher, a parent of a child or any other learner in the local authority area the following information:-

- information relating to the assessment of learner travel needs under section 2 of the Measure
- information relating to decisions as to the suitability of transport or travel arrangements where the local authority has a duty to make travel arrangement
- information relating to decisions as to whether a route is 'available'
- information relating to decisions as to whether travel arrangements are necessary to facilitate the attendance of the child each day at the relevant place where the child receives education or training (section 4(1) of the Measure)
- information relating to decisions to make travel arrangements using their discretionary powers (section 6 of the Measure).

3.6. Parents should be able to understand their options and any cost implications of the choice of school they make for their child. Accordingly it is recommended that local authorities provide parents with information about transport arrangements alongside,

¹¹⁶ Regulation 4(2) of the 2009 Regulations.

¹¹⁷ Regulation 4(3) of the 2009 Regulations.

¹¹⁸ Regulation 5 of the 2009 Regulations.

or as part of, the information made available about school admissions. (Further information on school admission criteria and publication of admission arrangements is provided in section 2.2, 2.11 and 2.12 of the Statutory School Admissions Code 2013¹¹⁹)

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<http://wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en>

Section 1: Statutory Provisions.

Chapter 4: The Safety on Learner Transport (Wales) Measure 2011

Overview

- 4.1. The Safety on Learner Transport (Wales) Measure 2011¹²⁰ (“the 2011 Measure”) makes amendments to the Learner Travel (Wales) Measure 2008. The purpose of those amendments is to enhance the safety of all learners, as far as reasonably practicable, on dedicated transport used for learner travel.
- 4.2. The 2011 Measure incorporates into the Measure a number of provisions about vehicle specification used for dedicated learner transport.
- 4.3. The 2011 Measure also introduces criminal offences and penalties to be used for breaches of requirements imposed under the Measure¹²¹.
- 4.4. To date the only provision introduced by the 2011 Measure to have been enacted is the requirement that every bus used for dedicated learner transport to and from school, which has been secured by a local authority or governing body of a maintained school must have seat belts fitted to every passenger seat by 1 October 2014.
- 4.5. Other provisions introduced by the 2011 Measure which have not been enacted to date include:
- the recording of visual images or sound on dedicated learner transport
 - safety risk assessments of dedicated learner transport
 - driver training (specific for dedicated learner transport)
 - Supervisors on dedicated learner transport
 - powers of entry and inspection of vehicles or premises owned or controlled by relevant bodies for the use of dedicated learner transport

¹²⁰ <http://www.legislation.gov.uk/mwa/2011/6/contents/enacted>

¹²¹ This provision includes the use of criminal and civil sanctions.

Seat Belt Provision.

- 4.6. This section describes the statutory requirements in relation to seat belt provision for learner transport, which is governed by Welsh, UK and EU legislation.

Legislation Governing Seat Belt Provision before 1 October 2014

- 4.7. The requirements for the installation of seat belts are set by the Road Vehicles (Construction and Use) Regulations 1986¹²² (as amended). Seat belts must be fitted in all minibuses¹²³. Seat belts must also be fitted in coaches (defined as a large bus with a maximum gross weight of more than 7.5 tonnes and with a maximum speed exceeding 60 mph first used on or after 1 October 1988¹²⁴). Buses with a gross vehicle weight exceeding 3500kg and first used on or after 1 October 2001 must have seatbelts fitted to every forward and rearward facing seat¹²⁵.

Legislation Governing Seat Belt Provision after 1 October 2014

- 4.8. The 2011 Measure requires relevant bodies¹²⁶ to ensure that every bus used for dedicated learner transport¹²⁷ has a seat belt fitted to every passenger seat used on or after 1 October 2014.
- 4.9. Buses not procured by a local authority or governing body for the purpose of home to school transport will be exempt from this requirement, even where learners use these vehicles in travelling to and from home and school.
- 4.10. The seat belt provision applies to all buses used for dedicated learner transport between home and school, including public service buses¹²⁸ if they are used for any dedicated learner

¹²² <http://www.legislation.gov.uk/uksi/1986/1078/made>

¹²³ Regulation 3 of the 1986 regulations defines a minibus as a vehicle adapted to carry more than 8 but not more than 16 passengers in addition to the driver.

¹²⁴ Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

¹²⁵ Regulation 47 of the Road Vehicles (Construction and Use) Regulations 1986 (as amended).

¹²⁶ Statutory definition of 'relevant body' are each of the following 'a local authority' and or 'a governing body of a maintained school' as stated in section 14N of the 2011 Measure.

¹²⁷ Section 3 (Questions 35 and 36) sets out which vehicles are not covered by the 2011 Measure seat belt provision.

¹²⁸ Statutory definition of 'public service buses' is provided in the glossary (Section 2)

transport services, even if the majority of their journeys are non dedicated learner transport service routes.

- 4.11. Passenger seats of double deck buses used for dedicated learner transport on or after 1 October 2014 must also be fitted with seat belts in the same way as single deck vehicles.

The Wearing of Seat Belts

- 4.12. The wearing of seat belts is governed by the Road Traffic Act 1988 (as amended) (“the 1988 Act”). The 1988 Act requires seated passengers aged 14 years or older in a bus or coach to use a seat belt if one is installed.

- 4.13. In relation to passengers under the age of 14, the driver of a vehicle is responsible for making sure that those passengers are wearing seat belts.¹²⁹ However, the drivers of the following types of vehicles are not bound by this requirement.¹³⁰

- Large buses – with 8 seats in addition to the driver
- Small buses – with fewer than 8 seats in addition to the driver and where seat belts are not available and
- Small buses – with fewer than 8 seats in addition to the driver and where the vehicle is being used for a local service within the meaning of the Transport Act 1985 (that is a public service vehicle carrying passengers by road at separate fares) or the vehicle is designed or adapted for standing passengers

- 4.14. Section 15B of the Road Traffic Act 1988 sets out that where a bus is fitted with seat belts, a bus operator must take all reasonable steps to ensure that all passengers are notified of the fact that it is a legal requirement to wear a fitted seat belt. Passengers may be notified that they must wear seat belts through any of the following ways:

- An official announcement by the bus driver, escort(s) or pupil
- An audio visual presentation (made when pupils join the bus or within a reasonable time of doing so)
- A pictorial sign or text prominently displayed at each passenger seat equipped with a seat belt

¹²⁹ section 15(3) Road Traffic Act 1988
<http://www.legislation.gov.uk/ukpga/1988/52/section/15>

¹³⁰ Section 3 (Question 37) provides advice on how to persuade young children and learners how to wear seatbelts.

4.15. Those passengers with medical conditions may be exempt from wearing a seat belt, but must¹³¹ carry their certificate of exemption with them while travelling.

4.16. Bus operators who fail to provide the required notification face a fine of up to £2,500.

EU Legislation

4.17. EU Directive 2003/20/EC¹³² requires learners aged 3 to 13 to wear seat belts whilst on a bus or a coach. The UK Government's Department for Transport is currently consulting on how to transpose and enforce this legal requirement in the UK.

Criminal Sanctions

4.18. The 2011 Measure introduced a criminal sanctions regime to the 2008 Measure¹³³ where:

- A relevant body fails to ensure that the buses it provides or secures for learner transport have seat belts fitted to each seat
- Where a 'person' (for example, a bus operator) providing the bus for learner transport fails to ensure that it has seat belts fitted to each passenger seat

4.19. Section 14H of the 2008 Measure provides Welsh Ministers with the power to appoint an enforcement body should they wish to do so. The Welsh Ministers have not established a specific enforcement body and have determined that the police would be best suited to fulfil the role of the enforcement authority for ensuring the seat belt provision of the 2008 Measure is enforced in Wales.

4.20. The police have the power to carry out spot checks, carried out by the roadside during the school journey or at the school premises before or after a journey to verify that seat belts are fitted to each passenger seat on dedicated learner transport.

¹³¹ Motor Vehicles (Wearing of Seat Belts) Regulations 1993/176
<http://www.legislation.gov.uk/ukxi/1993/176/regulation/2/made>

¹³² Information on the EU Directive is provided in the Glossary (Section 2).

¹³³ section 14A 2008 Measure

4.21. When available, vehicle examiners of the Driver and Vehicle Standards Agency (DVSA) (formerly VOSA) assist the police whenever and wherever they run school transport checks or operations in Wales. (Further information on the DVSA and VOSA is provided in Section 3 Question 23)

Liability of those who provide or secure learner transport – who will face prosecution?

4.22. Where a prosecution for an offence is carried out under the provisions of the 2008 Measure, it would be the local authority or governing body of a maintained school as a whole who would be responsible and there would be no individual liability. However, in some cases it would be possible for an individual to be prosecuted separately alongside the company/ local authority. For instance in the case of a bus company (or a local authority), where it could be proved that the offence was the result of individual negligence or that the offence was committed with the consent of the individual within the company (or local authority)¹³⁴.

¹³⁴ Section 14L of the 2008 Measure (as amended)

Section 1: Statutory Provisions.

Chapter 5: Risk Assessment of Walked Routes to School

Overview

5.1 Local authorities are under a legal duty to assess the travel needs of learners who walk to school¹³⁵. In making an assessment local authorities are recommended to take into account the following provisions.

Part 1: Risk Assessment Procedure In Relation To Physical/Traffic Risks

5.2 The scope of this section covers the relationship between learners and traffic. As pedestrians, learners face a number of hazards which are identified below. Walking the route will enable risk assessors to identify hazards.

Route Conditions

5.3 For a route to be classed as available Welsh Ministers recommend that the route needs to be:

- A continuous adequate footway on roads which carry medium to heavy traffic flow¹³⁶ **or**
- “Step offs”¹³⁷ on roads which have low traffic flow but adequate sight lines to provide sufficient advance warning to drivers and pedestrians **or**
- On roads with very low traffic flow, no “step offs”, but sufficiently good sight lines to provide adequate advance warning

5.4 If there is a need to cross roads Welsh Ministers recommend that there should be one of the following safety measures:

- Pedestrian refuges **or**
- Visibility – it should be good enough to allow vehicles to stop given the 85th percentile speed rule (or the speed at which no

¹³⁵ Section 2 of the Measure

¹³⁶ Traffic flows are defined in Chapter 5 paragraphs 5.8 – 5.12

¹³⁷ For the purposes of this document the definition of “Step-offs is provided in the glossary (Section 2).

more than 15% of the traffic is exceeding) – vehicle stopping distances are set out in the Highway Code¹³⁸ **or**

- Sufficient gaps¹³⁹ in the traffic flow and sight lines to allow enough opportunities to cross safely **or**
- Sufficient crossing facilities (for example, zebra, pelican crossings) **or**
- Sufficient pedestrian phases at traffic lights (including necessary refuges) **or**
- Sufficient school Crossing Patrols (lollipop people)

5.5 Risk assessments of walked routes enable local authorities to determine whether a route to school is ‘available’ (safe) to walk. Further in cases where a route is deemed to be ‘unavailable’ (unsafe) the assessment process can determine what safeguards could be put in place to ensure that the route is or can become ‘available’ (safe) to walk. In deciding whether to undertake a risk assessment exercise the local authority will need to take into account whether the route has previously been assessed. If it has been assessed previously what has changed that would mean that a further assessment is required. For example:

- An accident or similar incident
- High accident statistics
- The opening or closure of schools
- Changes made to a route – road works, infrastructure changes
- Changes to traffic composition and volumes, including cyclists
- Changes affecting the route – new builds/housing developments, large scale construction projects
- Changes to the characteristics of the people walking the route – such as a wheelchair user using the route

Traffic

5.6 It is recommended that assessments take place at the usual time learners travel to and from school, namely in the morning at the time before schools start, when traffic flow is generally heaviest (unless it can be shown that the afternoon flow is

¹³⁸ <https://www.gov.uk/browse/driving/highway-code>

¹³⁹ Sufficient gaps in traffic flow are outlined in more detail in Chapter 5 paragraphs 5.8 – 5.12

heavier); at the end of the normal school day finishing time - a minimum of three surveys should be taken.

- 5.7 Speed limits on roads around or near schools should also be taken into account in relation to traffic flow to determine what safety measures are necessary.

Traffic Flow on Roads

- 5.8 The flow of traffic along roads is a significant factor in determining the safety¹⁴⁰ of a walked route.
- 5.9 Low traffic flow occurs on roads that have a traffic flow below 400 vehicles in a 1 hour period; medium traffic flow occurs on roads with a traffic flow between 400 to 840 vehicles per hour; and heavy traffic flow occurs on roads with a traffic flow of over 840 vehicles per hour.
- 5.10 It is recommended that risk assessors undertake a gap analysis. This records the number of gaps in traffic flow and should record data in five minute consecutive intervals. Four such gaps within a 5 minute period are considered acceptable.
- 5.11 It is recommended that traffic counts are recorded as “passenger car” equivalent values (Passenger Car Units - PCUs), by using the following factors:

3 pedal cycles	1 PCU
2 motorcycles	1 PCU
1 Car	1 PCU
1 light goods vehicle (up to 3.5 tonnes gross weight)	1 PCU
1 Bus/Coach (over 3.5 tonnes)	2 PCUs
Goods Vehicles (over 3.5 tonnes)	2 PCUs
Goods Vehicles (over 7.5 tonnes/multi-axle lorries)	3 PCUs

- 5.12 All vehicle counts are two-way except on one-way systems. Dual carriageways are counted as one-way on each side. Where the two-way (one-way of a dual carriageway) traffic flow

¹⁴⁰ For the purposes of this document the definition of ‘Safety’ is provided in the glossary (Section 2)

is below 240 vehicles per hour the road is assessed as safe to cross. This is equivalent to 1 vehicle every 15 seconds, allowing a reasonable gap time to cross a 7m wide road at a walking speed of 0.92 m per second.

Collision History

- 5.13 It is recommended that the road casualty record along the route is noted with special attention to accident danger spots. If the route is also used for public transport a note should be made of stopping places and the level of increased pedestrian use that could impact on foot path availability. Risk assessors could, for example, incorporate a 3 year collision history into the assessment of the whole route.
- 5.14 If a risk¹⁴¹ is identified, it is recommended that suitable measures are considered – for example the introduction of speed humps or speed cameras¹⁴².

Footpaths

- 5.15 Welsh Ministers consider that a footway, roadside strip of reasonable width and condition, a public footpath or bridleway will all normally be assumed to provide an available route. The footway will need to be wide enough to allow passage and, in the case of young children or those that should be accompanied, it should be wide enough to allow supervision to be carried out safely. The condition of the path should be examined to ensure it is clear of obstacles underfoot and from excessive foliage.
- 5.16 On a road with low traffic flow, a verge that can be stepped on by a child and accompanying parent when traffic is passing can normally be assumed to provide an available route. Many available routes may lie along roads that have neither a footway nor verge. On these roads, it is recommended that the width of the carriageway, traffic speed and type of traffic (e.g. frequent long or heavy goods vehicles) as well as visibility/sight lines that may be affected by sharp bends, high hedgerows or other obstructions ought to be considered.

¹⁴¹ For the purposes of this document the definition of 'Risk' is provided in the glossary (Section 2).

¹⁴² Speed humps and speed cameras are normally only put in place in response to Road Traffic Collision statistics.

5.17 Where a route is found to be lacking in 'step offs' there may also be issues with adequate visibility– the features that affect the availability of 'step offs' often impact on visibility – hedges, gradients etc. In such cases, it is recommended that these be considered within the assessment criteria carried out by the local authority.

5.18 If a risk is identified the following may provide a solution:

- removing vegetation **or**
- resurfacing or widening the available foot path **or**
- providing a new foot path **or**
- providing lighting.

Crossing points

5.19 Where roads need to be crossed, it is recommended that the availability of crossing facilities such as central refuges, pedestrian crossings or traffic signals be taken into consideration. Where there are no crossing facilities, the route's risk assessment ought to consider each required road crossing, bearing in mind traffic speed and flows, sight lines etc.

5.20 If there is a need to cross roads there ought to be:

- Sufficient gaps in the traffic flow and sight lines to allow enough opportunities to cross safely. The gap time analysis should be used where necessary **or**
- Pedestrian refuges **or**
- Crossing facilities (e.g., zebra, pelican, puffin crossing etc.) **or**
- Pedestrian phase at traffic lights **or**
- School Crossing Patrol.

5.21 If a road needs to be crossed the visibility at the location should allow a vehicle to stop, given the 85th percentile speed (the speed at which 85% of the vehicles travel below) of the traffic flow. Vehicle stopping distances should be taken as those given in the Highway Code. In many rural areas, the exercise of continuous judgement is likely to be required. No criteria can provide all the guidance or answers to every situation that may be encountered.

- 5.22 If roads have to be crossed to use a footway or to improve sight lines it may be necessary to advise on safe crossing places. On some country roads the footway may not be continuous. Informed judgement will have to be made about the availability of “step off” points.
- 5.23 The difficulty of crossing at a site can be assessed by considering the number of gaps in the traffic flow that are acceptable to pedestrians. Free flowing traffic may provide gaps randomly and fairly frequently but speeds tend to be higher and gaps would need to be longer in order to cross the road safely. An acceptable gap to cross from kerb to kerb varies with each person. Most people will be able to cross two lanes of normal urban traffic in 4 to 6 seconds. Others may need larger gaps of around 10 to 12 seconds.
- 5.24 It is recommended that the survey records the number of gaps in each 5 minute period that are longer than the road crossing time, using one metre per second as the walking speed. Four gaps in each 5 minute period indicate a road that can be crossed without too much delay. Longer gaps could be classified as multiple gaps rather than as just one gap.
- 5.25 In the case of a rail crossing, particular attention needs to be paid to the type of crossing and incidents that have been recorded to assess the safety of the crossing.

Canals, Rivers, Ditches and Embankments

- 5.26 It is the Welsh Ministers’ view that where appropriate, it is important to ensure that adequate barriers and safety features are included and that these are of the appropriate height to take into account the age groups of learners that may use the route. Safety features include improved barriers, better signage, more lighting or alternative available routes.
- 5.27 It will also be important to establish:
- if the route has been subject to severe flooding¹⁴³
 - if this is a regular occurrence and
 - when severe flooding occurs, whether a suitable detour is available

¹⁴³ For the purposes of this document the definition of ‘Flooding’ is provided in the glossary (Section 2)

5.28 Information on flood management procedures can be acquired from Natural Resources Wales¹⁴⁴.

Lighting

5.29 The level of natural lighting will differ over the year. Seasonal change may require that a review of the route assessment may be appropriate (if reported conditions present difficulties for the learner and / or companion).

5.30 It is recommended that street lighting is also taken into account.

Planned Changes in the Area

5.31 The assessment ought to consider any proposals that might impact on safety. Much of this information is likely to be held by the local authority and therefore the following checks will inform the risk assessment:

- Highways departments for proposed road works that would have a short-term impact on traffic conditions (e.g. road widening schemes)
- Planning departments for developments that may have a long-term impact on traffic (e.g. housing or retail developments)
- Education departments to check any proposed school reorganisations and/ or mergers

5.32 Where proposed changes are developed and may impact on walked routes to school, it is recommended that the relevant local authority department lead consult with learner travel teams as appropriate.

Level Crossings

5.33 There are more than 6,500 level crossings in Britain with 1,167 (or 18% of them) within the Network Rail Wales Route.

¹⁴⁴ <http://naturalresourceswales.gov.uk/alerts/?lang=en>

- 5.34 It is recommended that risk assessors, where applicable, include level crossing risk consideration within the risk assessment. Network Rail have produced educational material for schools which can be accessed by clicking <http://www.networkrail.co.uk/level-crossing/>
- 5.35 Where appropriate, risk assessors should consider contacting Network Rail's team of Level Crossing Managers who can provide advice and guidance on level crossing risk assessment control measures, such as level crossing risk awareness events. Contact details are available at <http://safety.networkrail.co.uk/Services/Contacts>

Part 2: Risk Assessment Procedure in relation to Social Danger

The nature of Social Danger

- 5.36 'Social Danger' is open to different interpretations and is subjective. In this context, the commonest interpretations provided by children and young people are as follows: stranger danger; danger(s) posed by paedophiles; danger(s) posed by criminals (muggers, thieves, murderers, kidnappers); anti-social behaviour (the presence of bullies or of alcoholics or drug addicts on walked routes to school); and physical manifestations, such as discarded needles or places where drug abuse/misuse take place.
- 5.37 Children experience real dangers when walking to and from school. Like adults, children can also perceive dangers even if none exists, and that too will understandably influence their behaviour and needs to be taken into account. A perceived danger may feel no less real than an actual danger. It will be important that before undertaking risk assessments, local authorities determine whether the perceived danger is supported by any evidence.
- 5.38 Where appropriate, Welsh Ministers recommend that other local authority services work to alleviate some fears, for example street cleaning or dog warden services.

5.39 There may also be a need to work with the teachers and parents of children who are concerned about stranger danger so that the child can be reassured though still aware of risk averse behaviours; travelling with friends, not speaking to strangers, etc. Consequently it is recommended that the local authority transport officials refer those cases not substantiated by evidence to the relevant school.

Tackling Social Danger in Risk Assessments – Working with Partners

5.40 In the conduct of risk assessments, it is recommended that local authorities work in partnership with organisations/agencies which have expertise in, including responsibility for, tackling and quantifying social danger. The Police or Police Community Support Officers have responsibility for crime, disorder and anti-social behaviour whilst the Local Safeguarding Children Boards have responsibility for safeguarding/child protection matters.

5.41 Section 25 of the Children Act 2004¹⁴⁵ places a duty on local authorities to promote co-operation between the authority and ‘relevant partners’ to improve the wellbeing of children and young people. The ‘relevant partners’ comprise the Local Safeguarding Children Boards (LSCBs). Usually, these bodies include the Police Authority; the Chief Officer of Police; the local probation board; the youth offending team; the NHS Trust; the Local Health Board; and the relevant local authority (particularly senior Directors of Education and Social Services). The Welsh Government recommends that local authority transport officials should be invited to and regularly attend these meetings of the LSCBs to cover the safety of walked routes. Alternatively it is recommended that transport issues are included as an agenda item at each meeting and where appropriate further engagement with transport officials should be made.

5.42 The Children and Young People’s Plan (Wales) Regulations 2007¹⁴⁶ require that each local authority, following consultation with partners, should publish a Children and Young People’s Plan setting out how they will improve the well being of children and young people in their authority. The Welsh Government recommends that information about how walked routes have

¹⁴⁵ <http://www.legislation.gov.uk/ukpga/2004/31/section/25>

¹⁴⁶ S.I. 2007/2316. - <http://www.legislation.gov.uk/wsi/2007/2316/contents/made>

been risk-assessed and made safer should feature in these Plans.

- 5.43 The Welsh Government published statutory guidance¹⁴⁷, namely ‘Stronger Partnerships for Better Outcomes’ 2006 (National Assembly for Wales Circular 35/2006)¹⁴⁸ and ‘Shared Planning for Better Outcomes’ 2007 (Welsh Assembly Government Circular 31/2007)¹⁴⁹ which outlines the requirement on local authorities to prepare and publish a plan setting out the authority’s strategy for discharging their functions in relation to children and relevant young people. Further Information about these documents is provided in Section 3 (Question 18).

Multi Agency Public Protection Arrangements (MAPPA)¹⁵⁰

- 5.44 Under sections 325-327 of the Criminal Justice Act 2003¹⁵¹, there is a statutory duty on the “Responsible Authorities” (the Police, Probation and Prison Services) to establish arrangements to assess, manage and reduce the risk presented by relevant sexual and violent offenders to reduce re-offending and protect the public. This includes those who are considered to pose a risk to, or potential risk of harm to, children.
- 5.45 Partner organisations, which include local authorities, health boards, youth offending teams and social housing providers have a statutory duty to cooperate with the Responsible Authorities¹⁵². The Welsh Government expects local authority risk assessors to work within the legal framework described above to obtain the relevant expertise in terms of managing the risks posed to children using walked routes to school.
- 5.46 In terms of quantifying social danger, the existence of any such dangers should be supported by evidence (either qualitative or quantitative).

¹⁴⁷ Under sections 25(B) 26 and 27(4) of the Children Act 2004

¹⁴⁸ <http://wales.gov.uk/topics/childrenyoungpeople/publications/strongerpartnerships/?lang=en>

¹⁴⁹

<http://wales.gov.uk/topics/educationandskills/publications/guidance/sharedplanningforbetteroutcomes?lang=en>

¹⁵⁰ <https://www.gov.uk/government/publications/multi-agency-public-protection-arrangements-mappa--2>

¹⁵¹ <http://www.legislation.gov.uk/ukpga/2003/44/section/325>

¹⁵² Section 325(3) Criminal Justice Act 2003.

5.47 When cooperating with other agencies, local authorities will need to put in place information-sharing protocols which comply with the Data Protection Act 1998¹⁵³ (particularly as information relating to children is sensitive)¹⁵⁴.

Part 3: Seeking the Views of Learners

Why is it important to seek the views of children?

5.48 It is important for the following reasons:

- Section 1 of The Rights of Children and Young Persons (Wales) Measure 2011¹⁵⁵ places a duty on Welsh Ministers to have due regard to Part 1 of, and the Protocols to, the United Nations Convention on the Rights of the Child when exercising any of their functions. In particular, Article 12 specifies 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. The Welsh Government therefore attaches paramount importance to enabling the voice of children and young people to inform its policy development, particularly in relation to the matters which affect children and young people
- Children are the users of the walked routes to school

5.49 Local authorities can secure the views of children in a variety of ways:

- Children and Young People's Partnerships (CYPP) – these exist in each local authority area with the purpose of bringing together all services working for children and young people aged 0-25. Each partnership provides a voice for children's services and takes a lead in driving forward partnership working
- Walked routes forms for parents and children – these can be filled-in to allow views to be expressed about the safety of walked routes
- School Councils – these are a group of pupils elected by their fellow pupils to represent their opinions and raise issues with head teachers or school governors

¹⁵³ <http://www.legislation.gov.uk/ukpga/1998/29/contents>

¹⁵⁴ Further information regarding this provision is outlined in Section 3 (Question 22 of this document),

¹⁵⁵ <http://www.legislation.gov.uk/mwa/2011/2/contents>

- Road Safety Officers – children and young people can feed their views to them when they visit schools
- School lessons – these can collect data to feed into School Councils, for example geography lessons that include a survey or risk audit of the local area
- Police and Communities Together (PACT) assemblies – these exist in each ward as a forum in which the Police and members of the public, including children, discuss topical issues/matters of local concern
- The All Wales Schools Core Liaison Programme – within this programme uniformed police officers deliver formal lessons in the classroom to reduce crime and disorder and to promote positive citizenship amongst children and young people
- School Travel Plans – these can be approved by a Local Authority Safety Group who would examine the Plans containing the children's views on the safety of walked home to school routes
- The use of drop-in boxes which enable teachers, parents and learners to raise concerns

Views and Information collected from these engagement exercises could be taken into account and given due regard when assessments are carried out.

5.50 The frequency with which local authorities seek the views of children and young people is a matter for them. Welsh Ministers recommend that local authorities consider the following factors to help them decide when and how often to conduct the risk assessment process:

- An accident, incident or increase in personal injury
- High accident statistics
- The opening of new schools and / or mergers of existing schools (which involves the use of new routes)
- Changes made to a route – road works, infrastructure changes, temporary road closures
- Traffic – changes to traffic composition and volumes
- Changes affecting the route – cyclists, new builds/housing developments, large scale construction projects
- Bullying/anti-social behaviour – these could be addressed by Police Community Support Officers or School Community Police Officers

Part 4: Helping to Ensure the Safety of Children on the Home to School Route

5.51 There are a variety of ways in which local authorities can help ensure, as far as is reasonably practicable, the safety of children and young people on the walked route between home and school:

- The provision of more lollipop people
- Putting traffic calming measures in place
- Encouraging children to walk with adults, friends or groups (in walking buses)
- Encouraging parents to accompany their children to school
- Encouraging parents to share the school run – such a practice could be coordinated by Parent Teacher Associations or community groups)
- Providing kerb craft training for children and young people – this would be a good way of teaching children how to be safer pedestrians by taking them on to roads and showing them how the right decision-making and behaviour can help them to keep safe
- Making wider provision of travel training – this is particularly useful for those learners with additional learning needs who can be taught how to walk independently between home and school. Such training has been proven to be beneficial for recipients (who develop a greater sense of independence and confidence) and cost-effective for local authorities
- School lessons or assemblies to discuss safe behaviour
- Encouraging School Police Liaison Officers, including Police Community Support Officers, to walk the walked routes to ensure, as far as is practicable, they are safe
- Reducing speed limits around schools to 20 mph and tackle pavement parking
- Encouraging the practitioners involved in the planning, provision and approval of new residential streets or the modification of existing streets to refer to and use the Department for Transport's Manual for Streets
<https://www.gov.uk/government/publications/manual-for-streets>. This document explains how the relationship between buildings and the street is essential for creating places that are good for people

- Promoting awareness, understanding and implementation of the statutory All-Wales Travel Behaviour Code

Part 5: The Mechanics of the Risk Assessment Process

- 5.52 The Risk Assessment matrix is at Annex 1¹⁵⁶.
- 5.53 Welsh Ministers are of the view that the various criteria used for assessing risk should be weighted equally regardless of whether they are physical, topographical, social, environmental or geographic.
- 5.54 Parents can request to accompany the Risk Assessor during the risk assessment.
- 5.55 In the event of disputes between local authorities and parents, it is recommended that the existing dispute resolution mechanisms should be used:
- Step 1 - complaints are referred to the relevant local authority Transport Department
 - Step 2 – if unresolved, disputes are referred to the local authority’s Complaints Officer or Monitoring Officer
 - Step 3 – if still unresolved, complainants should take their case to the Public Services Ombudsman for Wales. Where cases are referred to the Ombudsman, the issue must comply with the specific eligibility criteria enabling referral, this can be found at <http://www.ombudsman-wales.org.uk/Contact%20us.aspx>

Part 6: Roles and Responsibilities

It is the Welsh Ministers’ view that:

Parents¹⁵⁷

- 5.56 Parents have the following responsibilities:

¹⁵⁶ It is recommended that this matrix be taken as a basis from which a local authority can develop a more detailed risk analysis assessment form as appropriate and in accordance with this statutory guidance.

¹⁵⁷ The Definition of ‘parent’ is outlined in section 576 of the Education Act 1996. For ease of reference the definitions of ‘parent’ and ‘parental responsibility’ are provided in the glossary (Section 2)

- It is for parents to decide at what age it would be appropriate for their child to walk unaccompanied to school
- In the event of a child not being eligible to receive free transport and having to walk to school, it will be for parents to make suitable travel arrangements for their children between home and school. Within the community, parents have the option of sharing the school run. The Welsh Government recommends that parents investigate whether community groups can coordinate this activity
- Parents are advised to ensure that their children are aware of the All-Wales Travel Behaviour Code ('the Travel Code') – the Travel Code sets out the standards of behaviour learners should adhere to when travelling between home and school, regardless of the mode of travel

Head teachers

5.57 Head teachers have a statutory responsibility to:

- Require pupils to comply with the Travel Code¹⁵⁸; and
- Determine the standard of behaviour considered acceptable (where it is not determined by the governing body or the Welsh Ministers)¹⁵⁹

It is recommended that head teachers:

- Incorporate the Travel Code into the School Behaviour Policy and ensure it is complied with
- Cooperate with the local authority, including other relevant agencies (such as the Police), should there be any breach of the Code or incidents concerning child protection issues

Under section 89(5A) of the Education and Inspections Act 2006¹⁶⁰, head teachers have the power to impose penalties on learners who have breached the Travel Code outside of school premises – for example, when learners are out of school premises and unsupervised by teaching staff (such as on the walk between home and school).

¹⁵⁸ See section 89(2A) Education and Inspections Act 2006.

¹⁵⁹ See section 89(3A) Education and Inspections Act 2006.

¹⁶⁰ <http://www.legislation.gov.uk/ukpga/2006/40/section/89>

Local Authorities¹⁶¹

5.58 Local authorities' responsibilities include:

- Identifying whether a walked route is available
- Identifying risks and putting in place mitigation where appropriate
- Working in partnership with partner organisations/agencies to complete risk assessments which address identified problems
- Consulting children and young people (including via other organisations/bodies)

A suggested Risk Assessment Checklist for local authorities is at Annex 2.

Health and Safety Responsibilities of Educational Institutions

The Welsh Government would expect the collection of children at the school gates to be included in the health and safety policy which all education employers must have. The Governors Guide to the Law which includes a chapter on health and safety provides further guidance, which can be found at the link below:

<http://wales.gov.uk/topics/educationandskills/schoolshome/schoolfundingandplanning/schoolgov/schoolgovguide/?lang=en>

5.59 The Health and Safety at Work Act 1974¹⁶² and associated regulations place overall responsibility for health and safety with the employer. The person or body that is considered to be the employer varies depending on the type of school :

- For community schools, community special schools, voluntary controlled schools, maintained schools, maintained nursery schools and pupils referral units the employer is the local authority. The Local Education Authority must provide health and safety guidance to those schools and ensure that staff who are delegated Health and Safety tasks such as risk assessment are trained and competent to carry out those tasks

¹⁶¹ Local authority means all relevant departments within the authority and is not limited to learner travel teams

¹⁶² 1974 c.37 <http://www.hse.gov.uk/legislation/hswa.htm>

- For foundation schools, foundation special schools and voluntary aided schools, the employer is usually the governing body

For independent schools the employer is usually the governing body or proprietor

Responsibility – Schools, Local Education Authorities (LEAs), Governing Bodies

- 5.60 The employer must have a health and safety policy and arrangements to implement it. The Health and Safety at Work Act 1974¹⁶³ applies.
- 5.61 Employers must assess the risk of all activities, introduce measures to manage those risks, and tell their employees about the measures. The Management of Health and Safety at Work Regulations 1999¹⁶⁴ apply
- 5.62 In practice, employers may delegate specific health and safety tasks to individuals (local authorities may delegate them to schools). But the employer retains the ultimate responsibility no matter who carries out the tasks. The employer should therefore maintain an audit track, making clear who is doing what and confirming that those tasks are being carried out
- 5.63 Education employers have health and safety responsibilities towards teachers, staff, pupils, visitors and volunteers including ensuring, so far as it reasonably practicable the health, safety and welfare of pupils in school and on off site visits.
- 5.64 Employees have responsibilities too. It should also be borne in mind that under the general law of negligence school teachers are required to treat and take care of a pupil under the age of 18 as a careful parent would (*Williams v Eady* [1893] 10 TLR 41, CA).

¹⁶³ See section 2 of the 1974 Act

¹⁶⁴ S.I. 1999/32425. See regulation 3.

Section 1: Statutory Provisions.

Chapter 6: Parental Responsibilities.

Overview

6.1. This section outlines the responsibilities of parents and guardians to ensure that travel provision for learners is in accordance with Welsh, UK and EU legislation.

Learners' Entitlement to Free Transport Provision

6.2. Learners are only entitled to free transport provision if they live 2 miles or further from their nearest suitable primary school or 3 miles or further from their nearest suitable secondary school and the learner is of compulsory school age (i.e. 5-16 years of age). If a learner does not meet the eligibility criteria outlined in sections 3 and 4 of the Measure the relevant local authority is not required to provide free transport for the learner. Ultimately, the legal duty to ensure attendance of a child at school rests with the parent or legal guardian of that child.¹⁶⁵

Nearest Suitable School

6.3. The Welsh Government issued the School Admissions Code in July 2013 ("2013 Code") under section 84 of the School Standards and Framework Act 1998¹⁶⁶ ("the 1998 Act"). The 2013 Code is statutory and requires local authorities to publish a list of maintained schools within their authority's area from 2014/15 onwards. This information can be accessed via the local authority's individual website or on request. It is the responsibility of the parent to request this information as it may not necessarily be issued to parents automatically. Links to each local authority website are provided in Annex 3.

6.4. Under the 1998 Act and the 2013 Code, parents are entitled to state a preference for the school they would like their child to attend. Where possible parental preference will be accepted by the relevant admissions authority and the child will be admitted to

¹⁶⁵ Section 7 Education Act 1996.- <http://www.legislation.gov.uk/ukpga/1996/56/section/7>

¹⁶⁶ As amended by section 40 of the Education and Inspections Act 2006 - <http://www.legislation.gov.uk/ukpga/2006/40/section/40>

the preferred school. It is important to note that a parent's preferred school is not necessarily considered to be the nearest suitable school for that child. The entitlement to free transport provision in accordance with the Learner Travel (Wales) Measure 2008 only relates to learners who are attending their nearest suitable school. Learners who by choice (either parental or learner choice) are not attending their nearest suitable school are not entitled to free transport provision¹⁶⁷.

- 6.5. Parents need to contact the relevant local authority to clarify which school is classified as their child's 'nearest suitable school' to inform their decision about school preference on their child's school admissions form¹⁶⁸. It is the responsibility of the parent to request this information when determining whether their child is entitled to free transport provision to access education and training. Under the 2013 Code local authorities should provide parents or carers, on request, easy access to admissions information. This needs to be clear and easily understood so parents can make an informed choice for their children.

Parental preference

- 6.6. The 2008 Measure only applies to travel arrangements to a learner's nearest suitable school and not to a school chosen because of parental preference where these provisions differ.
- 6.7. If parents enact their parental preference and choose a learning establishment which is not the nearest suitable school or relevant place of learning for their child(ren), local authorities are not legally bound to provide transport although they do have power to make provision on a discretionary basis under section 6 of the Measure¹⁶⁹.
- 6.8. If a parent chooses a school for their child on grounds of language or denominational preference and that school is not the nearest suitable school as agreed by the relevant local authority, then this constitutes the exercise of parental preference.

¹⁶⁷ Learners may qualify for entitlement to free or subsidised discretionary transport provision, but this is subject to the relevant local authority making use of their section 6 powers of the 2008 Measure.

¹⁶⁸ Contact details for each local authority website are provided in Annex 3

¹⁶⁹ Further information regarding Discretionary Transport provision is provided in Section 1, Chapter 1 Paragraphs 1.98 – 1.105

6.9. Likewise, if a parent chooses to transfer their child from one learning establishment to another without the agreement of the relevant local authority, this also constitutes the exercise of parental preference. This means entitlement to free transport is forfeited (even if their child received free transport to and from the school they previously attended).

The Travel Behaviour Code

6.10. The Travel Behaviour Code requires learners to comply with the terms and conditions as detailed in Chapter 2 paragraph 2.12 of this document. Under the Travel Behaviour Code Statutory Guidance¹⁷⁰ 2009, parents have the following responsibilities relating to their child(ren)'s behaviour:

- Ensure that their child(ren) are aware of and understand the Code;
- Accept responsibility for encouraging good behaviour and ensuring their child(ren) are compliant with the Code
- Be aware of the implications of breaches of the Code and the effect this can have on their child's right to the provision of transport to and from their place of education
- Be responsible for their child's continued attendance at their place of learning if transport is withdrawn
- Co-operate with education institutions, transport operators and local authorities to enforce the Code

Dual Residency

6.11. Where a child has dual residency local authorities may need to undertake a review to determine whether the learner continues to qualify for transport provision under sections 3 or 4 of the Measure. It is recommended that the review takes into account the parents' views and adheres to the authority's consultation procedures. If it is determined that the learner no longer attends their nearest suitable school, the learner may no longer qualify for free statutory transport provision from that authority. It is then open to the local authority to consider whether the learner could benefit from discretionary transport provision under section 6 of

¹⁷⁰ Issued by the Welsh Government 2009 - <http://wales.gov.uk/topics/transport/integrated/learnertravel/travelcode/tbcstatutoryguidance/?lang=en>

the Measure. Further information on dual residency provisions is provided in Chapter 1 paragraphs 1.54 – 1.59 of this document.

Accompanied Children

- 6.12. Section 3 (8b) of the 2008 Measure states that a walked route to school or relevant place of learning is 'available' if – "it is safe for a child to walk the route with an escort, if the age of the child would call for the provision of an escort". Parents have a duty to ensure their child receives suitable full time education when the child reaches 5 years of age. There is no statutory requirement on local authorities to provide an escort, unless specifically stated in a learner's SEN statement. Further information on the assessment of walked routes is provided in Chapter 4 of this document.

Section 1: Statutory Provisions.

Chapter 7: Schools' Responsibilities.

Overview

7.1. This section outlines the responsibilities of schools and other relevant education establishments in relation to ensuring that learner travel provisions are in accordance with Welsh, UK and EU legislation.

Schools' Behaviour Policy and the Travel Behaviour Code

Responsibilities under the Travel Behaviour Code, as outlined in the Travel Behaviour Code Statutory Guidance¹⁷¹

7.2. The Travel Code requires education institutions to:

- Publicise and raise awareness of the importance of good behaviour and the consequences of failing to comply with the Code
- Enforce the Code where appropriate
- Incorporate the Code into the school's existing behaviour policy
- Train relevant staff in the content and application of the Code
- Engage with the relevant local authority, providing information and assistance accordingly to ensure the Code is complied with
- Make learners aware of an appropriate person to talk to within the institution about incidents of bad behaviour whilst travelling to and from home to school
- If the local authority is responsible for providing transport, cooperate with them in handling disciplinary action for breaches of the Code, including involvement in the interviewing of learners as part of any investigation
- Ensure that designated persons maintain records of all reported incidents that they are responsible for investigating

¹⁷¹ Statutory Guidance issued by the Welsh Government in 2009 under section 15 of the 2008 Measure.

<http://wales.gov.uk/topics/transport/integrated/learnertravel/travelcode/tbcstatutoryguidance/?lang=en>

There is also a duty under Section 89 of the Education and Inspections Act 2006 for head teachers to incorporate the travel code into the school behaviour policy.

<http://www.legislation.gov.uk/ukpga/2006/40/section/89>

- If the local authority is responsible for investigating an incident they must pass them this information immediately
- If contractual arrangements organised by the school have been entered into with transport operators, the school should ensure that they are aware of the Code and their responsibilities
- Ensure that contact details of designated staff responsible for handling all matters relating to the Code are made available to transport operators, learners and the local authority
- Report suspected criminal offences or child protection matters to the relevant parties

Incidents Investigated by Educational Institutions

7.3. Section 89(2A) of the Education and Inspections Act 2006 (as amended by the Measure) places a duty on head teachers of relevant schools to ensure that pupils comply with the Travel Code as part of their school's overall behaviour policy.

7.4. Section 89(5A) of the 2006 Act provides head teachers with a statutory power to regulate learners' behaviour and conduct outside of school 'to such an extent as is reasonable' and which is not already covered by the Travel Code.

7.5. Schools are able to introduce measures to regulate conduct of learners when they are off school premises and not under the supervision of a member of staff¹⁷². Disciplinary penalties¹⁷³ may be imposed as a result of such conduct, including breaches of the Travel Code, but a penalty will only be imposed when the learner is under the lawful control or charge of a staff member. Therefore a sanction could be imposed immediately for unacceptable conduct on a school trip, where the learner is under the direct supervision of a member of staff, but not where, for example, a learner engages in unacceptable conduct on their journey between home and school where no such supervision exists. Any penalty for such conduct will be imposed retrospectively when the learner next attends school or when they are next under the control of a member of staff.

¹⁷² Section 89(5A) Education and Inspections Act 2006.
<http://www.legislation.gov.uk/ukpga/2006/40/section/89>

¹⁷³ Section 90 Education and Inspections Act 2006.
<http://www.legislation.gov.uk/ukpga/2006/40/section/90>

School Admissions

- 7.6. Paragraph 2.2 of the 2013 School Admissions Code¹⁷⁴ requires admissions authorities to ‘provide parents or carers with easy access to helpful admissions information’. Schools who administer their own admissions arrangements for post-16 learners entering sixth form at that school should notify the local authority as soon as possible of the learners who will be attending the school’s sixth form. Local authorities are best placed to provide advice to parents on school transport matters.

Seat Belts on Dedicated Learner Transport

- 7.7. Governing Bodies of maintained schools have a duty under the Measure (as amended) to ensure that any bus the school procures and uses for dedicated learner travel between home and school must have seat belts fitted to every seat from 1 October 2014. Further information on this provision is provided in Chapter 4 - paragraphs 4.1- 4.22.

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<http://wales.gov.uk/topics/educationandskills/publications/guidance/schooladmission/?lang=en>

Section 2: Glossary

Admission arrangements - The overall procedure, practices and oversubscription criteria used in deciding the allocation of school places.

Admission authority - The body responsible for setting and applying a school's admission arrangements. For community or voluntary controlled schools, the LA is the admission authority unless under section 88 (1)(a)(ii) of the School Standards and Framework Act 1998 the function has been delegated in full to the governing body; and for foundation or voluntary aided schools, the governing body of the school is the admission authority.

Admission forum - A statutory local body charged with co-ordinating the effectiveness and equity of local admission arrangements and monitoring compliance with the School Admissions Code¹⁷⁵. The Forum comprises representatives of admission authorities and schools, dioceses, the local community and parent governors. Their role is set out in the Education (Admissions Forum) (Wales) Regulations 2003.

Admission number - The number of pupils that can be admitted in a year group. Admission authorities are required to have regard to the 'indicated admission number' for each year group. The indicated admission number is calculated in accordance with the capacity assessment method set out in the guidance document "Measuring the capacity of schools in Wales".¹⁷⁶ Admission numbers are part of a school's admission arrangements and must be consulted upon with the rest of a school's admission arrangements and be published with those arrangements in the school's prospectus and the local authority composite prospectus.

Available Routes – Section 3(8) of the Learner Travel (Wales) Measure 2008 defines that a route is an available route if it is safe for a child without a disability or learning difficulty to walk the route alone, or with an escort if the age of the child would call for the provision of an escort.

¹⁷⁵ Issued by the Welsh Government July 2013-005/2013

¹⁷⁶ School Admissions Code,

<http://wales.gov.uk/topics/educationandskills/publications/circulars/0906measuringcapacity/?lang=en>

Bus - A motor vehicle which is constructed or adapted to carry more than 8 seated passengers in addition to the driver¹⁷⁷.

Catchment area - A geographical area from which children may be afforded priority for admission to a school. A catchment area is part of a school's admission arrangements and must therefore be consulted upon, determined and published in the same way as other admission arrangements. Voluntary aided schools may choose to define their catchment area as their parish boundary - this must be made clear.

Coach - A large bus with a maximum gross weight of more than 7.5 tonnes and a maximum speed exceeding 60mph.¹⁷⁸

Compulsory School Age - Section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998 explain that a child reaches compulsory school age in the term following their fifth birthday. The term dates being prescribed as 31 August, 31 December and 31 March. A child ceases to be of compulsory school age if they have attained the age of 16 on the prescribed school leaving date, or before the next school year, which is the last Friday in June.

Disability and disabled person – has the same meaning as in section 6 of the Equality Act 2010
<http://www.legislation.gov.uk/ukpga/2010/15/contents> (which repealed the Disability Discrimination Act 1995 but has maintained the same definition of disability): “A person has a disability if (s)he has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on his/ her ability to carry out normal day-to-day activities”.

Driver Vehicle Standards Agency (DVSA) – replaced VOSA as an executive agency of the Department for Transport. The agency provides a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles.

EU Directive/2003/20/EC - Under the Directive, the obligation to use a seat belt when a vehicle is in motion is extended to all categories of vehicles and to all seats fitted with a seatbelt (apart

¹⁷⁷ As defined in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986

¹⁷⁸ As defined in Regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986

from certain exceptions). The use of restraint systems specially adapted to the size and weight of children also becomes compulsory. There is a remaining part of the Directive which will need to be transposed into UK Legislation concerning a requirement for children aged 3 to 13 to wear seat belts on buses and coaches where seat belts are provided.

Education and Inspections Act 2006 - The Act is designed to give greater freedoms to schools, including the possibility of owning their own assets; employing their own staff; and setting their own admissions arrangements, but effectively this now only applies to schools in England. The School Standards and Organisation (Wales) Act 2013 prohibited the establishment of further foundation schools in Wales. Other important provisions include the creation of a local authority duty to promote fair access to educational opportunities; giving school staff a clear statutory right to discipline students; provisions relating to nutritional standards of school food; and the reform of the school inspectorates.

Flooding – is an overflow of a large amount of water, beyond its normal limits especially over what is normally dry land.

Governing bodies - School governing bodies are bodies corporate responsible for the management of a school with a view to promoting high standards of educational achievement. Governing bodies have three key roles: setting strategic direction, ensuring accountability and monitoring and evaluation. Governing bodies of voluntary aided and foundation schools are admission authorities for their schools.

Hazard – is any source of potential damage, harm or adverse health effects

Learner – A person receiving education or training.¹⁷⁹

Learning and Skills Measure 2009 - The Measure provides a statutory basis for the 14-19 Learning Pathways. The Measure provides for the creation of local curricula which contain a wide range of academic and vocational courses and opportunities for learners.

¹⁷⁹ Section 1(3) Learner Travel (Wales) Measure 2008

Learning difficulty – Section 24(1) of the Learner Travel Wales Measure defines learning difficulty as a significantly greater difficulty in learning than the majority of persons of the same age, or a disability which either prevents or hinders that person from using facilities of a kind provided at relevant places but a person is not to be taken as having a learning difficulty solely because the language (or form of language) in which the person is taught or will be taught is different from a language (or form of language) which has at any time been spoken in the person's home.

Learner Travel Information (Wales) Regulations 2009 - The Regulations require local authorities to publish and make available information on travel arrangements made under the Learner Travel (Wales) Measure 2008. They set out not only what information local authorities will be required to publish but also when and how the information should be published and made available to parents/guardians, learners, governing bodies, head teachers and/or other persons.

Learner Travel Needs – Section 2 of the Learner Travel (Wales) Measure 2008 defines 'learner travel needs' as the needs of learners who are ordinarily resident in the authority's area for suitable travel arrangements each day to and from the relevant places where they receive education or training.

Looked After Children – same meaning as section 22(1) of the Children Act 1989, i.e. a child in the care of the local authority, or who is provided with accommodation by a local authority, in the exercise of any functions which are social services functions within the meaning of the Local Authority Social Services Act 1970 (apart from functions under sections 17, 23B and 24B).

Maintained school – means a community, a voluntary school, a community school or a maintained nursery school¹⁸⁰.

Minibus - A motor vehicle which is constructed or adapted to carry more than 8 but not more than 16 seated passengers in addition to the driver

Non-Maintained Special School – Approved under section 342 of the Education Act 1996 as any school which is specially organized

¹⁸⁰ Under the School Standards and Organisation (Wales) Act 2013 (Schedule 5, Part 2 paragraph 25) the Learner Travel (Wales) Measure 2008 has been amended in relation to the definition of maintained school by omitting "or foundation" schools.

to make special educational provision for pupils with special educational needs and is not a community or foundation special school.

Nursery class - Part of a primary school that is used by pre-school pupils – those under compulsory school age – and which provides a range of structured educational experiences suitable for children of that age.

Nursery school - A primary school is a nursery school if it is used wholly or mainly for the purpose of providing education for children who have attained the age of two but are under compulsory school age (see section 6 of the Education Act 1996).

Oversubscription criterion – the principle that stipulates conditions that affect the priority given to an application, for example taking account of other preferences or giving priority to families who include in their other preferences a particular type of school (e.g. where other schools are of the same religious denomination).

Oversubscription criteria - The list of criteria an admission authority must adopt for its school(s) which are used only when the school is oversubscribed to assess which children will be offered a place. Once determined, admissions criteria, including the admission number, must be published by the school and in the local authority composite prospectus at least 6 weeks before parents express their preferences. All criteria must be objective and transparent. Guidelines for adopting appropriate criteria are outlined in the School Admissions Code.

Parent - The definition of “parent” in section 576 of the Education Act 1996 includes any person who is not a parent but who has parental responsibility for the child or young person or who has care of him/her. Parental responsibility is defined in the Children Act 1989(3) (see definition below). Any reference to a “parent” for the purpose of this document should be interpreted as the above definition of “parent” under the Education Act 1996. This will include: all natural parents, whether married or not; any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although neither a natural parent nor a person with parental responsibility, has care of a child or young person.

Parental responsibility - “Parental responsibility” is defined in section 3 of the Children Act 1989 and means assuming all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and his/ her property. The Children Act 1989 states that if a child’s natural parents were not married when the child was born the mother automatically has parental responsibility. The father can, however, acquire parental responsibility by various legal means. It is now the case (following the enactment of the Adoption and Children Act 2002) that a father who is registered as such in the register of births and deaths also automatically attains parental responsibility. In addition, it is now the case that step parents (which includes civil partners) can acquire parental responsibility, for example by entering into an agreement with a parent with parental responsibility.

Primary school - Section 5 of the Education Act 1996 defines “primary school” as a school for providing primary education, whether or not it also provides further education.

Public Service Bus – has the same definition as section 1 of the Public Passenger Vehicles Act 1981 which states “a motor vehicle (other than a tramcar) which—

- (a) being a vehicle adapted to carry more than eight passengers, is used for carrying passengers for hire or reward;
- or
- (b) being a vehicle not so adapted, is used for carrying passengers for hire or reward at separate fares in the course of a business of carrying passengers

Pupil Referral Units - A school established and maintained by the local authority for children who are not able to attend a mainstream or special school (for example due to emotional or behavioural difficulties) approved under Section 19(2) Education Act 1996.

Relevant Body - A relevant body refers to a local authority or the Governing Body of a maintained school as defined in section 14N (2) of the Learner Travel (Wales) Measure 2008 (as amended).

Relevant Places¹⁸¹ – maintained schools; institutions in the further education sector; independent schools named in statements of special educational needs; non-maintained special schools; pupil referral units; places other than pupil referral units where education is arranged under section 19(1) of the Education Act 1996; places

¹⁸¹ Section 1 (4) Learner Travel (Wales) Measure 2008

where education or training funded by the Welsh Ministers under section 34(1) of the Learning and Skills Act 2000 is provided; institutions where education and training and boarding accommodation have been secured by the Welsh Ministers under section 41 of the Learning and Skills Act 2000; places where nursery education is provided by a local authority or by any other person who is in receipt of financial assistance given by a local authority under arrangements made by them in pursuance of the duty imposed by section 118 of the School Standards and Framework Act 1998; or places where work experience is undertaken.

Risk – is the chance or probability that a person will be harmed, or experience an adverse effect, if exposed to a hazard.

Safety – is the condition of being protected from or unlikely to cause danger, risk or injury

Safety on Learner Transport (Wales) Measure 2011 - A Welsh law passed by the National Assembly for Wales which made amendments to the Learner Travel (Wales) Measure 2008¹⁸² for the purpose of improving safety on dedicated learner transport. Measures of the National Assembly for Wales have been superseded by Acts of the Assembly as a result of the “yes” vote in the referendum of 2011 on primary powers for the Assembly (in relation to devolved policy areas). The above Measure sets out that all contracted school buses used for dedicated learner transport must have seat belts fitted to each passenger seat by 1 October 2014.

School day - School day is defined in section 579 of the Education Act 1996 as follows: “‘school day’, in relation to a school, means any day on which at that school there is a school session”. A school session can be a morning session or an afternoon session, so a school day is any day when the school meets for all or part of the day. School year In relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July.

Secondary school - Section 5 of the Education Act 1996 defines “secondary school” as a school for providing secondary education, whether or not it also provides further education.

¹⁸² The Learner Travel Wales Measure 2008 (as amended)

Special Educational Needs Code of Practice for Wales - The Code provides practical advice to local authorities, maintained schools, early years settings and others. The Code of Practice helps them to carry out their statutory duties; and identify, assess and make provision for children's special educational needs.

Step-offs – is a term which refers to the facility for pedestrians to easily be able to step off the roadway on to reasonably even and firm surfaces.

Sustainable Modes of Travel – Section 11 of the Learner Travel (Wales) Measure defines sustainable modes of travel as modes of travel which may improve the physical well-being of those who use them; and / or the environmental well being of the relevant area.

Travel arrangements – travel arrangements of any description include: the provision of transport; the provision of one or more persons to escort a child when travelling; the payment of the whole or any part of a person's reasonable travelling expenses; the payment of allowances in respect of the use of particular modes of travel¹⁸³.

Urban bus - Buses designed for use on local bus service/rural and urban routes with standing passengers.

Vehicle Operating Services Agency (VOSA) – the now defunct executive agency of the Department for Transport, which has been replaced by the Driving Vehicle Standards Agency (DVSA) (see glossary for further information on DVSA).

¹⁸³ Section 1(2) Learner Travel (Wales) Measure 2008

Section 3: Advisory Guidance.

Frequently Asked Questions:

1. In relation to dedicated learner transport, what should be included in a transport risk assessment?

It is best practice when undertaking home to school transport risk assessments that they should cover the following:

- The route
- Identified Pick-up and drop-off points
- Identified School Drop-off and Pick-up Points
- Driver and Passenger Assistant
- Vehicle

Further information can be found by clicking the following link <http://wales.gov.uk/topics/transport/publications/hometoschooltransport/?lang=en>

Since September 2013, bus and coach drivers are required by law to complete 37 hours of driver training after which they are awarded a Certificate of Professional Competence - Driver Qualification Card (CPC-DQC). Drivers must¹⁸⁴ by law carry their CPC-DQC cards with them at all times while they are operating a bus or coach and must be able to present the cards to the Police or VOSA upon request.

From 1 October 2014, all buses used for dedicated learner transport must have seatbelts fitted to every passenger seat¹⁸⁵.

Transport risk assessments must take account of new legal requirements as and when they come into effect.

2. How often should risk assessments be carried out?

The frequency of risk assessments is currently a matter which is at the discretion of each local authority.

¹⁸⁴ EU Directive 2003/59

¹⁸⁵ The Vehicle Drivers (Certificate of Professional Competence) Regulations 2007 – derived from EU Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods and passengers.

3. Do bus drivers, who transport learners, have to undertake any mandatory training (such as a dedicated learner transport CPC module) to carry out their duties?

The Safety on Learner Transport (Wales) Measure 2011 allows Welsh Ministers to make regulations introducing the requirement for drivers of dedicated learner transport buses to undertake specific learner transport training, however, to date these powers have not been commenced. The Welsh Government does however recommend that local authorities and transport operators work collaboratively to ensure drivers of learner transport and transport services carrying children and young people (whether: dedicated learner buses, service buses or taxi) undertake customer service training in relation to children and young people.

This could be achieved by local authorities and bus operators requiring (in accordance with their service contracts) that drivers undertake a certain amount of training to cater for the customer service needs of children / young people/ learners (such as within their CPC modules) or through in house training. This could include:

- Customer care – engaging with children and young people
- Equality training
- Dealing with SEN

4. What is considered a suitable journey time for travel to primary or secondary school?

The Learner Travel (Wales) Measure 2008 ('the Measure') does not specify a time limit for journeys. However, section 2(5)(b) states that transport arrangements are not suitable if they take an unreasonable amount of time. Local authorities are required to assess the individual needs of learners when considering if a journey time is reasonable. An assessment should take into account the nature, purpose and circumstances of each journey to ascertain if the timeframe is suitable. Considerations that should be included in this assessment are:-

- the learner's age
- whether the learner has any disability or learning difficulties that need to be taken into account

- the location of the learner’s home in relation to available schools in the vicinity(i.e. whether the nearest suitable school is located in the local authority’s area or a neighbouring authority area, in accordance with the authority’s transport and education policies)

5. What is meant by the term “looked after children”?

The term “looked after children” has the same meaning as in section 22(1) of the Children Act 1989, that is, a child under the age of 18 in the care of the local authority or who is provided with accommodation by a local authority in the exercise of any functions which are social services functions within the meaning of the Local Authority Social Services Act 1970 (with the exception of functions under section 17, 23B and 24B).

6. Why do ‘looked after’ children receive free transport to schools which are not the nearest suitable schools to their homes?

Under Section 3 and 4 of the Measure, the same age and distance criteria apply to ‘looked after’ children (learners) as to those who are not looked after, but the provision that the learner must attend their nearest suitable school to their home does not apply to ‘looked after’ learners (in the same way it applies to learners who are not looked after). It will be for the local authority looking after a child to determine where he or she should go to school. The school decided upon might be a school other than the nearest suitable school due to the need to maintain continuity in education or contact with siblings or friends to promote wellbeing. If that is the case, transport will be provided.

7. If a learner becomes a ‘dual resident’, living with 2 parents (people with parental responsibility) at separate addresses, why is it that the school they currently attend may not be deemed their nearest suitable school anymore?

Any changes to a learner’s ordinary place of residence needs to be taken into account when determining if the school the learner attended before the change of address is still their nearest suitable school.

Parents should be advised that if one or both move to a new address, a different school may then become their child's nearest suitable school. Consequently, the entitlement to free transport (if previously applicable) could be removed. Transport may still be provided on a discretionary basis under section 6 of the Measure in accordance with the relevant local authority's transport and education policy governing learner travel.

Local authorities are required to publish their general arrangements and policies in relation to learner travel, to include the provision of free transport¹⁸⁶. It is recommended that this information include the provision that any changes to a learner's residence (including dual residence) may affect a learner's eligibility for free transport.

8. What constitutes 'Permanent Living arrangements' in relation to Dual Resident learners?

Only permanent established living arrangements should be considered. These would include, for example, a child who stays 2 nights of every school week with one 'parent' (person with parental responsibility) and three nights of every school week with the other, or alternate weeks with each parent. The provision is concerned only with periods during which the child/young person receives education or training i.e. the school week. It does not apply where a child spends weekends with a different parent from where the child lives during the school week.

In some cases each parent's home may be closer than the 2 or 3 mile walking distance, so a local authority would not generally be under a duty under section 3 to provide free transport. In other cases, one parent's house may be further than the walking distance and one may be closer so generally the duty under section 3 will be engaged in relation to the further away home.

The Welsh Government would not expect a learner to travel an unreasonable distance to attend school. Proper consideration should be given by all involved as to the choice of the nearest suitable school to both parents' homes.

¹⁸⁶ Regulation 4 of the 2009 Regulations.

9. Do parents have the right to see / request a copy of a risk assessment and, if yes, how do they go about doing this?

Under the Learner Travel Information (Wales) Regulations 2009, where a risk assessment of a route to school has been carried out, a parent is entitled to request a copy of the risk assessment from the local authority who conducted the assessment under Part 2 of Schedule 1.

In order to do so, parents should contact the School Transport team within their local authority.

10. What is the difference between ‘travel’ and ‘transport’?

Travel (i.e. the Learner Travel (Wales) Measure 2008) refers to all modes of travel, which includes walking. Transport (i.e. the Safety on Learner Transport (Wales) Measure 2011) only relates to vehicle transportation and therefore excludes walking.

11. Why does the Active Travel Act 2013 refer to ‘accessible’ routes whereas the Learner Travel (Wales) Measure 2008 refers to ‘available’ routes? Are these terms different in meaning?

The purpose of the Active Travel Act 2013 is to require local authorities to continuously improve facilities and routes for pedestrians and cyclists, identifying current and potential future routes for use, thereby promoting access. The 2013 Act refers to ‘accessible’ routes because the planned improvements are not tailored to meet the needs of a specific group of users but to the needs of the public in general.

The Learner Travel (Wales) Measure 2008 specifies that a route must¹⁸⁷ be ‘available’ because the target users are learners (namely children and young people). The available (or safe) route is used by learners travelling between home and school.

12. Is it a legal requirement for local authorities to provide free transport to Welsh medium primary and secondary schools?

¹⁸⁷ Section 3(8) Learner Travel (Wales) Measure 2008.

Under current school transport legislation, a learner is entitled to free transport to a Welsh Medium school if that school is considered by the local authority to be the learner's nearest suitable school and the learner meets the distance criteria specific to their age. Primary pupils are entitled to free transport if they live 2 miles or further from the nearest suitable school whilst secondary pupils are entitled to free transport if they live 3 miles or further from the nearest suitable school.

In cases where learners do not attend the nearest suitable school, local authorities use their discretion to provide free transport¹⁸⁸ to Welsh Medium schools regardless of the distance criteria in order to promote access to education and training through the medium of Welsh. Local authorities also operate bilingual policies in schools in order to promote¹⁸⁹ access to education and training through the medium of Welsh. Local authorities have a general duty to promote access to education and training through the medium of the Welsh language when exercising functions under the 2008 Measure, which should be outlined in their Welsh In Education Strategic Plans (WESPs).

13. Does the Travel Behaviour Code apply to Learners with SEN?

The Travel Behaviour Code does apply to learners with SEN.

However, if a learner has special educational needs it is especially important to give consideration to the nature of the learner's individual circumstances and to discuss the application of any potential sanctions with the learner's place of learning. When considering any special educational needs a learner may have, regard should be given to the Special Educational Needs Code of Practice and the National Assembly for Wales Circular 47/2006 – Inclusion and Pupil Support Guidance to determine what sanctions should be used to deal with issues of misbehaviour.

14. Should each learner with SEN be given one-to-one transport?

¹⁸⁸ Section 6 Learner Travel (Wales) Measure 2008

¹⁸⁹ section 10 Learner Travel (Wales) Measure 2008

Not necessarily. Local authorities have options available to them to promote the interests of learners and save money (but still provide appropriate transport provision for learners with SEN). These include assessing the needs of the learner to determine whether specialist transport is required.

If it is required, it is advisable for the local authority to ask questions, such as:

- Is it possible and practical for a SEN learner to travel with other SEN learners? Is the provision of one-to-one transport strictly necessary? What would be the benefits to the SEN learner of travelling with peers? Local authorities should take into account whether the learner could, with or without reasonable adjustments, travel on mainstream transport. Reasonable adjustments may involve travelling with an escort, using wheel chairs to access buses, ensuring the learner is seated with or apart from other learners as appropriate etc.
- Travel Training – this programme provides learners with the support, assistance and skills to enable them to access mainstream transport with the confidence to travel independently

15. What is Travel Training?

Travel Training Schemes are aimed at providing SEN pupils with the key skills and confidence to travel independently on public transport.

In Wales, for example, Cardiff Council operates a Travel Training Scheme. The scheme is funded by the Welsh Government and focuses on providing free, intensive one to one training to teach SEN pupils to use public transport between home and school.

Working one to one with a travel trainer, learners are accompanied to and from school over an extended period of time until they are ready to make the journey independently. Once a learner has completed the training, they

are given an annual bus pass which they can use for school routes and journeys outside of school.

16. What are the travel arrangements for a post 16 learner with an SEN statement?

The Special Educational Needs Code of Practice states that transport provision should be in Part 6 (which is not legally binding on a local authority). If the local authority deems such transport to be necessary in exceptional circumstances because a child has particular transport needs, this should be incorporated into the statement. Local education authorities remain responsible for pupils with special educational needs statements in school until they are 19

17. What is the Social Services and Wellbeing (Wales) Act 2014 and what does it mean in practical terms?

The Social Services and Well-being (Wales) Act 2014 provides for the first time a coherent Welsh legal framework for social services.

The Act will:

- Strengthen powers for the safeguarding of children and adults, so that vulnerable people at risk can be protected more effectively
- Ensure people are assessed on what they need, rather than just on what services are available locally
- Introduce portable assessments, which means if people move from one part of Wales to another they will continue to be entitled to have their needs met in the new area on the basis of their original assessment until a new assessment is carried out
- Facilitate an increased take up of direct payments to meet people's care and support needs, meaning people will have more control over how these needs are met
- Introduce a National Outcomes Framework to set out very clearly what children and adults can expect from social services, to measure achievements and see where improvements are needed

- Introduce equivalent rights of assessments for carers so that people who care for someone such as an elderly or disabled relative or friend will have the same rights as the people they care for and
- Establish a National Adoption Service to improve the outcomes for children in need of a permanent family

18. How does ‘Stronger Partnerships for Better Outcomes’ and ‘Shared Planning for Better Outcomes’ statutory guidance impact on Learner Travel?

Sections 25 and 26 of the Children Act 2004 place a duty of local co-operation on local authorities in Wales and a range of partners to improve the wellbeing of children and young people in each local authority area. They also require local authorities to prepare and publish a plan setting out the authorities’ strategies for discharging their functions in relation to children and young people. Section 27 of the 2004 Act requires local authorities to appoint lead directors and lead members to be responsible for function under sections 25 and 26.

In 2006 and 2007 the Welsh Government issued statutory guidance under sections 25(8), 26(5) and 27(4) of the 2004 Act, namely ‘Stronger Partnerships for Better Outcomes’ and ‘Shared Planning for Better Outcomes’. These guidance documents should be read in conjunction. The guidance sets out local authorities’ duties to co-operate through partnerships to improve the well being of children and young people in each local authority area.

Local partners, led by the local authority (in the context of its community leadership role), are expected to work together to implement the necessary changes in organisational culture and practice. The responsibility of partnerships involves joint strategic planning driven by shared profiling of service provision and identification of need, to support the integrated provision of service.

Partnerships have responsibility for developing and agreeing the Children and Young People’s Plan (CYPP). The plan should be a strategic document of manageable length. It should set out how the well-being of children and young people in the area will be improved. This is intended to:

- Provide strategic vision and state the agreed priorities that will direct the work of all partners
- Describe how requirements of national and local strategic policies and priorities will be tackled locally
- Set out agreed objectives for services that can act as milestones to enable progress in improving outcomes to be measured over the planning timescale
- Identify the contribution made by individual partners towards meeting joint objectives, ensuring that they are consistent and mutually supportive
- Provide a basis for the joint commissioning of services and sharing of available funding, including the core budgets of statutory partners and the resources or financial contributions from the voluntary sector

Plans should be reviewed annually and could enable risk assessment of walked routes to be undertaken and the mitigation of risks made as appropriate.

19. What does Disclosure and Barring of information mean?

The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged and are now called the Disclosure and Barring Service (DBS). CRB checks are now called DBS checks. The DBS has two functions:

- Disclosure which searches police records and, in relevant cases, information held by the DBS barring function and issues a DBS certificate to the applicant.
- Barring to help safeguard vulnerable groups including children from those people who work or volunteer with them but who pose a risk of harm. The DBS may use any information on a certificate or otherwise held by the DBS to inform any of its barring decisions made under its powers within the Safeguarding Vulnerable Groups Act 2006.¹⁹⁰

20. What information can the DBS share/not share under the current Disclosure and Barring of information requirements and how does the DBS process personal data?

¹⁹⁰ DBS Privacy Policy

The DBS is legally bound by the Data Protection Act 1998 and they outline their data standards in a personal information charter.

When the DBS processes personal data, according to their privacy policy the following principles apply:

- Only the data the DBS needs is collected and processed
- The data is only seen by those who need it to do their jobs
- Data is retained for only as long as it is required
- The data held on people is accurate and is only used as part of the DBS process
- Decisions affecting people are made on the basis of reliable and up to date data
- Data is protected from unauthorised or accidental disclosure
- On request, people are provided with a copy of the data held on them
- Data in relation to the disclosure service is only processed with people's knowledge and consent
- A full complaints procedure is in place

Personal data is only held by the DBS if a person has applied for a disclosure check, applied to be a counter signatory for a disclosure check, or has been referred to the barring service. The DBS has access to the Police National Computer ("PNC"), which provides the disclosure function with basic identifying details such as name and date of birth of persons included on the PNC. For the barring function, access is granted to personal details and conviction information. Further information on data sharing procedures is included in the Wales Accord on the sharing of Personal Information (WASPI) at the following link: <http://www.waspi.org/>

21. Who are the people who are subject to DBS checks and what are the procedures for DBS checks?

Please refer to, paragraphs 1.106 – 1.116 of this document for information on the Disclosure and Barring Arrangements.

22. Can information be shared between different local authority departments or different local authorities under the Disclosure and Barring of Information requirements?

In each local authority, different departments will have ownership of safeguarding policy in relation to different groups – for example, the Education Department will have ownership of safeguarding policy relating to children in schools; the Health or Social Services Department will have ownership of safeguarding policy in relation to vulnerable groups, including vulnerable children; and the Transport Department will have ownership of safeguarding policy in relation to learner travel arrangements.

Given the potential for overlapping responsibilities, there will be occasions when staff in different departments will need to see the same data to do their jobs.

The legal constraint on sharing personal data is the Data Protection Act (DPA). Any processing or sharing of information has to comply with the DPA. The DPA contains 8 data protection principles which must be adhered to.

In this scenario, the onus of compliance with the DPA is on both the DBS and the local authority as they are the data controllers. They determine both the purpose for which, and the manner in which, any personal data is being or is to be processed.

The sharing of personal data has to be fair, lawful and needs to meet at least one condition set out in Schedule 2 and, in the case of sensitive personal data, at least one condition set out in Schedule 3 to the DPA.

The individual who is the subject of the personal data must be made aware of the use of that personal data. This is usually done by providing fair processing information to the individual which confirms the identity of the data controller, outlines the personal data being processed, what it is being used for, explains any sharing and outlines an individual's rights in respect of that personal data.

Further information on the DPA is available at <http://www.legislation.gov.uk/ukpga/1998/29/contents>

23. What is the Vehicle Operating Services Agency (VOSA) and the Driver Vehicle Standards Agency (DVSA) and what do they do?

VOSA was an executive agency of the UK Government's Department for Transport. The agency closed on 31 March 2014 and has subsequently been replaced by the Driver and Vehicle Standards Agency, which now carries out the functions previously undertaken by VOSA. This includes providing a range of licensing, testing and enforcement services with the aim of improving the roadworthiness standards of vehicles. Further information about the Agency can be found at: <https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency>

24. Who is the Traffic Commissioner and what do they do?

In relation to England and Wales, there are six Traffic Commissioners including a Commissioner for the Welsh Traffic Area (Wales and West Midlands).

Traffic Commissioners are responsible for the licensing and regulation of those who operate heavy goods vehicles, buses and coaches and the registration of local bus services. They are assisted in this work by deputy Traffic Commissioners who preside over a number of public inquiries.

25. Why do I have to pay the local authority for the provision of my child's school transport?

Under the Learner Travel (Wales) Measure 2008, primary school pupils who live 2 miles or further from the nearest suitable school are entitled to free transport whilst secondary school pupils who live 3 miles or further from the nearest suitable school are entitled to free transport.

If the route to school is deemed to be unsafe, then the learner cannot be expected to walk to school even though the distance from home to school is less than the distance limit that applies to his/her age. In such circumstances, the learner is entitled to free transport.

Learners who do not meet these requirements are generally not entitled to free transport. Local authorities do have a discretionary power under section 6 of the Learner Travel (Wales) Measure 2008 to provide learners who do not meet the eligibility criteria for free transport with either free or subsidised transport. Where subsidised transport is provided by the local authority and parents want to use this service, the local authority can, by law, charge for this provision.

26. How much can a local authority charge for the school transport they provide to learners not entitled to free transport?

When a local authority uses its discretionary power to provide transport to learners who are ineligible for free transport, they can charge for the provision of transport.

For learners who are not of compulsory school age, there is no restriction on the amount that can be charged. With regard to learners of compulsory school age, charging must be in accordance with Section 455 and 456 of the Education Act 1996 (as amended by Section 22 of the 2008 Measure).

This means that when transport is provided as an “optional extra”¹⁹¹ to a learner of compulsory school age, a charge may not be made unless arrangements are provided with the agreement of the pupil’s parent. The local authority can charge the parent of the learner¹⁹². The charge to parents may exceed the cost incurred by the local authority to provide the “optional extra”.¹⁹³

Disabled learners may have specific transport requirements (or reasonable adjustments required for this) which may result in increased transport costs. The Equality Act 2010 prohibits an authority charging for any reasonable adjustments it has made for disabled learners.

¹⁹¹ Section 455(3) Education Act 1996 - <http://www.legislation.gov.uk/ukpga/1996/56/section/455>

¹⁹² Section 456(2) Education Act 1996 - <http://www.legislation.gov.uk/ukpga/1996/56/section/456>

¹⁹³ See section 456(3) Education Act 1996.

This means that if the cost of providing transport for a disabled learner is higher than it would if the authority were providing transport for a non-disabled learner - for example, if the transport provided for a disabled learner includes the need for an escort or the use of a specialised vehicle - the authority can not charge a higher amount for the use of the specialised vehicle and/ or escort (or any other reasonable adjustment) even though the cost to the local authority may be higher¹⁹⁴).

27. How do local authorities treat each request for school transport?

Parents are required to fill-in a School Transport Application Form in which they should present:

- The details of the learner, including their home address (or ordinary place of residence if applicable)
- The details of the learner's parent or guardian
- The reason(s) for making the application
- The location of the pick-up point/nearest bus stop to the home address

In this way, each request for school transport is treated on an individual basis.

It is important that school transport application forms are submitted to the relevant local authority by the stated deadline. This ensures local authorities have the time needed to process the form and put in place suitable transport arrangements for when they are required.

28. What is the Learning and Skills (Wales) Measure 2009?

The Measure provides a statutory basis for the 14-19 Learning Pathways. The Measure provides for the creation of local curricula which contain a wide range of academic and vocational courses and opportunities for learners.

¹⁹⁴ See section 20(7) Equality Act 2010.
<http://www.legislation.gov.uk/ukpga/2010/15/section/20>

These courses may be delivered on different sites which require additional learner travel either at the start and end of the school day or during the school day.

Travel and transport provision required during the school day as a result of the 14-19 Learning Pathways is not covered by the Learner Travel (Wales) Measure 2008 or the statutory provisions outlined in this document.

29. What are the recommended procedures for enforcing the Travel Behaviour Code sanctions?

The relevant procedures which are currently in place are set out in the Travel Code statutory guidance. The guidance can be accessed by clicking on the following link

<http://wales.gov.uk/topics/transport/publications/tbcstatutoryguidance/?lang=en>

The procedures to follow if an incident occurs include a number of steps to ensure the incident is dealt with fairly and properly.

There may be cases where learners' severe anti-social behaviour endangers life and causes criminal damage – for example, in cases where fires are started on buses travelling between home and school. In such cases, the sanctions regime set out in the Travel Behaviour Code statutory guidance will be insufficient to address the serious nature of these incidents. The bus operator and/or the local authority will need to refer the matter to the Police for them to investigate and determine the appropriate action.

The Health and Safety Executive (HSE) should only be involved in investigating a road traffic incident where Police demonstrate that serious management failures have been a significant contributory factor. It is a matter for the Driver Vehicle Standards Agency (DVSA), who award the licenses for bus routes, to comment on whether bus companies are operating a safe system of work as it is here that their knowledge and expertise on matters relating to passenger transport rest.

Teaching resources, which can be used to educate learners on the 'Travel Code, can be found at <http://www.travelcode.org/>

30. Must parents and learners be made aware of the use of CCTV on buses used for dedicated learner transport?

Yes. Where CCTV is used, parents and learners must¹⁹⁵ be made aware that recording services are in operation. This could be done through a written statement outlining this provision within the local authority's learner transport application form (terms and conditions) pack, by a letter home to parents or by signs placed on learner transport to ensure that parents and learners are aware of the surveillance.

If parents and learners are unaware that surveillance is taking place, then any evidence gathered by CCTV of a particular incident may be inadmissible in a subsequent court prosecution or hearing.

31. Who should learners report issues of anti-social behaviour to?

It is recommended that head teachers make learners aware of an appropriate member(s) of staff who learners should contact to report incidents of bad behaviour to on the home to school journey.

32. What is accessible information?

Information which can be easily understood by its target audience. Examples of this include: the provision of information in alternative languages such as Welsh; making Braille or large print versions available; or having an easy read document which outlines key points and uses illustrations to accompany the document.

33. What is 'dedicated learner transport' and how does this differ from learner transport?

Dedicated learner transport includes buses, coaches, minibuses, taxis. It is transport provided or secured by a relevant body (a local authority or the governing body of a maintained school), specifically for the purpose of transporting

¹⁹⁵ Under provisions of the Data Protection Act 1998

learners of compulsory school age (that is, those aged between 5-16) between home and school. Dedicated learner transport is for the use of learners only. Members of the general public are not allowed to use the service.

Learner transport has a more general meaning – it refers to the transportation of nursery learners; those of compulsory school age; and those in post-16 education. The transport could be dedicated learner transport buses, service buses or other types of vehicle (coaches, minibuses, taxis and private ambulances).

34. What is the difference between dedicated learner travel buses and service buses used by learners?

Dedicated learner travel buses have been provided or secured by a relevant body for the specific purpose of transporting learners of compulsory school age between home and school.

Service buses may be used to transport learners between home and school but are also used to transport fare paying passengers who are members of the general public on the same service routes.

35. Why does the requirement to have seat belts fitted to each passenger seat by 1 October 2014 only apply to dedicated learner travel buses, including service buses used for dedicated learner travel, and not to every bus?

Part 1 of Schedule 7 to the Government of Wales Act 2006 sets out the subject areas in which the National Assembly for Wales may legislate, as well as the exceptions to those general subject areas. The legislative competence conferred in relation to transport allows the Assembly to legislate in relation to dedicated school transport which can include buses, coaches, taxis and private hire vehicles such as minibuses. The Assembly may not legislate in relation to public service vehicles. It is the responsibility of the UK Government to propose policies in relation to public service vehicles and the responsibility of the UK Parliament to pass the relevant legislation.

36. My child goes to school on a bus which is not fitted with seat belts. Is this legal?

It depends on which type of bus is being used to transport the child to school.

The Measure requires that every bus provided or secured by a relevant body and used for dedicated home to school learner transport will need to have a seat belt fitted to every passenger seat by 1 October 2014. Service buses, which are used in any capacity for dedicated home to school learner transport (even if the majority of their journeys are non dedicated learner transport service routes), will also need to be fitted with seat belts by 1 October 2014.

The provision **does not** cover public service buses used by learners with local authority-purchased bus passes, even if the route is mostly used by learners travelling to and from school or college. This is because the bus is not used solely for transporting learners and members of the public can also access the service.

Double deck buses used for dedicated home to school learner transport will need to have seat belts fitted to every passenger seat in the same way as single deck vehicles.

37. How can I get children to wear seat belts?

There are a number of ways of encouraging and persuading children to wear seat belts, for example:

- Rolling out a training and education programme in schools on a pan-Wales basis - the programme could be delivered by teachers or the relevant local authority officials and might include activities like quizzes, games, DVDs and role play exercises
- Schools can play a role in encouraging parents to impress upon their children the importance and necessity of wearing seat belts - this could be achieved by schools raising the issue at parents' evenings, engaging with parents through Parent Teacher Association (PTA) meetings, sending information leaflets to parents or including an article on seat belts and responsibility in school newsletters

- Responsible older pupils/prefects can monitor the wearing of seat belts on dedicated school transport and can help enforce the regime by verbally instructing other learners to wear seatbelts and taking the names of those who refuse to
- Local authorities have a role to play in achieving this outcome and could work in partnership with schools, providing officials to monitor and enforce the wearing of seat belts on school transport

38. Which seat belts should be used and need to be in place by 1 October 2014 to meet the statutory requirement of the Safety on Learner Transport (Wales) Measure 2011?

The Welsh Government cannot legally specify the type of seat belt that should be used. Lap belts are used on most buses and meet all the relevant legal requirements. However, a 3-point all age seat belt is generally recommended. Reasons to support this recommendation are:

- The 3-point all age seat belt restrains the upper and lower parts of the torso, is anchored at not less than 3 points and includes a lap belt - in addition, the position of the shoulder strap can be adjusted to suit the size of the passenger
- This particular type of seat belt is rated highly for its effectiveness and ease of use - the seat belt tongue clips into the buckle, an action which can be performed with one hand and a retractor device is included as part of the seat belt system to ensure that any unnecessary slack is taken up automatically

39. What is EU Directive 2003/20/EC, and what does it mean in practical terms?

Under the Directive, there is an obligation to use a seat belt when a vehicle is in motion. This applies to all categories of vehicles and to all seats fitted with a seatbelt (apart from certain exceptions which can be granted to allow certain professional activities to be carried out, to ensure the proper functioning of law and order, safety or emergency services, or to take account of the special conditions in certain types of transport)). The use

of restraint systems specially adapted to the size and weight of children has also become compulsory under the Directive.

There is a remaining part of the Directive which will need to be transposed into UK Legislation by the Department for Transport (UK government). This concerns a requirement for children aged 3 to 13 to wear seat belts on buses and coaches where seat belts are provided.

The Directive does not specify that seat belts must be installed on all buses and coaches. Neither does it specify what type of child restraint system should be used where seat belts are fitted to the vehicle.

40. Is there a statutory duty on local authorities to provide free transport to denominational schools?

If a learner wishes to attend a faith-based school which is the nearest suitable school and also meets the distance criteria, then the local authority will be under a duty to provide free home to school transport.

However, if the criteria set out above are not met, there is no legal requirement for a local authority to provide free transport. In such cases, the provision of transport is a discretionary matter for local authorities.

41. What financial support is available to cover/contribute to the transport costs of those in post-16 education?

The Education Maintenance Allowance (EMA) was introduced as a financial incentive for young people from low-income households to remain in full-time education or training beyond compulsory education. It is available to learners who attend school or college.

The Assembly Learning Grant (ALG) is available to learners aged 19 or over who are in Further Education.

The Welsh Government also provides support for those students facing hardship through the Financial Contingency

Fund (FCF) which is distributed to further and higher education institutions in Wales.

The EMA, the ALG and the FCF may be used, amongst other things, to cover or contribute to transport costs.

There are instances where local colleges and the relevant local authorities will fund schemes which provide financial support for travel to those in post-16 education.

Each local authority will have its own post-16 transport policy and it is the responsibility of the learner or a learner's parent(s) to check individual local authority websites for specific details.

42. What is the Welsh Government's learner travel policy in relation to learners in further education aged 19-25?

The Welsh Government's policy is that the provision of transport to learners aged between 19-25 is a discretionary matter for local authorities and Higher and Further Educational institutions in Wales.

43. What is the legal definition of "compulsory school age"?

Section 8 of the Education Act 1996 (and accompanying regulations/Order¹⁹⁶) defines compulsory school age.

A child is of compulsory school age when he or she attains the age of 5:

- a) on 31st March, 31st August or 31st December in any given year, or
- b) if not on those dates, on the nearest one of those dates following his or her 5th birthday

A person ceases to be of compulsory school age at the end of the day which is the school leaving date (currently the last Friday in June):

- (a) if he attains the age of 16 after that day but before the beginning of the following school year

¹⁹⁶ Education (Start of Compulsory School Age) Order 1998 (SI 1998/1607) and The Education (School Leaving date) Order 1997 (SI 1997/1970).

- (b) if he attains 16 on that day, or
- (c) (unless paragraph (a) applies) if that day is the school leaving date next following his attaining 16

44. What does oversubscription criteria regarding school admissions mean in practical terms?

Parents can express a preference for any school they would like their child to attend. If a school has applications that exceed the admission number for the school, the admission authority will apply oversubscription criteria to all the applications in priority order. This means that all the applications will then be ranked and offered places up to the admission number. Should there be several applications that sit against the same oversubscription criterion, a 'tie breaker' may be used. The tie breaker is usually based on the distance from the pupil's home to the school. Normally the pupils who live the nearest to the school would be offered the remaining places. However, some admission authorities consider other factors, such as; the distance learners would have to travel to the next available school and use this factor as the priority factor for determining places.

In practice this means that pupils living some distance from a school may be offered places and may become eligible for school transport. The local authority Transport Policy defines eligibility criteria for their area in relation to the discretionary transport provision it provides.

45. If I obtain my place of choice will I get transport?

Parents can express a preference for any school and may be successful in obtaining a place at their preferred school. This does not necessarily mean that their child will be eligible for free school transport. This will be determined by the local authority who define eligibility criteria for the discretionary transport provision it provides within their Transport Policy.

46. What considerations should local authorities take into account with regards to post 16 learner travel provision?

In assessing what transport arrangements are necessary for post 16 learners, it is recommended that local authorities consider the need to ensure that learners have reasonable opportunities to choose between different establishments at which education and training is provided. Reasonable choice should include enabling learners to choose an establishment of education or training that is not the closest to where they live, if other more significant factors take precedence, for example, the suitability of the course. It is further recommended that local authorities consider the needs of:

- Those who are vulnerable to becoming NEET (not in education, employment or training) at the age of 16 or 17 or who have already become NEET
- Those who live in particularly rural areas where the transport infrastructure can be more limited
- Those learners who are of low income or are from low income families
- The distance from the learner's home to establishments of education and training - it is recommended that local authorities consider the distance a young person has to travel to access education in determining eligibility for support with transport. It is the Welsh Government's view that young people in rural areas should not be worse off financially because they may need to travel further to access education and training provision than their peers in urban areas. Local authorities could also consider taking into account other factors, such as the impact a learning difficulty or disability may have on a young person's ability to walk a distance, and the nature (including safety) of the route, or alternative routes, which a young person could be expected to take in determining whether transport arrangements are necessary
- The journey time to access different learning establishments – it is recommended that young people should be able to reach their establishment of education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided. For example, a young person should not have to make several changes of public service bus (or other mode of transport) to get to their establishment of education or training, if that would result in an unreasonably long journey time. In this context, local

authorities will want to consider which mode of transport will best meet the need to ensure a reasonable journey time. Best practice suggests that a child of secondary school age may reasonably be expected to travel 60 minutes each way to access learning. It is recommended that local authorities apply similar expectations to post 16 learners

47. Who is Responsible for the Care of Pupils Travelling to School?

A local authority, a transport operator, a driver and a school, may all have responsibility in law for the care of pupils in transit or when they are waiting to, or in the act of, embarking on or alighting from a vehicle. It is not possible to provide definitive guidance about who is responsible for the care of a pupil at any particular stage of the journey between home and school because the Courts have determined that responsibility depends on the facts of a case (for example who was responsible for the cause of the incident – such as a fault in the bus engine, or a defect in the road or pupil behaviour).

The 2008 Measure (sections 3(5) and 4(6)) now sets out that travel arrangements are not suitable if they cause unreasonable levels of stress, take an unreasonable amount of time or are unsafe. In general terms, therefore, an authority should be satisfied that contracted arrangements are safe, that processes are in place to monitor contracts, and that prompt action is taken to remedy problems. It is recommended that local authorities, bus operators and schools consider jointly the risks pertaining to embarkation/disembarkation points on or immediately outside school premises.

Guidance on risk assessing dedicated school service contracts is provided in the Welsh Government issue All Wales Home to School Transport Risk Assessment Framework¹⁹⁷

48. What processes should be put in place for embarkation and disembarkation at school premises?

Embarkation and disembarkation areas are potentially dangerous because they can be crowded, busy, confined, and

¹⁹⁷ <http://wales.gov.uk/topics/transport/?lang=en>

on roads rather than on school premises. Private cars will often be arriving or departing at the same time and may share or pass through or near the embarkation/disembarkation area. Risk may be compounded because pupils may not be as aware of hazards as adults. Accidents are more likely if pupils are not adequately supervised either because of traffic hazards or from crushing on entering or leaving buses.

It is recommended that local authorities, schools and operators work together to undertake risk assessments and follow up action to ensure that:

- There are appropriate levels of supervision of areas in school grounds where pupils congregate before embarking and disembarking
- There are appropriate levels of supervision of bus bays where pupils congregate off site to embark or disembark transport services
- There are clear road markings for embarkation areas
- There is, as far as practicable, segregation of pedestrians and vehicles
- There are safe crossing points and
- Embarkation areas are kept clear of obstructions

Advice on how to undertake home to school transport risk assessment, including embarkation and disembarkation, is provided in the Welsh Government issue All Wales Home to School Transport Risk Assessment Framework, which was published in 2009¹⁹⁸. The Health and Safety Executive have also published guidance on risk assessments generally, and on “Workplace Transport Safety”¹⁹⁹.

It is recommended that local authorities, schools and operators work collaboratively to ensure that risks are reviewed regularly and that clear procedures are in place for schools, parents, pupils, and transport operators to report problems or concerns. These should be evaluated promptly and appropriate action taken quickly.

The Welsh Government regards it as good practice that head teachers ensure that there is supervision of embarkation and disembarkation, whether on, outside, or near the school

¹⁹⁸ <http://wales.gov.uk/topics/transport/?lang=en>

¹⁹⁹ <http://www.hse.gov.uk/pubns/books/hsg136.htm>

premises. The level of supervision will depend on local circumstances and the age of pupils. The head teacher should contact the authority immediately about any concerns or matters reported to him or her.

49. How can overcrowding on buses be tackled?

The design of bus will determine the number of seated and standing passengers and the number of wheelchair spaces on board. A sign informing passengers of this capacity must be displayed on the bus. Service registrations do not specify these numbers for either public services or dedicated school transport. DVSA is responsible for providing vehicle type approval. In terms of buses used for dedicated learner transport, the local authority's contract with the operator will specify the seating capacity. From 1 October 2014 these contracts will also need to include that dedicated learner buses must also have a seat belt fitted to every passenger seat too.

It is for bus drivers to determine whether a bus is full and to decline to take more pupils. The driver or other person supervising embarkation should check bus passes for all journeys. An annual photo pass will facilitate easy identification of pupils who are entitled to travel. If pupils not entitled to travel on a bus embark, there is more likelihood of overcrowding. Authorities might consider having a 'no pass, no travel' rule, although a common sense approach is needed. Local authorities and schools should have a system in place to deal with genuine mistakes (e.g. the use of emergency one day passes) to avoid stranding children who have simply forgotten or lost their pass.

When making transport arrangements local authorities should consider pupils who carry musical instruments or large sports equipment. Adequate space for them is important from a safety perspective and also so that pupils are not discouraged from pursuing these interests because of the difficulty of travelling with such items.

50. What happens if a learner is sick / absent from school and does not require learner transport for that day(s) the learner is absent– should parents/ guardians inform both

the school and the local authority transport team of their child's absence or just the school?

As soon as a parent or guardian is aware that their child will be absent from school, for any period of time, they are required by law to inform the school of the absence. There is no legal requirement for a parent to notify the local authority of a planned absence. However, if a learner receives transport provision provided for by the local authority and the absence means the learner does not require this transport for a certain period of time, Welsh Government recommends that parents inform the local authority transport team as soon as they know the transport will not be required (usually at the same time they notify the school).

In doing so, local authorities can ensure transport provision, such as taxis, minibuses etc, are not sent out unnecessarily (particularly if it entails collecting the learner from a location where other learners are not also being collected). This not only reduces unnecessary public expenditure on transport services which are not required but may also help to reduce the local authorities' carbon footprint thus being beneficial to the environment.

51. What transport arrangements should be put in place for learners moving authority area during their GCSE ('critical') years²⁰⁰?

The Welsh Government recognises that there is currently no consistent policy approach adopted by local authorities in Wales for when a learner moves house/ local authority area during their critical years in education (GCSE).

At present, some local authorities' policies states that if a learner (who has started their GCSEs) moves house and their new home resides in a neighbouring local authority, although their current school is no longer technically their nearest suitable school, the local authority will still provide free transport provision for the learner to the school they currently attend for the duration of their GCSE studies (subject to the learner meeting the distance criteria and the school resides in a neighbouring local authority area). In doing so the learner's

²⁰⁰ 'Critical years' are learners in years 10 and 11 of secondary school.

'critical years' of study are not disrupted. However, other local authorities do not currently adopt this policy approach.

To ensure that a consistent policy approach is applied across Wales, Welsh Government recommends that all local authorities in Wales adopt the same policy approach whereby if a learner has started their GCSE studies and subsequently moves house/ authority area, then provided that the move takes place after the October half term break of their first year of GCSE studies (Year 10), the local authority, where the learner's new home resides, picks up the travel costs enabling the learner to continue their studies at the same school/ education institute the learner currently attends.

Annex 1

RISK ASSESSMENT MATRIX

Learner details		Companion details		
<ul style="list-style-type: none"> Name Age Name of school 		<ul style="list-style-type: none"> Name Relationship to Learner 		
Route – A to B				
	Risk Severity*	Risk Level*	Control Measures	Mitigated Risk***
Learner concerns <ul style="list-style-type: none"> Personal issues Local issues Hot spots Other transport Issues 				
Traffic levels				
Footpath details				
Footways				
Crossing points				
<ul style="list-style-type: none"> Rivers Canals Ditches Embankments Vegetation 				
Lighting				

Planning impacts				
Social hazards				

*Scale of 1 very low → 5 very high

** Likelihood (scale of 1 → 5) multiplied by severity

*** Likelihood (scale of 1 → 5) after putting in place control measure multiplied by severity

Annex 2

Local Authorities' Risk Assessment Checklist

Before a Risk Assessment a local authority should ask:
<ul style="list-style-type: none">• To which category do the risks/dangers belong? Are the risks/dangers physical, topographical, geographic, environmental or social?
<ul style="list-style-type: none">• When was the route last risk-assessed?
<ul style="list-style-type: none">• What changes have been made to the route since the last risk assessment? (Note: Records should specify any changes, such as construction work; infrastructure changes; the introduction of traffic calming measures; new build developments; new road works).
<ul style="list-style-type: none">• Were learners consulted during the last risk assessment? If so, what were their views?
<ul style="list-style-type: none">• When would be the ideal time to conduct a risk assessment of the route in question? (Note: Usually, the best time would be when learners are using the route - that is, in the morning on the way to school and/or in the afternoon when learners are making their way home)
<ul style="list-style-type: none">• In the case of social dangers, who are the relevant partner organisations/agencies?
During the Risk Assessment process, a local authority should ask:
<ul style="list-style-type: none">• Whether the learners/parents/persons exercising parental responsibility would like to accompany the local authority Risk Assessor during the risk assessment? (Note: This often enables learners/parents/other persons to demonstrate exactly why they consider a route to be unsafe).
<ul style="list-style-type: none">• Should learners be consulted (particularly if they have not been consulted at all or for a long time)?
<ul style="list-style-type: none">• Which mechanism should be used to consult learners – for example School Councils etc.)?
<ul style="list-style-type: none">• In relation to social dangers, what kind of evidence will be supplied by the relevant partner organisations (the Police or LSCBs)? Is the evidence qualitative or quantitative?
<ul style="list-style-type: none">• When will the evidence (qualitative or quantitative) become available?
<ul style="list-style-type: none">• If working with partner organisations, have information-sharing protocols been put in place? Have local government lawyers been consulted?

Following Risk Assessment, a local authority should ask:

- | |
|--|
| <ul style="list-style-type: none">• Is the learner/parent/person exercising learner parental responsibility satisfied? If not, why? |
| <ul style="list-style-type: none">• Does the route in question need to be assessed again? |
| <ul style="list-style-type: none">• Are the correct complaints procedures in place? |
| <ul style="list-style-type: none">• Has the evidence demonstrating the safety of the route been compiled so that it can be made available to the learner/parent/person exercising parental responsibility? |

Annex 3:

Related Web links

Local authority:

The relevant contact details for local authority School Transport teams are as follows:

Isle of Anglesey

<http://www.anglesey.gov.uk/education/schools/school-travel-support/>

Bridgend County Borough Council

<http://www1.bridgend.gov.uk/services/highways/transport-and-roads-home/public-transport/school-transport.aspx>

Blaenau Gwent County Borough Council

<http://www.blaenau-gwent.gov.uk/education/18101.asp>

Caerphilly County Borough Council

<http://www.caerphilly.gov.uk/site.aspx?s=qDAHRXN8cSZ9oLQm4cvwPGFdfG1SCeIA>

Cardiff Council

http://www.cardiff.gov.uk/content.asp?nav=2869,3047,3063,5164&parent_directory_id=2865&id=5455&d1p1=1

Carmarthenshire County Council

<http://www.carmarthenshire.gov.uk/english/education/schools/schooltransport/pages/schooltransport.aspx>

Ceredigion County Council

<https://www.ceredigion.gov.uk/index.cfm?articleid=9584>

Conwy County Borough Council

<http://www.conwy.gov.uk/doc.asp?cat=6249&doc=23052>

Denbighshire County Council

<https://www.denbighshire.gov.uk/en/resident/education/grants-and-funding/free-school-transport.aspx>

[Flintshire County Council](#)

<http://www.flintshire.gov.uk/en/Resident/Schools/School-Transport.aspx>

Gwynedd Council

http://www.gwynedd.gov.uk/gwy_doc.asp?cat=7052&doc=25990&language=1&p=1&c=1

Merthyr Tydfil County Borough Council

<http://www.merthyr.gov.uk/English/EducationAndLearning/SchoolsAndColleges/Pages/SchoolTransport.aspx>

Monmouthshire County Council

<http://www.monmouthshire.gov.uk/home/education/schools/school-transport/>

Neath Port Talbot County Borough Council

<http://www.npt.gov.uk/default.aspx?page=5065>

[Newport City Council](#)

<http://www.newport.gov.uk/dc/index.cfm?fuseaction=schools.parentsinfo&contentid=DevXP001620>

Pembrokeshire County Council

http://www.pembrokeshire.gov.uk/content.asp?nav=647,867&parent_directory_id=646&id=7551&d1p1=1

Powys County Council

<http://www.powys.gov.uk/index.php?id=3064&L=0>

[Rhondda Cynon Taf](#)

<http://www.rctcbc.gov.uk/en/transportstreets/schooltransport/schooltransport-policy/schooltransport-policy.aspx>

[City and County of Swansea](#)

<http://www.swansea.gov.uk/index.cfm?articleid=10438>

[Torfaen County Borough Council](#)

<http://www.torfaen.gov.uk/en/EducationLearning/Grants/School-travelsupport/Transport-Entitlement.aspx>

[Vale of Glamorgan County Council](#)

http://www.valeofglamorgan.gov.uk/en/working/education_and_skills/schools/school_transport/school_transport.aspx

[Wrexham County Borough Council](#)

http://www.wrexham.gov.uk/english/education/Transport_Policy.htm#criteria

Other useful websites:

Engagement with Children and Young People

[Children's Commissioner](#)

<http://www.childcom.org.uk/>

[Children in Wales](#)

<http://www.childreninwales.org.uk/inyourarea/singleplans/index.html>

[Funky Dragon \(Children and Young People's Assembly for Wales\)](#)

<http://www.funkydragon.org/en/>

[Learning Disability Wales](#)

<https://www.ldw.org.uk/>

[School Councils/ Pupils Voice Wales](#)

<http://www.pupilvoicewales.org.uk/>

[Snap Cymru](#)

<http://www.snapcymru.org/>

[Super Ambassadors \(Children's Commissioner\)](#)

<http://www.childcom.org.uk/en/super-ambassadors/>

[The All Wales Schools Core Liaison Programme \(AWSCLP\)](#)

<http://www.schoolbeat.org/en/parents/know-the-programme/national-events/what-is-the-all-wales-school-liaison-core-programme/>

<http://wales.gov.uk/statistics-and-research/all-wales-school-liaison-core-programme-evaluation-report/?lang=en>

[Travel Code \(teaching resources\)](#)

<http://www.travelcode.org/>

Best practice and Case studies:

Faith in Education (Wales)

<http://wales.gov.uk/topics/educationandskills/schoolshome/curriculumwales/arevisedcurriculumforwales/religiouseducation/?lang=en>

Learning Wales (Improving Behaviour and attendance)

<http://learning.wales.gov.uk/improvementareas/behaviourandattendance/?lang=en#/improvementareas/behaviourandattendance/?lang=en>

Learning Wales (SEN)

<http://learning.wales.gov.uk/resources/special-education-needs-code-of-practice/?lang=en>

Living Streets

<http://www.livingstreets.org.uk/>

Powys Association of Voluntary Organisations (PAVO)

<http://www.pavo.org.uk/home.html>

Sustrans

<http://www.sustrans.org.uk/wales>

Tendering road passenger transport contracts – best practice guidance

<https://www.gov.uk/government/publications/tendering-road-passenger-transport-contracts-best-practice-guidance>

Travel Training

http://www.traveline-cymru.info/uploads/TravelPlans/SMART_TRAINING_-_ENGLISH.pdf

http://www.welshcontactcentreforum.co.uk/admin/content/files/SW_WITCH/Smart%20Travel%20Training%20presentationWWACC.pdf

<http://www.wlga.gov.uk/stp08-cardiff-council>

Safe Travel:

Arriva Wales (Educating Children)

<http://www.arrivatrainswales.co.uk/EducatingChildren/>

Network Rail (rail crossing safety)

<http://www.networkrail.co.uk/level-crossings/using-level-crossings/>

School Travel Plans

<http://www.gettravelwise.com/business-education/schools/benefits-of-school-travel-plans>

Wales Accord on the Sharing of Personal Information

<http://wales.gov.uk/topics/improvingservices/sharingpip/waspi/?lang=en>

<http://www.wales.nhs.uk/sites3/home.cfm?orgid=702>

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Appendix G – Catchment areas for consideration

To access the maps online: [GeoDiscoverer - Powys County Council](#)

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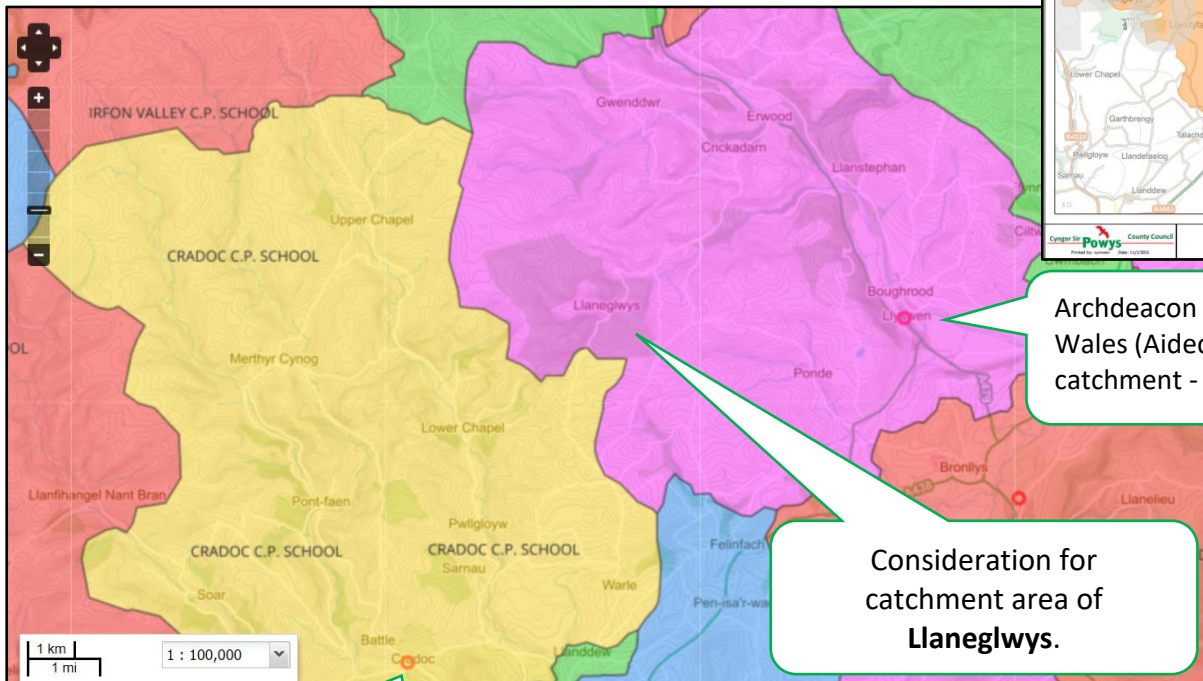
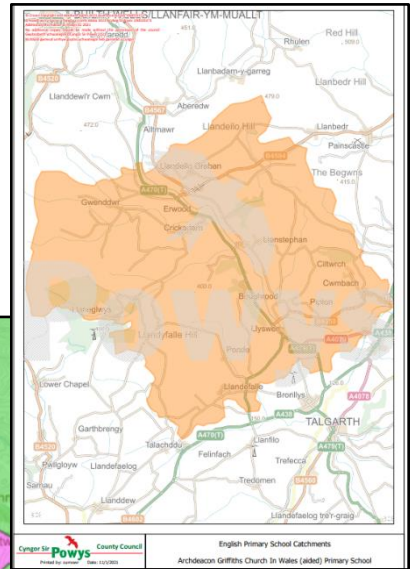
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Brecon cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment area of Llaneglwys. Llaneglwys to **remain** in the catchment area of Archdeacon Griffiths Church in Wales school. Depending on route taken, distance is either 7.9 miles or 8.4 miles to both Llyswen (Archdeacon Griffiths) and Cradoc (AA Route Planner).

Original catchment map of Archdeacon Griffiths Church in Wales based on nearest school alone: →

Consulted and proposed **final** catchment map: ↓




Archdeacon Griffiths Church in Wales (Aided) Primary School catchment - Pink

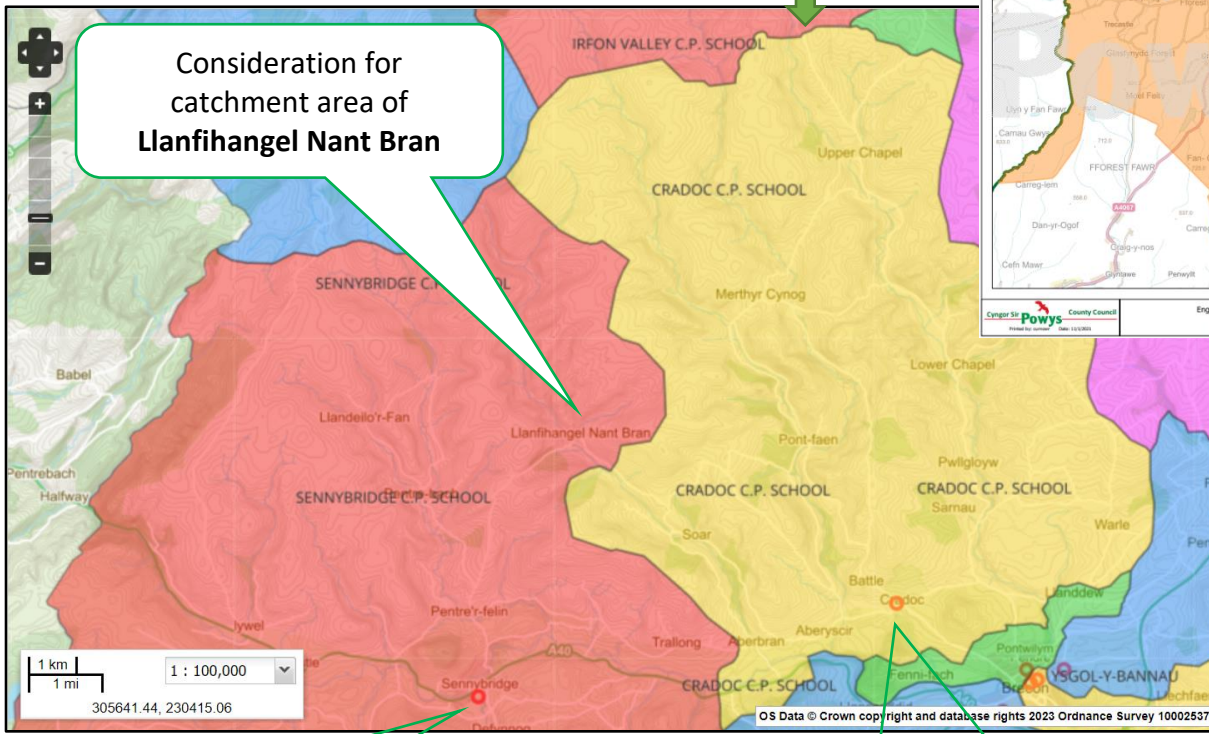
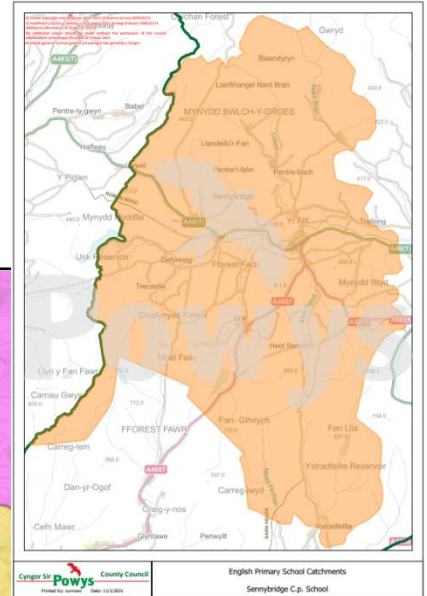
Consideration for catchment area of **Llaneglwys**.

Cradoc County Primary School catchment - Yellow

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Llanfihangel Nant Bran. Llanfihangel Nant Bran to **remain** in the catchment area of Sennybridge CP school. Distance from Llanfihangel Nant Bran to Cradoc CP school is 6.4 miles and Sennybridge CP School is 4.6 miles.

Original catchment map of Sennybridge CP School based on nearest school alone: 

Consulted and proposed **final** catchment map: 




Consideration for catchment area of **Llanfihangel Nant Bran**

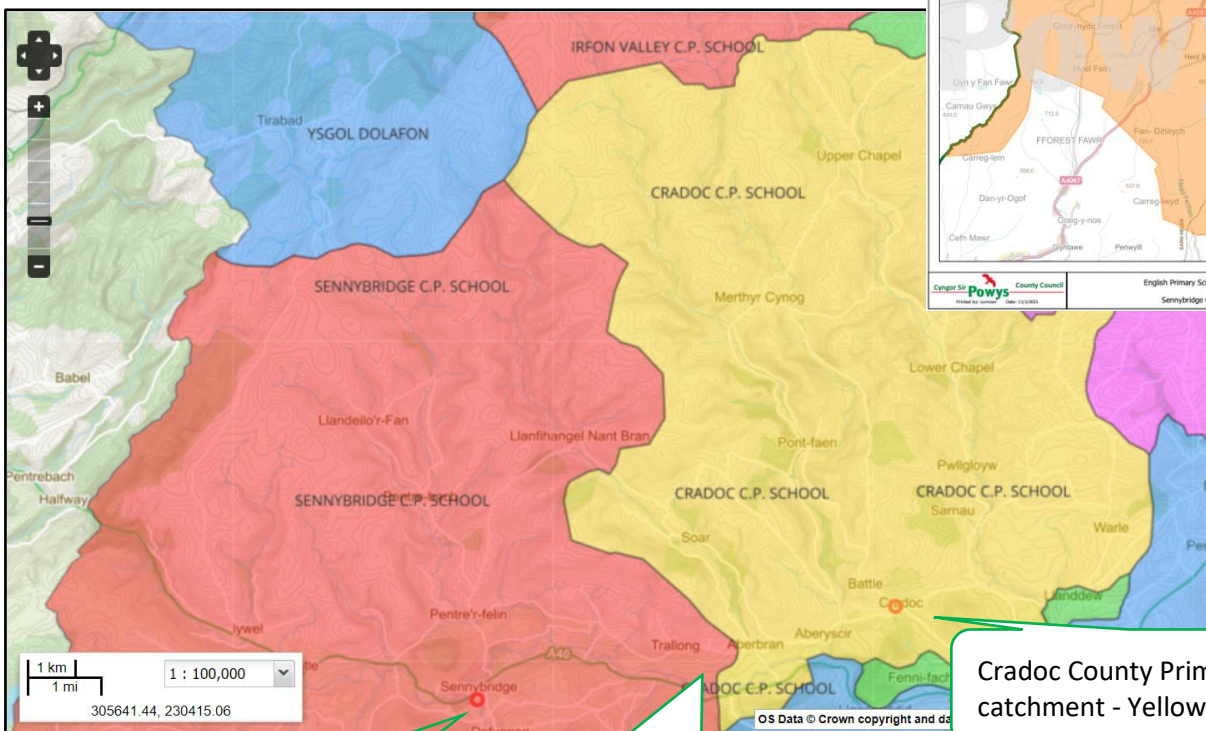
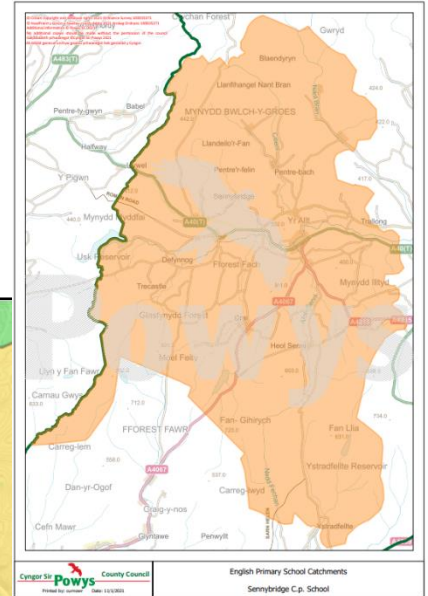
Sennybridge County Primary School catchment - Salmon

Cradoc County Primary School catchment - Yellow

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Penpont. Penpont to **remain** in the catchment area of Sennybridge CP school. Distance from Penpont to Cradoc CP school is 4.2 miles and Sennybridge CP School is 3.3 miles along the A40.

Original catchment map of Sennybridge CP School based on nearest school alone: 

Consulted and proposed **final** catchment map: 



Cradoc County Primary School catchment - Yellow

Sennybridge County Primary School catchment - Salmon

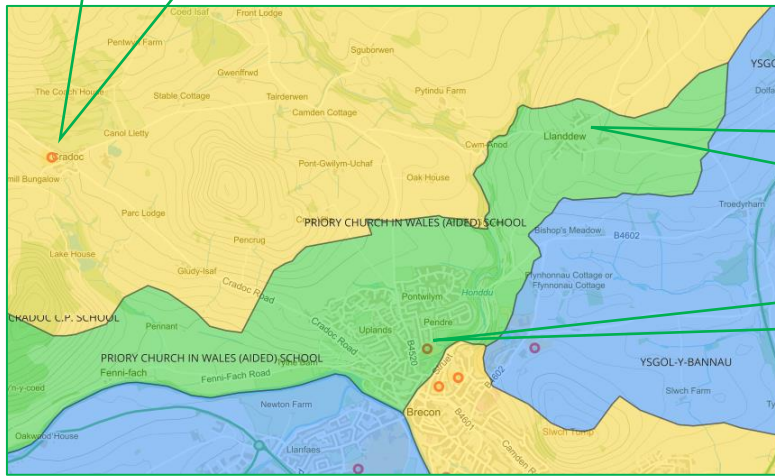
Consideration for catchment area of **Penpont**

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Llanddew. Llanddew to **remain** in the catchment area of Priory Church in Wales school. Distance from Llanddew to Cradoc CP school is 2.7 miles and Priory School is 1.5 miles and below the two mile threshold to be eligible for free home to school transport.

Consulted and proposed **final** catchment map:




Cradoc County Primary School catchment - Yellow




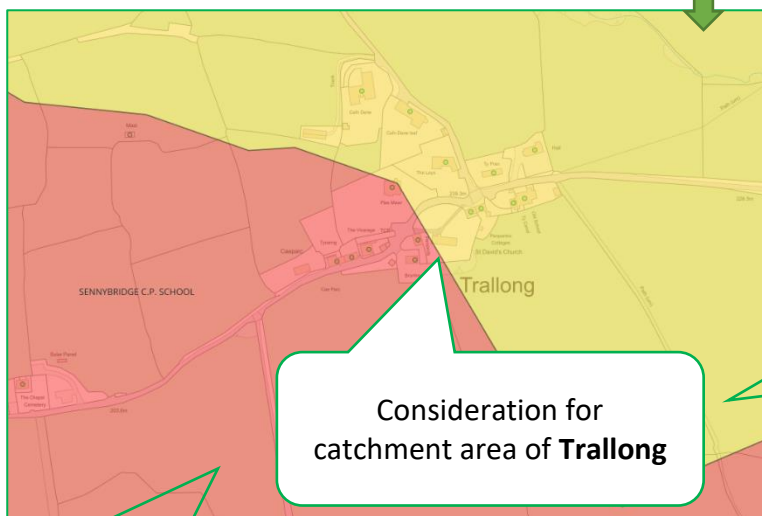
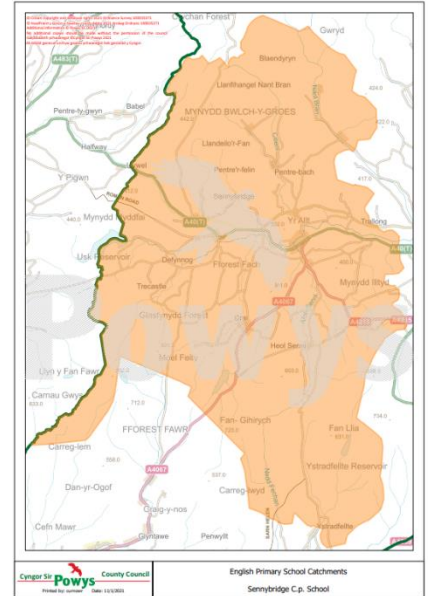
Consideration for catchment area of **Llanddew**

Priory Church in Wales (Aided) School catchment - Green

- To **proceed** with the minor amendment to the catchment boundary for the primary catchment area of Trallong – amend so that Trallong hamlet is no longer split in half and falls completely within catchment area of Sennybridge CP School. Distance from Trallong to Cradoc CP school is 3.5 miles and Sennybridge CP School is 3.3 miles (mainly along the A40).

Original catchment map of Sennybridge CP School based on nearest school alone: 

Consulted catchment map cutting the hamlet in half: 

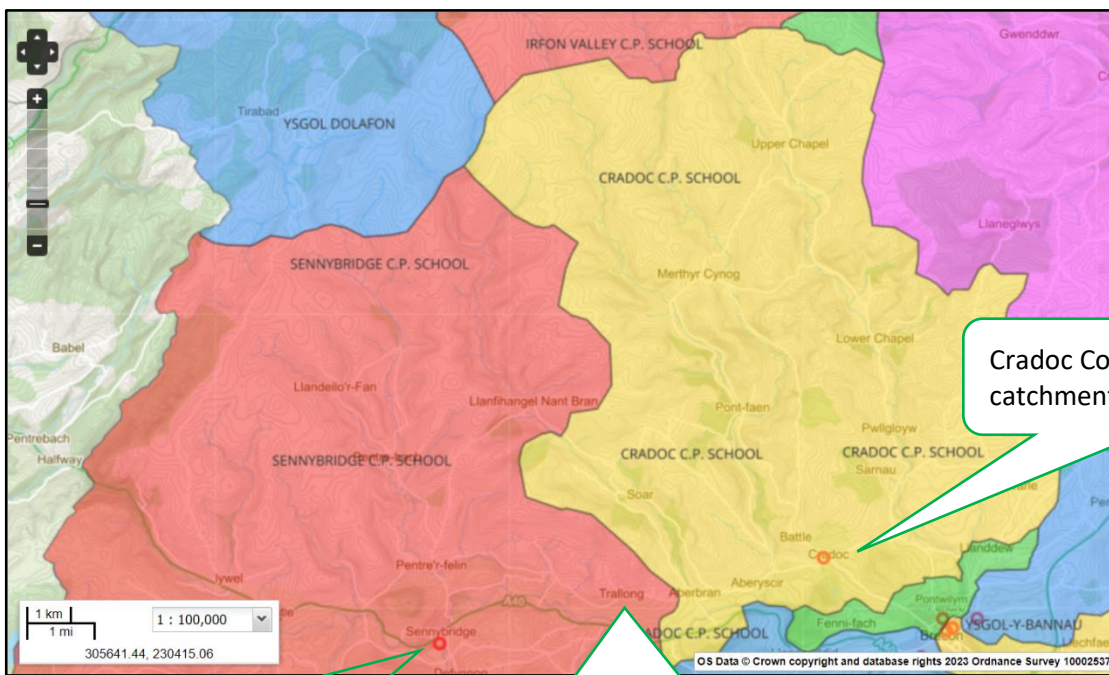


Consideration for catchment area of **Trallong**

Cradoc County Primary School catchment - Yellow

Sennybridge County Primary School catchment - Salmon

Proposed new catchment map as a result of consultation responses:



Cradoc County Primary School catchment - Yellow

Sennybridge County Primary School catchment - Salmon

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Consideration for catchment area of **Trallong**

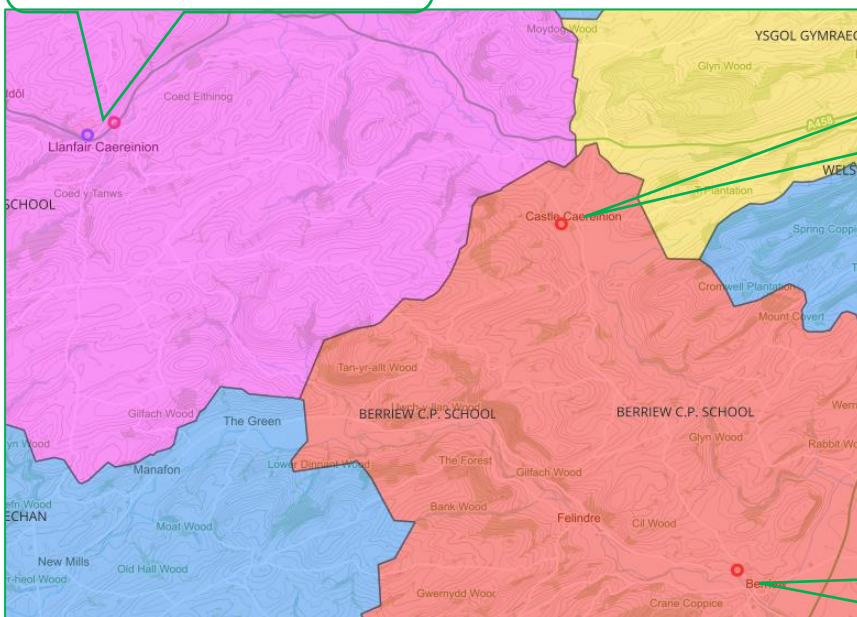
Ysgol Bro Caereinion cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Castle Caereinion. Castle Caereinion to **remain** in the English medium catchment area of **Berriew CP school**. Distance from the village of Castle Caereinion to Berriew CP school is 3.7 miles and Ysgol Bro Caereinion is 4.8 miles along the narrow B4385 or 5.5 miles along the A458.

Consulted and proposed **final** catchment map:



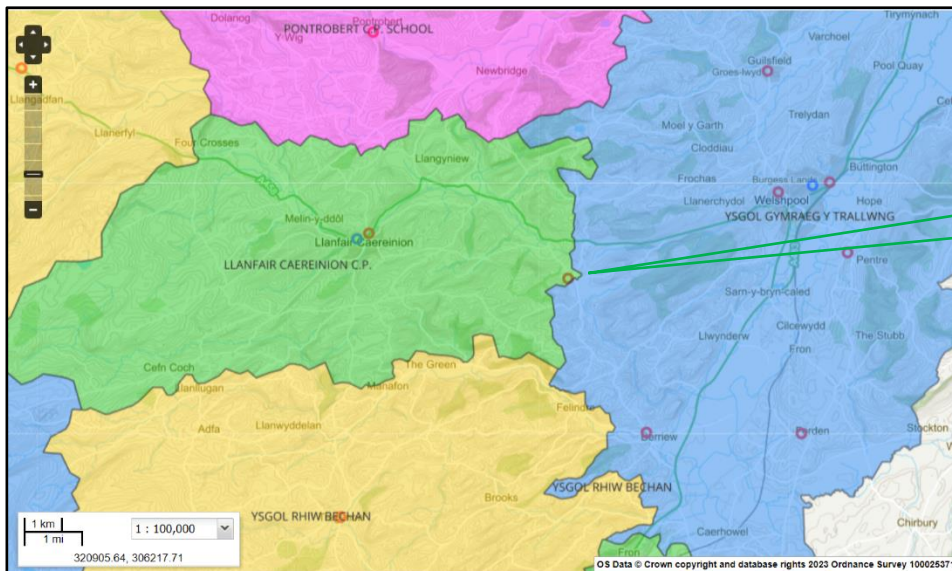
Bro Caereinion English Primary catchment



Consideration for catchment area of **Castle Caereinion**

Berriew County Primary catchment - Salmon


N/B: Learners from Castle Caereinion opting for Welsh medium education would be eligible for free home to school transport (depending on exact home location) to either Ysgol Bro Caereinion or Ysgol Gymraeg y Trallwng.



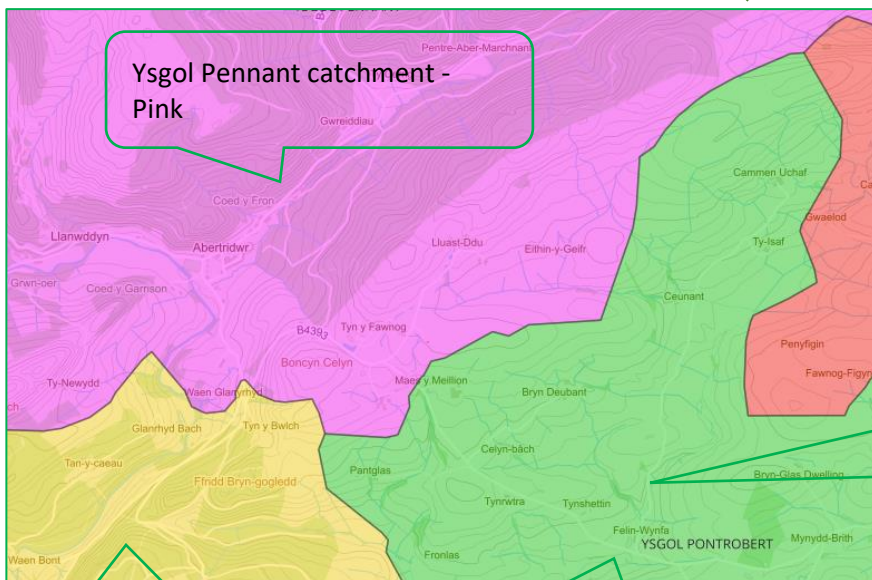
Castle Caereinion

- To **not proceed** with the minor amendments to the catchment boundary for the primary catchment area of Llanfihangel yng Ngwynfa. Llanfihangel yng Ngwynfa to **remain** in the catchment area of **Ysgol Pontrobert**. Distance from the hamlet of Llanfihangel yng Ngwynfa to Ysgol Pennant is 10.3 miles along the B4393 and B4391, Ysgol Cwm Banwy is 8.1 miles along the B4395 and Ysgol Pontrobert is 4.3 miles along the B4382.

Original catchment map of Ysgol Pontrobert

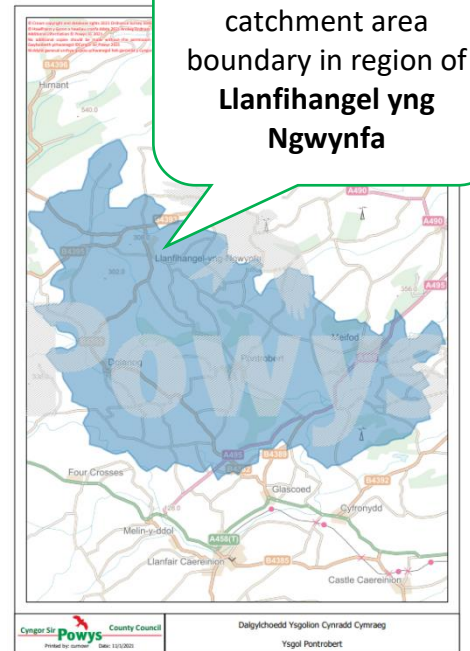
based on nearest school alone: 

Consulted and proposed **final** catchment map: 



Ysgol Cwm Banwy catchment - Yellow

Ysgol Pontrobert catchment - Green



Consideration for catchment area boundary in region of **Llanfihangel yng Ngwynfa**

- To **proceed** with the minor amendments to the catchment boundary for the primary catchment area of Llanwddyn. Llanwddyn to **remain** in the catchment area of **Ysgol Pennant**. Distance from the village of Llanwddyn to Ysgol Pennant is 7.1 miles along the B4396, Ysgol Llanfyllin is 9.7 miles along the B4393, Ysgol Pontrobert is 9.6 miles along the B4393 and Ysgol Cwm Banwy is 8.6 miles along the B4395.

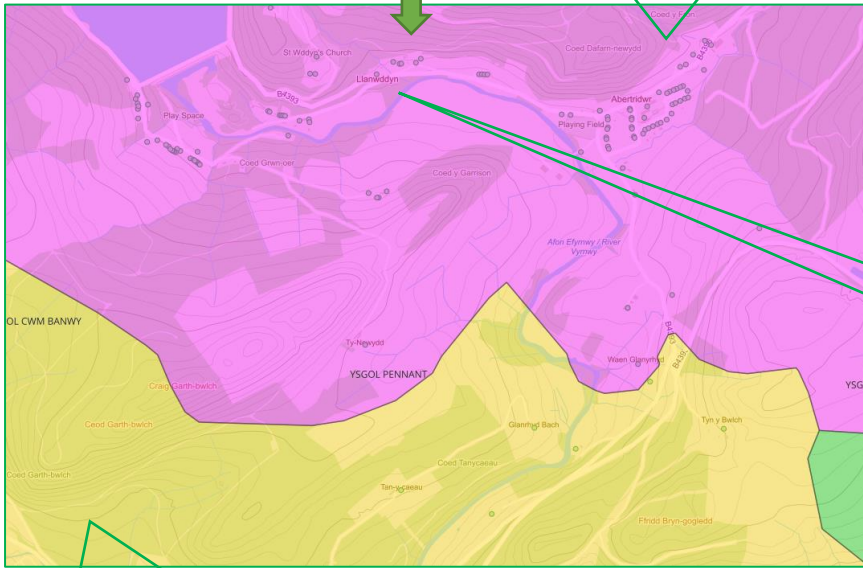
Original catchment map of Ysgol Pennant

based on nearest school alone:

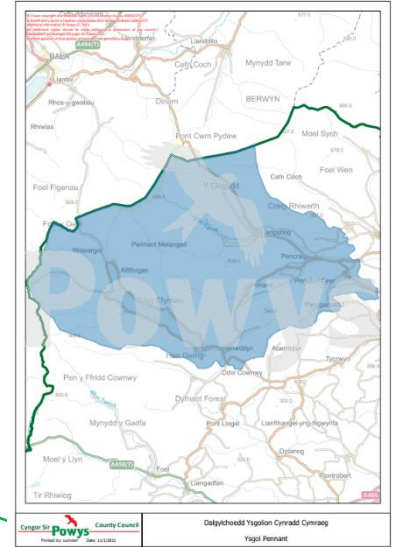


Ysgol Pennant catchment - Pink

Consulted catchment map:

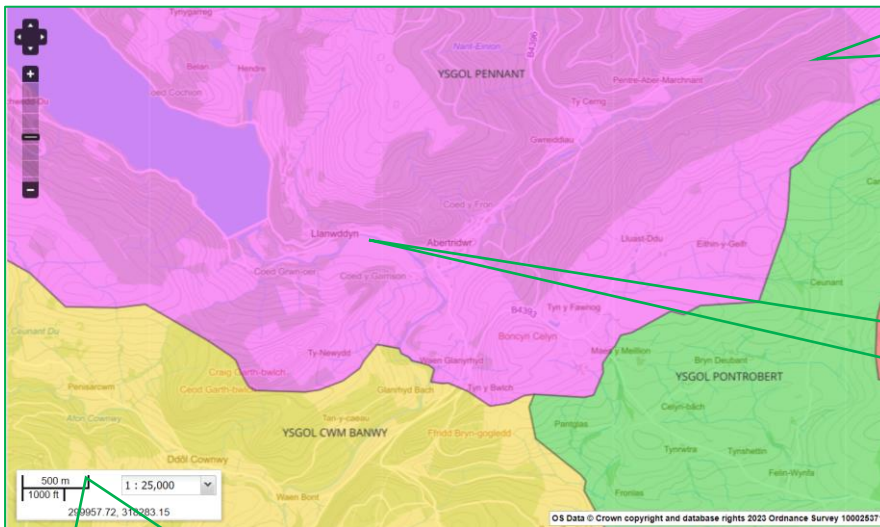


Ysgol Cwm Banwy catchment - Yellow



Consideration for catchment area boundary in region of **Llanwddyn**

Proposed new and final catchment boundary following consultation:



Ysgol Pennant catchment - Pink

Amended catchment boundary for **Llanwddyn** and surrounding area

Ysgol Cwm Banwy catchment - Yellow

- Removal of **Meifod County Primary school** as a feeder school for Ysgol Bro Caereinion following request by Meifod governing body in October 2022 to change clusters from Bro Caereinion to Ysgol Llanfyllin.

As a result, learners from Meifod CP School will transition to Ysgol Llanfyllin.

This will impact on pupil numbers for Ysgol Bro Caereinion and Ysgol Meifod, however, as the numbers below reflect, at least half of the learners and their families have chosen in recent years to transition to Ysgol Llanfyllin rather than Ysgol Bro Caereinion.

	No of pupils at Meifod CP School	Destination Secondary School		
		Caereinion / Bro Caereinion	Ysgol Llanfyllin	Other schools (outside of Powys)
Sept 2022	10	3 (30%)	5 (50%)	2 (20%)
Sept 2021	14	5 (35.7%)	8 (57.1%)	1 (7.1%)
Sept 2020	4	1 (25%)	3 (75%)	0 (0%)

Future pupil numbers based on pupil numbers at Meifod CP School (figures as of 05.01.2023 on Teacher Centre):

Year 6: 7

Year 5: 8

Year 4: 14

Year 3: 10

Year 2: 9

Year 1: 8

Reception: 8

Total: 64 (as of 05.01.2023)

- Further review to consider if Ysgol Dafydd Llwyd should remain as a feeder school for both Ysgol Bro Caereinion and Llanidloes High School. In doing so, careful consideration should be given to:
 - Impact of strength of transition to only one cluster school, rather than dilution to two secondary schools
 - Impact on continuity of language provision and breadth of Welsh language offer
 - Impact on capacity number of both schools and impact on neighbouring schools as per the guidance below.

The “Measuring the capacity of schools in Wales” guidance states:

1.12 The admission number is the number of pupils who should be admitted to a relevant age group if sufficient applications for places are received. Pupils may not be refused a place until the admission number is reached. The number is calculated by dividing the capacity by the number of year groups to be accommodated at the school. As the admission number reflects the school’s ability to accommodate pupils it should only be exceeded in exceptional circumstances. Once an admission number has been set by the admission authority, an admission authority should not admit children above the published number unless the school governing body and the local authority agree that admitting above that number will not adversely affect the school in the longer term and will not have a detrimental effect on neighbouring schools. If it is necessary to breach the admission number for more than two years the local authority, in consultation with the Diocesan Authority where appropriate, should review the provision of school places in that area.

1.13 Governing body admission authorities should be particularly mindful that admitting more pupils than the school has capacity for, could prejudice the efficiency of education for pupils and could have the effect of drawing pupils from other schools that may then find it more challenging to retain sufficient teachers to facilitate the delivery of a broad and balanced curriculum.

The School Admissions Code states:

3.5 The admission number reflects the school's ability to accommodate pupils and it should not be exceeded. However, it may be reasonable for the admission authority to consider exercising discretion, in exceptional circumstances, to admit more pupils than the admission number indicates. Such instances might include:

- Where there are a significant number of surplus places across the year groups in the school, so that the pupil can be accommodated without prejudicing future intakes if the increased uptake of places continues.
- If there is a temporary shortage of a particular type of provision in an area, for example Welsh medium education, while additional provision is being established.

It would not be appropriate to exceed the admission number of a school as described above where there are places available at a suitable alternative school which is within a reasonable travelling distance


Ysgol Bro Hyddgen cluster:

- **Maintain Ysgol Gynradd Carno** solely within the catchment area of Ysgol Bro Hyddgen for Secondary provision. This decision is based on Ysgol Gynradd Carno being a Welsh medium primary school and strong transition links with Ysgol Bro Hyddgen.
- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Aberhosan and Melin Byrhedyn. Both hamlets to remain in the catchment area of Ysgol Bro Hyddgen.

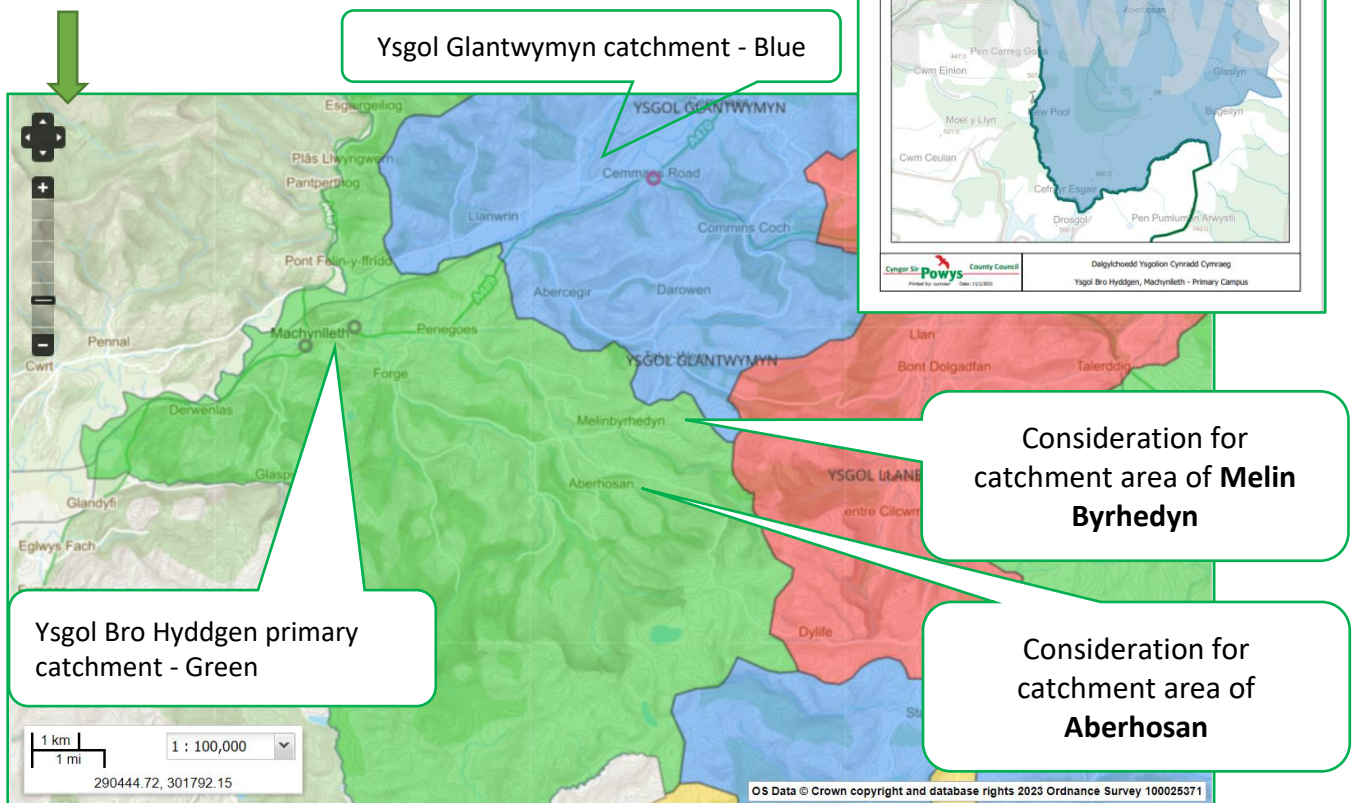
Aberhosan: Distance from the hamlet of Aberhosan to Ysgol Glantwymyn is 8.4 miles along the A489 and Ysgol Bro Hyddgen is 4.9 miles along the Forge road and A489.

Melin Byrhedyn: Distance from the hamlet of Melin Byrhedyn to Ysgol Glantwymyn is 6.9 miles along the A489 and Ysgol Bro Hyddgen is 5.0 miles along the Forge road and A489.

Original catchment map of Ysgol Bro Hyddgen

based on nearest school alone: 

Consulted and proposed **final** catchment map:



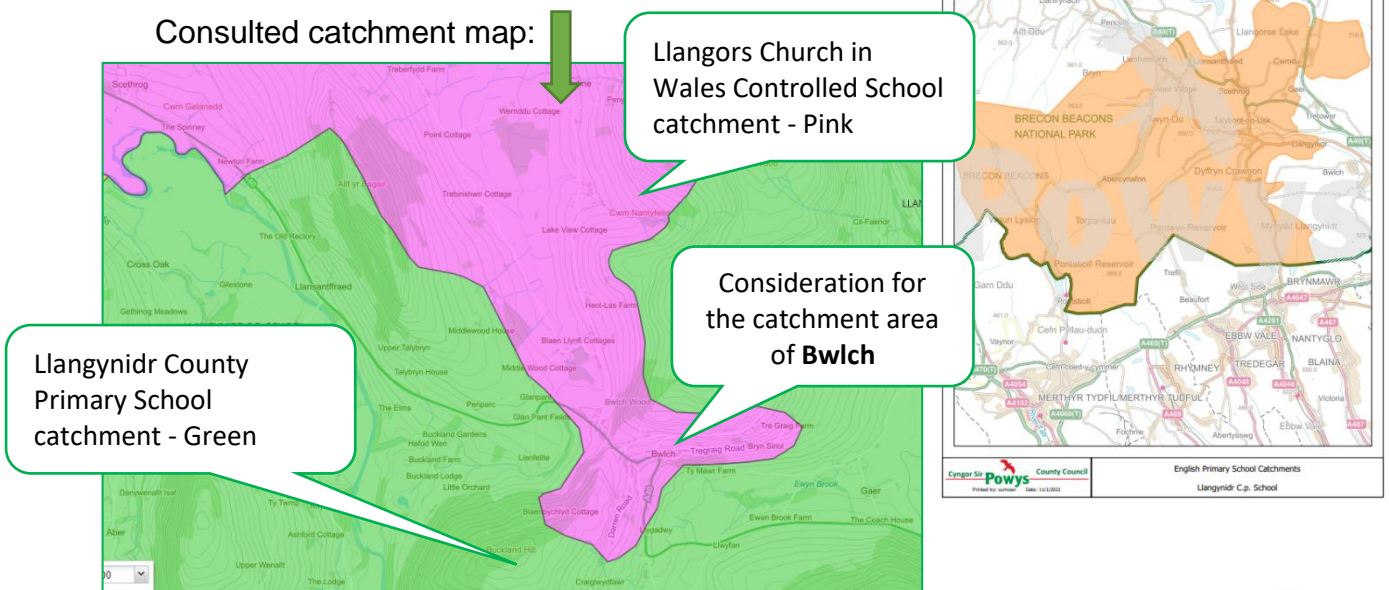
Crickhowell High School cluster:

- To **proceed** with the amendment to the catchment map of **Llangynidr County Primary School** so that the boundary is based on nearest school only (remove the adjustments made in the area of **Bwlch** due to the narrow and weight restricted bridge). Distance from the hamlet of Bwlch to Llangors Church in Wales school is 3.9 miles along the B4560 and Llangynidr County Primary is 2.1 miles along the A40 and B4560 (many learners will fall below the 2 mile distance eligible for free home to school transport).

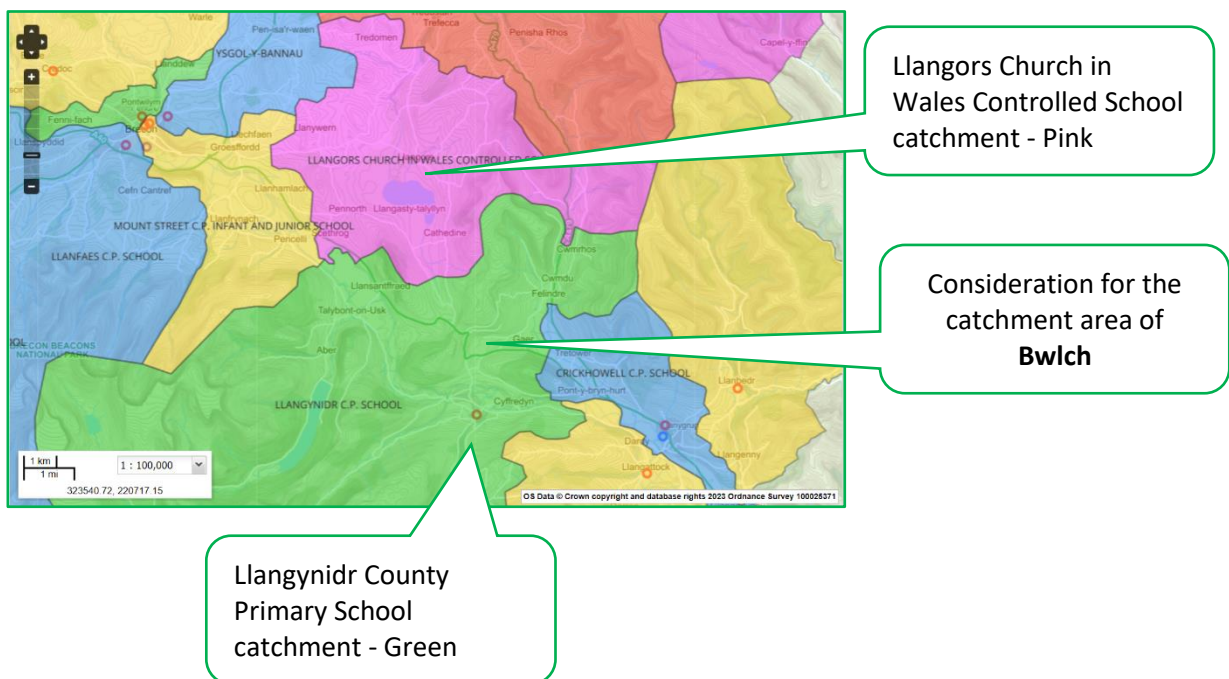
Original catchment map of Llangynidr CP School

based on nearest school alone: →

Consulted catchment map:



Proposed and amended final catchment map based on consultation responses: ↓




Current pupil numbers (as of 14.12.2022 taken from Teacher Centre) at both Llangynidr CP School and Llangors CiW School:

Year group	Llangynidr CP School		Llangors CiW School	
	Total no in year group	With a Bwlch address	Total no in year group	With a Bwlch address
R	16	0	11	1
1	13	1	30	5
2	19	1	19	3
3	12	1	21	3
4	16	1	20	3
5	18	0	18	1
6	18	4	19	1
Total	112	8	153	20

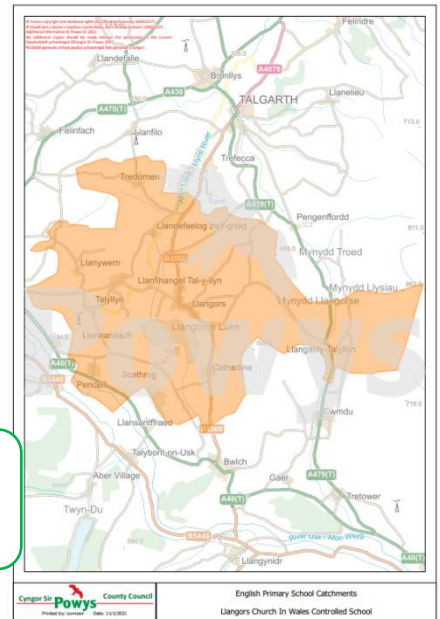
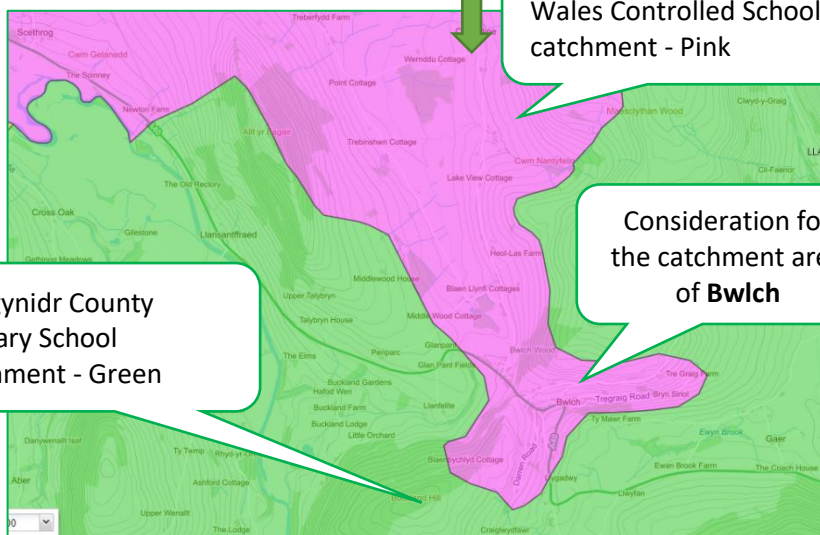
Gwernyfed High School cluster:

- To **proceed** with the amendment to the catchment map of **Llangors Church in Wales School** so that the boundary is based on nearest school only (remove the adjustments made in the area of **Bwlch** due to the narrow and weight restricted bridge). Distance from the hamlet of Bwlch to Llangors Church in Wales school is 3.9 miles along the B4560 and Llangynidr County Primary is 2.1 miles along the A40 and B4560 (many learners will fall below the 2 mile distance eligible for free home to school transport).

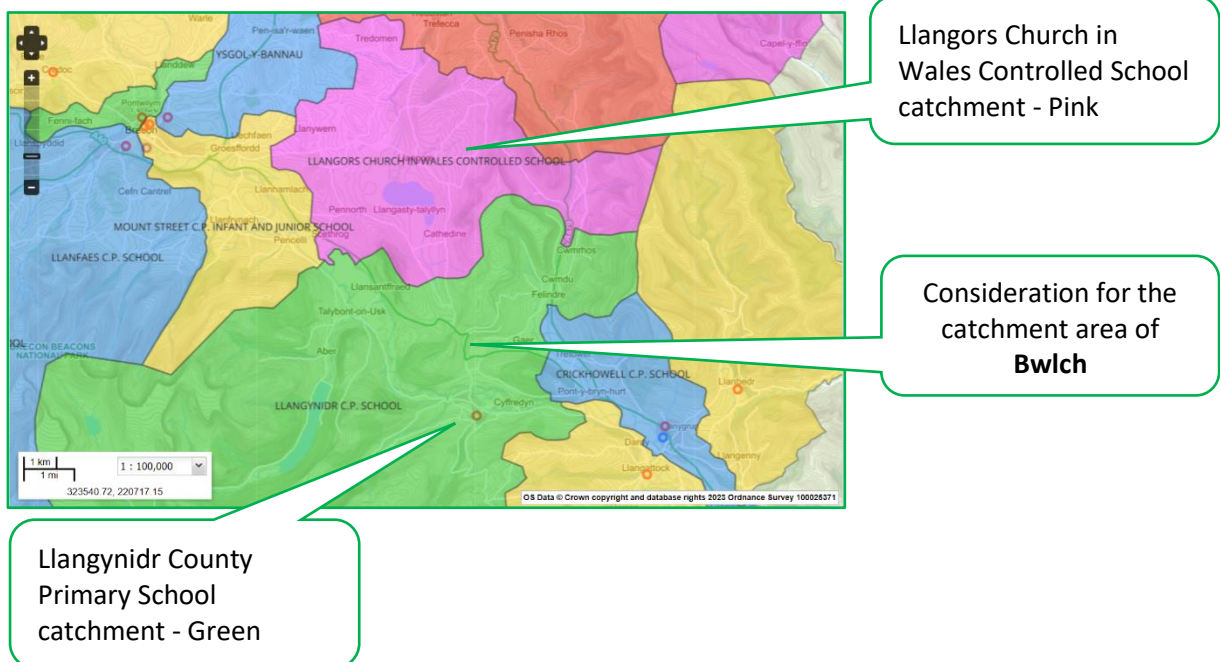
Original catchment map of Llangors CiW School

based on nearest school alone: 

Consulted catchment map:




 **Proposed and amended final catchment map based on consultation responses:**

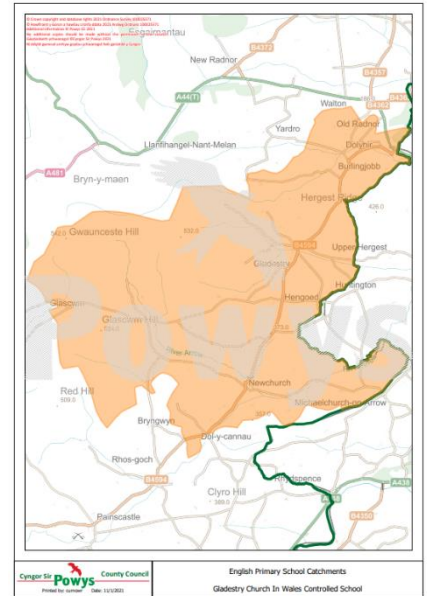


- To **proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Bryngwyn and Dol-y-cannau so that they fall within the catchment area of **Gladestry Church in Wales school**.

Distance from the hamlet of Bryngwyn to Gladestry CiW school is 5.5 miles along the B4594 and Clyro CiW School is 5.1 along B4594 or 5.5 miles along Clyro Pitch.

Distance from the hamlet of Dol y cannau to Gladestry CiW school is 4.6 miles along the B4594 and Clyro CiW School is 4.6 miles along Clyro Pitch.

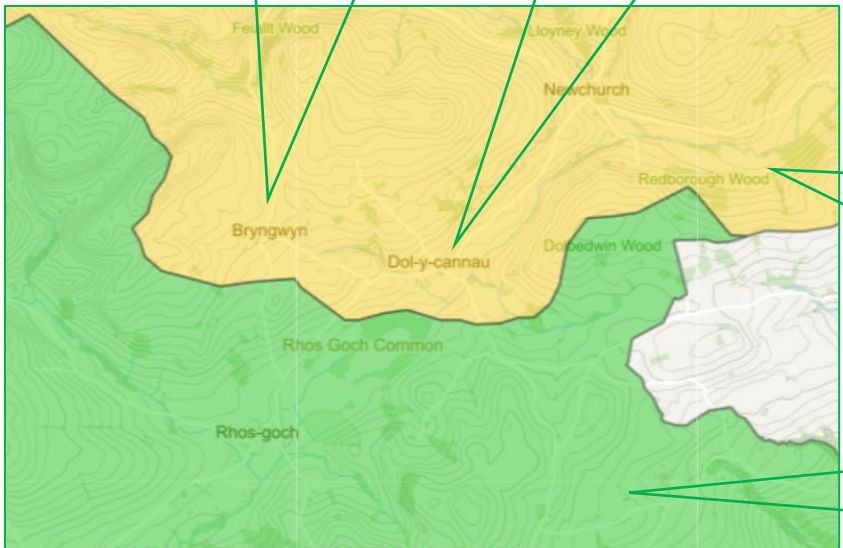
Original catchment map of Clyro CiW School 
based on nearest school alone:



Consulted catchment map: 

Consideration for
catchment area of
Bryngwyn

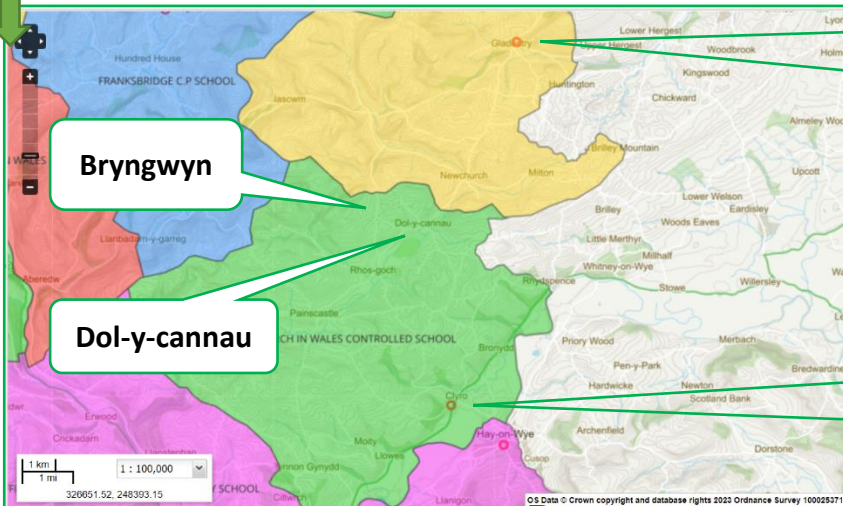
Consideration for
catchment area of
Dol-y-cannau



Gladestry Church in Wales
Controlled School catchment -
Yellow

Clyro Church in Wales
Controlled School catchment -
Green


Proposed and amended final catchment map based on consultation responses:



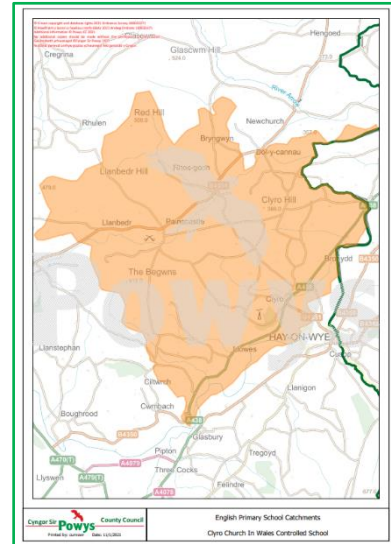
Gladestry Church in Wales
Controlled School catchment -
Yellow


Clyro Church in Wales
Controlled School catchment -
Green

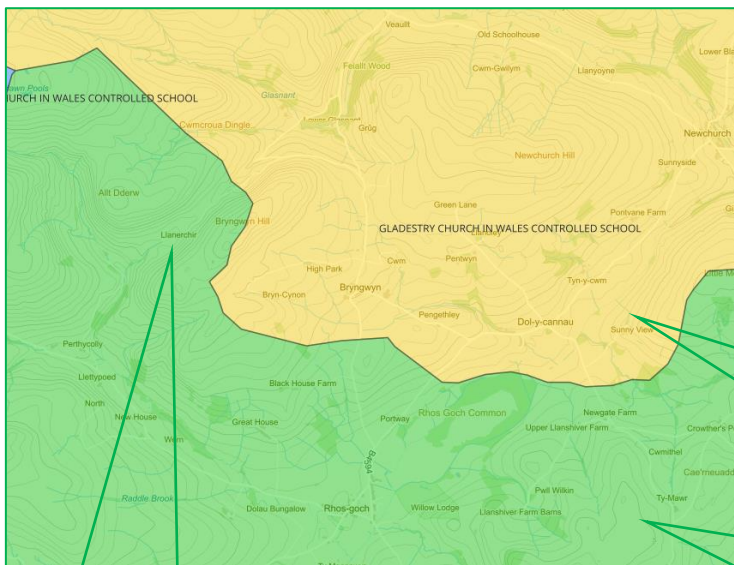
- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment areas of Llanerchir. Llanerchir to remain in the catchment area of **Clyro Church in Wales School**.

Original catchment map of Clyro CiW School 

based on nearest school alone:



Consulted and proposed **final** catchment map: 

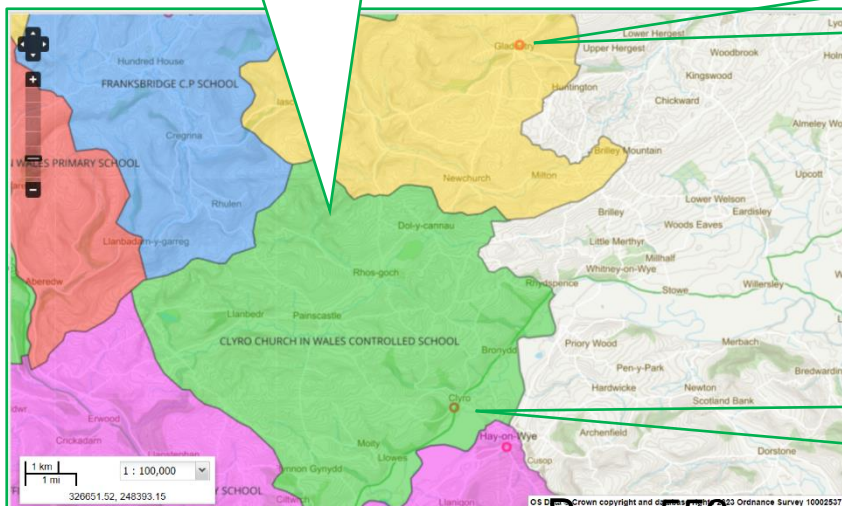


Gladestry Church in Wales Controlled School catchment - Yellow

Clyro Church in Wales Controlled School catchment - Green

Consideration for catchment area of **Llanerchir**

Consideration for catchment area of **Llanerchir**

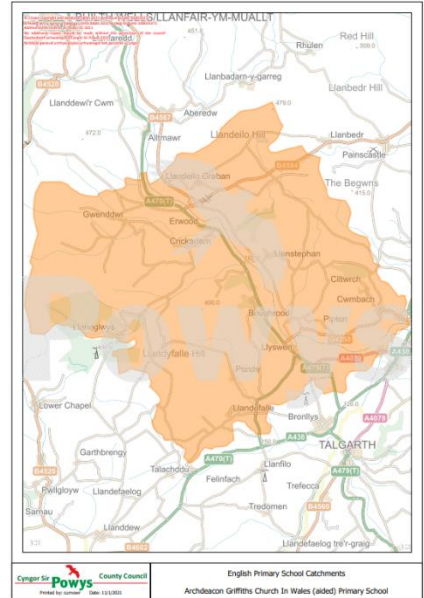


Gladestry Church in Wales Controlled School catchment - Yellow

Clyro Church in Wales Controlled School catchment - Green

- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment areas of Llanstephan. Llanstephan to remain in the catchment area of **Archdeacon Griffiths Church in Wales school**. Distance from the hamlet of Llanstephan to Archdeacon CiW school is 3.5 miles along the A470 and distance to Clyro CiW School is 11.4 miles along the A438.

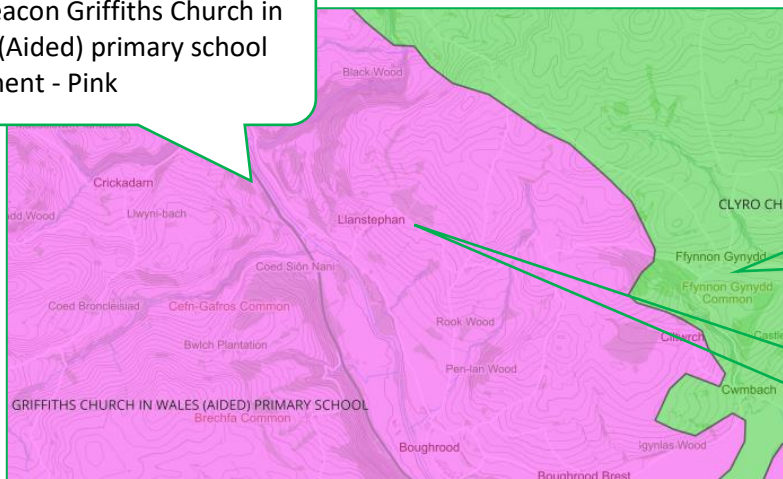
Original catchment map of Archdeacon CiW School based on nearest school alone:



Consulted and proposed **final** catchment map:



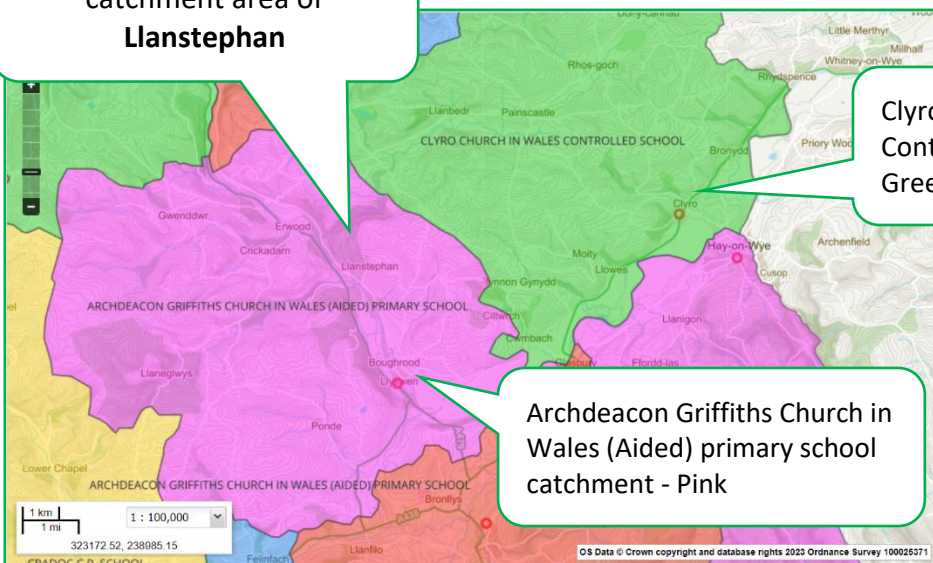
Archdeacon Griffiths Church in Wales (Aided) primary school catchment - Pink



Clyro Church in Wales Controlled School catchment - Green

Consideration for catchment area of **Llanstephan**

Consideration for catchment area of **Llanstephan**



Clyro Church in Wales Controlled School catchment - Green

Archdeacon Griffiths Church in Wales (Aided) primary school catchment - Pink

Llanidloes High School cluster:

- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment area of Dernol. Dernol to remain in the catchment area of **Rhayader Church in Wales school**. Distance from the hamlet of Dernol to Rhayader CiW school is 7.3 miles along the A470 and distance to Llanidloes CP School is 9.6 miles along the A470.

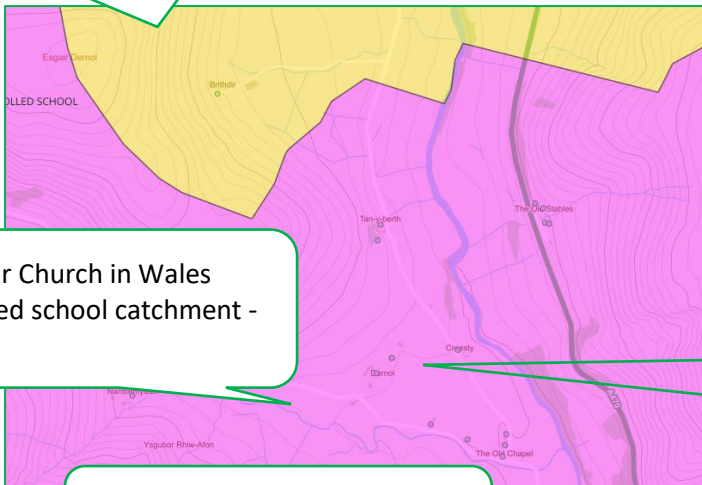
Original catchment map of Rhayader CiW School based on nearest school alone:



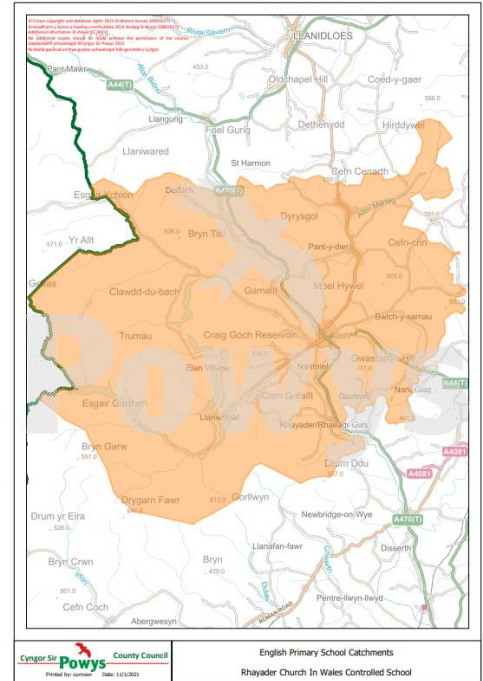
Consulted and proposed **final** catchment map:



Llanidloes County Primary school catchment - Yellow

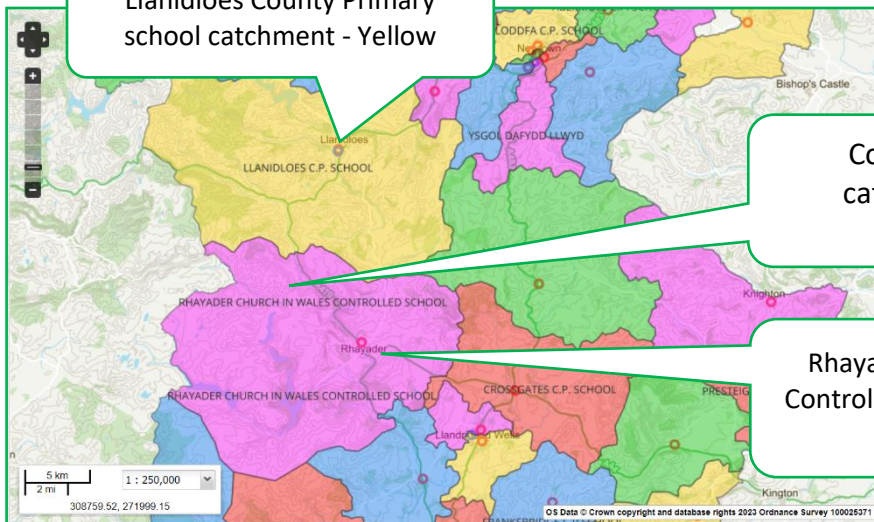


Rhayader Church in Wales Controlled school catchment - Pink



Consideration for catchment area of **Dernol**

Llanidloes County Primary school catchment - Yellow

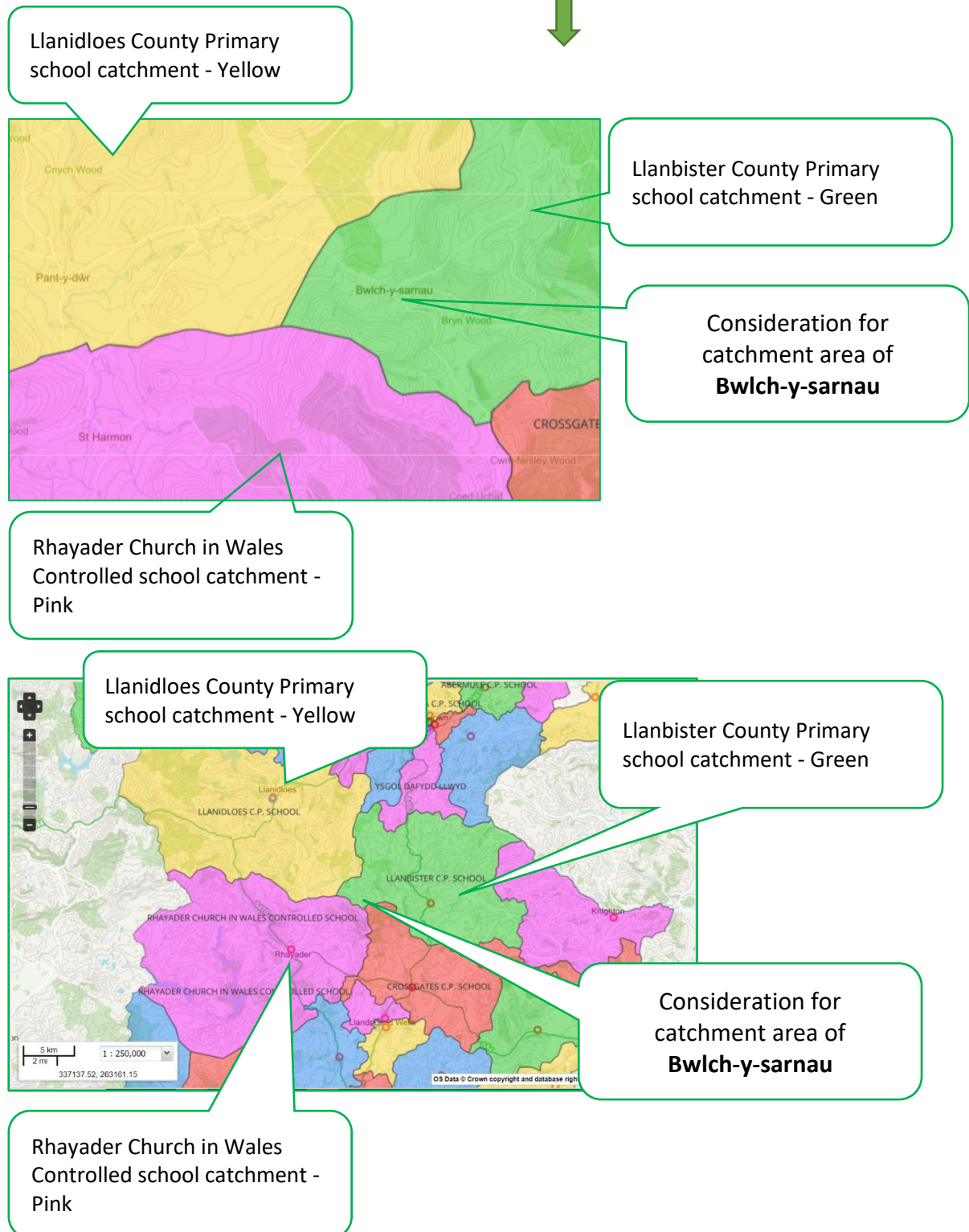


Consideration for catchment area of **Dernol**

Rhayader Church in Wales Controlled school catchment - Pink

- To **not proceed** with the minor amendment to the catchment boundary for the primary catchment area of Bwlch y Sarnau. Bwlch y Sarnau to remain in the catchment area of **Llanbister CP school**. Distance from the hamlet of Bwlch y Sarnau to Rhayader CiW school is 8.0 miles along the B4518, Llanidloes CP School is 10.3 miles along the B4518 and Llanbister CP School is 6.1 miles along the A483 (however, this is recognised to be mainly along narrow single roads with only a short distance on the A483).

Consulted and proposed **final** catchment map:



- To **not** include **Ysgol Gynradd Carno** within the catchment area Llanidloes High School (no change to the current arrangements)
- Further review to consider if Ysgol Dafydd Llwyd should remain as a feeder school for both Ysgol Bro Caereinion and Llanidloes High School. In doing so, careful consideration should be given to:
 - Impact of strength of transition to only one cluster school, rather than dilution to two secondary schools
 - Impact on continuity of language provision and breadth of Welsh language offer
 - Impact on capacity number of both schools and impact on neighbouring schools as per the guidance below.

The “Measuring the capacity of schools in Wales” guidance states:

1.12 The admission number is the number of pupils who should be admitted to a relevant age group if sufficient applications for places are received. Pupils may not be refused a place until the admission number is reached. The number is calculated by dividing the capacity by the number of year groups to be accommodated at the school. As the admission number reflects the school’s ability to accommodate pupils it should only be exceeded in exceptional circumstances. Once an admission number has been set by the admission authority, an admission authority should not admit children above the published number unless the school governing body and the local authority agree that admitting above that number will not adversely affect the school in the longer term and will not have a detrimental effect on neighbouring schools. If it is necessary to breach the admission number for more than two years the local authority, in consultation with the Diocesan Authority where appropriate, should review the provision of school places in that area.

1.13 Governing body admission authorities should be particularly mindful that admitting more pupils than the school has capacity for, could prejudice the efficiency of education for pupils and could have the effect of drawing pupils from other schools that may then find it more challenging to retain sufficient teachers to facilitate the delivery of a broad and balanced curriculum.

The School Admissions Code states:

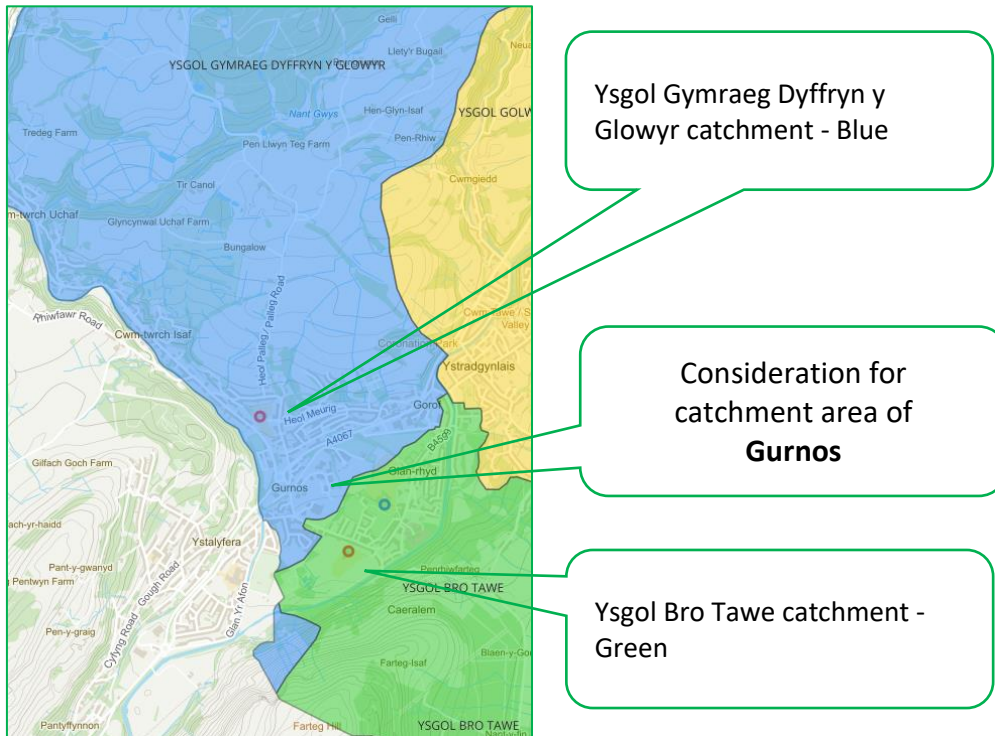
3.6 The admission number reflects the school's ability to accommodate pupils and it should not be exceeded. However, it may be reasonable for the admission authority to consider exercising discretion, in exceptional circumstances, to admit more pupils than the admission number indicates. Such instances might include:

- Where there are a significant number of surplus places across the year groups in the school, so that the pupil can be accommodated without prejudicing future intakes if the increased uptake of places continues.
- If there is a temporary shortage of a particular type of provision in an area, for example Welsh medium education, while additional provision is being established.

3.7 It would not be appropriate to exceed the admission number of a school as described above where there are places available at a suitable alternative school which is within a reasonable travelling distance of a child's home having had regard to the local authority's school travel policy.

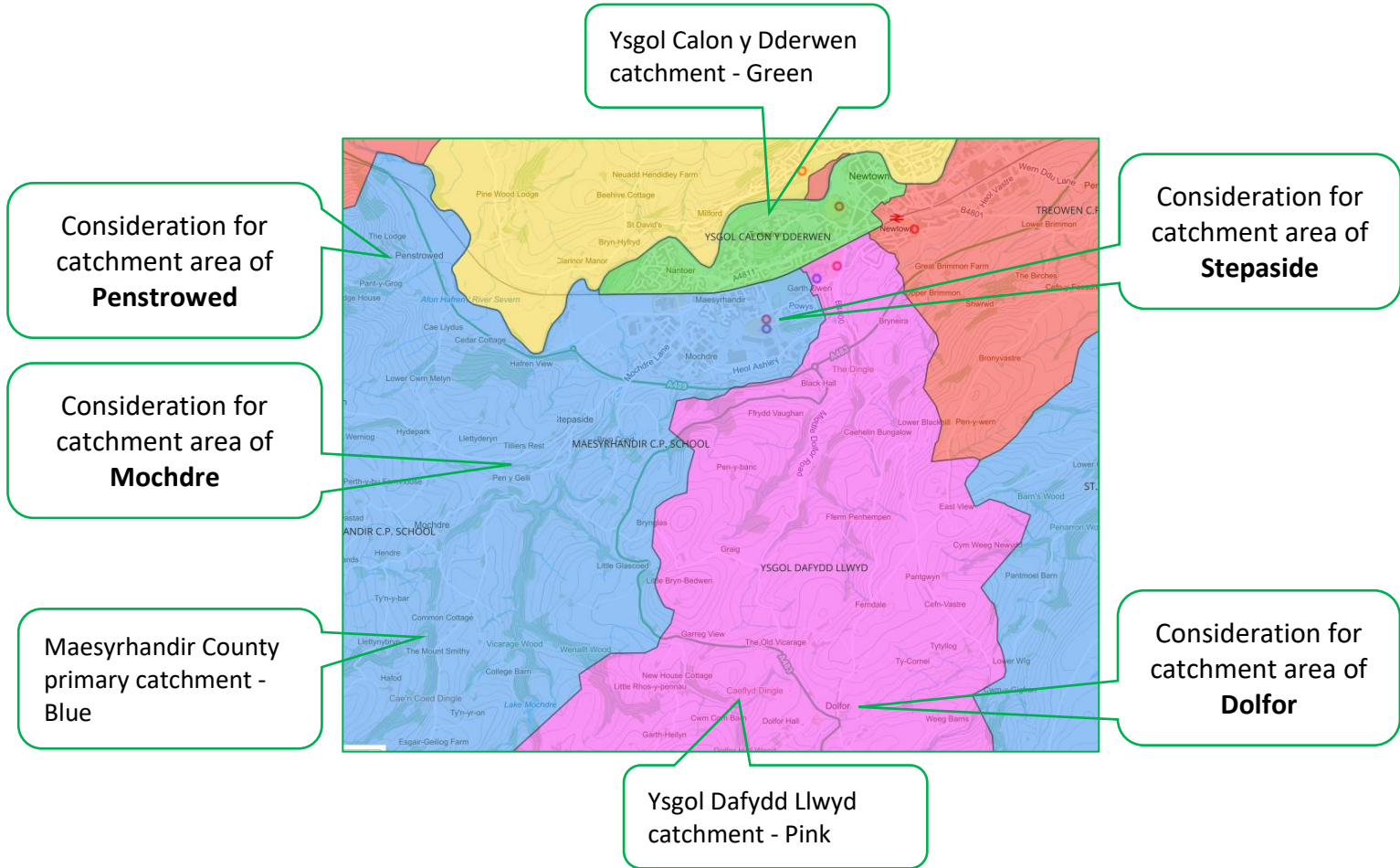
Ysgol Maesydderwen cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Gurnos and Cwm Twrch. This is because Gurnos learners would need to cross the main road.



Newtown High School – Newtown Campus cluster:

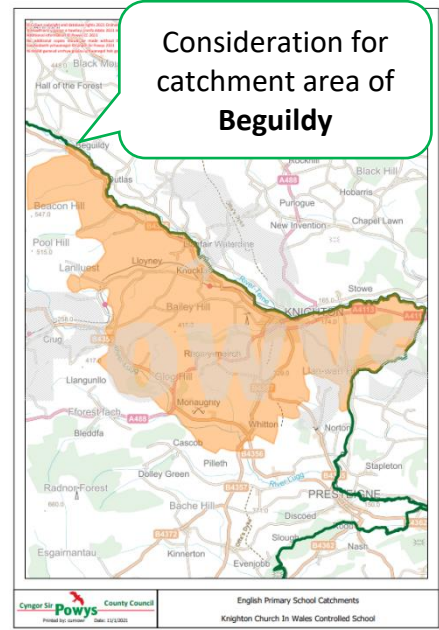
- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Mochdre, Penstrowed, Stepaside and Dolfor.



Newtown High School – John Beddoes cluster:

- To **proceed** with the minor amendment to the catchment boundary for the primary catchment area of **Beguildy**. Beguildy to move into the catchment area of **Knighton Church in Wales school** rather than Llanbister CP school. Distance from the hamlet of Beguildy to Knighton is 8 miles along the B4355 and Llanbister is 9.6 miles via the B4356.

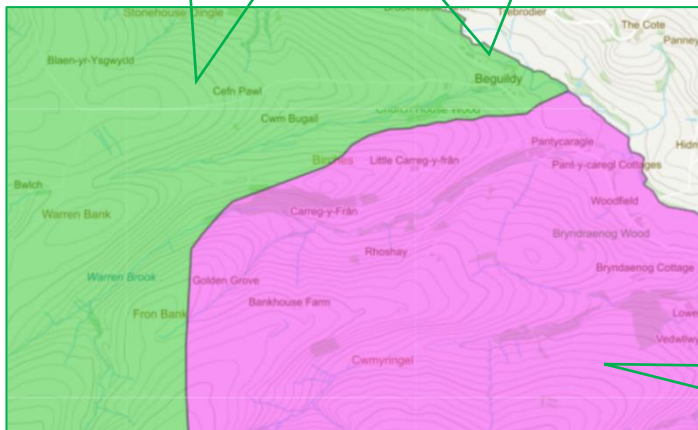
Catchment map based on nearest school only: →



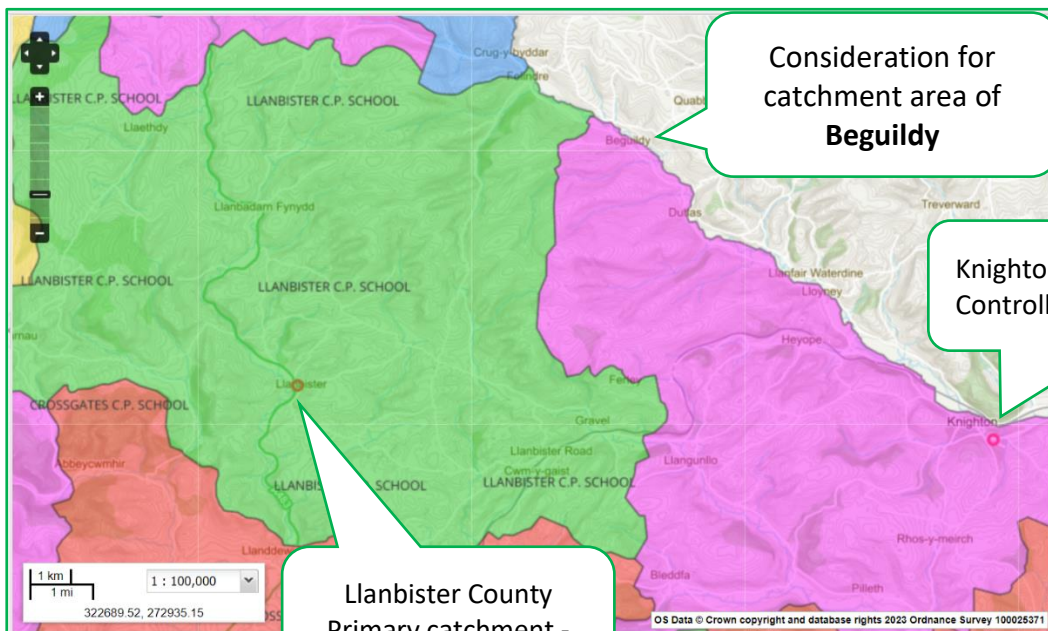
↓ Consulted catchment map:

Llanbister County Primary catchment - Green

Consideration for catchment area of **Beguildy**



Proposed and amended final catchment map based on consultation responses:



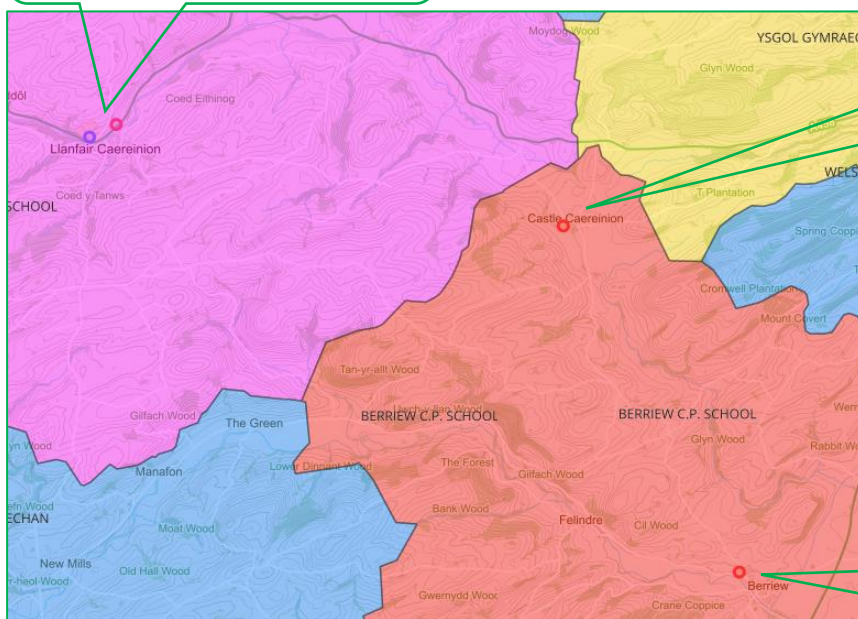
Welshpool High School cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Castle Caereinion. Castle Caereinion to **remain** in the English medium catchment area of Berriew CP school. Distance from the village of Castle Caereinion to Berriew CP school is 3.7 miles and Ysgol Bro Caereinion is 4.8 miles along the narrow B4385 or 5.5 miles along the A458.

Consulted and proposed **final** catchment map:



Bro Caereinion English Primary catchment

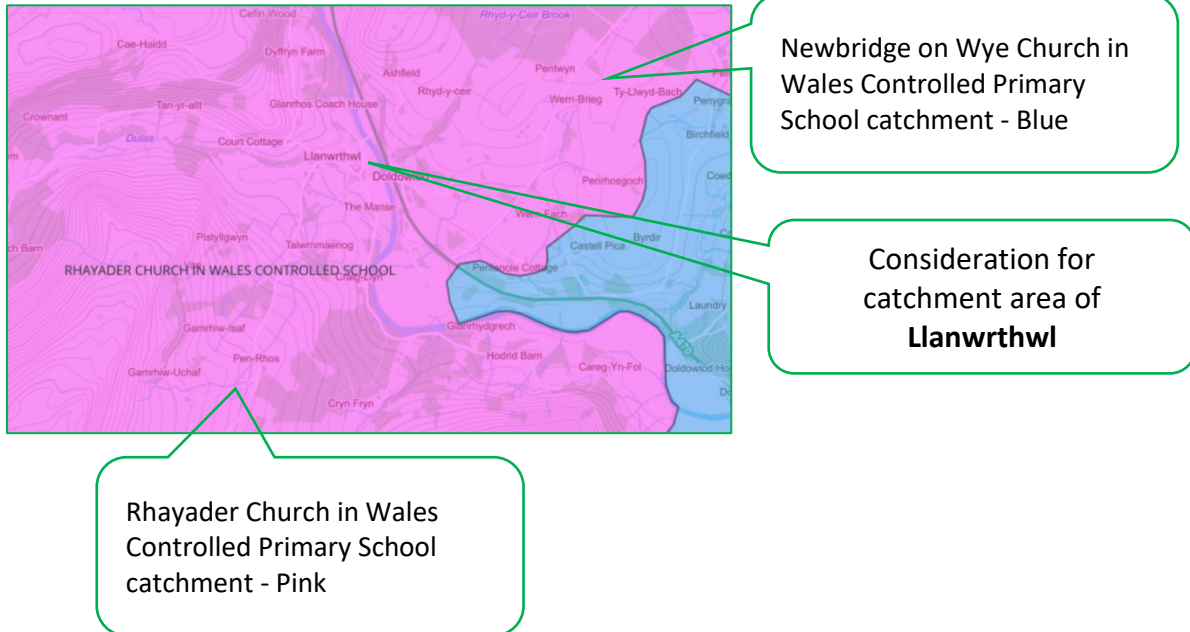


Consideration for catchment area of **Castle Caereinion**

Berriew County Primary catchment - Salmon

Ysgol Calon Cymru – Builth campus cluster:

- To **not proceed** with the minor amendments to the catchment boundaries for the primary catchment areas of Llanwrthwl



Ysgol Calon Cymru – Llandrindod campus cluster:

No comments were received in respect of the proposed catchment maps for the Ysgol Calon Cymru, Llandrindod Wells campus catchment.

Ysgol Llanfyllin cluster:

- Addition of **Meifod County Primary School** as a feeder school for Ysgol Llanfyllin rather than Ysgol Bro Caereinion to reflect request by Meifod Governing Body to change clusters.

As a result, learners from Meifod CP School will transition to Ysgol Llanfyllin.

This will impact on pupil numbers for Ysgol Bro Caereinion and Ysgol Meifod, however, as the numbers below reflect, at least half of the learners and their families have chosen in recent years to transition to Ysgol Llanfyllin rather than Ysgol Bro Caereinion.

	No of pupils at Meifod CP School	Destination Secondary School		
		Caereinion / Bro Caereinion	Ysgol Llanfyllin	Other schools (outside of Powys)
Sept 2022	10	3 (30%)	5 (50%)	2 (20%)
Sept 2021	14	5 (35.7%)	8 (57.1%)	1 (7.1%)
Sept 2020	4	1 (25%)	3 (75%)	0 (0%)

Future pupil numbers based on pupil numbers at Meifod CP School (figures as of 05.01.2023 on Teacher Centre):

Year 6: 7

Year 5: 8

Year 4: 14

Year 3: 10

Year 2: 9

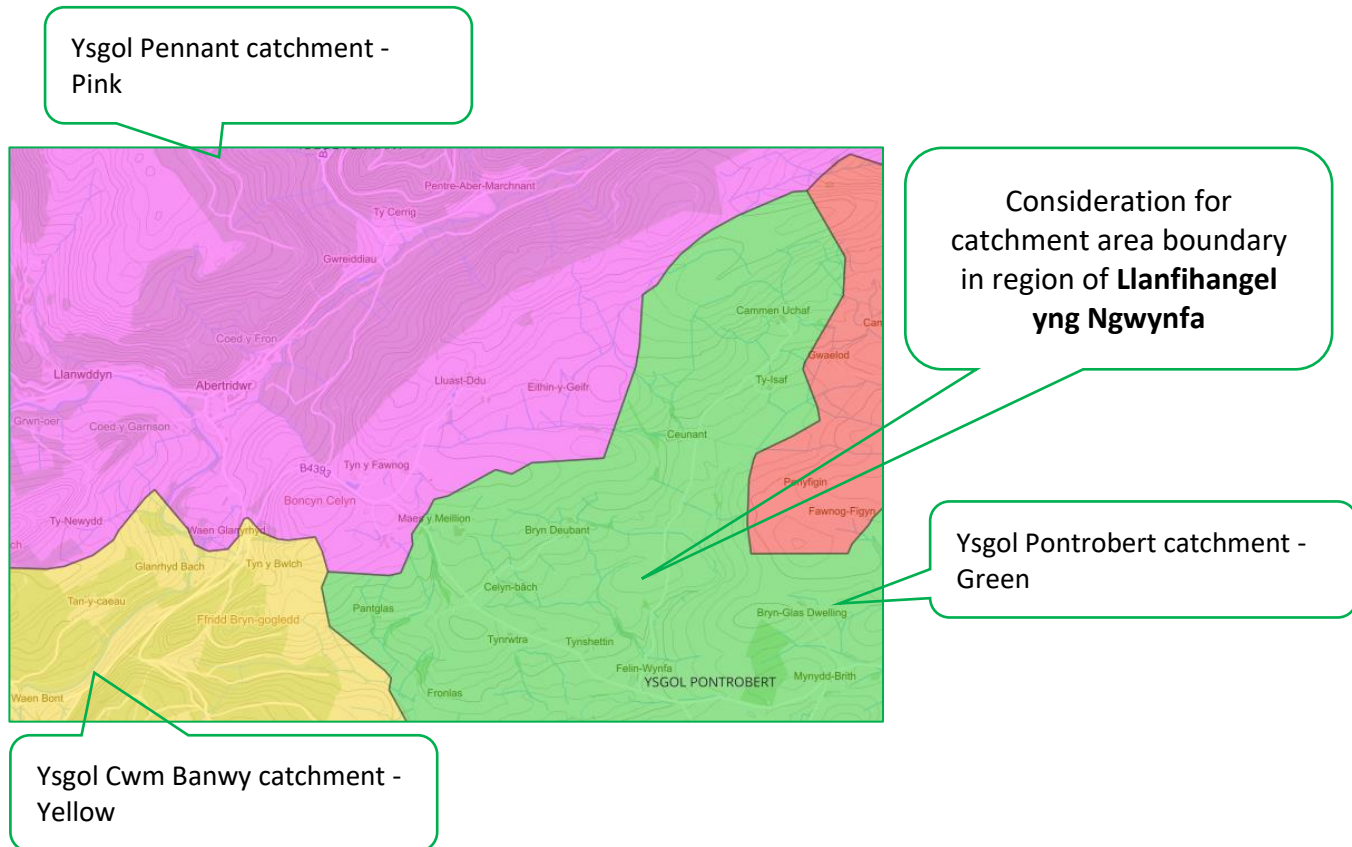
Year 1: 8

Reception: 8

Total: 64 (as of 05.01.2023)


- To **not proceed** with the minor amendments to the catchment boundary for the primary catchment area of Llanfihangel yng Ngwynfa. Llanfihangel yng Ngwynfa to **remain** in the catchment area of **Ysgol Pontrobert**. Distance from the hamlet of Llanfihangel yng Ngwynfa to Ysgol Pennant is 10.3 miles along the B4393 and B4391, Ysgol Cwm Banwy is 8.1 miles along the B4395 and Ysgol Pontrobert is 4.3 miles along the B4382.

Consulted and proposed **final** catchment map:

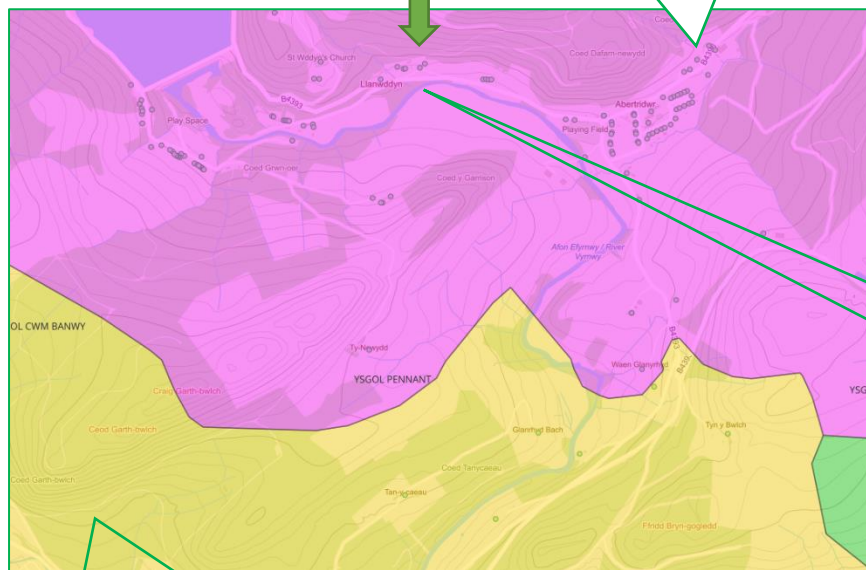


- To **proceed** with the minor amendments to the catchment boundary for the primary catchment area of Llanwddyn. Llanwddyn to **remain** in the catchment area of **Ysgol Pennant**. Distance from the village of Llanwddyn to Ysgol Pennant is 7.1 miles along the B4396, Ysgol Llanfyllin is 9.7 miles along the B4393, Ysgol Pontrobert is 9.6 miles along the B4393 and Ysgol Cwm Banwy is 8.6 miles along the B4395.

Original catchment map of Ysgol Pennant

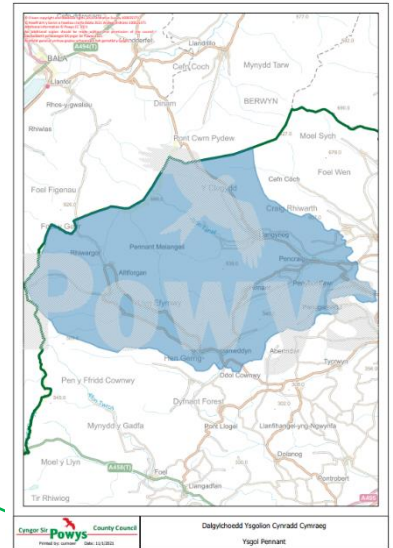
based on nearest school alone: 

Consulted catchment map: 



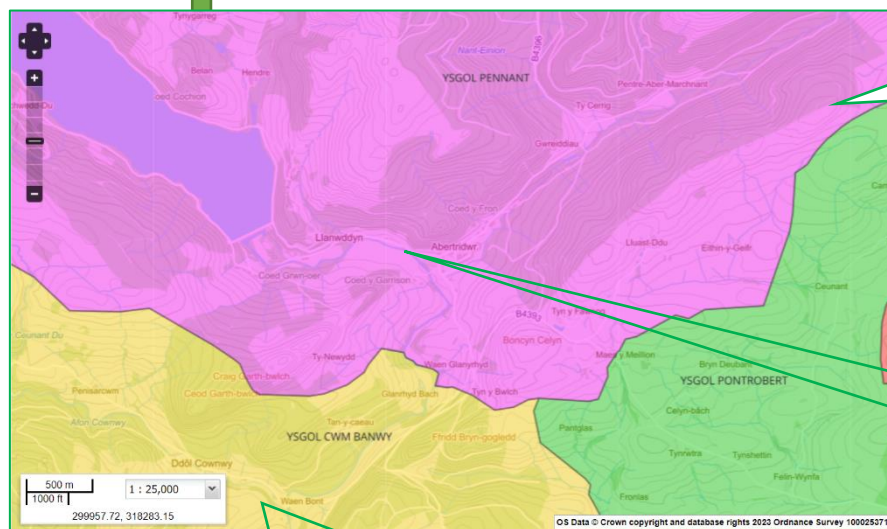
Ysgol Pennant catchment - Pink

Ysgol Cwm Banwy catchment –



Consideration for catchment area boundary in region of **Llanwddyn**

Proposed amended and final catchment boundary based on consultation responses:



Ysgol Pennant catchment - Pink

Amended catchment boundary for **Llanwddyn** and surrounding area

Ysgol Cwm Banwy catchment - Yellow

6

Learning & Skills Scrutiny Committee 18 January 2023

Report Title:	School Delegated Budget Funding Formula Review / Revisions to the Powys Scheme for Financing Schools
Lead Officer:	Mari Thomas

Key Issues in the report highlighted by Lead Officer

- Reviewing and updating School funding formulae is good practice and part of the Authority's Post Inspection Action Plan
- The Authority must consult with the governing bodies of all schools and with the Schools Forum on proposals to change the school funding formulae or the Powys Scheme for Financing Schools, as required by the School Funding (Wales) Regulations 2010
- There were 5 elements to the consultation undertaken with schools in 2022
 - Pupil Movement Policy
 - Scheme for Financing Schools
 - Special Schools Formula
 - Secondary Phase Schools Formula
 - Post-16 Funding Principles
- The process is overseen by the Formula Review Group which includes school representatives from all school sectors
- 13 schools responded the consultation and a further 11 schools were involved either as part of the Formula Review Group or as part of Schools Forum
- Overall, responses were generally supportive of proposals with some exceptions which are set out in detail in the report and in Appendix F
- The proposed changes to the secondary phase school funding formula does increase the funding required within the Schools Delegated Budget
- It is recommended that the proposals are implemented, subject to the additional funding being identified and agreed.

Key Feeders (tick all that apply)

Strategic Risk		Cabinet Work Plan	
Director / Head of Service Key Issue		External / Internal Inspection	✓
Existing Commitment / Annual Report	✓	Performance / Finance Issue	✓
Suggestion from Public		Referral from Council / Committee	
Corporate Improvement Plan		Impacting Public / other services	
Service Integrated Business Plan	✓		
Suggestion from Members			
Partnerships			

Policy Review		Performance	
Informing Policy Development		Evidence Gathering	
Risk		Corporate Improvement Plan	
Service Integrated Business Plan		Partnerships	
Pre-Decision Scrutiny	✓	Finance / Budget	

Other (please specify)

Suggested scrutiny activity - Committee's Role:

On what specific elements of the report would scrutiny comment add value

CYNGOR SIR POWYS COUNTY COUNCIL.

Learning & Skills Scrutiny Committee 18 January 2023

Report Author: County Councillor Pete Roberts
Cabinet Member for a Learning Powys

County Councillor David Thomas
Cabinet Member for Finance and Corporate
Transformation

Report Title: School Delegated Budget Funding Formula Review /
Revisions to the Powys Scheme for Financing Schools

Report For: Decision

1. Purpose

- 1.1. To inform members of the responses received to the consultation and to recommend changes to the School Funding Formula for mainstream Secondary, All-age and Special Schools, the pupil movement policy and revisions to the Powys Scheme for Financing Schools.

2. Background

- 2.1. It is good practice to maintain a rolling programme of review of the school budget formula and the Powys Scheme for Financing Schools. The remit for formula review in 2022 was to continue to develop a schools' delegated budget formula for Special Schools and for Secondary Phase Schools that was suitable for the schools' estate following the implementation of the Strategy for Transforming Education in Powys.
- 2.2. The School Funding (Wales) Regulations 2010 require that the authority consults with the governing bodies of all its schools and with the Schools' Forum on any changes to the school funding formula or the Scheme for Financing Schools.
- 2.3. A Formula Review Group was established in 2022 with a range of stakeholders, including headteachers and chairs of governors from each school sector, along with Council officers. The group reviewed a range of school funding formulae from other rural Welsh local authorities before developing a set of formula proposals for special and mainstream secondary phase and all-age schools. Schools were consulted on the proposed changes over three weeks between in 22 November to 13 December 2022.
- 2.4. The aim of the proposed formulae is to support a move to pupil-led formulae that would provide a stable, transparent and equitable funding arrangement for special schools and for mainstream, secondary phase schools, which will:
 - Create a **more equitable provision for all learners** across Powys
 - **Support the aspirations of the transformation programme**
 - **Support all learners** including helping **offset the effects of disadvantage**

- **Support a collaborative schools' community** which offers effective professional learning to facilitate the self improving system.
- **Support inclusion and bilingualism, and promote access to excellence for all learners.**

- 2.5. The proposals are intended to support the distribution of funding to every special and secondary phase school in Powys. The allocation of funding within the school remains a matter for the headteacher and the Governing Body within the quantum delegated to them and the regulations that apply to the local management of schools.
- 2.6. The Formula Review Group also put forward proposals to amend the current funding formula to add in an element for secondary phase schools with more than 1 secondary campus in separate towns.
- 2.7. A consultation was also held on how to amend schools' funding to reflect pupil movement during the financial year.
- 2.8. The Scheme for Financing Schools is a requirement of the School Funding (Wales) regulations 2010 and sets the framework for financial relationship between the authority and schools. A number of relatively minor changes were consulted upon in relation to the deadline for agreeing proposed changes to the fair funding formula, interest on balances and licensed and unlicensed deficits.

3. Consultation Proposals

Pupil Movement Policy

- 3.1. The consultation (full document at Appendix A) proposed that the existing pupil movement policy be discontinued for the following reasons:
- a) It was a temporary measure until pupil-led formulae were in place;
 - b) It only relates to pupils moving between Powys CC schools and does not reflect movement to or from schools outside of Powys;
 - c) It excluded "normal" transition so did not cover significant increases in pupil numbers in September admissions; and
 - d) It relies on multiple manual data entries rather than being extracted from a data management system with a single point of data entry undertaken once only at each school.
- 3.2. Instead, the proposal consulted upon was that funding adjustments would be made on a case-by-case basis (in line with 50% of other Welsh authorities that responded to a survey undertaken through the Association of Directors of Education in Wales (ADEW) Finance group). It was further proposed that a simple template be developed for schools to complete.

Revisions to the Powys Scheme for Financing Schools

- 3.3. The revised Powys Scheme for Financing Schools for 2023-24 can be found at Appendix B to this report. The proposed changes are relatively minor changes in relation to the deadline for agreeing proposed changes to the fair funding formula, interest on balances (paragraphs 4.3 and 4.6 of the Scheme) and licensed and unlicensed deficits (paragraph 4.8 of the Scheme), as highlighted in Appendix B.

New formula: Special Schools

- 3.4. The consultation (full document at Appendix C) proposed that the new formula be based on 4 components, aligning with the primary phase formula agreed last year.
- 3.5. **Component 1:** Distribute a **per pupil sum to each school** – based on an agreed amount per learner in bands of learning difficulty as set out in the table below. This sum is meant to cover the costs of running an inclusive school that can provide for the needs of all learners.

Band of Learning Difficulty	PTR (Pupil Teacher Ratio)	PTAR (Pupil Teaching Assistant Ratio)	PTMDSR (Pupil Midday Supervisor Ratio)
1 Profound and multiple learning difficulties	5	1	1
2 Severe communication difficulties	7	3	3
3 Severe emotional and behavioural difficulties	8	6	6
4 Severe developmental difficulties	10	9	9
5 Additional pupils mainstream level* *There are pupils currently attending Special Schools in Powys that would not meet the criteria in the new ALNET Act ¹ and it is proposed that these pupils are funded at the current primary / proposed secondary per pupil amount plus band led funding	N/A	N/A	N/A

- 3.6. **Component 2: Lump Sums** providing minimum funding amounts for specific aspects at all Special Schools for example, leadership and management; Individual School Range (ISR); administration; and grounds.
- 3.7. **Component 3:** Add **additional sums to reflect matters that are unique to the school**, or unique to a group of schools for example class size top up; premises surplus area; building condition; and hydro-pool allowance.
- 3.8. **Component 4:** Additional **sums to promote approaches that underpin county-wide and national improvement priorities** for example satellite provision as it expands across the county.
- 3.9. In addition to these components, it was also proposed that the funding for special schools be updated in the Autumn term to reflect the actual intake and bands of pupils each academic year as the original funding allocations would be based on an estimated September intake.
- 3.10. The consultation document proposed that the implementation of the new formula be phased in during 2023-24, based on 5 months of the current formula (for April to August) and 7 months of the new formula (from September to March) before being fully implemented from April in 2024-25.

Current Formula: Amendments for Secondary Phase Schools with multiple secondary campuses in separate towns

- 3.11. The current secondary phase formula funds all split site schools as two separate schools for all elements of the formula except for the ALNCO and Admin which are funded as a single school. However, it has been argued that this does not adequately recognise the additional costs arising from having more than one secondary campus in different towns.
- 3.12. It is proposed that an adjustment is made to the funding formula for secondary phase schools with more than one secondary campus to acknowledge the additional costs of managing and running a secondary school over more than one secondary campus in separate towns, such as additional technician support, school receptions and leadership. It is estimated that this proposal would provide an additional £98,960 per school (total: £197,920).

New School Funding Formula: mainstream secondary phase schools

- 3.13. The consultation (full document at Appendix D) proposed that the new formula be based on 4 components, aligning with the primary phase formula agreed last year. Drawing from international best practice² the new formula is proposed to be based on 4 components:
- **Component 1:** Distribute a **per pupil sum to each school** – based on an agreed amount per learner in different stages and phases of their education. This sum is meant to cover the costs of running an inclusive school that can provide for the needs of all mainstream learners.
 - **Component 2:** Add **funding to support pupils with a wide range of additional learning needs**. This sum should be delivered to an agreed formula/methodology.
 - **Component 3:** Add **additional sums to reflect matters that are unique to the school**, or unique to a group of schools e.g. split site, dual stream, a school managing transformational change, a school that is too small to provide an effective education if dependent on its per pupil allocation. The sums should be clearly identified.
 - **Component 4:** **Additional sums to promote approaches that underpin county-wide and national improvement priorities** e.g. development of the Welsh language, collaboration funding, all-age and cluster developments.

Component 1: Per Pupil Allocation

- 3.14. The initial Per Pupil Allocation was calculated broadly based on the current school funding formula, adjusted to remove any small school protection. This was then applied to a 600-pupil model school, which was then used to provide a Per Pupil Allocation for Key Stage 3 (years 7 – 9) and Key Stage 4 (years 10 and 11).
- 3.15. The methodology also moved away from funding the notional number of teachers in the model school based on funded average teacher costs and instead point 2 on the upper pay scale (UPS) was chosen. This pay point was used as it is the closest to the current funded average teacher costs in the secondary sector. This would need to be reviewed on an ongoing basis to ensure that this is an appropriate level to fund at.

Component 2: Additional Learning Needs (ALN)

- 3.16. The current methodology for distribution of this element of funding to secondary phase schools was reviewed and updated for the 2019-20 financial year with all schools receiving sufficient funding to allow them to run a class in each year and in each language stream with a teacher-pupil ratio of 1:15 where there are more than 15 in the year group. (NB it should be

² The OECD document “The Funding of School Education: Allocating Resources and Learning”

noted that the notional funding for ALN in the primary phase schools funding formula is delivered using a formula based on a three-year average of proxy indicators relating specifically to ALN or disadvantage).

- 3.17. In addition to this, it was proposed that each school would receive an ALN lump sum of £82,772 based on the cost of an ALN Coordinator on leadership scale 13 plus 1 pastoral teaching assistant (TA) at Grade 7 for 32.5 hours, term time only.

Component 3: Additional sums for Unique Factors (Top Ups)

Premises related top ups

Surplus Internal and External Grounds Area top ups

- 3.18. The per pupil allocation includes a standard internal area per pupil based on the building bulletin. This proposed top up provides a top up for the difference between the pupil led internal area and the school's actual internal area, modelled at £30.03 per square metre. This brings the total funding provided for building size through this proposed formula to the same level as the current formula.
- 3.19. Similarly, the per pupil allocation includes a standard external grounds area per pupil and this top up provides a top up for the difference between the pupil led external grounds area and the school's actual external grounds area to bring the total funding provided through this proposed formula for external grounds to the same level as the current formula. This is modelled at £0.20 per square metre.

Building Condition top up

- 3.20. It is proposed that the new formula retains the uplift on total premises funding to account for the condition of the building as follows:

- Condition A 0%
- Condition B 1%
- Condition C 2%
- Condition D 3%

Top up for non-domestic rates, statutory testing, insurance for premises and employees

- 3.21. It is proposed that the new formula provides funding to match the actual cost of non-domestic rates, statutory testing, insurance for premises and employees, as is the case with the current formula.

Management and Administration Top Ups

Small School Management and Administration Top Up

- 3.22. This top up provides additional funding for support staff and management to school who have less than 592 pupils to ensure they have enough funding to support the minimum levels needed for
- TLR Structure
 - Business Management
 - Technicians
 - Cover Supervisors
- 3.23. Schools receive an additional £333.33 per pupil for the pupil difference between their funded pupils and 592 pupils.

Multiple Secondary Campus Management lump sum

- 3.24. Each school that is running over multiple secondary campuses will receive the following lump sum to recognise the additional running costs of multiple secondary campuses in different towns in terms of the following
- Senior leadership
 - Technician support
 - Administration
- 3.25. Each school will receive a lump sum of £98,960.

Teaching and Learning Top Ups

Small School Teaching and Learning Top Up

- 3.26. Schools with fewer than 600 pupils would receive this top up to manage year groups. The description of the proposed secondary formula sets out the detail of this on page 15 of Appendix D along with 2 worked examples. The methodology is based on the gap between the actual pupil numbers in a year group and the top of a range of bands of pupil numbers. Each band has a starting level of top up and each “gap” pupil adds a further £2,835 to the top up.

Multiple Secondary Campus Teaching and Learning Lump Sum

- 3.27. Campuses with fewer than 600 pupils receive this additional top up to manage year groups on that campus calculated in the same way as the small school top up.

Dual Stream Teaching and Learning Lump Sum

- 3.28. Individual streams with fewer than 600 pupils will receive this additional top up to manage year groups in that stream calculated in the same way as the small school top up.
Note – a dual stream school with fewer than 600 pupils in total would not receive the small school T&L top up in addition to this top up. This top up would be applied to each stream instead.

Bilingual administration top up

- 3.29. A sum of £5,000 will be provided to secondary phase schools providing education in Welsh medium to acknowledge the additional costs incurred by schools that are required to produce resources, materials and correspondence in both languages.

Component 4: Additional Funding for National or County-Wide Improvement Priorities

- 3.30. Component 4 provides additional sums to promote approaches that underpin county-wide and national improvement priorities, linked to the National Mission, Regional School Improvement Grant and so on. This entire section of the proposed formula will develop over time to ensure the formula moves forward with the priorities and vision of the council and of the Welsh education system. There are no specific proposals for this component at this point.

Proposed Implementation

- 3.31. It is proposed that the implementation of the proposed formula is staggered over 5 years to mitigate any risk and minimise disruption, whilst also providing a clear signal regarding the direction of travel, allowing schools to plan for full implementation. It is estimated that implementing the new secondary phase formula will cost £133,860 in addition to existing budgets.
- 3.32. The implementation proposed is as set out below, however implementation will not start until the funding for the additional £133,860 has been identified and agreed:

- Year 1 2023-24 = 20% new formula, 80% current formula.
- Year 2 2024-25 = 40% new formula, 60% current formula.
- Year 3 2025-26 = 60% new formula, 40% current formula.
- Year 4 2026-27 = 80% new formula, 20% current formula.
- Year 5 2027-28 = 100% new formula, if appropriate following review of the previous years

Please note the timing and pace of proposed implementation may change depending on the outcome of wider budget discussions.

Post-16 Funding Principles

- 3.33. Post-16 delivery within mainstream schools in Powys is undergoing significant change and moving to a commissioning based model through a collaborative Chweched Powys Sixth. In line with this, the mechanism for distributing the Post-16 grant funding to schools also needs to change (Appendix E sets out the proposals in more detail). The Post-16 Strategic Management Board will ultimately determine the post-16 courses delivered at Chweched Powys Sixth and will delegate funding to mainstream schools for the post-16 provision they are commissioned to deliver, whether “home school” related or course related.

4. Responses to the Consultation

- 4.1. 13 schools responded to the consultation³, which is just under 15% of the 88 maintained schools in Powys (analysed by sector below, alongside the number of schools actively engaged in the formula review process during 2022). Each response is set out in detail in Appendix F, along with officers’ responses to any narrative questions.

School Sector	Number of schools	Consultation responses	Represented on Formula Review Group (FRG)*	Represented on Schools Forum*	Total
Primary	74	6 (8%)	3	4	13 (18%)
Secondary	8	2 (25%)	2	2	6 (75%)
All-Age	3	1 (33%)			1 (33%)
Special	3	3 (100%)			3 (100%)
Unknown		1			1
Total	88	13 (15%)	5	6	24 (27%)

- * Each school is only included once in the table above – If schools represented on the FRG or on Schools Forum responded to the consultation, they are not included in these numbers. If any schools are on both FRG and Schools’ Forum then they are included within the FRG numbers.

Pupil Movement Policy (Questions A1 – A3)

- 4.2. There was broad support for the proposal to discontinue the current pupil movement policy, with only 4 of the 13 respondents disagreeing with discontinuing the current policy. 12 of the 13 respondents agreed to the policy being based on a case-by-case basis in future, with an accompanying template being developed for schools to use to apply for any additional financial support.

³ 30 primary schools responded to the primary school formula review consultation in October 2021, equating to 49% of affected schools.

Revisions to the Powys Scheme for Financing Schools (Questions B1 – B7)

- 4.3. A total of 13 responses were received to the consultation on the changes to the Scheme. The majority of the respondents agreed with the proposals or were neutral to them.

Special School - Component 1: Per Pupil Allocation

- 4.4. Questions C1 – C13 related to the elements included within the calculation of the Per Pupil Allocation and the count date and in year adjustments. All three Special Schools responded to the consultation.
- 4.5. The proposed pupil number adjustment was supported by 2 and not by 1 consultee, which would see an in-year adjustment made in the September once pupils were confirmed in the schools.
- 4.6. There was general concern about in year transfers into Special schools and it is suggested that this will be included under the general pupil movement policy for all sectors.
- 4.7. In relation to the main elements of the per pupil allocation (Questions C2, C3 & C5), common issues raised by respondents relate to the banding criteria used for the 4 proposed bands, teacher and teaching assistant/pupil ratio which are the main elements of the per pupil allocation. 2 of the 3 respondents disagreed with the teacher/pupil ratio and the 1 school's agreement was conditional on the band criteria being reviewed first. More detailed comments are included in Appendix F.
- 4.8. There were support/neutral responses to the per pupil capitation, premises, SLA and midday supervisor elements.
- 4.9. Overall, the responses to questions C1 – C13 were a mixture of supportive and unsupportive of the methodology used to calculate the Per Pupil Allocation, with the biggest element being unsupported.
- 4.10. However, the view of officers is that the formula proposals should be implemented as proposed. The concerns raised will be partially mitigated through the revised pupil movement policy when looking at needs of individual pupils and in year transfers. Similarly, for those rare exceptions, where individual needs do not meet the banding criteria, these will be considered on a case-by-case basis. The implementation and formula will remain under continuous review.

Component 2 Lump Sums

- 4.11. Leadership & Management (Question C14)
Of the 3 responses received for this question, all 3 strongly agreed/agreed with the methodology.

Revision to the ISR for Special Schools (Question C15)

- 4.12. 2 of the respondents disagreed with the revisions proposed to the ISR calculations which would be using the revised bands as part of the methodology for calculation, whilst 1 school agreed on the basis that the bands were reviewed.

Administration (Question C16)

- 4.13. 2 of the 3 respondents agreed with the proposed administration lump sum. 1 respondent raised an issue with only 1 administrative post being proposed within the calculation due to the workload around IDPs.

Grounds lump sum (Question C17) Page 576

4.14. All 3 responses received for this question agreed with the proposals.

Component 3: Unique factors

4.15. Unique factors include the following proposed adjustments/tops ups (Questions C20 – C26)

- Class size
- Surplus Sqm
- Building condition
- Site Layout / Safeguarding
- Grounds area
- Statutory testing/Non domestic rates
- Hydro Pool Allowance

These elements were either supported or neutral in the responses with no respondent disagreeing.

Component 4: County wide improvement priorities

4.16. All 3 respondents agreed with the methodology for funding satellite provision (Question C28) linked to the 3 Special schools. One satellite has been opened since September 2021, with a further 2 to open in the future.

Proposed implementation

4.12 All 3 respondents disagreed with a phasing in of the funding formula to schools, with comments around ensuring the formula was correct and implementing in April 2023.

Current Formula: Amendments for Secondary Phase Schools with multiple secondary campuses in separate towns

4.17. Of the 2 responses received for this question, both disagreed with the proposal to amend the current formula to provide additional funding for schools with multiple secondary campuses in separate towns. The respondents expected split sites schools to be able to produce savings due to economies of scale, unavailable to single site schools and these should be used to offset any additional costs. They also put forward the view that split site schools could be expected to amalgamate rather than remain on separate sites. Neither of the secondary schools with 2 secondary campuses responded to the consultation.

4.18. However, as stated in the consultation document, the current formula amends the funding allocations for split site schools for the potential economies of scale but does not compensate them for the additional costs currently. The view of officers is that the amendment should proceed as proposed.

New School Funding Formula: mainstream secondary phase schools

4.19. Question D1-D6 related to the design of the proposed formula and the size of the model school to be used in calculating the per pupil amount. 2 responses were received, 1 in agreement and 1 in disagreement, with the reasoning being that the current formula already addresses the proposed design so therefore there was no need to change.

Teaching and learning top ups

4.20. Questions D7-D12 are in relation to the proposed top ups for the varying types of schools. Of the 2 responses the top ups for single medium and dual stream schools had full agreement. There was 1 disagreement in relation to the split secondary campus school top up but no reasons were provided.

The officer view on this is that a split secondary campus school should receive this top up also as the school would face the same needs as a dual stream school in structuring the curriculum.

Management and Administration top up

- 4.21. Questions D13-D16 are in relation to Management and Admin top ups. Of the 2 responses received for this question, all tops were agreed with the exception of 1 disagreement in regard to the split campus top up due to economies of scale savings.

The officer view is again that a split campus school should receive this top up due to the constraints of working across the two sites and ensuring technician and administrative support is available at both sites.

Bilingual Top up

- 4.22. Question D17-D18 There was one neutral and one agreement with the 2 responses received in relation to this.

Premises related top ups

- 4.23. Question D19-D27 relate to top ups in relation to the unique factors of the premises. Of the 2 responses, one disagreed with this proposal, in relation to the business rates and insurance funding. This respondent felt they should have greater scope in seeking cheaper options. However, the liability for these insurances falls under the Authority's responsibility and is part of the overall insurance package for the council.

Proposed Implementation

- 4.13 Both responses agreed with this proposal. This will be considered again by officers in line with actual funding, if proposals are implemented.

Post 16 Formula Amendments

- 4.14 Three respondents completed the questions in this section and all three were in agreement with all the proposals except for question E7, where one respondent was neutral about whether the funding per course should be the same whether the course is delivered in Welsh, English or through E-sgol.

5. Potential additional amendments to the Secondary Phase Schools funding formula

- 5.1. A number of other potential amendments to the secondary phase schools funding formula were discussed within the Formula Review Group but were not consulted upon due to anticipated financial constraints. Two of these are considered to be a high priority:

Amending the Teaching time contact ratio

- 5.2. A potential amendment to the methodology for arriving at the per pupil allocation involved reducing the teaching time contact ratio from 0.83 (as included in the current formula) to 0.815. Reducing the teaching contact time ratio will allow more planning and preparation time which links to improved teaching and learning. It is estimated that this would cost an additional £390,000.

Providing Cover Supervisor funding to each secondary / all-age school

- 5.3. Utilising cover supervisors is more cost effective than bringing in agency or supply so adding in a cover supervisor element for each secondary / all-age school will support this direction. It is estimated that this would cost an additional £250,000.

6. Feedback from School Budget Forum

6.1. To follow - this section will be completed following the Schools Forum meeting scheduled for 9th January

7. Resource Implications

- 7.1. Current modelling of the proposed changes to the Special Schools formula indicates that the changes can be implemented within the current budget envelope.
- 7.2. Modelling of the proposed changes to the current formula for mainstream secondary phase schools indicates that these changes would require additional funding of £197,920 until the new formula is implemented. Specific elements currently within the contingency budget can be allocated to fund this cost meaning that these proposals can also be implemented within the current budget envelope.
- 7.3. Current modelling of the proposals for the new formula for secondary phase schools indicates that the proposals would provisionally require additional funding of £133,860, once those specific elements currently within the contingency budget are allocated towards this. The additional elements set out in section 5 add a further pressure of £640,000. While this potential budget pressure from revising the secondary phase funding formula is included within the Schools Delegated finance resource model (FRM) the additional funding for this has not been identified as yet. It is proposed that, if agreed, the formula changes would only begin to be implemented once that additional funding had been identified and agreed.
- 7.4. Phasing in the formula changes would delay the point at which the additional funding would be required but officers' advice is that implementation should not begin prior to identifying the additional funding to avoid creating an unavoidable budget pressure for future years.
- 7.5. The Head of Finance (Section 151 Officer) notes the content of the report. The implementation of the proposed formula will incur costs and these will need to be considered as the Council develops its financial plans including the use of savings generated through the Schools Transformation Programme.

8. Legal implications

- 8.1. The School Funding (Wales) Regulations 2010 set out the requirements of the School Funding Formula. The proposed school funding formula meets the requirements set out in the Regulations.
- 8.2. Legal : The recommendation can be supported from a legal point of view.
- 8.3. The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report".

9. Data Protection

- 9.1. The proposals do not involve the processing personal data.

10. Comment from local member(s)

10.1. Not applicable

11. Impact Assessment

11.1. To follow

11.2. The proposed formula and Scheme changes will lead to a stable, transparent and equitable funding arrangement for Powys schools. The formula changes will create more equitable provision for all secondary aged pupils across Powys and all pupils attending Special Schools in Powys, supporting collaboration, inclusion and bilingualism and supporting all learners. Risks to schools with a reduced level of funding will be mitigated by the proposed phasing in of the proposals, providing support for schools to reduce their costs and access to the wider “Team around the School” to support them with the transition.

12. Recommendations

12.1. It is recommended that:

- 12.1.1. the proposed amendments to the Pupil Movement Policy be agreed as set out in the consultation document at Appendix A and should apply to all Powys schools;
- 12.1.2. the revisions to the Powys Scheme for Financing Schools as set out in Appendix B are agreed;
- 12.1.3. the proposals for the new funding formula for Special Schools as set out in Appendix C are agreed and implemented from September 2023;
- 12.1.4. the proposals for the new funding formula for secondary phase schools as set out in Appendix D are agreed, with implementation delayed until additional funding has been identified;
- 12.1.5. the additional amendments to the secondary phase schools funding formula set out in section 5 above are agreed, with implementation delayed until additional funding has been identified;
- 12.1.6. the proposals for the new Post-16 funding principles as set out in Appendix E are agreed;
- 12.1.7. That the implementation of these changes be reviewed as part of the Formula Review Group’s ongoing work programme.

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Pupil Movement Policy Review

Document for consultation

(Dates 22nd November to 13th December 2022)

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1. Background

- 1.1. It was agreed in December 2019 to introduce a policy for the financial year 2021-22 onwards where funding would transfer between schools in recognition of in-year pupil movements between Powys schools. The table below sets out the amounts that were agreed to be transferred between schools in each of the financial years that the pupil movement takes place. If a pupil was to move between Powys schools after the November count date for pupil numbers used to determine schools' budget shares for the following financial year, then a transfer of £3,000 would take place for the new financial year as well.

Timing of Pupil transfer:	Funding to transfer in current financial year	Funding to transfer in following financial year
From 1 April but before 1 May	£3,000	
On or between 1 May and 30 September	£1,750	
On or between 1 October to 31 March	£750	
After November count date to 31st March		£3,000

NB this does not include pupil movement as a result of the usual transition process.

- 1.2. The funding transfers have been taking place at three points during the year:

Timing of Adjustment	Period adjusted for	Notes
October	6 months from 1 April to 30 September	<i>allows schools' budgets to be adjusted for the "peak" pupil movement period in September as early as is practicable</i>
February	4 months from 1 October to 31 January	<i>Allows the funding figures for the new financial year to be as up to date as possible when circulated to schools in February</i>
April	2 months from 1 February to 31 March	<i>Allows a final adjustment to ensure correct funding levels at year end for the financial year that is closing and up-to-date funding levels for the new financial year prior to budget submission on 1 May</i>

- 1.3. This policy was to be reviewed in line with the roll out of the new Primary formula agreed in December 2021 as it was seen as a temporary measure until the pupil led formulae were in place.

2. Review of the policy

2.1. The policy has been in place since the 2020-21 financial year and upon review the following issues have been identified

- The policy does not reflect pupil movement from / to out of county schools
- Fluctuations in delegated funding, particularly for schools in areas of a more transient population.
- The policy does not cover significant increases in pupil numbers in the September admissions round
- The policy relies on multiple manual data entries rather than being automated and downloaded from a system.

3. Impact of issues

3.1. The table below identifies the impact the issues identified upon review have.

Issue	Impact on Schools
The policy does not reflect pupil movement from / to out of county schools	Schools that have a high volume of inter-county pupil movement are still faced with no resolution to the financial strains this causes on the delegated budget.
Fluctuations in delegated funding, particularly for schools in areas of a more transient population.	The adjustments made for the policy to the delegated funding can increase or decrease the funding throughout the year. In some cases, there are considerable increases/decreases during the year that net out by year end. This causes issues with financial management and schools cannot react in a timely manner due to management of change processes to effectively deal with the budget pressures the policy is imposing on them.
The policy does not cover significant increases in pupil numbers in the September admissions round	September admission round changes in pupil numbers for Reception intake versus Year 6 leavers or Year 7 intake versus Year 11 leavers are not considered within this policy. Schools that have a larger intake than leavers which is large enough to need to amend class structures are not helped by this policy.
The policy relies on multiple manual data entries rather than being automated and downloaded from a system.	Multiple manual data entries are required, each carrying a high risk of data entry errors. Detailed information may be missing or incorrect, dates may be incorrect, which then impacts on the robustness of the data upon which financial adjustments are made between schools. This in turn causes capacity issues within the school service, finance and in schools themselves checking the data or dealing with corrections and queries regarding this.

4. What do other Welsh authorities do?

- 4.1. Officers gathered information from other Welsh authorities on how they reflect pupil number changes within the financial year for discussion at the Formula Review Group. Of the 11 responses received, 7 considered each situation on a case-by-case basis while the other 4 each had unique methodologies.

5. Proposal for consultation

- 5.1. It is proposed that the current policy is ceased from the 31st March 2023.
- 5.2. In replacement of the current policy it is proposed that issues as a result of pupil movement are looked at on a case by case basis.
- 5.3. Schools that identify structural changes or financial pressure that the school cannot manage within existing funds for the types of pupil movement laid out below, will need to complete a template provided by the Authority to request additional financial support. The template will gather the required evidence from the school for the finance team to cost options which can be reviewed by relevant officers within schools service and a decision made on whether additional funding should be awarded.

Types of pupil movement to be covered by this policy
Transfers into schools from other Powys schools
Transfers into Powys schools from out of county schools or from elective home education (EHE)
Increases in overall pupil numbers during the September admissions round that were not anticipated.

NB no reductions in delegated funding will be applied for pupil transferring out of schools.

- 5.4. The template is proposed to be simple and easy to complete using information the school has available.

Question A1: Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?

Question A2: What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?

Question A3: Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?

Question A4: Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?

Question A5: Please make any other comments would you like to in relation to the pupil movement policy.

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**POWYS SCHEME FOR THE
FINANCING OF SCHOOLS
2023-24**

This document is available on request in alternative formats
(e.g. large print type/Braille/audio/hard copy)

SCHEME FOR THE FINANCING OF SCHOOLS:

**AS REQUIRED BY SECTION 48 OF THE SCHOOL STANDARDS AND
FRAMEWORK ACT 1998 AND SUBSEQUENT REGULATIONS**

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SECTION 1: INTRODUCTION

1.1 The Funding Framework

The funding framework which replaced Local Management of Schools is based on the legislative provisions in sections 45-53 of the School Standards and Framework Act 1998 and as further detailed in the School Funding (Wales) Regulations 2010.

Under this legislation, local authorities determine for themselves the size of their Local Schools Budget (LSB). The categories of expenditure which fall within the Local Schools Budget are prescribed under regulations made by the Welsh Government, but included within the LSB is all expenditure, direct and indirect, on an Authority's maintained schools. Local authorities may retain funding for purposes defined in regulations made by the Welsh Government under the School Funding (Wales) Regulations 2010. The amounts to be retained centrally are decided by the Authority concerned, subject to any limits or conditions prescribed by the Welsh Government. The balance of the LSB left after deduction of centrally retained funds is termed the Individual Schools Budget (ISB).

Any proposed changes to the fair funding formula will be consulted upon and agreed by the Cabinet of the Council before the end of the January prior to the commencement of the financial year to which they apply.

Details of the proposed centrally retained funds will be subject to consultation each year and published together with other budget information requirements before the start of the following financial year.

Local authorities must distribute amounts from their ISB amongst their maintained schools according to a formula which accords with regulations made by the Welsh Government, and enables the calculation of a budget share for each maintained school. The budget share, as calculated by the formula, is then delegated to the governing body of the school concerned, unless the school is a new school which has not yet received a delegated budget, or the right to a delegated budget has been suspended in accordance with s.51 of the SSAF Act. The financial controls within which delegation works are set out in a scheme made by the LA in accordance with s.48 of the Act and are subject to approval by the Authority's School Forum or Welsh Government. All revisions to the Scheme must be approved by the School Forum, or Welsh Government, which will have the power to modify or impose a scheme.

Subject to provisions of the scheme, governing bodies of schools may spend budget shares for the purposes of their school. They may also spend budget shares on any additional purposes prescribed by the Welsh Government in regulations made under s.50 of the SSAF Act.

An Authority may suspend a school's right to a delegated budget by giving the governing body notice, in writing, if the provisions of the Scheme for the Financing of Schools (or rules applied by the Scheme) have been substantially or persistently breached, or if the budget share has not been managed satisfactorily. There is no right of appeal to a suspension under Section 17 (6) SSAF 1998, but if suspension is made under Section 51 for financial mismanagement there is a right of appeal.

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In accordance with the regulations each Authority is obliged to publish each year a statement setting out details of its planned Local Schools Budget, showing the amounts to be centrally retained, the budget share for each school, the formula used to calculate those budget shares, and the detailed calculation for each school. This budget document will be produced by 30th April each year. After each financial year the Authority will publish a statement showing out-turn expenditure at both central level and for each school, and the balances held in respect of each school. Outturn statements are subject to audit certification by the Wales Audit Office and information in either type may be collated and published by the Welsh Government.

The detailed publication requirements for financial statements and for schemes are set out in regulations. Each school will receive a copy of the scheme and any amendment, and each year's budget and out-turn statements so far as they relate to that school or to central expenditure.

1.2 The role of the scheme

The scheme sets out the financial relationship between the Authority and the maintained schools which it funds. It contains requirements relating to financial management and associated issues, binding on both the Authority and on schools.

1.2.1 Application of the scheme to maintained schools

The scheme applies to all community, voluntary controlled and aided, foundation and community special schools maintained by the Authority. The list of schools maintained by Powys Local Authority is attached at **Annex A**.

1.3 Publication of the scheme

A copy of the scheme will be supplied to the headteacher and to the governing body of each school covered by the scheme, and any approved revisions will be notified to each school.

1.4 Revision of the scheme

Any proposed revisions to the scheme will be the subject of consultation with headteachers and governing bodies of all maintained schools and will require approval by the Authority's Schools Forum, or the Welsh Government if the Schools Forum and Authority cannot agree on the terms of any proposed revision. The Welsh Minister for Education and Skills may approve any such proposals, or approve subject to modification, or refuse to approve any such proposals.

1.5 The role of the Authority, the Governing Body and delegation of powers to the Headteacher

1.5.1 The Cabinet of the County Council is responsible for making recommendations to the Council on the regulation and control of the finances of the Authority.

1.5.2 The Cabinet of the County Council is responsible for carrying out the statutory duties of the Authority including operating the Scheme for the Financing of Schools in

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accordance with the SSAF Act 1998.

1.5.3 The Section 151 Officer will for the purpose of Section 151 of the Local Government Act 1972, be responsible, under the general direction of the Cabinet of the County Council, for the proper administration of the Council's financial affairs.

1.5.4 The County Council will also act as a potential provider of services to schools.

- 1.5.5
- (a) The governing body will be responsible for compliance to the County Council Financial Regulations throughout the school;
 - (b) The governing body will be required to bring the County Council Financial Regulations to the attention of all staff within the school in relation to expenditure under both the delegated budget and any unofficial funds held under the control of the governing body;
 - (c) Staff who fail to comply with County Council Financial Regulations may be subject to disciplinary action by the governing body;
 - (d) Governing bodies who fail to comply with County Council Financial Regulations may have the scheme of delegation withdrawn.

1.5.6 The governing body will be responsible for the accountability of staff and the security, custody and control of all resources including plant, buildings, materials, cash and stores appertaining to its school in accordance with the procedures agreed with the Section 151 Officer.

1.5.7 The Cabinet will be authorised to vary from time to time any amount included in these regulations.

1.5.8 The governing body must adopt a formal policy which clearly defines the roles and responsibilities of governors and school staff. Individuals must not exceed the authority delegated to them by resolution of the governing body. The governing body will ensure that staff have the skills and training commensurate with the authority delegated to them.

It would be appropriate to designate the headteacher as the person responsible for control of the budget on a day-to-day basis. Efficient management of the school will be assisted if the headteacher is given authority to incur expenditure for which there is budgetary provision (subject to the procedures specified in the County Council's Financial Regulations and subject to any internal limits which the governing body may wish to impose). Alternatively the governing body may wish to reserve the right not to delegate authority on certain matters. The decisions of the governing body in respect of the delegation to the headteacher must be recorded formally by the full governing body and be clear and explicit.

These requirements would also apply to a headteacher or headteachers managing more than one school in a federation.

1.5.9 The annual budget plan of the school is a matter which must be reported to and approved by the full governing body. However, it may be appropriate for a sub-committee of the governing body to consider a draft budget in the first instance. Such a sub-committee may be an appropriate group of governors to receive periodic reports from the headteacher on the spending of the budget during the course of the

financial year. In any case, the full governing body must receive a budgetary control/ management report once a term either via the sub-committee or direct from the headteacher or other responsible officer.

1.5.10 The governing body will give the headteacher authority to delegate certain functions to other members of staff.

1.6 Maintenance of schools

The Local Authority is responsible for maintaining the schools covered by the scheme, and this includes the duty of defraying all the expenses of maintaining them (except in the case of a voluntary aided school where some of the expenses are, by statute, payable by the governing body). Part of the way an authority maintains schools is through the funding system put in place under sections 45 to 53 of the SSAF Act 1998 and any revisions made under the Education Act 2002.

1.7 Good practice guide and recommended procedures for school strategic and financial management

This Scheme should be read in conjunction with the Authority's 'Good Practice Guide and Recommended Procedures for School Strategic and Financial Management', together with the County Council's Financial Regulations and Standing Orders, with which all schools and governing bodies are required to comply.

The good practice guide includes a section on budget preparation which includes a proposed timetable that headteachers and governing bodies should follow for the preparation and monitoring of the school's delegated budget. The use of and adherence to this timetable will ensure schools meet the required deadlines for budget plan submission as detailed in section 2.2.

SECTION 2: FINANCIAL REQUIREMENTS; AUDIT

2.1 Application of financial controls to schools

Schools are required in the management of their delegated budgets to abide by the Authority's requirements on financial controls and monitoring - both those in this Scheme and the Financial Regulations of the County Council. The governing body is accountable for the financial performance of their school.

The governing body must ensure that monies provided to the school via the delegated budget or voluntary funds are spent only for the purposes intended. This will be achieved through ensuring:

- that proper records, both financial and non-financial, are accurately maintained in a timely manner;
- that management systems to ensure proper controls over assets (physical and monetary) are in place including safeguards against fraud.

Both governors and staff have a duty to expose mismanagement and fraud. The Section 151 Officer should be immediately notified where there are grounds to suggest any irregularity affecting cash, stores or other assets. Normally such notification will be by the headteacher. However, it may be that circumstances make it inappropriate for the person alleging irregularity to raise the matter with the headteacher or governors. An alternative route is therefore available as described in the Authority's whistleblowing policy for schools.

2.1.2 Provision of financial information and reports

The governing body is required to ensure that school financial affairs are progressing according to plan. The governing body must undertake regular termly budget monitoring and receive appropriate formal reports from the headteacher. Such reports must be sent to governors no less than one week prior to the meeting at which they will be considered. Reports must identify emerging financial issues and recommend the management action necessary to resolve them. Responsibility for management action rests with the headteacher or governing body depending on the powers delegated to the headteacher.

Where such monitoring reports suggest that a school will be unable to keep within the approved budget and/or available funding the Section 151 Officer must be notified at the earliest opportunity, together with the action the school proposes to take to bring the budget back within available funding

Secondary schools that maintain their own records under the SIMS or similar management information system must provide the Section 151 Officer and Chief Education Officer with:

- a copy of the monthly reconciliation they undertake back to the County Council's financial system; and
- a copy of the monthly budget monitoring report including a forecast outturn position in a format prescribed by the Section 151 Officer in line with the Authority's financial reporting timetable

Any central transactions that are disputed by the school must be brought to the attention of the Section 151 Officer or his representative by the end of the month following the month during which the transaction was posted to the accounts.

To enable the Section 151 Officer to fulfil his statutory duties schools are required to provide the Authority with details of anticipated and actual expenditure and income, set alongside their budgets (a budget monitoring statement) in a form determined by the Authority, on a monthly basis within 3 working days of the end of the calendar month.

Where schools operate their own bank accounts they will be required to:

- (i) provide monthly reports on their anticipated income and expenditure for the year showing clearly all known commitments, in a format provided by the Authority;
- (ii) provide monthly VAT files to the Authority by the specified date and agree to indemnify the Authority against any HM Revenue and Customs penalties imposed as a result of mis-declarations;

- (iii) provide monthly bank reconciliation returns and details of income and expenditure, in a format to be determined by the Authority;
- (iv) be responsible for any penalties incurred as a result of the late payment of invoices;
- (v) ensure that all accounts are reconciled and balanced by the 4th working day following 31st March each year, in order that the Authority is able to meet its statutory responsibilities.

2.1.3 Control of assets

Each school is required to maintain an inventory of its moveable non-capital assets, in accordance with the current County Council Financial Regulations. The authorisation procedure for the disposal of all assets is as set out in the County Council's Financial Regulations. However, schools are free to determine their own arrangements for keeping a register of assets worth less than £1,000 but they must keep a register in some form and this register must satisfy the County Council's insurers.

2.1.4 Accounting policies (including year-end procedures)

Schools are required to abide by procedures issued by the Section 151 Officer. The Authority will issue detailed procedural guidance periodically, including guidance on the closure of the year-end accounts.

2.1.5 Writing off of debts

The procedure for authorisation of writing off of debts is as set out in the County Council's Financial Regulations. Debt will be written off against the school budget share.

2.1.6 Voluntary and private funds

The requirement for an annual report to be presented to the governing body is covered in section 2.7. In addition, the governing body should consider what, if any, additional reporting requirements are necessary to ensure the appropriate use and management of voluntary and private funds.

2.2 Submission of budget plans

2.2.1 A provisional budget plan, including the updated estimated outturn position for the current year, must be submitted to the Authority by the 31st March. The Authority will provide detailed guidance to schools on the format in which budget plans should be presented.

Schools should take full account of estimated deficits/surpluses at the 31st March in their budget plan.

2.2.2 Each school must submit a final budget plan, approved by the full governing body, to the County Council by 1st May detailing its intentions for expenditure and income in the current financial year and the next two years (primary schools) or three years (secondary/special schools) together with the assumptions underpinning the

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budget plan (e.g staffing sheets & curriculum plans). The submitted budget plan will be adjusted by officers of the Authority to account for the actual outturn at year end for the previous financial year.

2.2.3 The budget submitted must not show a cumulative deficit balance in the current budget year or in either of the following two years:

- where planned expenditure exceeds the available budget, including brought forward balances, the Authority will require the submission of a plan which meets the requirements of this Scheme;
- any school with a planned cumulative surplus balance at the end of the financial year and, on current projections, is projecting a cumulative deficit at the end of the following financial year, is required to produce a recovery plan 4 terms prior to the beginning of the financial year in which they are projecting to go into deficit e.g. where a school is projecting to go into deficit in 2024-25, the recovery plan should be in place by the end of January 2023.

The use of three year (Primary) and four year (Secondary / Special) budget plans will enable governing bodies and the Authority to:

- recognise emerging pressures;
- demonstrate the sustainability of proposed actions;
- plan to manage change effectively.

Plans may be used to inform judgements about the efficiency of financial management as well as for resource, staffing and other planning purposes.

Planned expenditure must not exceed the resources available to the school, taking into account any balance due to or from the school for the previous year, without specific approval by the County Council under para 4.9 (licensed deficits). Failure to set a budget within the resources available may lead to the issue of a notice of concern with accompanying restrictions on powers of expenditure or to the withdrawal of delegated powers from the school.

Where changing circumstances significantly affect a school's financial position, the Authority may require the submission of revised plans throughout the year

The Authority will supply schools with such income and expenditure data which it holds which it considers is necessary for efficient planning by schools.

2.2.4 The governing body should agree the form of the budget needed for the internal management of the school. Such a budget needs to be expressed in financial and non-financial terms and should, as necessary, cover:

- the number and cost of teachers;
- discretionary allowance payments;
- size of teaching groups and curriculum coverage;
- details of staffing other than teachers;

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- analysis of the budget between departments of the school (may only be applicable to secondary schools);
- comparison of budget proposals with actual expenditure in the previous year;
- itemising any individual high value equipment, maintenance, decoration, goods or services (the lower limit figure to be determined by the governing body but it is recommended that this figure should not be less than £1000).

2.2.5 The Authority will supply schools with monthly reports of all school income and expenditure data which it holds which is necessary for efficient planning by schools, and supply schools with an annual statement showing when this information will be provided through the year.

2.3 Best Value

Governing bodies will be expected to demonstrate that they are pursuing the principles of Best Value as contained in Government and Welsh Government legislation and guidance relating to local government in general and, in particular:

- that they are delivering services of high quality and effectiveness in an efficient manner whilst continually improving performance;
- that there is effective and accountable stakeholder involvement and consultation;
- that there is a willingness to consider and use alternative methods of service delivery to deliver described outcomes.

Each annual budget plan will be accompanied by a statement by the governing body containing a review of its performance and a performance plan - including the steps it will take in the course of the coming year to ensure that expenditure, particularly in respect of large service contracts, reflects value for money.

2.4 Virement

Governing bodies / headteachers may vire between budget heads in the expenditure of the school's budget share. However, where the governing body is in receipt of specific grants, they must comply with the grant conditions relevant to each grant. All virements should be approved by the governing body (or committee or headteacher with delegated powers) prior to the commitment of any expenditure and included in any budgetary information submitted to the Authority.

Where virement occurs and there is likelihood of total planned expenditure exceeding the planned budget, which will result in a cumulative deficit in the current or subsequent year, the school should immediately notify the Schools Finance Manager who will inform the Section 151 Officer. Schools with deficits (see also para 4.8) and those scheduled for closure (see also para 3.7.2) may have restrictions imposed on powers of virement.

2.5 Audit: General

Schools are subject to County Council internal audit processes and external audit processes as determined by the Audit Wales, and are required to co-operate with both internal and external auditors as determined by the County Council's Financial

Regulations and statutory requirements.

Additional County Council audit arrangements will apply to schools having their own bank account, compared with non-bank account schools.

In exceptional situations, as outlined below, the Authority reserves the right to charge for internal audit services if:

- (i) an ad hoc audit is required by the headteacher, governing body, Chief Education Officer or Section 151 Officer, due to evidence of suspected illegal or fraudulent practice at the school;
- (ii) the financial records or processes in the school are inadequate to ensure sound financial management and the school has failed, after an initial warning, to update its financial system to a standard acceptable to the Section 151 Officer;
- (iii) An external service provider or a member of the school's staff has corrupted the Authority's financial system.

In these circumstances, the Authority will inform the governing body or headteacher before an audit is due to take place and will provide an estimated charge for the services required.

It is good practice to consider an internal audit review on the change of any member of staff with significant financial responsibilities e.g. a Headteacher or Business Manager.

2.6 Separate external audits

A governing body is allowed to spend funds from its budget share to obtain additional external audit certification of its accounts, separate from any County Council internal or external audit process. The Authority will, however, not make any additional funds available for this purpose. An external audit commissioned by a school must take into account the status of the school as a spender of County Council funds, rather than being a grant aided institution.

2.7 Schools running businesses

Schools are able to run businesses within designated arrangements as long as this does not impact negatively on the school's delegated budget e.g. a school meals service for more than one school, a pre-school or after school club. Any such businesses should be accounted for separately and treated in accordance with the regulations for unofficial and voluntary funds (see section 2.8), with any surplus or deficit during the year together with the accumulated reserves being reported to the governing body no later than the end of the Summer Term following the end of the financial year (see section 2.1). Any such business cannot be supported or funded from the school's delegated budget. A school cannot include in any charge to another school or other service that is funded through the Local Authority, charges for use of a facility/staff member that has been funded through the school's delegated budget.

Prior to the establishment of a new enterprise schools, are required to develop a business case (using the Authority's template), to include arrangements for meeting all staff and all other running costs including staff absence, maternity cover and

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redundancy costs These must be discussed and approved by the governing body or Management Committee before being submitted to the County Council for approval. The County Council will require that the business plan includes a section on how any deficit will be covered.

Any such business must be monitored by and managed in accordance with the relevant statutory inspection body where appropriate.

2.8 Audit of voluntary and private funds

Schools are required to provide annual audit certificates and copies of accounts in respect of voluntary and private funds held by the school and of the accounts of any trading organisations controlled by the school e.g. pre-school or after-school club. Such certificates must be provided to the Authority within 3 months of the close of the financial year to which they relate. Schools who fail to provide audit certificates to the Authority as required will be in breach of this Scheme.

Where schools do not provide an audit following a written warning then the Authority will appoint an auditor to prepare and audit the accounts and charge all costs to the school. If a school persistently fails to provide an audit certificate then the Authority reserves the right to withdraw the right of a school to hold voluntary or private funds.

The accounts must be presented to the governing body annually, with a termly update, stating the use made of such funds, together with the balances held at the year end and any outstanding commitments on these balances.

Any monies received by the school that relate to expenditure that has been or will be incurred under the school's delegated budget should only to be paid into the school's unofficial fund in exceptional circumstances, for example when a cheque is payable to the school and cannot be paid into the Council bank account. Where this occurs the reimbursement from the school fund to the school budget should be made within one month of the monies being paid into the school fund and should be made either through the delegated budget bank account (secondary schools) or through e-returns (primary/special schools).

Any monies collected and held within the unofficial fund in respect of school trips, etc. where the payment for such trips is planned to be made out of the school's delegated budget, should be transferred to the delegated budget prior to the payment of the invoice.

2.9 Register of business interests

The governing body of each school is required to establish a register which lists for each member of the governing body and the headteacher, any business interests they or any member of their immediate family have; to keep the register up to date with notification of changes and through annual review of entries; and to make the register available for inspection by governors, staff, parents and the Authority.

2.10 Purchasing, tendering and contracting requirements

Schools are required to abide by the County Council's Financial Regulations and

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Standing Orders in purchasing, tendering and contracting matters.

Schools are also required to assess in advance, where relevant, the health and safety competence of contractors, taking account of the Authority's policies and procedures.

However, any section of the Financial Regulations and Standing Orders will be disapplied if they would require schools:

- (a) to do anything incompatible with any of the provisions of the scheme, or any statutory provision;
- (b) to seek Local Authority officer countersignature for any contracts for good or services for a value below £60,000 in any one year;
- (c) to select suppliers only from an approved list (see below);
- (d) to seek fewer than three tenders in respect of any contract with a value exceeding £10,000 in any one year.

For the purposes of the Procurement regulations, schools are viewed as discrete operational units if they choose to purchase independently. However, schools must ensure that their individual purchases for the same or similar goods and services do not exceed the thresholds set out in the Public Contract Regulations 2015 (which enact the Official Journal of the European Union (OJEU) thresholds) after aggregating their own orders.

The County Council has established a list of approved suppliers and there is an expectation that schools will utilise these contracts in order to ensure and demonstrate they are they obtaining value for money. Details of these contracts can be found at <http://intranet.powys.gov.uk/index.php?id=390>. Whilst Schools are under no obligation to use such lists, providers have been subjected to a rigorous vetting process.

Purchasing is inextricably linked to the budgeting process. Schools must have in place mechanisms to monitor levels of commitment against budgets and consideration must always be given to whether there will be adequate funds available to pay for an order before that order is authorised and placed. This is particularly relevant in relation to the tender process where the financial sums involved are higher and any difficulties are likely to impact upon the school's financial position more significantly. Suitable commitment records must be maintained in accordance with minimum standards.

Before entering into any recurring commitment (including staffing) the governing body must ensure that the projected expenditure is demonstrably supported by the resources likely to be available to them in the years over which the commitment extends.

2.11 Application of contracts to schools

Schools have the right to opt out of Authority arranged contracts except where this Scheme provides otherwise.

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Although governing bodies are empowered under paragraph 3 of schedule 10 to the SSAF Act 1998 to enter into contracts, they do so on behalf of the Authority as the maintainer of the school and owner of the funds in the budget share. However, other contracts may be made solely on behalf of the governing body, where the governing body has clear statutory obligations e.g. contracts made by aided or foundation schools for the employment of staff.

The Authority will supply schools on a regular basis with a list of the services which it intends to provide and into which schools may enter on a contractual basis. The Authority reserves the right to alter or amend these services in line with its duty to secure Best Value.

Schools with deficit budgets that are unlicensed or which exceed £2,000 (primary) or £10,000 (special and secondary) will be required to purchase the Authority's financial support service level agreement.

2.12 Grants and central funds

The Authority is authorised to make sums available to schools from central funds, in the form of allocations which are additional to and separate from the schools' budget shares. Such allocations will be subject to conditions setting out the purpose or purposes for which the funds may be used and, while these conditions need not preclude virement (except where the funding is supported by a specific grant which the Authority itself is not permitted to vire), this should not be carried to the point of assimilating the allocations into the school's budget share.

Schools are required to maintain their accounting records in such a way as to be able to demonstrate that where appropriate the requirement to spend only on the purpose for which funding is given, and not to vire into the budget share, has been complied with.

Schools are required to account for any grant funding at the end of the financial year and/or at the conclusion of the specific funding allocation. Grant funding must be returned to the Authority if not spent in-year or within the period over which schools are allowed to use the funding, if different.

2.13 Spending for the purposes of the school

Although s50(3) of the SSAF Act 1998 allows governing bodies to spend budget shares for the purposes of the school, this is subject to any provisions of this Scheme.

2.14 Capital spending from budget shares

Governing bodies are allowed to use their budget shares to meet the cost of capital expenditure on the school premises. This includes expenditure by the governing body of an aided school on work which is their responsibility under paragraph 3 of Schedule 3 of the SSAF Act 1998.

The Authority must be notified of any capital spending from budget shares and, if the

expected capital expenditure from the budget share in any one year will exceed £10,000, the governing body is required to take into account any advice from the Section 151 Officer as to the merits of the proposed expenditure. If the premises are owned and maintained by the County Council then the governing body is required to seek the consent of the Authority to the proposed works but such consent can be withheld only on health and safety grounds.

Whilst all proposals for capital expenditure will be considered on their individual merits, governing bodies should be aware that the Authority will not normally approve works which could lead to the creation of spare (surplus) places, or which are contrary to the school modernisation programme. Similarly, the Authority will not normally approve works which incur additional ongoing revenue costs, unless the governing body is able to demonstrate an ability to meet such additional costs from its budget share.

Reference should also be made to the requirements contained within the Education (School Premises) Regulations 2012 and DfES Construction Standards, and health and safety legislation.

2.15 Notice of concern

The County Council sees effective stewardship of the resources available to schools as underpinning the delivery of the curriculum. However, there are occasions when a school is not demonstrating appropriate control and management of its finances and Local Authority intervention is required. The Authority may issue a notice of concern to the governing body of any school it maintains where, in the opinion of the Section 151 officer:

- the school has failed to comply with any provisions of this Scheme; or
- there are concerns about the standard of financial management; or
- action needs to be taken to safeguard the financial position of the Local Authority or the school; or
- the financial conduct of the school threatens the standard of educational attainment.

Such a notice will set out the reasons and evidence for its being issued and may place on the governing body restrictions, limitations or prohibitions (see also para 4.9) in relation to the management of funds delegated to it. The notice may require the governing body to produce an action plan to address the concerns of the Authority.

The notice will clearly state the nature of these requirements and the way in which, and the time by which, such requirements must be complied with in order for the notice to be withdrawn. It will also identify a named officers/advisors who will provide support in scrutinising the school's finance, curriculum and staffing to help in producing a viable recovery plan. It will also state the actions that the Authority may take where the governing body does not comply with the notice, including formal intervention by way of suspension of the School's delegated budget. .

If the concerns are significantly serious to warrant immediate formal intervention, the Authority may not use the notice of concern provisions (referred to above) where the

situation in respect of a school's standard of management makes suspension of delegation appropriate.

2.16 Suspension of delegation

Section 8 of the 2013 Act enables a local authority to suspend the governing body's right to a delegated budget, by giving the governing body of the school notice in writing. This applies where a maintained school is eligible for intervention and the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.

A copy of the notice to suspend the right to a delegated budget must be given to the governing body of the school and copied to the head teacher

The local authority may suspend a governing body's right to a delegated budget in order to secure control of staffing and other spending decisions. This allows the local authority to remove poorly-performing teachers or headteachers if necessary, or to take control of budget deficits. It also allows governors to focus their time and attention on other priorities for improvement. If the local authority has appointed an IEB, it cannot suspend the school's right to a delegated budget. If the local authority removed the right to a delegated budget before appointing an IEB, it must reinstate the delegated budget when the IEB comes into effect.

The principal effect of suspension of the right to a delegated budget is that the governing body loses the right to decide on how the budget should be spent (except to a limited extent if the Authority so decides) and loses the majority of decisions on staffing numbers and allocation.

2.17 Use of LA powers to suspend delegation

Issue of a notice of concern with accompanying restrictions or loss of right to a delegated budget is a rare event and should remain so. The school and the Authority should discuss any problems which may lead to such action and seek to rectify them before the need for formal action arises. Schools must co-operate with the Authority's monitoring arrangements which are designed to identify financial problems and take a positive approach to their resolution. Any additional costs to the Authority arising from this action will be charged to the school budget.

The table below describes the stages that will be followed where there are concerns regarding financial management at a school. This may include issuing an initial notice of concern, through to issuing a formal Warning Notice and ultimately the suspension of financial delegation. The focus will be working through these stages at pace to ensure we minimise the deficit. Where necessary a detailed timeline may be provided within initial correspondence.

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Stage	School Action	Local Authority Action	Relevant Local Authority Officers
<p>Stage 1</p> <p>School identifies deficit or LA Officer raises a concern</p>	<p>School notifies LA school finance officer at earliest opportunity</p> <p>School acts with utmost prudence freezing all appointments and unplanned expenditure</p>	<p>Chief Education Officer is notified</p> <p>Chief Education Officer arranges team to ensure that Stage 2 is undertaken to ascertain financial position of the school</p>	<p>Chief Education Officer</p> <p>Challenge Adviser</p> <p>School Finance Officer</p> <p>HR Adviser</p>
<p>Stage 2</p> <p>Exploration of issue</p>	<p>School provides LA with all necessary information and prioritises required meetings</p>	<p>Discussions with school to establish possible cause of issue and potential solutions</p> <p>Notify Schools Finance Officer, HR Adviser and Challenge Adviser</p>	<p>Chief Education Officer</p> <p>Challenge Adviser</p> <p>School Finance Officer</p> <p>HR Adviser</p>
<p>Stage 3</p> <p>Finalisation of agreed actions to be undertaken</p>	<p>Following exploration of issue, agree required actions with LA, for example:</p> <ul style="list-style-type: none"> • provision of 5 year forecast outturn/cashflow and curriculum plan • a deficit recovery action plan, including timescales agreed with LA, is approved by governing body and signed by Chair 	<p>Following exploration of issue, agree required actions with the school</p> <p>LA named officers / advisers work with the school to develop recovery plan</p> <p>Recovery plan submitted to LA for agreement. LA notifies school of conditions required as part of recovery action plan and of the support and monitoring arrangements.</p>	<p>Chief Education Officer</p> <p>Challenge Adviser</p> <p>School Finance Manager</p> <p>HR Adviser</p>
<p>Stage 4</p> <p>Implementation and monitoringAs detailed in recovery action plan</p>	<p>School implements recovery action plan complying with all limitations and monitoring requirements required by LA</p>	<p>LA monitors progress with action plan and supports school as required by the recovery action plan e.g. timely decisions of staff appointments, agreement to budgets etc</p>	<p>Challenge Adviser</p> <p>School Finance Officer</p> <p>HR Adviser</p>

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Stage	School Action	Local Authority Action	Relevant Local Authority Officers
Stage 5 Formal meeting	Attendance at formal meeting by Head, Chair of Governors and Chair of Finance Committee	A formal meeting to be held with the school if: <ul style="list-style-type: none"> • the actions agreed in stage 3 are not completed within the agreed timescale; or • the school defaults on any aspects of the recovery action plan 	Section 151 Officer Chief Education Officer School Finance Manager Challenge Adviser HR Adviser

The Authority may issue a notice of concern at any stage in the table above.

Where the Authority deems it appropriate, the authority may issue a Warning Notice to a school and will adopt the Welsh Government's Schools Causing Concern Guidance 2017 (222/2017) alongside the relevant legislative provisions.

Where a warning notice has been issued which has not been complied with to the satisfaction of the local authority within the compliance period, the school is eligible for intervention, as set out in the Welsh Government's Schools Causing Concern Guidance 2017 (222/2017).

SECTION 3: INSTALMENTS OF THE BUDGET SHARE; BANKING ARRANGEMENTS

3.1 Frequency of instalments

The proportion of the budget share (Cabinet Projected balance) calculated as under section 3.2 will be paid into schools' bank accounts quarterly in advance by electronic transfer in accordance with the following schedule:

- | | | | |
|-----|-------------|---|-----------------------|
| (a) | 1st April | - | 30% of annual advance |
| (b) | 1st July | - | 30% of annual advance |
| (c) | 1st October | - | 20% of annual advance |
| (d) | 2nd January | - | 20% of annual advance |

Monthly advances will only be considered where a school is running and paying its own payroll.

In either case advances will be adjusted for interest lost by the County Council as a result of making advance payments.

Interest will be calculated by comparing cash flow incurred by the County Council in making advance payments to school bank accounts with that estimated to be incurred if school expenditure were met directly by the County Council. The rate of

interest will be the current bank rate averaged for the preceding year to 1st March.

An adjustment to reflect any over/under advances in the previous financial year will be included in the advance made on or after 1st July. If the level of adjustment is greater than the advance due then no advance will be made in that quarter and the school requested to transfer the balance back to the Authority.

When the payment date is a non-banking day payment will be made on the next banking day.

3.2 Proportion of budget share payable at each instalment

The proportion of budget share payable into a school's bank account will be exclusive of estimated pay costs and any other costs paid centrally on behalf of the school by the Authority, including utility charges, National Non Domestic Rates, central recharges and any other payment made centrally.

3.3 Interest on late budget share payments

The Authority will add interest to late payments of budget share instalments, where such payment is the result of Authority error. The interest rate used will be the current bank base rate.

3.4 Bank and building society accounts

All maintained schools may opt to have an external bank account into which their budget share payments, as determined by sections 3.1 and 3.2, are paid. Schools having such accounts will be allowed to retain all interest payable on the account. Schools may operate deposit accounts to maximise interest on their cash holdings as well as current accounts. Deposit accounts may only be opened with the bank or building society which holds the current account for the school.

New accounts can only be opened, following receipt of written notice of intent signed by the headteacher and chair of governors:

- (i) from the beginning of the financial year, following three months notice;
- (ii) if the school can demonstrate they will end the year, leading up to their own bank account, in a break-even or a surplus position. The Authority will agree with the school an amount to be transferred representing its projected balance, on the basis that there is then a subsequent correction when the accounts for the relevant school year are closed. Should a school be in an overspend (deficit) position the request for its own account will be refused until such time as the deficit is cleared and in any case until the start of a financial year.

The governing body of each school will be responsible for ensuring that their bank accounts are managed properly and efficiently in line with the County Council's Financial Regulations.

As schools will not be able to register independently with HM Customs and Excise, all appropriate financial stationery used by schools must have reference to Powys County Council and its registration numbers.

If a school opens an external bank account the Authority will, if the school desires, transfer immediately to the account an amount agreed by both the school and Authority as the estimated cash balance held by the Authority in respect of the school's budget share, on the basis that there is a subsequent correction when accounts for the relevant school year are closed.

3.4.1 Imprest bank accounts

As an alternative to operating a bank account as set out in section 3.4, schools may opt to operate a bank account on an imprest basis, whereby a sum of up to £5,000 will be given as an initial advance. Schools will then submit a monthly claim of actual sums spent for reimbursement.

Following reimbursement the money held in a school's bank account will equal the initial advance given.

Alternatively, for small purchases, a school can apply for a corporate imprest account which does not involve the need to hold an associated bank account.

3.4.2 Restrictions on bank accounts

All bank accounts including those held for unofficial funds must be notified to, and approved by, the Section 151 Officer before they are opened, except that former GM schools may nominate and use the same accounts as used by them for AMG in 1998-99. Bank and building societies must be selected from an approved list available from the Section 151 Officer.

All bank accounts relating to the school's delegated budget will bear the name of the school followed by "Powys County Council" (- Powys County Council). Bank and building society accounts will be operated in accordance with detailed Financial Regulations issued by the Section 151 Officer. The Section 151 Officer or his representative will be provided with access to all school bank accounts. All balances in school bank accounts under this Scheme remain the property of the County Council. Bank accounts must not be overdrawn.

Governors who are not members of staff cannot be signatories to local bank accounts.

3.4.3 Debit and other charge cards

Where a governing body considers that the use of a debit card, a corporate credit card or a purchasing card would fit within its purchasing strategy then a purchase card may be provided under arrangements approved by the Section 151 Officer. The governing body is responsible for ensuring that the cards are operated in accordance with Minimum Standards. Debit, credit or purchasing cards are not otherwise permitted. Debit, credit and purchasing cards must not be used to obtain cash advances.

3.5 Borrowing by schools

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Governing bodies may borrow money from a bank or building society only with the written permission of the Welsh Government. Any requests for such consent and the outcome should be notified to the Section 151 Officer. The Authority will not accept any responsibility for any such loans so authorised.

This does not apply to Trustees and Foundations whose borrowing, as private bodies, makes no impact on Government accounts. These debts may not be serviced directly from the delegated budgets but schools are free to pay for a service which the Trustees or Foundation are able to provide as a consequence of their own borrowing. Governing bodies do not act as agents of the Authority when repaying loans.

3.6 Lease/rental agreements

Schools are legally only allowed to enter into rental (operating) leases e.g. photocopier, computer network system, and must have approval of the Section 151 Officer prior to entering into any lease agreement.

The County Council's Financial Regulations require all leases to be signed off by the Corporate Finance Department to ensure:

- the most appropriate and cost effective method of financing the asset is being utilised;
- all amounts outstanding on leases are included in the balance sheet as required by the Authority's accounting regulations;
- that the lease does not impact negatively on the County Council's borrowing capability.

The governing body must have an ongoing regard to Best Value considerations and should be able to demonstrate that they have been applied in relation to leases.

3.7 Resourcing of new schools and schools due for closure, amalgamation or merger (see also section 4.7)

3.7.1 New schools

In the first year of the opening of a new school, the school will be formula funded for the appropriate proportion of the financial year e.g. if a school opens in September it will be resourced for 7 months of the financial year (7/12 of the formula allocation).

The Authority has the right to delegate selectively and optionally to the governing body of schools that have yet to receive delegated budgets.

3.7.2 Schools due for closure, amalgamation or merger

Where a school is scheduled to be closed, amalgamated or merged during a financial year, the school will receive formula funding for the proportion of the financial year for which it is open i.e. if a school closes on 31st August it will only be resourced for the first 5 months of the financial year (5/12 of the formula allocation). When the school closes, any balance (surplus or deficit) will revert to the Authority. It will not be transferred as a balance to any other school.

The remainder of the annual budget will be retained centrally, to meet any exceptional costs incurred during the closing process together with any cumulative overspend at the school. Thereafter the savings will be reinvested into the Schools Service budget.

In order to ensure effective stewardship of the resources available to schools, the Authority may impose additional restrictions on a school scheduled to close, including but not limited to:

- restriction of expenditure to agreed plans
- removal of powers of virement

SECTION 4: THE TREATMENT OF SURPLUS AND DEFICIT BALANCES ARISING IN RELATION TO BUDGET SHARES

4.1 The right to carry forward surplus balances

Schools will carry forward from one financial year to the next any shortfall in expenditure relative to the school's budget share for the year plus/minus any balance brought forward from the previous year.

For a school having a new bank account the Authority will calculate on a provisional basis the amount of any balance to be transferred to a school's bank account and indicate the date by which the transfer would occur, pending a later reconciliation.

To ensure the overall financial robustness of schools it is expected that the collective balances should always be in surplus. Each school will be required to meet the conditions detailed in Sections 4.2 to 4.9 on an individual basis, with the Authority monitoring the overall planned balances for each of the 3/4 years in the planning cycle.

4.2 Controls and recovery of surplus balances

In accordance with Schedule 4 of the School Funding (Wales) Regulations 2010, the Authority will monitor schools' cumulative end of year balances. Following production of the outturn statement, cumulative surplus or deficit balances at year end will be calculated.

Where a cumulative surplus balance exceeds 5% of the school budget share or £10,000, whichever is greater, the Authority will request a statement from the governing body as to the use that it proposes to make of that cumulative surplus.

In addition, the Authority may direct the governing body as to how to spend the surplus in the school balance for a funding period, if:

- a) in the case of a Primary school the surplus is £50,000 or more, and

- b) in the case of a Secondary School or Special school the surplus is £100,000 or more

The Authority may, if the governing body does not comply with such a direction, require the governing body to pay all or part of that surplus to the authority to be applied as part of the Authority's schools budget for the funding period in question.

Schools with balances above these limits will be required to report to the Authority on the proposed use of the planned surplus in subsequent years. Planned use of surplus funds will be considered by the Authority and approved where appropriate.

4.3 Interest on surplus balances

The Authority will pay interest on surplus balances. The payment will be based on the school's closing cumulative balance at the end of the financial year. The Section 151 Officer will advise on the interest rate to be used, having due regard to the prevailing market interest rates and financial environment. The same interest rate will be used to calculate charges on deficit balances.

4.4 Obligation to carry forward deficit balances

A deficit balance at the end of a financial year will be treated as a deduction from the following year's budget share.

4.5 Planning for deficit balances

A governing body has no legal right to set a deficit budget without the consent of the Authority and should not presume that such consent will be granted. The Authority will consider approving a licensed deficit to a school in certain approved circumstances (see para. 4.8).

4.6 Charging of interest on deficit balances

The Authority will charge interest on deficit balances. The charge will be based on the school's closing cumulative balance at the end of the financial year. The Section 151 Officer will advise on the interest rate to be used, having due regard to the prevailing market interest rates and financial environment. The same interest rate will be used to calculate payments on surplus balances.

4.7 Writing off deficits (see also section 3.6)

The Authority has no power to write off the deficit balance of any school except for a closed school, subject to authorisation of the Portfolio Holder for Education.

4.8 Licensed and Unlicensed deficits

The detailed arrangements applying to this scheme are set out below:

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- (a) the length of time over which a school may repay a deficit is three years, except in exceptional circumstances where a longer period has been agreed and with the support of the Chief Education Officer and the Section 151 Officer. In practice, the timescale will depend on the extent of the deficit and the school's ability to take early action.
- (b) deficit arrangements may be agreed in the following circumstances:
- falling pupil numbers;
 - to spread the cost of cyclical maintenance works over two or more years;
 - other circumstances agreed by the Authority to be reasonable

In the primary sector, the maximum licensed deficit which may be approved will be up to 10% of the school's budget share (including any amounts for pupil number adjustments), but with a ceiling of £50,000.

In the all-age, secondary and special sectors, the maximum licensed deficit which may be approved will be up to 7.5% of the school's budget share (including any amounts for pupil number adjustments), but with a ceiling of £100,000 for special schools and £150,000 for all-age and secondary schools.

Where a cumulative deficit exceeds these amounts, it will be deemed an unlicensed deficit.

A school with a planned deficit of less than £500 and a planned underspend in the following financial year will not have to apply to have the deficit approved.

The arrangements for licensed and unlicensed deficits will be operated by the Head of Finance (Section 151 Officer), working within the accounting requirements of the County Council.

Schools wishing to apply to the Authority to set a deficit budget will be subject to detailed terms and conditions agreed between the governing body, headteacher and the Authority's officers. All Schools will be required to maintain a risk register linked to their deficit budget, the format of which will be provided by the Schools Forum. Restrictions on expenditure and a higher level of budget monitoring will be required by the school and the Authority for the period of the deficit and until such a time as the Authority is satisfied that the school has met repayment targets and is in a position of financial stability. The Authority will appoint a named officer / adviser to support the school in analysing its finance, curriculum and staffing needs.

Requests for licensed deficits will not normally be approved unless the school can produce a recovery plan which, in the view of the Authority, is realistic, prudent and does not exceed three years (unless in exceptional circumstances a longer period is agreed by Section 151 officer and Chief Education officer). The Authority's named officers / advisers will have a key role in determining whether the recovery plan can be recommended to the Authority as fulfilling these criteria.

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Schools have a duty to identify potential deficits and to plan recovery action early. The Authority expects the recovery plan to be submitted by 1st May. The format of the recovery plan, and arrangements for its submission, will be specified by the Authority. The recovery plan will have to be updated at least annually until the school returns to a cumulative surplus budget and is in a position of financial stability. Failure to comply with the agreed recovery plan will mean the re-activation of the process set out in para 2.16.

The Authority will impose additional restrictions on a school during the term of the licence, as part of **the licence, or where the deficit is unlicensed, including** but not limited to:

- the right of approval of staffing appointments and any other changes to staffing that increase costs;
- the right of approval of contracts over a specified value;
- restriction of expenditure to agreed plans and removal of powers of virement;
- a requirement to purchase the full Local Authority financial support package;
- agreed repayment targets, etc.
- the written agreement to the terms by the Chair of Governors, following a resolution passed by the full governing body.

The named officers / advisers will be the first point of contact for the school in relation to these restrictions. He or she will make appropriate recommendations to the Section 151 Officer and Chief Education Officer. The need for and extent of such restrictions will be assessed on a school by school basis.

SECTION 5: INCOME

Schools will be able to retain income except in certain specified circumstances.

5.1 Income from lettings

The Authority supports the use of its buildings outside the normal school day however schools must ensure that income received from lettings covers the full cost of that letting.

Schools will be allowed to retain income from lettings of the school premises which would otherwise accrue to the Authority, subject to alternative provisions arising from any joint use or PFI/PPP agreements. Schools will be allowed to cross-subsidise lettings for community and voluntary use with income from other lettings and other non-delegated sources, provided there is no net cost to the delegated budget share. Schools will be required to have regard to any directions issued by the Authority as to the use of school premises, as permitted under the SSAF Act 1998 for various categories of schools and in particular the use of the school for pre-school provision.

Income from lettings of school premises or payment for use of school facilities, such

as the photocopier, should not be paid into voluntary or private funds held by a school. In schools using the Council's financial system such income must be paid into the Council's corporate bank account and accounted for on an e-return in order to account correctly for the VAT. In secondary schools using bank accounts the monies should be paid into the school's delegated bank account.

5.2 Income from fees and charges

Schools will be allowed to retain income from fees and charges except where a service is provided by the Authority from centrally retained funds. Where schools provide a service which is normally provided by the Authority e.g. home to school transport, the provision must be fully cost recovered either through parental contributions, user fees or PTA funding and should not be subsidised from the school's delegated budget. In schools using the Council's financial system such income must be paid into the Council's corporate bank account and accounted for on an e-return in order to account correctly for the VAT. In secondary schools using bank accounts the monies should be paid into the school's delegated bank account.

5.3 Income from fund-raising activities

Schools will be allowed to retain income from fund-raising activities.

5.4 Income from the sale of assets

Schools will be allowed to retain the proceeds of sale of assets except in cases where the asset was purchased with non-delegated funds (in which case it will be for the Authority to decide whether the school should retain the proceeds), or the asset concerned is land or buildings forming part of the school premises and is owned by the Authority.

Income from sale of assets purchased with delegated funds may only be spent for the purposes of the school.

SECTION 6: THE CHARGING OF SCHOOL BUDGET SHARES

6.1 General provision

The Authority may charge the budget share of a school without the consent of the governing body only in circumstances expressly permitted by this scheme. The Authority will consult schools as to the intention to so charge, and notify schools when it has been done.

The Authority will charge salaries of school-based staff to school budget shares at actual cost.

The Authority will not act unreasonably in the exercise of any power given by this Scheme, or it may be the subject of a direction under s.496 of the Education Act 1996.

For each of these circumstances set out in 6.2 (except 6.2.11) the Authority would

need to demonstrate that the Authority had necessarily incurred the expenditure now charged to the budget share. This means that where the Authority cannot incur a liability because the statutory responsibility rests elsewhere, no charging is possible. Therefore the position on charging will vary between categories of school.

6.2 Circumstances in which charges may be made

Charges may be made in the circumstances set out below.

In some cases the ability to charge budget shares depends on the Authority having given prior advice to the governing body. The Authority will need to ensure that it has taken steps that enable it to give advice whenever possible.

6.2.1 Where premature retirement costs have been incurred without the prior written agreement of the Authority to bear such costs (the amount chargeable being only the excess over any amount agreed by the Authority).

6.2.2 Other expenditure incurred to secure resignations where the school had not followed the advice of the Authority.

6.2.3 Awards by courts and industrial tribunals against the Authority arising from action or inaction by the governing body contrary to the Authority's advice.

6.2.4 Expenditure by the Authority in carrying out health and safety work for which the Authority is liable where funds have been delegated to the governing body for such work, but the governing body has failed to carry out the required work.

6.2.5 Expenditure by the Authority incurred in making good defects in building work funded by capital spending from budget shares, where the premises are owned by the Authority or the school has voluntary controlled status.

6.2.6 Expenditure incurred by the Authority in insuring its own interests in a school where funding has been delegated but the school has failed to demonstrate that it has arranged cover at least as good as that which would be arranged by the Authority.

6.2.7 Recovery of monies due from a school for services provided to the school, where a dispute over the monies due has been referred to a disputes procedure set out in a service level agreement, and the result is that monies are owed by the school to the Authority.

6.2.8 Recovery of penalties imposed on the Authority by the Board of Inland Revenue, the Contributions Agency or HM Revenue and Customs, Teachers Pensions or regulatory authorities as a result of school negligence.

6.2.9 Correction of Authority errors in calculating charges to a budget share (e.g. pension deductions), unless the error dates back several years and such charging would be unreasonable.

6.2.10 Additional transport costs incurred by the Authority arising from decisions by the governing body on the length of the school day, and failure to notify the Authority

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of non-pupil days resulting in unnecessary transport costs.

6.2.11 Legal (and other similar) costs which are incurred by the Authority because the governing body did not accept the advice of the Authority (see also section 11).

6.2.12 Costs of necessary health and safety training for staff employed by the Authority, where funding for training had been delegated but the necessary training had not been carried out.

6.2.13 Compensation paid to a lender where a school enters into a contract for borrowing beyond its legal powers, and the contract is of no effect.

6.2.14 Cost of work done in respect of teacher pension remittance and records for schools using non-Authority payroll contractors, the charge to be the minimum needed to meet the cost of the Authority's compliance with its statutory obligations.

6.2.15 Costs incurred by the Authority in securing provision specified in a statement of SEN where the governing body of a school fails to secure such provision despite the delegation of funds in respect of that statement.

6.2.16 Costs incurred by the Authority due to submission by the school of incorrect data.

6.2.17 Recovery of amounts spent from specific grants on ineligible purposes.

6.2.18 Costs incurred by the Authority as a result of the governing body being in breach of the terms of a contract.

6.2.19 Recovery of interest on late creditor payments by schools under the Late Payment of Commercial Debts (Interest) Act 1998.

6.2.20 Where the Authority loses any grant income e.g. Education Improvement Grant, due to schools not providing the necessary information or not complying with any grant conditions then the school will bear the cost of that loss.

6.3 Education Workforce Council

6.3.1 Under the Education (Wales) Act 2014, the Education Workforce Council is able to charge a fee for registration and retention of entries on the Register of Education Practitioners. The Education Workforce Council (Registration Fees) (Wales) Regulations 2015 require an employer, who has been notified by the Council, to deduct any such fee from a practitioner's salary and remit it to the Council within 14 days.

6.3.2 Schools are entitled to deduct, or arrange for the deduction of, the registration fee from the salaries of those practitioners who are registered, or who are required to be registered, if the fee has not been paid by any other means.

SECTION 7: TAXATION

7.1 Value Added Tax

7.1.1 Generally HM Revenue and Customs has agreed that VAT incurred by schools when spending any funding made available by the Authority is reclaimable by the Authority. This does not include governors of a voluntary aided school when carrying out their statutory responsibility to maintain the external fabric of the buildings. Guidance has been issued regarding this but please contact vat@powys.gov.uk if you require any further guidance or would like a copy of the guidance.

7.1.2 Schools with purchase cards must upload suitable evidence to the specified website in order to support the VAT recovery.

7.1.3 Schools operating bank accounts must send in to the County Finance Department their claim for VAT on a monthly basis (this claim can be made using the facility available on SIMS or as otherwise directed). Schools must retain all documentation to support their claim as required by HM Revenue and Customs.

The VAT claim must be returned (on the form approved by the Section 151 Officer) to the Schools Finance Team on the first working day following the month end.

7.1.4 The Technical Finance Team will recover the VAT from HM Revenue and Customs and reimburse the school bank account.

7.1.5 Monthly accounting returns are required by the County Finance Department showing an analysis of the month's transactions. Monthly bank reconciliations should be completed and retained by the school and made available to the County Finance Department on a monthly basis.

7.1.6 Schools must obtain guidance from the Technical Finance Team on the management of VAT. Schools must pay full regard to the Authority's VAT manual which is available at

<https://powyscc.sharepoint.com/sites/services/finance/systems/Shared%20Documents/VAT%20Manual%202019.docx>

Further guidance is available from the Technical Finance Team. This is particularly pertinent in respect of aided schools undertaking duties which are the responsibility of the trustees or the governing body under the trust agreement.

7.1.7 Failure to comply with any of above conditions will result in the removal of the bank account from the school.

7.2 Construction Industry Taxation Scheme (CITS)

The administrative complexity of CITS requires that payments to all building contractors, who successfully tender for maintenance work, must be made through the County Finance Department's Creditors System. The invoice and a cheque made payable to Powys County Council for the gross amount should be sent to the County Finance Department and a copy of the invoice kept in the school's filing system. VA schools should inform suppliers when ordering Construction work that Powys County Council is not the end user.

Schools must abide by this procedure or any amendment to this procedure determined by the Section 151 Officer.

7.3 PAYE & NI – Schools with their own Bank Accounts

Schools making payments for goods and services to individuals should be aware that the self-employed status of those individuals is subject to the Inland Revenue 'Categorisation Regulations' and is not a matter of the individual's choice. Schools will be liable for any penalty and back tax/NI that the Authority incurs for non-compliance where payments are made by schools without deduction of tax and NI.

SECTION 8: THE PROVISION OF SERVICES AND FACILITIES BY THE AUTHORITY

8.1 Provision of services from centrally retained budgets

The Authority will determine on what basis services from centrally retained funds will be provided to schools. Such services could include Home to School Transport; certain Special Educational Needs Services; Educational Psychology and Education Welfare Services.

The Authority will not discriminate in its provision of services on the basis of categories of schools except where (a) funding has been delegated to some schools only or (b) such discrimination is justified by differences in statutory duties; this provision encompasses Premature Retirement Costs (PRC) and redundancy payments.

Charges for centrally provided services will not be increased in-year and consultation will be undertaken with both the Schools Forum and schools where a Service Area proposes to increase charges to schools by more than the rate of inflation applied to the linked expenditure area.

8.2 Provision of services bought back from the Authority using delegated budgets

For any arrangement with a school to buy services or facilities from the Authority the term will be a maximum of three years from the inception of the scheme or the date of the agreement, whichever is the later, and periods not exceeding five years for any subsequent agreement relating to the same services. This provision does not apply to centrally funded premises and liability insurance.

When a service is provided for which expenditure cannot be retained centrally by the Authority, it will be offered at prices which are intended to generate income which is no less than the cost of providing these services. The total cost of the service will be met by the total income, although schools may be charged differentially.

8.2.1 Packaging

Any service which the Authority is providing on a 'buy back' basis will be offered in a

way which does not unreasonably restrict schools' freedom of choice among the services available and, where practicable, this will include provision on a service-by-service basis as well as in packages of services.

8.3 Service level agreements

8.3.1 If services or facilities are provided under a service level agreement - whether without charge or on a 'buy back' basis - the terms of any such agreement starting on or after the inception of this scheme will be reviewed at least every three years if the agreement lasts longer than that.

Schools who opt for a term longer than one year will be offered the opportunity of reviewing the arrangement on an annual basis when the budget position for the following year is known.

8.3.2 As far as practicably possible, the Authority will consult with schools on the design and content of service level agreements.

8.3.3 Services, if offered by the Authority, will be available on an ad hoc basis, as well as on the basis of service level agreements.

SECTION 9: PFI/PPP

It is not envisaged that any PFI/PPP projects will be undertaken in respect of Powys schools.

In any case, any proposals for PFI/PPP must be considered by the Section 151 Officer and approved by the Authority prior to proceeding. Where a school is part of a PFI/PPP project, the Authority will reach an agreement with the governing body in respect of those charges the school will have to bear for services incorporated into delegated formula funds.

SECTION 10: INSURANCE

10.1 Insurance cover (see also section 6.2.6)

If funds for insurance are delegated to any school, the Authority will require the school to demonstrate that under a policy arranged by the governing body, cover relevant to an Authority's insurable interests is at least as good as the relevant minimum cover arranged by the Authority where the Authority makes such arrangements, paid for from central funds or from contributions from schools' delegated budgets.

The Authority will have regard to the actual risks which might reasonably be expected to arise at the school in question in operating such a requirement, rather than applying an arbitrary minimum level of cover for all schools.

SECTION 11: MISCELLANEOUS

11.1 Right of access to information

Governing bodies will supply all financial and other information which might reasonably be required to enable the Authority to satisfy itself as to the school's management of its delegated budget share, or the use made of any central expenditure by the Authority (e.g. earmarked funds) on the school. This requirement to supply additional financial information does not extend to copies of internal reports to the governing body on financial matters.

11.2 Liability of governors

As the governing body is a corporate body and because of the terms of s.50(7) of the SSAF Act 1998, governors of maintained schools do not incur personal liability in the exercise of their power to spend the delegated budget share provided they act in good faith. This protection does not extend to fraudulent, reckless or grossly negligent acts.

Powys County Council has public and employer's liability insurance cover in place which covers the legal liabilities of the Council in respect of death, bodily injury and illness to its employees and third parties, or damage to their property, subject to the terms and conditions of the policy. The *Insured* within the policy is Powys County Council and this definition is extended to include governors of schools under the control of the Council (and which buy into the Council's insurance package), whilst engaged on their official duties and activities. The Governing Body of a Voluntary Aided or Foundation School is the employer of the staff. The Powys County Council public and employer's liability insurance policy is extended to include any governor of such schools that are within the Powys County Council area and listed within the schedule of insurance, whilst they are engaged on their official duties as governors of the school, subject to the terms and conditions of the policy.

The Council's Chief Finance Officer acts on behalf of all insureds in respect of this policy and has full discretion in the conduct of any claims or potential claims that may be made against the policy. Where a school governor is entitled to indemnity under the above-mentioned policy any retention (the "excess" or first part of each claim that the insured has to pay) that is the responsibility of the Insured shall be borne by Powys County Council.

11.3 Governors' expenses

The Authority is allowed to delegate to the governing body of a school yet to receive a delegated budget, funds to meet governors' expenses

Under schedule 11 of the SSAF Act 1998, only allowances in respect of purposes specified in regulations may be paid to governors from a school's delegated budget share; schools are forbidden to pay any other allowances. Schools are also barred from payment of expenses duplicating those paid by the Welsh Government to additional governors appointed by him to schools under special measures. The amounts of any such allowances will be set by the Authority.

11.4 Responsibility for legal costs

Legal costs incurred by the governing body are part of the cost of maintaining the school (unless they relate to the statutory responsibility of voluntary aided school governors for buildings) and may be charged to the school's budget share if the governing body does not act in accordance with the advice of the Authority.

The procedure which schools should follow in obtaining legal advice where there is a conflict of interest between the Authority and the governing body with the advice of the Authority is as follows:

- notification should be given to the Authority that the governing body does not accept the legal advice tendered by the Authority and that it is seeking alternative legal advice;
- legal advice should then be obtained by the governing body from an appropriately qualified legal advisor.
- that legal advice should then be presented to the Authority.

11.5 Health and safety

Governing bodies are required, in expending the school's budget share, to have due regard to duties placed on the Authority in relation to health and safety and to the Authority's policy on health and safety matters in the management of the budget share.

Directions issued by the Authority to the governing body and headteacher of a community or voluntary controlled school are enforceable, so far as governing bodies are concerned, under s.497 of the Education Act 1996 if not complied with.

11.6 Right of attendance of Section 151 Officer (and Chief Education Officer)

Governing bodies are required to permit the Section 151 Officer (and the Chief Education Officer) of the Authority, or any officer of the Authority nominated by the Section 151 Officer, to attend meetings of the governing body at which any agenda items are relevant to the exercise of her or his responsibilities.

The Authority will give prior notice of such attendance unless it is impracticable to do so.

11.7 Delegation to new schools

11.7.1 Where a new school is being established, the Authority will allocate to the temporary governing body any approved costs required to carry out its statutory functions prior to the opening of the school.

11.7.2 Resources will be allocated for the first 3 full financial years using the funding formula, based on an Authority forecast of pupil numbers projected for the date of opening. This will be subject to adjustment in the event of the actual number of pupils being different.

11.8 Special educational needs

POWYS SCHEME FOR THE FINANCING OF SCHOOLS 2023-24

Schools will be required to use their best endeavours in spending the budget share, to secure appropriate SEN provision for pupils of the school. Should a school substantially and persistently breach its responsibilities in this context, the Authority may instigate proceedings to suspend delegated status.

11.9 Community use of facilities

Governing bodies are able to provide facilities or services, the provision of which furthers any charitable purpose for the benefit of pupils/families at the school or people who live or work in the locality. Expenditure can be incurred to provide staff, goods, services or accommodation to any person. Expenditure can be cross subsidised using income from charges but should not be subsidised from the school's delegated budget. Governing bodies may charge for any services/facilities provided. This arrangement is subject to consultation with the Authority, staff and parents (and pupils if relevant).

11.10 'Whistleblowing'

The procedures to be followed by persons working at a school or school governors who wish to complain about financial management or financial propriety at a school, and how such complaints will be dealt with by the Authority, are contained in Powys County Council's 'Whistleblowing Policy for School Staff'.

11.11 Child protection

Schools should make reasonable efforts to release staff to attend child protection case conferences and related events. Funding to meet such costs is within delegated budgets.

11.12 School meals

The Authority has not produced a policy document for school meals. Where schools have funding delegated for school meals provision they have the option of buying back into the Authority service or making alternative arrangements. Where schools make alternative arrangements they should have regard to any guidance and implement any regulations regarding health and safety and nutritional standards.

SECTION 12: RESPONSIBILITY FOR REPAIRS AND MAINTENANCE

The category of work which governing bodies must expect to finance from their budget is included in **Annex B** (*under review*).

Voluntary aided schools should note the information in **Annex Bii** (*under review*) which should be read alongside the more detailed information on the definition of repair work in 'Capital Grant Programme – A guide to Governors' issued to all voluntary aided and special agreement schools in September 2002 by the National Assembly for Wales. For the purpose of determining whether the Local Authority or Voluntary Aided governors are responsible for funding capital or repair work that publication, which details the full division of liabilities, should be consulted. Items that are not the responsibility of Voluntary Aided governing bodies will be treated on the same basis as community and foundation schools and funding delegated by the

POWYS SCHEME FOR THE FINANCING OF SCHOOLS 2023-24

Authority under its scheme.

Schedule Of Schools Maintained By Powys County Council To Which The Scheme For The Financing Of Schools Applies (as at 1st April 2021)

Primary Schools

Abermule C.P. School
Archdeacon Griffiths Church In Wales (Aided) Primary School
Arddleen C.P. School
Berriew C.P. School
Brynhafren C.P. School
Builth Wells C.P. School
Buttington/Trewern C.P. School
Caersws C.P. School
Carreghofa C.P. School
Castle Caereinion C In W School
Churchstoke C.P. School
Clyro Church In Wales Controlled School
Cradoc C.P. School
Crickhowell C.P. School
Crossgates C.P. School
Forden Church In Wales School
Franksbridge C.P School
Gladestry Church In Wales Controlled School
Guilsfield C.P. School
Hafren C.P. Junior School
Hay-On-Wye C.P. School
Irfon Valley C.P. School,
Knighton Church In Wales Controlled School
Ladywell Green Nursery & Infants School
Leighton C.P. School
Llanbedr Church In Wales (Aided) School
Llanbister C.P. School
Llandinam C.P. School
Llandysilio C. In W. School

Primary Schools (cont.)

Llanelwedd Church In Wales Primary School
Llanfaes C.P. School
Llanfair Caereinion C.P. School
Llanfechain Church In Wales School
Llanfihangel Rhydithon C.P. School
Llangattock Church In Wales (Aided) School
Llangedwyn Church In Wales Voluntary Controlled School
Llangors Church In Wales Controlled School
Llangynidr C.P. School
Llanidloes C.P. School
Llanrhaeadr Ym Mochnant C. P. School
Llansantffraid Church In Wales (A) School
Maesyrrhandir C.P. School
Montgomery Church In Wales School
Mount Street C.P. Infants School
Mount Street C.P. Junior School
Newbridge-On-Wye Church In Wales Controlled School
Penygloddfa C.P. School
Presteigne C.P. School
Priory Church In Wales (Aided) School
Radnor Valley C.P. School
Rhayader Church In Wales Controlled School
Sennybridge C.P. School
St. Mary'S Catholic School
St. Michael'S Church In Wales Voluntary Aided School
Treowen C.P. School
Welshpool Church In Wales Primary School
Ysgol Bro Cynllaith
Ysgol Bro Tawe
Ysgol Cefnlllys
Ysgol Cwm Banwy (Church In Wales School)
Ysgol Dafydd Llwyd
Ysgol Dolafon
Ysgol Dyffryn Trannon

Primary Schools (cont.)

Ysgol Glantwymyn
Ysgol Golwg Y Cwm
Ysgol Gymraeg Dyffryn Y Glowyr
Ysgol Gymraeg Y Trallwng
Ysgol Gynradd Carno
Ysgol Llanbrynmair
Ysgol Meifod
Ysgol Pennant
Ysgol Pontrobert
Ysgol Rhiw Bechan
Ysgol Trefonnen Church In Wales Community Primary School
Ysgol Y Cribarth
Ysgol Y Mynydd Du
Ysgol-Y-Bannau

All-Age Schools

Ysgol Bro Hyddgen
Ysgol Llanfyllin

Secondary Schools

Brecon High School
Crickhowell High School
Gwernyfed High School
Llanidloes High School
Newtown High School
Welshpool High School
Ysgol Calon Cymru
Ysgol Maesydderwen
Ysgol Uwchradd Caereinion

Special Schools

Brynllwarch Hall School
Ysgol Cedewain
Ysgol Penmaes

Pupil Referral Units

Pupil Referral Unit (Mid / South)

Pupil Referral Unit (North)

UNDER REVIEW

Special Schools Funding Formula Review

Document for consultation

(Dates 22nd November to 13th December 2022)

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1. Background

The current funding formula came into effect in the 2019-20 financial year following a fundamental review carried out to create a clear and transparent funding model to deliver a core educational offer to schools in Powys.

The funding formula should be subject to ongoing review and should underpin the local authority's vision for the education of its school pupils, as set out in the Strategy for Transforming Education in Powys 2020-2032, with learner entitlement at its core.

2. Aims and scope

The proposals on which we are consulting are intended to support a move to a pupil-led formula whilst also securing stability for Special Schools across Powys. This should provide a stable, transparent and equitable funding arrangement for Special schools, which will:

- Create a **more equitable provision for all learners** across Powys
- **Support the aspirations of the transformation programme**
- **Support all learners** including helping **offset the effects of disadvantage**
- **Support a collaborative schools' community** which offers effective professional learning to facilitate the self improving system.
- **Support inclusion and bilingualism, and promote access to excellence for all learners.**

These proposals will apply to Special schools only. Work on reviewing the formula for Primary schools took place in 2021. Proposals for the funding formula for Secondary phase schools are set out in a separate consultation document.

3. Process

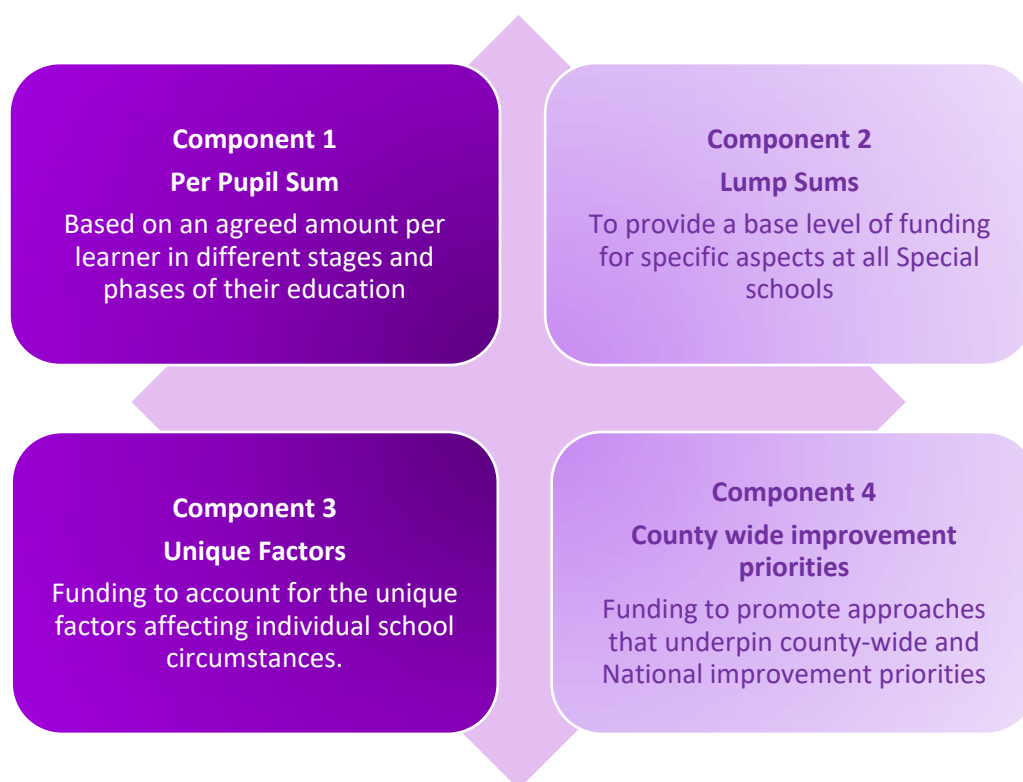
The Formula Review Group was established with a range of stakeholders. The group has been meeting with Council officers since June 2021 to review the formula and develop proposals for consultation, although work on the secondary phase formula paused during the Autumn term 2021 and Spring term 2022 while work focussed on the primary phase formula.

During the 2021 the group looked at developing models and some "reasonableness" testing, refining options and proposals which underpinned the development of the primary formula. This work continued for the secondary phase formula from July 2022 over the summer leading to the development of a set of proposals for this consultation.

Council officers and the group also looked in depth at other Local Authority funding formulae across Wales to aid with the proposals.

4. Designing the new funding formula for Special Schools

The proposed revised formula has been broken down into four component led funding streams, as per the diagram below. Each component of the formula is described in detail within this consultation paper.



5. Pupil Numbers

Pupil count date is the Friday in the first week following the October Half Term. These numbers will be used to fund the Summer term and the predicted leavers/starters in the September will be adjusted for in the initial funding pack.

All Special schools will be funded for the estimated intake in the September using a predicted Band 3 (if band is unknown), an adjustment will then be made in September to reflect the actual intake and bands of the pupils.

Question C1: Do you agree with the pupil number proposal as a basis for funding Special schools?

Question C2: Please provide any comments you wish to make in relation to the pupil number proposals.

6. Component 1 – Per pupil sum

Distributes a per pupil sum to each school – based on an agreed amount per learner in different Bands of Learning Difficulty. This sum should cover the costs of running an inclusive school that can provide for the needs of all learners.

Appendix A sets out the methodology for calculating the per pupil sum for each Band of Learning Difficulty and includes the following areas:

- Teachers incl. PPA

- Teaching Assistants
- Mid-day Supervisors
- Supply
- SLAs
- Premises: 6.3 sqm per pupil at £52 per square metre

All parameters must meet regulatory requirements, respecting health and safety guidelines and workload management needs.

Question C3: Do you agree with the Banding Criteria used to allocate Bands to pupils?

Question C4: Do you agree with the ratios used and funding method for the teacher funding calculation included in the Per Pupil Allocation?

Question C5: Do you agree with the supply calculation included in the Per Pupil Allocation?

Question C6: Do you agree with the ratios and funding method for the teaching assistants calculation included in the Per Pupil Allocation?

Question C7: Do you agree with the ratios and funding method for the Midday Supervision calculation included in the Per Pupil Allocation?

Question C8: Do you agree with the funding method for the capitation calculation included in the Per Pupil Allocation?

Question C9: Do you agree with the changes to the SLA funding calculation included in the Per Pupil Allocation?

Question C10: Do you agree with the changes to the premises funding calculation included in the Per Pupil Allocation?

Question C11: Do you agree with the methodology for funding additional pupils mainstream level?

Question C12: Please list any other elements that you think should be included in component 1.

Question C13: Please provide any comments you wish to make in relation to the pupil number proposals.

7. Component 2: Lump Sums

These are lump sums awarded to the schools in relation to Component 1 but funded on a lump sum basis rather than per pupil. Details of the basis for each lump sum and its

calculation can be found at Appendix B – Description of the Special School Funding Formula.

Question C14: Do you agree with the basis/calculation of the leadership and management lump sum as set out in the consultation document?

Question C15: Do you agree that the ISR for Special schools is based on the number of pupils within the 5 new bands proposed rather than basing the range on the number of pupils at each Key stage?

Question C16: Do you agree with the basis /calculation of the administration lump sum as set out in the consultation document?

Question C17: Do you agree with the basis of the grounds lump sum as set out in the consultation document?

Question C18: Please list any other elements that you think should be included.

Question C19: Please provide any comments you wish to make in relation to Component 2 – Lump Sums.

8. Component 3: Unique Factors

These are funding adjustments made to the Component 1 pupil led funding to account for the unique factors affecting individual school circumstances.

Powys County Council has a significant range of differences between its schools e.g. size, condition of buildings.

This component is designed to ensure that learners in all schools have an equity of provision. Items listed here provide additional sums to reflect matters that are unique to individual schools.

The description of these funding adjustments is in Appendix B (Component 3 section – Unique factors).

There is no proposed change to the Statutory testing funding.

Question C20: Do you agree that there should be a class size top up for the Special Sector?

Question C21: Do you agree with how the proposed surplus sqm top up is funded for the Special Sector?

Question C22: Do you agree that there should be a building condition top up?

Question C23: Do you agree with the proposed Site Layout / Safeguarding funding for the Special Sector?

Question C24: Do you agree with how the Grounds area adjustment is funded?

Question C25: Do you agree with continuing the current funding arrangements for non-domestic rates and statutory testing?

Question C26: Do you agree with a hydro pool allowance for Special Schools?

Question C27: Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included.

9. Component 4: County wide and national improvement priorities

This Component provides additional sums to promote approaches that underpin county-wide and broader improvement priorities, linked to the National Mission, Regional School Improvement Grant and so on.

This entire section of the proposed formula will develop over time to ensure the formula moves forward with the priorities and vision of the council and of the Welsh education system.

For the Special Schools Funding Formula, the funding of satellite provision will be made through Component 4 as the provision is expanded across the county.

Question C28: Do you agree with the provision of funding for a teacher and a Higher Level Teaching Assistant (HLTA) for satellite provision?

10. Implementation

Changes to a distribution method will cause changes to individual schools' total funding. How this is managed is key to a school being able to ensure continuity and smooth transitioning for the staff and pupils and should take account of the scale of redistribution.

It is proposed that the implementation of the proposed formula is carried out within the 2023-24 financial year, phased in as follows:

Appendix C

- Year 1 2023-24 = April to August old formula (5/12ths), September to March new formula (7/12ths)
- Year 2 2024-25 = Full implementation of new formula

Question C29: Do you agree that the implementation of the new formula should be phased in this way?

Question C30: Do you agree with the proposed phasing over 2 years?

Question C31: What other comments about the Special School Funding Formula would you wish to make??

Appendix A: Methodology for initial Per Pupil Allocation – Special Sector

To arrive at the initial Per Pupil Allocation the funding was built up of the elements listed below for a school with 92 pupils. The Per Pupil Allocations will be applied across all special schools based on their pupil numbers.

For future years, the per pupil allocations will be inflated by a single inflation factor (to be determined each year).

Component 1 – Per Pupil Allocation	Proposed Basis for a per pupil sum to each school – based on an agreed amount per learner in the different bands of learning difficulties. This sum is to cover the costs of running an inclusive school that can provide for the needs of all learners																	
Teachers	<p>A school has funding based on the following ratios:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">BAND OF LEARNING DIFFICULTY</th> <th style="text-align: center;">No. of Pupils to teacher Ratio</th> <th style="text-align: center;">Teacher Cost per pupil</th> </tr> </thead> <tbody> <tr> <td>1 Profound and multiple learning difficulties</td> <td style="text-align: center;">5</td> <td style="text-align: center;">14,212</td> </tr> <tr> <td>2 Severe communication difficulties</td> <td style="text-align: center;">7</td> <td style="text-align: center;">10,152</td> </tr> <tr> <td>3 Severe emotional and Behavioural difficulties</td> <td style="text-align: center;">8</td> <td style="text-align: center;">8,883</td> </tr> <tr> <td>4 Severe developmental Difficulties</td> <td style="text-align: center;">10</td> <td style="text-align: center;">7,106</td> </tr> </tbody> </table> <p>The above ratios dictate the notional number of Teachers to be funded in the model school. The cost per pupil is then funded at approx. UPS3 plus SEN 2 allowance. This is then uplifted by 10% to allow for PPA.</p>			BAND OF LEARNING DIFFICULTY	No. of Pupils to teacher Ratio	Teacher Cost per pupil	1 Profound and multiple learning difficulties	5	14,212	2 Severe communication difficulties	7	10,152	3 Severe emotional and Behavioural difficulties	8	8,883	4 Severe developmental Difficulties	10	7,106
BAND OF LEARNING DIFFICULTY	No. of Pupils to teacher Ratio	Teacher Cost per pupil																
1 Profound and multiple learning difficulties	5	14,212																
2 Severe communication difficulties	7	10,152																
3 Severe emotional and Behavioural difficulties	8	8,883																
4 Severe developmental Difficulties	10	7,106																
Supply	£710 per FTE funded Teacher.																	
Teaching Assistants	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">BAND OF LEARNING DIFFICULTY</th> <th style="text-align: center;">NO. of Pupils to LSA Ratio</th> <th style="text-align: center;">LSA Cost per pupil</th> </tr> </thead> <tbody> <tr> <td>1 Profound and multiple learning difficulties</td> <td style="text-align: center;">1</td> <td style="text-align: center;">18,864</td> </tr> <tr> <td>2 Severe communication difficulties</td> <td style="text-align: center;">3</td> <td style="text-align: center;">6,288</td> </tr> <tr> <td>3 Severe emotional and Behavioural difficulties</td> <td style="text-align: center;">6</td> <td style="text-align: center;">3,144</td> </tr> <tr> <td>4 Severe developmental Difficulties</td> <td style="text-align: center;">9</td> <td style="text-align: center;">2,096</td> </tr> </tbody> </table> <p>The above ratios dictate the notional number of LSA's to be funded in the model school. The cost per pupil is then funded at 30hrs, term time only, Grade 7.</p>			BAND OF LEARNING DIFFICULTY	NO. of Pupils to LSA Ratio	LSA Cost per pupil	1 Profound and multiple learning difficulties	1	18,864	2 Severe communication difficulties	3	6,288	3 Severe emotional and Behavioural difficulties	6	3,144	4 Severe developmental Difficulties	9	2,096
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Appendix C

Mid-day supervisors	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;"></th> <th style="width: 20%; text-align: center;">NO. of Pupils to MDS Ratio</th> <th style="width: 20%; text-align: center;">MDS Cost per pupil</th> </tr> </thead> <tbody> <tr> <td>BAND OF LEARNING DIFFICULTY</td> <td></td> <td></td> </tr> <tr> <td>1 Profound and multiple learning difficulties</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2,336</td> </tr> <tr> <td>2 Severe communication difficulties</td> <td style="text-align: center;">3</td> <td style="text-align: center;">779</td> </tr> <tr> <td>3 Severe emotional and Behavioural difficulties</td> <td style="text-align: center;">6</td> <td style="text-align: center;">389</td> </tr> <tr> <td>4 Severe developmental Difficulties</td> <td style="text-align: center;">9</td> <td style="text-align: center;">260</td> </tr> </tbody> </table>				NO. of Pupils to MDS Ratio	MDS Cost per pupil	BAND OF LEARNING DIFFICULTY			1 Profound and multiple learning difficulties	1	2,336	2 Severe communication difficulties	3	779	3 Severe emotional and Behavioural difficulties	6	389	4 Severe developmental Difficulties	9	260
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<p>The above ratios dictate the notional number of MDS's to be funded in the model school. The cost per pupil is then funded at 1hr per day, term time only, Grade 3.</p>																					
Capitation	£644 for each funded pupil.																				
Service Level Agreement (SLAs) / core package	Funded at £119 per pupil																				
All premises costs including grounds but excluding Rates and Statutory testing	6.3 sqm internal area allowed per pupil (in line with Building Bulletin recommendations) funded at £52 per square metre for Premises costs. Funded at 90% of the standard internal floor area required for the pupil numbers at the school.																				

Appendix B: Description of Powys School Fair Funding Formula Special schools

Pupil Numbers

Pupil counting date is the Friday in the first week following the October Half Term. These numbers will be used to fund the summer term and the predicted leavers/starters in the September will be adjusted for in the initial funding pack.

All Special schools will be funded for the estimated intake in the September using a predicted Band 3 (if band is unknown), an adjustment will then be made in September to reflect the actual intake and bands of the pupils.

Component 1 - Curriculum Led Funding Streams	Basis for a per pupil sum to each school – based on an agreed amount per learner in different Bands of Learning Difficulty. This sum to cover the costs of running an inclusive school that can provide for the needs of all learners. (Criteria for Band allocation is detailed below description)												
Per pupil funding for Component 1 is applied to all Special school pupils based on actual pupil numbers as per note above.													
The amounts per pupil for 22-23 are as follows (subject to final inflationary uplifts)													
<table border="1"> <thead> <tr> <th>BAND OF LEARNING DIFFICULTY</th> <th>PER PUPIL FUNDING</th> </tr> </thead> <tbody> <tr> <td>1 Profound and multiple learning difficulties (PMLD)</td> <td>6,318</td> </tr> <tr> <td>2 Severe communication and Interaction Difficulties (SCID)</td> <td>8,090</td> </tr> <tr> <td>3 Severe Social, Emotional and Behavioural Difficulties (SEBD)</td> <td>3,281</td> </tr> <tr> <td>4 Severe Learning Difficulties (SLD)</td> <td>0,317</td> </tr> <tr> <td>5 Additional pupils mainstream level *</td> <td>Per Pupil Allocation + mainstream band led funding</td> </tr> </tbody> </table>		BAND OF LEARNING DIFFICULTY	PER PUPIL FUNDING	1 Profound and multiple learning difficulties (PMLD)	6,318	2 Severe communication and Interaction Difficulties (SCID)	8,090	3 Severe Social, Emotional and Behavioural Difficulties (SEBD)	3,281	4 Severe Learning Difficulties (SLD)	0,317	5 Additional pupils mainstream level *	Per Pupil Allocation + mainstream band led funding
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*These pupils are funded at the current per pupil amount from the Primary / Secondary formula plus mainstream band led funding													

Component 2 - Lump Sums	These are lump sums awarded to the schools in relation to Component 1 but funded on a lump sum rather than per pupil.
Leadership and Management Lump sum	<p>Each school is given a lump sum for leadership and management costs based on the following principles</p> <ul style="list-style-type: none"> • 100% Non-teaching Head funded at top of ISR range for school • 100% Non-teaching Deputy funded at top of ISR range for school • 1 x Assistant head non-teaching plus 1 x 50% non-teaching Assistant head (outreach) at top of ISR range for school • 3 x 1A TLR lump sum (responsibility for standards and progress) • 1 x HLTA Family liaison officer <p>NB The calculation for the ISR range would be amended and based on the number of pupils in each of the 5 bands proposed rather than pupils at each key stage.</p>
Admin Lump sum	<p>Each school is given a lump sum for Administration staff made up of the following</p> <ul style="list-style-type: none"> • 1 x Business manager (Grade 12) • 1 x Admin support (Grade 4)
Grounds Lump sum	<p>Each school is given a Grounds lump sum of £855 calculated on an average SQM of 15000 per site funded at 10% of site area funded at £0.57 per SQM (£0.57 per SQM is the average cost of the current schools maintaining the grounds).</p> <p>Example</p> <p>Grounds area = 15000 10% = 1500SQM x £0.57=£855</p>
Component 3 – Unique factors	These are funding adjustments made to the Component 1 pupil led funding to account for the unique factors affecting individual school circumstances.

<p>1. Class Size top up</p>	<p>This is a top up to ensure that the following elements within the pupil led funding are sufficient to run the classes needed.</p> <ul style="list-style-type: none"> • Teacher top up • LSA top up • MDS top up <p>Working example</p> <table border="1" data-bbox="592 577 1401 819"> <thead> <tr> <th></th> <th>FTE funded through Component 1</th> <th>FTE needed for classes</th> <th>FTE top up required</th> </tr> </thead> <tbody> <tr> <td>Teachers</td> <td>6.42</td> <td>7.00</td> <td>0.58</td> </tr> <tr> <td>LSA</td> <td>9.50</td> <td>10.00</td> <td>0.50</td> </tr> <tr> <td>MDS</td> <td>9.50</td> <td>10.00</td> <td>0.50</td> </tr> </tbody> </table> <p>These top ups are then funded at the rates used in Component 1</p>		FTE funded through Component 1	FTE needed for classes	FTE top up required	Teachers	6.42	7.00	0.58	LSA	9.50	10.00	0.50	MDS	9.50	10.00	0.50
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Teachers	6.42	7.00	0.58														
LSA	9.50	10.00	0.50														
MDS	9.50	10.00	0.50														
<p>2. Surplus SQM</p>	<p>Top up provided for any schools where the actual floor area SQM is higher than the standard per pupil SQM funded in Component 1. Funded at £52 per “surplus” SQM (up to 90% of the internal floor area).</p>																
<p>3. Building Condition</p>	<p>This % uplift is applied to the total premises funding after the surplus SQM top up to account for the condition of the building.</p> <p style="text-align: center;">Condition A 0%</p> <p style="text-align: center;">Condition B 1%</p> <p style="text-align: center;">Condition C 2%</p> <p style="text-align: center;">Condition D 3%</p>																
<p>4. Site Layout/Safeguarding risk mitigation funding</p>	<p>This top up provides additional support to deal with site specific risk factors to mitigate any safeguarding issues. A top up will be provided calculated on a methodology suitable for individual circumstances taking into account what the extra costs of mitigating the risks are.</p>																
<p>5. Grounds SQM</p>	<p>Top up provided for any schools where the actual Grounds area SQM is higher than the standard 15000 SQM funded in Component 1.</p> <p>This top up is funded at £0.57 per “surplus” SQM (up to 10% of the grounds area).</p>																

6. Statutory Testing	Funded at actual cost per school
7. Hydro pool allowance	Lump sum of £5000 for each school with a pool
8. September Pupil Changes	All Special schools will be funded for the estimated intake in the September using a predicted Band 3 at the start of the financial year (if Band unknown), an adjustment will then be made in September to reflect the actual intake and bands of the pupils.
Component 4 - County wide improvement Priorities	To promote approaches that underpin county-wide improvement priorities
Satellite	Each Special school providing a satellite provision is awarded an additional Teacher and HLTA.

Criteria for Allocating a Banding Level for Pupils in Special School

The following descriptors should be used when assessing which band (1-4) a pupil meets the threshold for. The descriptors are not exhaustive, and there may be exceptions where pupils display traits that fall into more than one category. Where a pupil has traits of more than one band, the primary area of need should be utilised for banding purposes.

1. Profound and Multiple Learning Difficulties (PMLD)

Pupils with profound and multiple learning difficulties have a profound cognitive impairment/learning difficulty, leading to significant delay in reaching developmental milestones. In addition, they display one or more of the following:

- significant motor impairments
- significant sensory impairments
- complex health care needs/dependence on technology

The inter-relationship of these disabilities increases the complexity of need, in turn affecting all areas of learning. Pupils with PMLD need a distinctive curriculum to help them to develop sensory, motor, social and communication skills all through their school careers, and into adult life. Some pupils communicate by gesture, eye pointing or symbols, others by very simple language. Pupils require a very high level of adult support, both for their learning needs and for personal care.

2. Severe Communication and Interaction Difficulties (SCID)

Pupils with communication and interaction difficulties cover the whole ability range and continuum of severity, however, to meet the criteria for a special school place their needs will have a significant

impact on all aspects of their learning. Pupils will have significant difficulty in understanding and/or making others understand information conveyed through spoken language. Speech and language difficulties may show themselves in the following ways:

- Significant problems with the production of speech
- Significant difficulty in finding words and joining them together in meaningful and expressive language
- Significant problems in communicating through speech and other forms of language
- Significant difficulties or delays in understanding or responding to the verbal cues of others
- Significant difficulties with the acquisition and expression of thoughts and ideas
- Significant difficulty in understanding and using appropriate social language
- Extreme frustrations and anxieties arising from a failure to communicate, possibly leading to apparent behavioural difficulties, and deteriorating social and peer relationships

It is likely that pupils will also have a diagnosis of Autistic Spectrum Condition (ASC), that has a significant impact on their learning.

ASCs are characterised by a triad of impairments in social relationships, social communication, and imaginative thought, and may show themselves in the following ways:

- Significant difficulties in attuning to social situations and responding to normal environmental cues
- Evidence of emerging personal agendas which are increasingly not amenable to adult direction
- A tendency to withdraw from social situations and an increasing passivity and absence of initiative
- Repressed, reduced or inappropriate social interactions extending to highly ego-centric behaviour with a lack of awareness of the needs or emotions of others
- Impaired use of language, either expressive or receptive; this may include odd intonation, literal interpretations and idiosyncratic phrases and may extend to more bizarre expressive forms and limited expression, reducing the potential for two-way communication
- Limitations in expressive or creative peer activities extending to obsessive interests or repetitive activities.

3. Severe Social, Emotional and Behavioural Difficulties (SEBD)

Pupils with behavioural, emotional, and social difficulties cover the full range of ability, and a continuum of severity, however, to meet the criteria for a special school place their needs will have a significant impact on all aspects of their learning. Pupils may be:

- Significantly withdrawn or isolated
- Significantly disruptive and disturbing
- Significantly hyperactive and lacking in concentration
- Extremely immature in social skills
- Unable to form and maintain positive relationships with peers and/or adults
- Presenting extreme challenging behaviours

Pupils may also have significant mental health difficulties, including depression, eating disorders, attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD)

4. Severe Learning Difficulties (SLD)

Appendix C

Pupils with severe learning difficulties have significant intellectual or cognitive impairments. This has a major effect on their ability to participate in the school curriculum without support. They may also have associated difficulties in mobility and co-ordination, communication and perception and the acquisition of self-help skills. Pupils with SLD will need support in all areas of the curriculum. They are likely to require teaching of self-help, independence, and social skills. Some pupils may use sign and symbols, but most will be able to hold simple conversations and gain some literacy skills. Their attainments may be significantly below their chronological age for much of their school careers.

Secondary Phase School Funding Formula Review - Document for Consultation

(Dates 22nd November to 13th December 2022)

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Question 32: What other comments about the School Funding Formula would you wish to make?10

Background

- The current funding formula came into effect in the 2019-20 financial year following a fundamental review carried out to create a clear and transparent funding model to deliver a core educational offer to schools in Powys.
- The funding formula should be subject to ongoing review and should underpin the local authority's vision for the education of its school pupils, as set out in the Strategy for Transforming Education in Powys 2020-2032, with learner entitlement at its core.

Aims and scope

- The proposals on which we are consulting are intended to support a move to a pupil-led formula whilst also securing stability for Secondary Phase Schools across Powys. This should provide a stable, transparent and equitable funding arrangement for Secondary Phase schools, which will:
 - Create a **more equitable provision for all learners** across Powys
 - **Support the aspirations of the transformation programme**
 - **Support all learners** including helping **offset the effects of disadvantage**
 - **Support a collaborative schools' community** which offers effective professional learning to facilitate the self improving system.
 - **Support inclusion and bilingualism, and promote access to excellence for all learners.**
- These proposals will apply to Secondary schools and the Secondary phase of all-age schools only. Work on reviewing the formula for Primary schools took place in 2021. Proposals for the funding formula for special schools are set out in a separate consultation document.
- So as not to destabilise schools' finances, it is proposed that the introduction of a new funding formula for secondary phase schools should be introduced on a phased implementation over five years. **Implementation will not commence until sufficient funding for full implementation has been identified.**
- In addition to designing a new funding formula, the current formula has also been reviewed and some changes have been proposed which will affect secondary phase schools with more than one secondary campus only, which are also part of this consultation.

Process

- The Formula Review Group was established with a range of stakeholders. The group has been meeting with Council officers since June 2021 to review the formula and develop proposals for consultation, although work on the secondary phase formula paused during the Autumn term 2021 and Spring term 2022 while work focussed on the primary phase formula.

- During the 2021 the group looked at developing models and some “reasonableness” testing, refining options and proposals which underpinned the development of the primary formula. This work continued for the secondary phase formula from July 2022 over the summer leading to the development of a set of proposals for this consultation.
- Council officers and the group also looked in depth at other Local Authority funding formulae across Wales to aid with the proposals.

Amending the Current Funding Formula: Secondary Phase Schools with more than one Secondary campus

- The current secondary phase formula funds all split site schools as two separate schools for all elements of the formula except for the ALNCO and Admin which are funded as a single school. However, it has been argued that this does not adequately recognise the additional costs arising from having more than one secondary campus in different towns.
- It is proposed that an adjustment is made to the funding formula for secondary phase schools with more than one secondary campus to acknowledge the additional costs of managing and running a secondary school over more than one secondary campus in separate towns, such as additional technician support, school receptions and leadership.

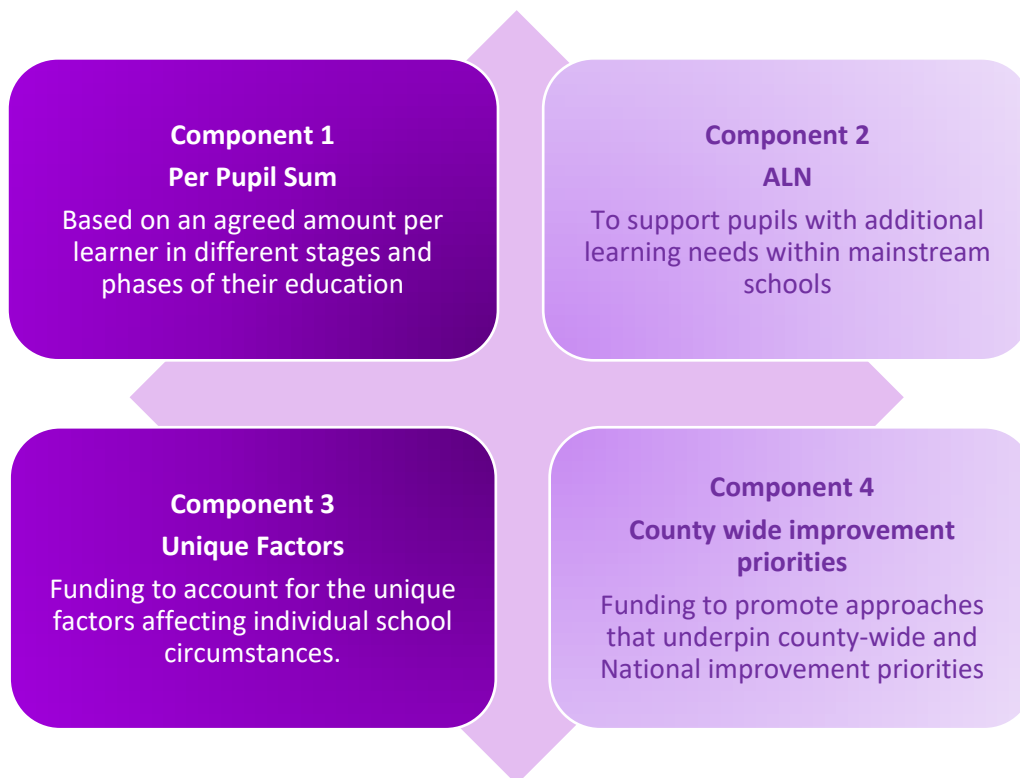
Question 1: Do you agree that the current secondary phase funding formula should be amended to acknowledge the additional costs of managing and running a secondary school over more than one secondary campus situated in separate towns?

Question 2: Please provide any additional comments you have in relation to the current funding for secondary schools with more than one secondary campus situated in separate towns.

Designing the New Funding Formula for Secondary Phase Schools

- Globally, there are many approaches to the funding of schools. The OECD document “The Funding of School Education Connecting Resources and Learning” has aided the development of these proposals, as it did the Primary phase funding formula in 2021.
- Effective jurisdictions often have different components to their distribution models, such as the following 4 areas:
 - Distribute a **per pupil sum to each school** – based on an agreed amount per learner in different stages and phases of their education. This sum is meant to cover the costs of running an inclusive school that can provide for the needs of all mainstream learners.

- Add **funding to support pupils with a wide range of additional learning needs**. This sum should be delivered to an agreed formula/methodology.
 - Add **additional sums to reflect matters that are unique to the school**, or unique to a group of schools e.g. split site, dual stream, a school managing transformational change, a school that is too small to provide an effective education if dependent on its per pupil allocation. The sums should be clearly identified.
 - Additional **sums to promote approaches that underpin county-wide and national improvement priorities** e.g. development of the Welsh language, collaboration funding, all-age and cluster developments.
- The proposed revised formula has been broken down into four component led funding streams, as per the diagram below. Each component of the formula is described in detail within this consultation paper. Components 1 and 3 are the main ones impacted through these proposals.



Question 3: Do you agree that a revised funding formula should be based on these four components?

Question 4: Please explain why and let us know if we have missed anything.

Component 1 – Per pupil sum

- Distributes a per pupil sum to each school – based on an agreed amount per learner in different stages and phases of their education. This sum should cover the costs of running an inclusive school that can provide for the needs of all mainstream learners.
- The methodology for calculating the per pupil amount for the different stages in the Secondary phase is based on the current formula but any compensation for unique factors (e.g. small school, dual stream) removed to be included within Component 3. The current formula was applied to a model 600 learner secondary phase school to develop the per pupil allocations for key stage 3 (years 7 to 9) and for key stage 4 (year 10 and 11). The detail of the changes are set out in Appendix A) and includes the following areas:
 - Teachers incl. PPA and Leadership
 - Teaching Assistants
 - SLAs
 - Premises
 - Grounds
- All parameters must meet regulatory requirements, respecting health and safety guidelines and workload management needs.

Question 5: Do you agree with basing the per pupil sum on applying the current formula to a model 600 learner school?

Question 6: Please explain why and list any other elements that you think should be included.

Component 2 – Additional Learning Needs Funding

Secondary Sector

- This funding block is intended support schools to provide an inclusive education, for pupils with a wide range of ALN.
- The current methodology for distribution of this element of funding was reviewed and updated for the 2019-20 financial year with all schools receiving sufficient funding to allow them to run a class in each year and in each language stream with a teacher-pupil ratio of 1:15 where there are more than 15 in the year group. (NB it should be noted that the notional funding for ALN in the primary phase schools funding formula is delivered using a formula based on a three-year average of proxy indicators relating specifically to ALN or disadvantage).
- Additional targeted funding for pupils with high level needs is provided outside the general distribution formula.

Component 3 – Unique Factors

- Powys County Council has a significant range of differences between its 11 secondary phase schools e.g. size, language of instruction, condition of buildings.
- This component is designed to ensure that learners in all schools have an equity of provision. Items listed here provide additional sums to reflect matters that are unique to individual schools, or unique to a group of schools e.g. dual stream schools, a school managing transformational change, a school that is too small to provide an effective education if entirely dependent on its per pupil allocation, a school with more than one secondary campus in different towns, school buildings in poor condition and so on.
- The description of these funding adjustments is in **Appendix B (Component 3 section – Unique factors)**.
- There is no proposed change to the way business rates, statutory compliance testing, premises insurance and employee insurance are funded.
- There is no proposed change to the building condition top up from the current formula.
- A new bilingual administration top up is provided for in this section to recognize some of the additional costs incurred by schools that are required to produce their materials and correspondence in both languages.

Question 7: Do you agree that there should be a teaching and learning top up for single medium secondary phase schools with fewer than 600 learners in their secondary phase (as described in Appendix B)?

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Question 24: Please provide any additional comments you have in relation to the grounds area top up.

Question 25: Do you agree with continuing the current funding arrangements for business rates, statutory testing, premises insurance and employee insurance?

Question 26: Please provide any additional comments you have in relation to the funding arrangements for non-domestic rates, statutory testing, premises insurance and employee insurance.

Question 27: Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included.

Component 4 – County wide and national improvement priorities

- This Component provides additional sums to promote approaches that underpin county-wide and broader improvement priorities, linked to the National Mission, Regional School Improvement Grant and so on.
- This entire section of the proposed formula will develop over time to ensure the formula moves forward with the priorities and vision of the council and of the Welsh education system.

Implementation

- Changes to a distribution method will cause changes to individual schools' total funding. How this is managed is key to a school being able to ensure continuity and smooth transitioning for the staff and pupils.
- The initial modelling of the proposed formula for secondary phase schools indicates that there will be additional funding required. Implementation of the proposed new formula will therefore not begin until that additional funding has been identified and agreed.
- It is proposed that the implementation of the proposed formula is staggered over 5 years to mitigate any risk and minimise disruption, whilst also providing a clear signal regarding the direction of travel. This will also give the opportunity to review the impact of new formula during the earlier years.
- The implementation proposed is as follows
 - Year 1 = 20% new formula, 80% current formula.

- Year 2 = 40% new formula, 60% current formula.
- Year 3 = 60% new formula, 40% current formula.
- Year 4 = 80% new formula, 20% current formula
- Year 5 = 100% new formula, if appropriate following a full review of the previous years.

Question 28: Do you agree that the implementation of the new formula should be phased?

Question 29: Do you agree with the proposed phasing over 5 years?

Potential future amendments to the Secondary Phase Schools Funding Formula

- It is good practice to keep all schools funding formulae under rolling review and we would like your views on potential future amendments to the secondary phase schools funding formula.
- **ALN** – Currently, the methodology for delegating notional ALN funding for primary and secondary phase schools are not consistent with each other, as the secondary formula does not consider factors relating specifically to ALN or disadvantage.

Question 30: What are your views on the current methodology for delegating notional ALN funding to secondary phase schools (1:15 class in each year) and what factors should be considered in future reviews?

Question 31: What other areas within the secondary phase school funding formula would you like to see considered in future reviews of the formula?

Question 32: What other comments about the School Funding Formula would you wish to make?

Appendix A: Methodology for initial Per Pupil Allocation – Secondary Phase

To arrive at the initial Per Pupil Allocation the funding was built up of the elements listed below for a school with 600 pupils. The Per Pupil Allocations (for Key Stage 3 and Key Stage 4 pupils) will be applied across all secondary schools based on their pupil numbers.

For future years, the per pupil allocations will be inflated by a single inflation factor (to be determined each year).

Component 1 – Per Pupil Allocation	Proposed Basis for a per pupil sum to each school – based on an agreed amount per learner in different stages and phases of their education. This sum to cover the costs of running an inclusive school that can provide for the needs of all mainstream learners	Current Analysis of Powys School Fair Funding Formula Secondary
Teaching and Curriculum	<p>UPS2 PayScale is used to fund the number of teachers needed in the model school, based on pupil numbers and ratios listed below in-line with minimum curriculum delivery, which results in a contact ratio of 0.83. The contact ratio is the proportion of the week that teachers spend in teaching contact with pupils taken as an average across all the teachers).</p> <p>KS3 – first class funded using the ratio 1:15 pupils (the cost this class will be included under ALN) then each subsequent class funded using the ratio 1:30 pupils (with the exception of Design and Technology being a ratio of 1:20 and Science being a ratio of 1:25), per year group.</p> <p>KS4 – first class funded using the ratio 1:15 pupils (the cost this class will be included under ALN) then each subsequent class funded using the ratio 1:30 pupils, options are using the ratio 1:25, in each year.</p>	<p>Average Teacher cost (AVTC) is calculated as follows</p> <p><u>Total cost of teaching staff for secondary schools (Inc. leadership)</u> Total FTE for secondary schools (Inc. leadership)</p> <p>This rate is then used to fund the number of teachers needed in the school, based on pupil numbers and ratios listed below in-line with minimum curriculum delivery, which results in a contact ratio of 0.83 (The contact ratio is the proportion of the week that teachers spend in teaching contact with pupils taken as an average across all the teachers).</p> <p>KS3 – first class funded using the ratio 1:15 pupils then each subsequent class funded using the ratio 1:30 pupils (with the exception of Design and Technology being a ratio of 1:20 and Science being a ratio of 1:25), per year group.</p> <p>KS4 – first class funded using the ratio 1:15 pupils then each subsequent class funded using the ratio 1:30 pupils, options are using the ratio 1:25, in each year.</p>

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TLR Allowance	Based on average of 3 smallest schools TLR structures with the remaining balance split on a per pupil amount.	Based on average of 3 smallest schools TLR structures with the remaining balance split on a per pupil amount.
Business Manager	All secondary schools are funded for 1 Business Manager 37hrs term time only (Grade 12, Point 34).	All secondary schools are funded for 1 Business Manager 37hrs term time only (Grade 12, Point 34).
Admin Support	All secondary schools up to 100 pupils are funded for 1.3fte (37hrs, term time only) admin posts as a minimum, with an additional 0.65fte per every 100 pupils (Grade 4, Point 6) thereafter. This methodology equates to approx. 0.76fte per 100 pupils	All secondary schools up to 100 pupils are funded for 1.3fte (37hrs, term time only) admin posts as a minimum, with an additional 0.65fte per every 100 pupils (Grade 4, Point 6) thereafter.
Technicians	Minimum funding for 3 posts (Grade 5, point 8, 32.5hrs) up to 400 pupils then an additional 0.25fte per 100 pupils thereafter. This equates to approx.. 0.6fte per 100 pupils	Minimum funding for 3 posts (Grade 5, point 8, 32.5hrs) up to 400 pupils then an additional 0.25fte per 100 pupils thereafter.
Cover Supervisor	All schools are funded 1FTE Cover Supervisor (Grade 6, point 12, 32.5hrs term time only) This equates to approx. 0.2fte per 100 pupils	All schools are funded 1FTE Cover Supervisor (Grade 6, point 12, 32.5hrs term time only)
Supply	£400 Per FTE Teacher funded per school. This equates to approx. £20 per pupil.	£400 Per FTE Teacher funded per school.
Teaching Assistants	1 Grade 4, point 6 (25hrs term time only). With an additional 1 x 25hr post per 100 pupils. Teaching Assistant. This equates to approx. 1fte per 100 pupils. Pastoral is included under ALN	Minimum funding up to 200 pupils 1 Grade 7, point 17 (32.5hrs term time only) Pastoral Support. (not pupil led) 1 Grade 4, point 6 (25hrs term time only). With an additional 1 x 25hr post per 100 pupils. Teaching Assistant.
Mid-day supervisors	Funded 1 x 50min post per 200 pupils (Grade 3, point 4, term time only). This equates to approx. 1fte per 100 pupils.	Funded 1 x 1hr post per 200 pupils (Grade 3, point 4, term time only).

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Additional Learning Needs Coordinator (ALNCO)	Under ALN	Funded 0.1FTE teacher up to 100 pupils. Then an additional 0.1FTE per every 100 pupils thereafter (funded at AVTC rate).
Capitation	£150 per pupil	£150 per pupil
Service Level Agreement (SLAs) / core package	Funded at £47 per pupil – this has been fully delegated	All corporate SLAs with schools delegated (Finance, HR, employment services and BPU) are funded in line with the exact charge that is levied for the enhanced offering, whether they opt into the service or not.
Examination fees	£646 per Y11 pupil	£646 per Y11 Pupil (invigilator's come under Admin)
All premises costs excluding Rates and Statutory testing	<p>6.3sqm per pupil funded at £30.03 per SQM</p> <p>Plus a % uplift depending on the following Category that the school has for building, energy and Cleaning.</p> <ul style="list-style-type: none"> • A = 0% • B = 1% • C = 2% • D = 3% <p>Grounds area funded based on smallest school site of £37,000 SQM at £0.20 per SQM</p>	<p>A sum of £33.38 per Square metre for Premises (excluding Grounds) costs. Funded at 90% of the grounds area.</p> <p>Plus a % uplift depending on the following Category that the school has for building, energy and Cleaning.</p> <ul style="list-style-type: none"> • A = 0% • B = 1% • C = 2% • D = 3% <p>A Sum of £2.07 per square metre for Ground costs for 10% of the grounds area.</p>

Appendix B: Description of Powys School Fair Funding Formula Secondary phase schools

Pupil Numbers

Pupil counting date is the Friday in the first week following the October Half Term.

The numbers on roll excluding specialist centre pupils in all years are used to calculate funding for Year 7 to Years 11.

Component 1 - Curriculum Led Funding Streams	Basis for a per pupil sum to each school – based on an agreed amount per learner in different stages and phases of their education. This sum to cover the costs of running an inclusive school that can provide for the needs of all mainstream learners
Per pupil funding for Component 1 is applied to all Secondary pupils based on actual pupil numbers as per note above.	
The amounts per pupil for 23-24 are as follows	
<ul style="list-style-type: none"> • KS3 Pupil = £4,129 • KS4 Pupil = £4,414 	
Component 2 - ALN	General allowance to support pupils with additional learning needs within mainstream schools. Additional support is provided on top of this outside the formula for pupils with high level needs.
ALN lump sum	Lump sum per £82,772 school based on the following <ul style="list-style-type: none"> • 1 FTE ALNCo, funded at Leadership 13, 32.5hrs, 52 weeks • 1 FTE Pastoral, funded at Grade 7, 32.5hrs, Term time only
1 st Class of 15 (small class)	Each year group and stream that has 16 or above pupils is funded a first class of 15 pupils based on the following <ul style="list-style-type: none"> * 1FTE teacher, UPS2, 32.5hrs, 52 weeks <p>This applies to all streams & sites that have 16 or more pupils in a year group.</p>
Component 3 – Unique factors	These are funding adjustments made to the Component 1 pupil led funding to account for the unique factors affecting individual school circumstances.

<p>1. Small School Management & Administration Top up</p>	<p>This top up provides additional funding for support staff and management to school who have less than 592 pupils to ensure they have enough funding to support the minimum levels needed for</p> <ul style="list-style-type: none"> * TLR Structure * Business Management * Technicians * Cover Supervisors <p>Schools receive an additional £333.33 per pupil for the pupil difference between their funded pupils and 592 pupils.</p> <p>Eg – A school of 475 pupils would receive</p> <p style="text-align: center;">$592 - 475 = 117$ pupils</p> <p style="text-align: center;">$117 \times £333.33 = £39,000$ (rounded)</p>																																																
<p>2. Small school Teaching and Learning top up</p>	<p>Schools with fewer than 600 pupils receive this additional top up to manage year groups as follows:</p> <p>Key Stage 3:</p> <table border="1" data-bbox="592 1032 1401 1872"> <thead> <tr> <th>Year Group Size</th> <th>Starting point pupil numbers</th> <th>Starting point top up</th> <th>Top up per pupil below starting point</th> </tr> </thead> <tbody> <tr><td>1 - 14</td><td>14</td><td>£28,580</td><td>£2,835</td></tr> <tr><td>15 - 19</td><td>19</td><td>£66,763</td><td>£2,835</td></tr> <tr><td>20 - 24</td><td>24</td><td>£57,118</td><td>£2,835</td></tr> <tr><td>25 - 39</td><td>39</td><td>£25,917</td><td>£2,835</td></tr> <tr><td>40 - 44</td><td>44</td><td>£16,271</td><td>£2,835</td></tr> <tr><td>45 - 49</td><td>49</td><td>£54,653</td><td>£2,835</td></tr> <tr><td>50 - 59</td><td>59</td><td>£37,641</td><td>£2,835</td></tr> <tr><td>60 - 74</td><td>73*</td><td>£2,633</td><td>£2835</td></tr> <tr><td>75 - 79</td><td>79</td><td>£49,376</td><td>£2,835</td></tr> <tr><td>80 - 104</td><td>97*</td><td>£2,813</td><td>£2,835</td></tr> <tr><td>105 - 120</td><td>120</td><td>£5,942</td><td>£2,834</td></tr> </tbody> </table> <p>* For year groups of 74 and from 98 - 104 the modelled “top ups” were insignificant / negative, indicating that the per pupil allocations provided sufficient funding for these year group numbers</p>	Year Group Size	Starting point pupil numbers	Starting point top up	Top up per pupil below starting point	1 - 14	14	£28,580	£2,835	15 - 19	19	£66,763	£2,835	20 - 24	24	£57,118	£2,835	25 - 39	39	£25,917	£2,835	40 - 44	44	£16,271	£2,835	45 - 49	49	£54,653	£2,835	50 - 59	59	£37,641	£2,835	60 - 74	73*	£2,633	£2835	75 - 79	79	£49,376	£2,835	80 - 104	97*	£2,813	£2,835	105 - 120	120	£5,942	£2,834
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	<p>Examples:</p> <p>a) Year group of 93: $\text{Top up} = \text{£}2,813 + [(97-93) * \text{£}2,835] = \text{£}14,153$</p> <p>b) Year group of 37: $\text{Top up} = \text{£}25,917 + [(39-37) * \text{£}2,835] = \text{£}31,587$</p> <p>Key Stage 4:</p> <table border="1" data-bbox="592 613 1401 1283"> <thead> <tr> <th>Year Group Size</th> <th>Starting point pupil numbers</th> <th>Starting point top up</th> <th>Top up per pupil below starting point (£)</th> </tr> </thead> <tbody> <tr> <td>1 - 14</td> <td>14</td> <td>£28,518</td> <td>£2,836</td> </tr> <tr> <td>15 - 24</td> <td>24</td> <td>£48,111</td> <td>£2,835</td> </tr> <tr> <td>25 - 44</td> <td>44</td> <td>£11,864</td> <td>£2,835</td> </tr> <tr> <td>45 - 49</td> <td>49</td> <td>£45,574</td> <td>£2,835</td> </tr> <tr> <td>50 - 75</td> <td>71*</td> <td>£3,676</td> <td>£2,835</td> </tr> <tr> <td>75 - 95</td> <td>95</td> <td>£3,959</td> <td>£2,835</td> </tr> <tr> <td>95 - 104</td> <td>103*</td> <td>£3,959</td> <td>£2,835</td> </tr> <tr> <td>105 - 120</td> <td>120</td> <td>£1,372</td> <td>£2,835</td> </tr> </tbody> </table> <p>* For year groups of 72 - 74 and 104 the modelled "top ups" were immaterial or negative, indicating that the per pupil allocations provided sufficient funding for these year group numbers</p> <p>Note this does not apply to Multiple Secondary Campus schools or Dual stream schools - see relevant top ups below.</p>	Year Group Size	Starting point pupil numbers	Starting point top up	Top up per pupil below starting point (£)	1 - 14	14	£28,518	£2,836	15 - 24	24	£48,111	£2,835	25 - 44	44	£11,864	£2,835	45 - 49	49	£45,574	£2,835	50 - 75	71*	£3,676	£2,835	75 - 95	95	£3,959	£2,835	95 - 104	103*	£3,959	£2,835	105 - 120	120	£1,372	£2,835
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<p>3. Multiple secondary Campus Management lump sum</p>	<p>Each school that is running over multiple secondary campuses will receive the following lump sum to recognise the additional running costs of multiple secondary campuses in different towns in terms of the following</p> <ul style="list-style-type: none"> • Senior leadership • Technician support • Administration <p>Each school will receive a lump sum of £98,960</p>																																				

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4. Multiple secondary campus Teaching and Learning top up	<p>Campuses with fewer than 600 pupils receive this additional top up to manage year groups on that campus calculated in the same way as the small school top up.</p> <p>Note this does not apply to Dual stream schools / campuses - see Dual stream top up below.</p>
5. Dual Stream Teaching and Learning top up	<p>Individual streams with fewer than 600 pupils will receive this additional top up to manage year groups in that stream calculated in the same way as the small school top up.</p> <p>Note – a dual stream school with fewer than 600 pupils in total would not receive the small school T&L top up in addition to this top up is applied to each stream instead</p>
6. Bilingual administration top up	<p>A sum of £5,000 will be provided to secondary phase schools providing education in Welsh medium to acknowledge the additional costs incurred by schools that are required to produce resources, materials and correspondence in both languages.</p>
7. Surplus SQM floor area / Grounds area adjustment	<p>Top up provided for any schools where the actual floor area SQM is higher than the standard per pupil SQM funded in Component 1. Funded at £30.03 per “surplus” SQM.</p> <p>Top up is provided where the actual external grounds area SQM is higher than the standard per pupil SQM funded in component 1. Funded at £0.20 per surplus SQM.</p>
8. Building Condition	<p>This % uplift is applied to the total premises funding after the surplus SQM top up to account for the condition of the building.</p> <p>Condition A 0%</p> <p>Condition B 1%</p> <p>Condition C 2%</p> <p>Condition D 3%</p>
9. Rates, Statutory Testing, Premises Insurance & Employee Insurance	<p>Funded at actual cost per school</p>
Component 4 - County wide improvement Priorities	<p>To promote approaches that underpin county-wide improvement priorities</p>
	<ul style="list-style-type: none"> To be developed in partnership with schools over time

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Principles for a Commissioning-Based Post-16 Funding Mechanism for Mainstream Secondary Phase Schools

Document for consultation

(Dates 22nd November to 13th December 2022)

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1. Background

- 1.1. Strategic Aim 2 of the Strategy for Transforming Education 2020-2030 states: “We will improve learner entitlement and experience for post-16 learners” which aims to ensure that post-16 learners (and 14–16 year-old learners) are able to access a broad range of subjects within Powys, with a blended offer of academic and vocational provision and to ensure that the post-16 sector in Powys is sustainable. Initially this focus on enhanced collaboration between schools to ensure a high-quality post-16 curriculum that is accessible to all learners, and is affordable within the funding received from the Welsh Government. This will include more digital learning opportunities where learners are taught via video-conferencing across more than one school.
- 1.2. The “Post-16 Workstream” was established in 2020 to develop proposals for the future of post-16 provision in Powys that would meet Strategic Aim 2. One of the first developments was the Learner Entitlement (Appendix A) key extracts of which are set out below:

Extracts from the Learner Entitlement

- Inclusive and flexible academic and vocational provision for all learners
- Learners can access a broad, balanced and appropriate curriculum offer through medium of Welsh and English
- Well-planned enrichment activities... bespoke wellbeing, academic, vocational and career support and guidance
- Provision will be sustainable and deliver value for money... state of the art facilities... meet the needs of the local economy
- Innovative use of digital learning opportunities... ensure quality and breadth of provision is sustained
- Provision of highest standard... Delivered by passionate, specialist and reflective practitioners... proven track record of excellence

- 1.3. On 18th May 2021, Powys County Council Cabinet agreed ([Agenda for Cabinet on Tuesday, 18th May, 2021, 10.30 am Cyngor Sir Powys County Council \(modern.gov.co.uk\)](#)) to the establishment of a new structure for the strategic management of Powys post-16 provision consisting of a Strategic Management Board (SMB) supported by two Operational Management Boards (OMBs). The primary function of the SMB is to commission providers (Powys post-16 centres, colleges and other providers) to deliver post-16 provision (including academic, vocational, pastoral, enrichment, careers advice and guidance activities).
- 1.4. The overall level of post-16 grant funding for 6th form provision in mainstream schools in 2022-23 is £4,997,659, an increase of £306,025 on the amount received in 2021-22.

2. Aims and scope

- 2.1. Moving to a commissioning-based model of post-16 provision in mainstream secondary phase schools means that the way in which post-16 funding is allocated to those schools needs to change.
- 2.2. Currently, the post-16 grant provided to Powys CC by Welsh Government is distributed to all mainstream secondary phase schools as part of their delegated funding. Each school’s allocation is determined through the application of a formula which is based

on a combination of course provision and learner numbers, weighted by factors related to sparsity, deprivation and Welsh medium provision.

3. Process

- 3.1. The post-16 workstream and a sub-group, the post-16 finance working group, which includes a range of stakeholders, have been meeting with Council officers since December 2021 to review how the post-16 funding mechanism would best support the new commissioning-based model of post-16 provision. There are two concurrent phases of work required:

- Phase 1:
- a) Change the post-16 grant funding from the existing formula-led mechanism and allow the SMB to determine how 97% or more (as determined by the Council) is distributed
 - b) Agree principles within which to develop a commissioning-based post-16 funding mechanism
- Phase 2: Develop detailed new mechanism for distributing post-16 funding grant funding which supports the commissioning-based model of post-16 delivery now in place.

- 3.2. This consultation relates to Phase 1 of the work, the proposal to change the post-16 grant funding from the existing formula-led funding mechanism to a commissioning based mechanism and the principles within which the commissioning based post-16 funding mechanism will operate.

4. Changing Post-16 grant funding distribution from the current formula-led distribution to a commissioning based distribution

- 4.1. Under the new model for post-16 provision, the OMBs develop proposals for the post-16 curriculum and course delivery for the SMB to consider. The SMB then commission the agreed courses from the post-16 providers. In order to ensure that mainstream secondary phase schools are appropriately funded for the courses and post-16 provision that they are commissioned to deliver, the SMB needs to be able to determine how 97% or more (as determined by the Council) of the post-16 grant funding is distributed between schools.
- 4.2. It is proposed that the post-16 grant funding is no longer distributed to schools based on a pre-determined formula but rather on the basis of the provision commissioned by the SMB.

Question 1: Do you agree that the Post-16 grant funding is no longer allocated based on a pre-determined formula?

Question 2: What other comments would you like to make in relation to changing the distribution of the post-16 grant from a formula distribution to a commissioning based distribution?

5. Principles for a Commissioning-based Post-16 funding mechanism

5.1. Under the new arrangements, there are three broad areas of post-16 provision:

- a) Home school provision: 6th form premises; 6th form tutor; wellbeing; enrichment; career support and guidance; exam entries, invigilation and administration.

It is proposed that funding for the home school provision is allocated on a per learner basis.

- b) Welsh Baccalaureate Qualification (WBQ): based on provision at the home school.

It is proposed that funding for the WBQ is allocated to the home school on a per learner basis, and is dependent on provision.

- c) Post-16 courses: as commissioned by the SMB based on the curriculum plans proposed by the OMBs

It is proposed that funding for commissioned post-16 courses be allocated on a per course basis and that the funding per course be the same, whether the course is delivered through Welsh or English medium and whether they are delivered in person or through e-sgol.

It is proposed that the funding for commissioned courses for year 12 is committed to continuing those courses in the second year for year 13, assuming that learner numbers warrant this.

5.2. The exact methodology for determining the grant funding to be allocated on a per learner or per course basis will be developed in collaboration with representatives of secondary phase schools and will be the subject of further consultation with the schools affected.

Question 3: Do you agree that funding for home school provision is allocated on a per learner basis?

Question 4: Do you agree that funding for the Welsh Baccalaureate Qualification is allocated to the home school on a per learner basis, dependent on provision?

Question 5: Do you agree that funding for post-16 courses be allocated on a per course basis to the school commissioned to deliver the course?

Question 6: Do you agree that funding for year 12 post-16 courses should also be committed for the following year's course, should learner numbers warrant it?

Question 7: Do you agree that the funding per course should be the same whether the course is delivered through Welsh or English, in person or through e-sgol?

Question 8: What other comments would you like to make in relation to the proposed principles for a commissioning-based post-16 funding mechanism?

Appendix A: Post 16 Learner Entitlement Definition

In Powys we believe that all learners, regardless of their location, background, language, or ability should flourish and grow without any barriers into capable, healthy, confident, and ethically informed citizens. Every learner will be effectively prepared to contribute fully as ambitious, enterprising, and independent individuals for the ever-changing local, national, and global social and economic demands of the 21st century.

Powys post 16 provision will provide an inclusive and flexible academic and vocational provision for all learners, regardless of their language or ability, so that all learners can access a broad, balanced and appropriate curriculum offer through the medium of Welsh and English.

Learners will be effectively supported to thrive through well-planned enrichment activities and through bespoke wellbeing, academic, vocational and career support and guidance. Strong partnerships will be forged between other higher education partners and employers to ensure that all learners can be appropriately advised on their next steps. Purposeful opportunities will be developed to positively respond to pupil and key stakeholder voice.

Provision will be sustainable and deliver value for money through excellent, state of the art, outstanding and modern facilities that will support all learners throughout their lives and meet the needs of the local economy.

Innovative use of digital learning opportunities will support and supplement the offer available to ensure the quality and breadth of provision is sustained.

The leadership and governance will ensure that all provision is of the highest standard and delivered by passionate specialist, and reflective practitioners with a proven track record of excellence, where all staff and learners are highly valued as part of the learning organisation. Outstanding academic, vocational, and extra-curricular outcomes of the highest level will ensure that all Powys learners will have access to their appropriate, meaningful and aspirational pathway.

Powys post 16 provision will foster and develop close links with all Powys schools and learners to develop a strong sense of belonging through effective transitional arrangements and unified pupil centred advice and guidance. Support will be available to ensure all learners make well considered and informed choices, with valuable communications and links formed with all parents and carers.

PRIMARY SCHOOLS

Question Ref	Q1 (Name of School:)	Arddleen primary	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	No	
	Q3 (If no, please provide further information:)	Personal response by a governor nominated by a community council	
Page 669	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Neutral	
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Strongly agree	
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Neutral	

B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Neutral	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	is it realistic to charge a school interest on deficit balances?	This practice is already in place. The proposed changes to the wording of the paragraphs simply clarifies this and ensures that the Scheme reflects current practice.
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Neutral	

Question Ref	Q1 (Name of School:)	Brynhafren CP School	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Agree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	The current arrangements do not allow for out of authority movement and when there is a reduction due to movement out of a small school this has a significant impact on the in-year budget. If we are able to request a case-by-case approach then this should enable us to address gaps. However we are also concerned that the proposed policy has a bias towards not offering additional funding for incoming	Your supportive comments to changing to a case by case is noted. If this proposal is agreed, then we will develop a template / Microsoft Form for schools to make their case and we recommend that schools make their case as soon as possible.

		<p>pupils for a substantial period of time. For small schools each individual pupil can have a significant effect on the budgetary position, particularly around 'crunch points' such as above or below 30 pupils. There is not enough detail of what would be considered as a case-by-case justification for adjusting funding to know whether we could expect additional funding for incoming pupils in most cases.</p>	<p>Factors such as impact on class sizes, teacher and pupil ratios etc may be aspects that would be considered as part of the case-by-case approach.</p> <p>Your comments on the timeliness of decisions on potential funding adjustments are noted and will be considered as the detail of the processes is drawn up.</p>
A1	<p>Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)</p>	Strongly agree	
A2	<p>Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)</p>	Agree	
B3	<p>Q8 (Please make any other comments you would like to in relation to the pupil movement policy.)</p>	<p>The default position for small schools should be that additional funding will be given to reflect a rise in pupil numbers, as the impact of additional pupils is more significant. This decision also needs to come quickly to allow for appropriate staffing considerations.</p>	<p>Please see response for Q5 above.</p>
B1	<p>Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)</p>	Agree	

B2	Q10 (Please provide any comments you may have about the deadline for agreeing changes to the fair funding formula.)	Care needs to be taken that any consultations do not fall over the Christmas break or shortly before it, so that there is sufficient capacity to respond.	Your response is noted. Every effort is always made to avoid school holidays.
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	Provision should be made so that it is possible to waive interest payment on deficit balances in exceptional circumstances.	The Section 151 Officer will advise on the interest rate to be used, having due regard to the prevailing market interest rates and financial environment. Consistency and fairness to all schools are important factors in these considerations.
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
B7	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	None	

Question Ref	Q1 (Name of School:)	Ffederasiwn Carno, Glantwymyn a Llanbrynmair	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	

	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Disagree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	ALN funding allowance would need to be continued so that the pupil could be fully supported in their new school.	The pupil movement policy only relates to the delegated formula funding. ALN top up funding is outside of this policy and will continue to be based on pupil needs. It is expected that ALN top up funding follows the pupil if they change schools.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Strongly agree	
A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	We have concerns regarding staffing when pupils move schools and we lose some of our delegated budget mid year as staff are on contracts, many on permanent contracts which would mean redundancy in some cases. The flexibility within the funding transfer is not matched in the planning and staff structure flexibility.	If this proposal is agreed, then we will develop a template / Microsoft Form for schools to make their individual case. Factors such as impact on class sizes, teacher and pupil ratios etc may be aspects that would be considered as part of the case-by-case approach. The change of the current policy will prevent schools losing funding due to pupils transferring out of the school during the financial year.
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	

B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Neutral	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Neutral	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	

Question Ref	Q1 (Name of School:)	Llandysilio Church in Wales School	Response
Page 674	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Neutral	
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Strongly agree	

A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	There is a real issue for us on the border of pupils moving in from England.	If the school experiences high intake numbers from across the border that would impact on, for example a need for an additional class, then this would be considered as part of the case-by-case application to the Local Authority for additional funding.
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Neutral	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Neutral	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Neutral	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Neutral	

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Question Ref	Q1 (Name of School:)	Llangorse CiW Primary School	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	

	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Agree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	The local authority should be clear on what it means by 'financial pressure' as some schools have very tight budgets and may be unduly impacted by in year transfers.	Financial pressures could reflect aspects such as pupil numbers impacting on staffing numbers, a need to change the class structure of the school, support deployment etc causing financial implications on the school that they cannot manage from within the budget. It is difficult to be prescriptive about this as the same change in 2 different schools could result in quite significantly different financial consequences.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	The authority needs to consider new heads and new-to-Powys heads and how they would know that this financial support was available.	This would form part of the Local Authority training offer for all new and acting headteachers.

B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
B7 Page 677	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	it would be more beneficial, financially manageable and potentially realistic for schools to be able to spread the repayment of a deficit budget over five years not three if requested.	The three-year period reflects the period covered by schools' budget plan. The intention is that no school should build up the level of deficit that would require more than three years to repay it. The Scheme does allow this period to be extended in exceptional circumstances. Schools wishing to extend their re-payment period would need to include this in their application to the local authority to operate a deficit budget.

Question Ref	Q1 (Name of School:)	Mount Street Infants	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	

	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Strongly agree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	Mount Street Infants is a school with a significant number of pupils who suffer due to mobility of their Military parents. Pupils arrive throughout the year from out of county and often from England Scotland , Nepal and Cyprus. In the past formula the school did not receive any additional funding if these pupils moved after the count date.	The case-by-case element would therefore support such cases. There are also small amounts of additional funding through specific grants associated with EAL (MEAG) and supporting service children in education.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Strongly agree	
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Strongly agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Strongly agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Disagree	

B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
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Question Ref	Q1 (Name of School:)	Rhayader CoW primary school	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Neutral	
Page 679 A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Disagree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Neutral	
A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	case by case funding can lead to inconsistencies	The Local Authority hope to avoid this by developing a template / Microsoft Form for all schools to complete. Each case-by-case application will be considered by the Extended School Service team.
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Neutral	

B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Strongly disagree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Strongly disagree	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	<p>Interest should not be paid on any sums above the normal allowance for acceptable levels of balances. An inflationary sum should be added to deficits to make sure that schools payback the real costs. Otherwise over time schools will benefit from inflation and in reality only payback a proportion of what they really owe. No rationale has been given for this changes. Has the Council's Independent Auditor offered advice on this please?</p> <p>Having the Section 151 officer decide on interest rates is not right. It should be bank of England Interest rate plus, say, 1%. It shouldn't be up to the discretion of the Section 151 officer as this could lead to inconsistencies over time.</p>	<p>Your comments on only paying interest on surplus sums up to the levels set in the School Funding (Wales) Regulations 2010 are noted.</p> <p>Charging interest on loans / deficits is in part to compensate for the effect of inflation on the value of the money owed, so adding a sum for inflation could be considered double charging.</p> <p>The proposed changes to the wording of the paragraphs is aimed at clarifying the intention and to ensure that the Scheme reflects current practice.</p> <p>Your comment on the potential for inconsistencies over time is also noted.</p> <p>The Section 151 Officer will advise on the interest rate to be used, having due regard to the prevailing market interest rates and financial environment. Consistency and fairness to all schools are important factors in these considerations.</p>
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Neutral	
	Q16 (Section C: Special Schools Formula Review)	Go to Section E: Post-16 Funding Principles	

E1	Q81 (Do you agree that the Post-16 grant funding is no longer allocated based on a pre-determined formula?)	Agree	
E3	Q83 (Do you agree that funding for home school provision is allocated on a per learner basis?)	Agree	
E4	Q84 (Do you agree that funding for the Welsh Bacculaureate Qualification is allocated to the home school on a per learner basis, dependent on provision?)	Agree	
E5	Q85 (Do you agree that funding for post-16 courses be allocated on a per course basis to the school commissioned to deliver the course?)	Agree	
E6	Q86 (Do you agree that funding for year 12 post-16 courses should also be committed for the following year's course, should learner numbers warrant it?)	Agree	
E7	Q87 (Do you agree that the funding per course should be the same whether the course is delivered through Welsh or English, in person or through e-sgol?)	Neutral	
E8	Q88 (What other comments would you like to make in relation to the proposed principles for a commissioning-based post-16 funding mechanism?)	need to make sure that the sum per course covers all the leadership and management costs and, especially, the building and IT related costs. Funding to high schools for under 16 education should not be subsidising post 16 education. A breakdown of the sum per course should demonstrate this.	These factors have already been calculated as part of the funding for each course and values are reviewed annually, in collaboration with secondary phase schools' headteachers. These values and calculations are available for viewing. The local authority agree regarding pre 16 funding not subsidising post 16 education.

SPECIAL SCHOOLS

Question Ref	Q1 (Name of School:)	Brynlliwarch	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Disagree	
Page 682	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	Some concerns that the transfer into school may need additional staffing. The majority of our pupils leave at the end of an academic year but our entry is throughout the year.	Comment noted. The revised pupil movement policy will take this into account on a case-by-case basis.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	

B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	This should encourage good financial management.	Comment noted
Page 663 B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
667	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	This should encourage the local authority to hold schools to account.	Comment noted
	Q16 (Section C: Special Schools Formula Review)	Complete this section	
C1	Q17 (Do you agree with the pupil number proposal as a basis for funding Special schools?)	Agree	
C2	Q18 (Do you agree with the Banding Criteria used to allocate Bands to pupils?)	Disagree	

C3	Q19 (Do you agree with the ratios used and funding method for the teacher funding calculation included in the Per Pupil Allocation?)	Disagree	
C4	Q20 (Do you agree with the supply calculation included in the Per Pupil Allocation?)	Agree	
C5	Q21 (Do you agree with the ratios and funding method for the teaching assistants calculation included in the Per Pupil Allocation?)	Disagree	
C6	Q22 (Please provide any comments you wish to make in relation to the pupil number proposals.)	The main concern is that the ratios are too high. Some of our pupils needs with severe emotional and behavioural difficulties does not allow them to be within a class where the pupil to teacher ratio is so high. This is also the case for teaching assistants in the ratio would not provide enough support to our pupils. Some of our pupils require support away from the classroom and this might take the form of an alternative curriculum, an example of this is one to one at a stables all day that includes pick-up and drop off by a teaching assistant.	The funding formula is a method of delegating monies to schools. Once the monies are received by the school, it is up to the Headteacher and Governors how the money is spent. Individual learners' needs will be considered on a case-by-case basis where they differ significantly from these ratios.
C7	Q23 (Do you agree with the ratios and funding method for the Midday Supervision calculation included in the Per Pupil Allocation?)	Neutral	
C8	Q24 (Do you agree with the changes to the SLA funding calculation included in the Per Pupil Allocation?)	Neutral	
C9	Q25 (Do you agree with the changes to the premises funding calculation included in the Per Pupil Allocation?)	Neutral	

C10	Q26 (Do you agree with the funding method for the capitation calculation included in the Per Pupil Allocation?)	Agree	
C11	Q27 (Do you agree with the methodology for funding additional pupils mainstream level?)	Agree	
C13	Q29 (Please provide any comments you wish to make in relation to the pupil number proposals.)	I do not feel that pupil number allocations are not appropriate. Ratios within the class will not give appropriate support to individual pupils. The overall adult pupil ratio needs to be significantly higher. There is a huge difference in SEBD and PMLD where SEBD can at times require more support.	This is dependent on each individual learners' needs and should be considered on a case-by-case basis, where they differ significantly from these ratios.
C14	Q30 (Do you agree with the basis/calculation of the leadership and management lump sum as set out in the consultation document?)	Strongly agree	
C15	Q31 (Do you agree that the ISR for Special schools is based on the number of pupils within the 5 new bands proposed rather than basing the range on the number of pupils at each Key stage?)	Disagree	
C16	Q32 (Do you agree with the basis /calculation of the administration lump sum as set out in the consultation document?)	Agree	
C17	Q33 (Do you agree with the basis of the grounds lump sum as set out in the consultation document?)	Agree	

C18	Q34 (Please provide any comments you wish to make in relation to Component 2 – Lump Sums)	Additional resources to support our animal area in our grounds will need to be supported from other funding sources.	The funding formula is a method of delegating monies to schools. Once the monies are received by the school, it is up to the Headteacher and Governors how the money is spent.
C19	Q35 (Please list any other elements that you think should be included.)	Vehicle/buses to enable the pupils to experience the broader curriculum.	Comment noted
C20	Q36 (Do you agree that there should be a class size top up for the Special Sector as set out in the consultation document?)	Agree	
C21	Q37 (Do you agree with how the proposed surplus sqm top up is funded for the Special Sector as set out in the consultation document?)	Neutral	
C22	Q38 (Do you agree that there should be a building condition top up as set out in the consultation document?)	Strongly agree	
C23	Q39 (Do you agree with the proposed Site Layout / Safeguarding funding for the Special Sector as set out in the consultation document?)	Neutral	
C24	Q40 (Do you agree with how the Grounds area adjustment is funded as set out in the consultation document?)	Agree	
C25	Q41 (Do you agree with continuing the current funding arrangements for non-domestic rates and statutory testing?)	Agree	
C26	Q42 (Do you agree with a hydro pool allowance for Special Schools?)	Agree	

C27	Q43 (Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included.)	This element will change when we have a new school. Will the satellite be part of this funding?	The satellite funding is accounted for in Component 4 of the proposals.
C28	Q44 (Do you agree with the provision of funding for a teacher and a Higher Level Teaching Assistant (HLTA) for satellite provision?)	Strongly agree	
C29	Q45 (Do you agree that the implementation of the new formula should be phased in this way?)	Disagree	
C30	Q46 (Do you agree with the proposed phasing over 2 years?)	Disagree	
C31	Q47 (What other comments about the Special School Funding Formula would you wish to make?)	I think we should get it correct first time and implement from April 23.	Comment noted.

Question Ref	Q1 (Name of School:)	Ysgol Penmaes	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Disagree	

	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	Some concerns as additional funding may be required for some in year transfers depending on needs.	This will be considered as part of the overall pupil movement policy.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	This should encourage more effective financial management and if a budget is in that much of a deficit then the financing is perhaps not correct.	Comment noted.

B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
B7	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	This should encourage the LA to hold schools to account and intervene early and provide support where needed.	Comment noted.
	Q16 (Section C: Special Schools Formula Review)	Complete this section	
C1	Q17 (Do you agree with the pupil number proposal as a basis for funding Special schools?)	Agree	
C2	Q18 (Do you agree with the Banding Criteria used to allocate Bands to pupils?)	Disagree	
C3	Q19 (Do you agree with the ratios used and funding method for the teacher funding calculation included in the Per Pupil Allocation?)	Disagree	
C4	Q20 (Do you agree with the supply calculation included in the Per Pupil Allocation?)	Agree	
C5	Q21 (Do you agree with the ratios and funding method for the teaching assistants calculation included in the Per Pupil Allocation?)	Disagree	

C6	Q22 (Please provide any comments you wish to make in relation to the pupil number proposals.)	Main concerns are around the ratios and in particular the LSAs. 1:6 for SEBD is not sufficient. There needs to be a graduated funding response as pupils do not just fit into the broad descriptors provided. This is based on my knowledge of the needs of the pupils.	We understand and accept that this can be the case. Individual learners' needs can be considered on a case-by-case basis where they differ significantly from these ratios.
C7	Q23 (Do you agree with the ratios and funding method for the Midday Supervision calculation included in the Per Pupil Allocation?)	Neutral	
C8	Q24 (Do you agree with the changes to the SLA funding calculation included in the Per Pupil Allocation?)	Neutral	
C9	Q25 (Do you agree with the changes to the premises funding calculation included in the Per Pupil Allocation?)	Neutral	
C10	Q26 (Do you agree with the funding method for the capitation calculation included in the Per Pupil Allocation?)	Agree	
C11	Q27 (Do you agree with the methodology for funding additional pupils mainstream level?)	Agree	

C13	Q29 (Please provide any comments you wish to make in relation to the pupil number proposals.)	Pupil allocations are not appropriate. Ratios need to increase for some pupils. Significant gap between PMLD and SEBD in funding and SEBD are just as challenging or at even more challenging. Individual needs need to be looked at and funding based on these.	The aim of the formula proposals is to provide for a methodology for delegating the school budget to the three special schools in Powys. Individual learners' needs are to be considered on a case-by-case basis.
C14	Q30 (Do you agree with the basis/calculation of the leadership and management lump sum as set out in the consultation document?)	Strongly agree	
C15	Q31 (Do you agree that the ISR for Special schools is based on the number of pupils within the 5 new bands proposed rather than basing the range on the number of pupils at each Key stage?)	Disagree	
C16	Q32 (Do you agree with the basis /calculation of the administration lump sum as set out in the consultation document?)	Disagree	
C17	Q33 (Do you agree with the basis of the grounds lump sum as set out in the consultation document?)	Agree	
C18	Q34 (Please provide any comments you wish to make in relation to Component 2 – Lump Sums)	We currently have 2 admin. One of these oversees IDPs and this is needed given there are 96 pupils requiring annual reviews. This is a huge role for just one admin. Having a designated admin for this makes the process effective and consistent.	Comment noted.

C19	Q35 (Please list any other elements that you think should be included.)	Lump sum for cleaning. Buses to support pupils accessing the local community particularly those from disadvantaged backgrounds where attainment needs raising. This would support the RADY programme.	Comment noted.
C20	Q36 (Do you agree that there should be a class size top up for the Special Sector as set out in the consultation document?)	Agree	
C21	Q37 (Do you agree with how the proposed surplus sqm top up is funded for the Special Sector as set out in the consultation document?)	Neutral	
C22	Q38 (Do you agree that there should be a building condition top up as set out in the consultation document?)	Agree	
C23	Q39 (Do you agree with the proposed Site Layout / Safeguarding funding for the Special Sector as set out in the consultation document?)	Neutral	
C24	Q40 (Do you agree with how the Grounds area adjustment is funded as set out in the consultation document?)	Agree	
C25	Q41 (Do you agree with continuing the current funding arrangements for non-domestic rates and statutory testing?)	Agree	
C26	Q42 (Do you agree with a hydro pool allowance for Special Schools?)	Agree	
C27	Q43 (Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included.)		

C28	Q44 (Do you agree with the provision of funding for a teacher and a Higher Level Teaching Assistant (HLTA) for satellite provision?)	Strongly agree	
C29	Q45 (Do you agree that the implementation of the new formula should be phased in this way?)	Disagree	
C30	Q46 (Do you agree with the proposed phasing over 2 years?)	Disagree	
C31	Q47 (What other comments about the Special School Funding Formula would you wish to make?)	I think the phasing should be fully implemented from the start- April 2023.	Comment noted

Question Ref	Q1 (Name of School:)	Ysgol Cedewain	Response
C1	Q17 (Do you agree with the pupil number proposal as a basis for funding Special schools?)	As we feel our current banding of pupils is incorrect anyway, then this proposal could be detrimental to the school. However, if it is planned to review this once correct bandings are in place then it is a starting point.	Comment noted
C2	Q18 (Do you agree with the Banding Criteria used to allocate Bands to pupils?)	No, for example we have several pupils who at times require tow or even three to one, in order to deal with medical needs etc. yet they are banded the same as pupils with far less complex needs.	Comment noted

C3	Q19 (Do you agree with the ratios used and funding method for the teacher funding calculation included in the Per Pupil Allocation?)	The general ratios are ok, however, banding arrangements need to be sorted before this can be finally agreed.	Comment noted
C4	Q20 (Do you agree with the supply calculation included in the Per Pupil Allocation?)	Given our current supply situation it would be difficult for me to totally agree but in principle yes.	Comment noted.
C5	Q21 (Do you agree with the ratios and funding method for the teaching assistants calculation included in the Per Pupil Allocation?)	I do not agree with this part of the proposal. Our own staffing review is based upon a class teacher, two L3s and an L1 per room as a starting point with 3 HLTs to cover PPA and provide TA support and training.	Comment noted.
C7	Q23 (Do you agree with the ratios and funding method for the Midday Supervision calculation included in the Per Pupil Allocation?)	We currently do not use midday supervisors	Comment noted.
C8	Q24 (Do you agree with the changes to the SLA funding calculation included in the Per Pupil Allocation?)	Yes	
C9	Q25 (Do you agree with the changes to the premises funding calculation included in the Per Pupil Allocation?)	As I am unsure of how this would affect us in our new building I can neither agree or disagree.	Comment Noted
C10	Q26 (Do you agree with the funding method for the capitation calculation included in the Per Pupil Allocation?)	Yes	

C11	Q27 (Do you agree with the methodology for funding additional pupils mainstream level?)	Do not feel able to say at this stage	Comment noted.
C13	Q29 (Please provide any comments you wish to make in relation to the pupil number proposals.)	My only comment here would be the system has to be more responsive to funding mid-year. Our budgets are already stretched and having pupils mid-year with no funding would place an added burden given the staffing ratios proposed.	The formula changes proposed include a proposal to revise funding based on actual pupil in-takes in the Autumn term. This combined with the revised pupil movement policy based on a case-by-case basis should mitigate these issues.
C14	Q30 (Do you agree with the basis/calculation of the leadership and management lump sum as set out in the consultation document?)	Yes	
C15	Q31 (Do you agree that the ISR for Special schools is based on the number of pupils within the 5 new bands proposed rather than basing the range on the number of pupils at each Key stage?)	Yes, so long as the banding for each child is correct.	
C16	Q32 (Do you agree with the basis /calculation of the administration lump sum as set out in the consultation document?)	Yes	
C17	Q33 (Do you agree with the basis of the grounds lump sum as set out in the consultation document?)	Not sure as I do not know the predicted costs of our new site.	
C20	Q36 (Do you agree that there should be a class size top up for the Special Sector as set out in the consultation document?)	Yes	
C21	Q37 (Do you agree with how the proposed surplus sqm top up is funded for the Special Sector as set out in the consultation document?)	Yes	

C24	Q40 (Do you agree with how the Grounds area adjustment is funded as set out in the consultation document?)	As stated previously I would be unsure as to this due to new site, but basic principle appears valid.	Comment noted.
C25	Q41 (Do you agree with continuing the current funding arrangements for non-domestic rates and statutory testing?)	Yes	
C26	Q42 (Do you agree with a hydro pool allowance for Special Schools?)	Yes	
C27	Q43 (Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included.)	I also feel the LA needs to consider the costs involved in special school's usage of equipment etc which can raise energy costs etc above mainstream school	Comment noted.
C28	Q44 (Do you agree with the provision of funding for a teacher and a Higher Level Teaching Assistant (HLTA) for satellite provision?)	Totally based on the banding and needs of pupils placed.	
C29	Q45 (Do you agree that the implementation of the new formula should be phased in this way?)	No I feel the new formula should be implemented in one go so as to create stability for funding.	Comment noted.
C30	Q46 (Do you agree with the proposed phasing over 2 years?)	This could cause issues for financial planning.	Comment noted.

SECONDARY SCHOOLS

Question Ref	Q1 (Name of School:)	Brecon High School	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Neutral	
Page 697	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	There is typically a delay between what a school believes could be additional in-year funding compared to what is actually received. This should be a known figure within meetings between schools and Finance in order for schools to maintain accuracy around their expected funds.	Comment noted.
	A1 Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	

B2	Q10 (Please provide any comments you may have about the deadline for agreeing changes to the fair funding formula.)	<p>The current scheme fails to recognise that historical debt that was not created by current Governors and Headteachers hinders the capacity of school leaders to implement change at the pace they wish.</p> <p>In addition, the timing of receipt of funds at the end of the financial year (eg any last minute grant monies) are not able to be used by schools for any other purpose other than be moved to pay off further debt. This is not a suitable use of public money.</p>	<p>National regulations require a school to carry forward any cumulative deficit and this is outside of the authority's control.</p> <p>The length of time over which a school may repay a deficit is normally three years, except in exceptional circumstances where a longer period has been agreed and with the support of the Chief Education Officer and the Section 151 Officer. This is outlined in section 4 of the Scheme for financing schools</p> <p>Feedback has been given to Welsh Government regarding the issues of late Grant awards unfortunately this is outside the control of the Local Authority.</p>
Page 698 B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Neutral	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	

Question Ref	Q1 (Name of School:)	Llanidloes High School	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	Yes	

	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Agree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	N/A	
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	N/A	

B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B2	Q10 (Please provide any comments you may have about the deadline for agreeing changes to the fair funding formula.)	N/A	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B5	Q13 (Please provide any comments you may have about the payment or charging of interest on school surplus or deficit balances.)	N/A	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	
B7	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	N/A	
	Q16 (Section C: Special Schools Formula Review)	Go to Section D: Secondary Phase School Funding Formula Review	
	Q48 (Section D: Secondary Phase School Funding Formula Review)	Complete this section	

D1	Q49 (Do you agree that the current secondary phase funding formula should be amended to acknowledge the additional costs of managing and running a secondary school over more than one secondary campus situated in separate towns?)	Disagree	
D2	Q50 (Please provide any additional comments you have in relation to the current funding for secondary schools with more than one secondary campus situated in separate towns.)	A single secondary school split across two geographical sites benefits from economies of scale savings that are not available to single site secondary schools. For example, management costs can be reduced at every tier of leadership. Through effective planning, additional costs should be counterbalanced by capitalising on these economies of scale. The proposal will unfairly reduce the overall funding envelope available for distribution among the wider community of schools.	The current formula adjusts funding downwards for the potential economies of scale but does not currently provide for the additional cost elements set out.
D3	Q51 (Do you agree that a revised funding formula should include the four-component design for the formula?)	Disagree	

D4	<p>Q52 (Please explain why and let us know if we have missed anything:)</p>	<p>Under the heading, ‘Which major components should a needs-based funding formula include?’ the OECD guidance says the following in box 3.7 on page 134 :</p> <p>1) A basic allocation: This could be an allocation per student OR PER CLASS. If the unit is class, then the formula will include assumptions about the maximum permitted class size before an extra student demands the forming of two classes. There would be a year-level supplement differentiated according to the school year (grade level) or stage of schooling (e.g. primary, lower secondary, etc.). Setting a fixed amount per student in a particular year uses the assumption of the costs of educating a student with normal educational needs. This requires an analysis of expenditure requirements, e.g. activity-led costing. This – particularly with a per student unit – strongly supports the market regulation function.</p> <p>2) An allocation for curriculum enhancement: This component would adjust for the costs of providing a specific educational profile and would only apply to selected schools or students...</p> <p>3) An allocation for students with supplementary educational needs...</p> <p>4) An allocation for specific needs related to school site/location: This would aim to adjust for structural differences in school site operation costs that are generally beyond the school management’s control, e.g. schools located in rural or remote areas with significantly lower class sizes, schools with higher maintenance costs (linked to local economic factors and/or specialised equipment needs). School size is an important determinant of unit cost. Fixed costs (e.g. school leadership, premises, providing a selection of subjects) do not diminish with the number of students. Here it is key to define the</p>	<p>Comments noted – to confirm the proposed top ups in component 3 provide additional funding for a number of these elements with the aim of being more transparent in how schools are funded.</p>
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		<p>For example, a single stream school with 150 pupils per year group and class sizes of, say, no more than 30, would need 5 teachers per year group to staff the curriculum (+ PPA etc). However, a dual stream school with 150 pupils in each year group and 75 pupils in each stream, would need 6 teachers per year group to staff the curriculum. That's over 250K per year extra to staff the curriculum in the dual stream school (and, quite rightly, a correspondingly higher level of per pupil funding). The current model deals with this issue transparently in block 1.</p> <p>The proposed per pupil funding model would only be fair if the uplift for dual stream and small schools was the difference between what such schools would have been funded in block 1 under the current model and the significantly reduced amount they will be funded in block 1 under the new per pupil model. Without such an approach, Powys will repeat the mistakes of the past when spiralling debt beset dual stream schools like Brecon High School where successive external finance reviews concluded the issue was not profligate spending on the part of the school, but predictable underfunding flowing from a per pupil model and an inadequate, arbitrary uplift.</p>	
D7	<p>Q55 (Do you agree that there should be a teaching and learning top up for single medium secondary phase schools with fewer than 600 learners in their secondary phase (as described in Appendix B)?)</p>	Agree	

D8	Q56 (Please provide any additional comments you have in relation to the teaching and learning top up for single medium secondary schools with fewer than 600 learners in their secondary phase.)	For the reasons already given above, it would be fairer and clearer to retain our current approach to component 1 funding. However, if the decision is made to move to a per pupil funding model, then a teaching and learning top up will be essential for a small, single stream school to remain viable.	Comments noted.
D9	Q57 (Do you agree that there should be a teaching and learning top up for one or both of the language streams in dual stream schools where they have fewer than 600 pupils in one or both of their language streams (as described in Appendix B)?)	Strongly agree	
D10	Q58 (Please provide any additional comments you have in relation to the teaching and learning top up for one or both of the language streams in dual stream schools where they have fewer than 600 pupils in one or both of their language streams.)	<p>For the reasons already given above, it would be fairer and clearer to retain our current approach to component 1 funding. However, if the decision is made to move to a per pupil funding model, then a teaching and learning top up for BOTH STREAMS will be essential for dual stream schools. This will avoid discriminating against Welsh learners in dual stream schools through planned underfunding. It will ensure dual stream schools to remain viable. It will help avoid a repeat of historic spiralling debt in dual stream schools such as Brecon High School.</p> <p>Topping up BOTH STREAMS in a dual stream school is also the only fair way of funding these schools. For example, a single stream school with 150 pupils per year group and class sizes of, say, no more than 30, would need 5 teachers per year group to staff the curriculum (+ PPA etc). However, a dual stream school with 150 pupils in each year group and 75 pupils in each stream, would need 6 teachers per year group to staff the curriculum. That's potentially over 250K per year extra to staff the curriculum in the dual stream school (and, quite rightly, a correspondingly higher level of per pupil</p>	It is proposed that where streams are under 600 pupils they will <u>both</u> receive a top up so neither language will be discriminated against.

		<p>funding). The current well-considered model deals with this issue transparently in component 1.</p> <p>The proposed per pupil funding model will only be fair if the uplift for dual stream and small schools is the difference between what such schools would have been funded in component 1 under the current model, and the significantly reduced amount they will be funded in component 1 under the new per pupil model.</p> <p>Without such an approach, Powys will repeat the mistakes of the past when spiralling debt beset dual stream schools like Brecon High School where successive external finance reviews concluded the issue was not profligate spending on the part of the school, but predictable underfunding flowing from a per pupil model and an inadequate, arbitrary uplift.</p>	
D11	<p>Q59 (Do you agree that there should be a teaching and learning top up for one or more secondary campuses in secondary phase schools where they have more than 1 secondary campus in different towns with fewer than 600 pupils in one or more of their campuses (as described in Appendix B)?)</p>	Agree	
D12	<p>Q60 (Please provide any additional comments you have in relation to the teaching and learning top up for one or more secondary campuses in secondary phase schools where they have more than 1 secondary campus in different towns with fewer than 600 pupils in one or more of their campuses.)</p>	N/A	

D13	Q61 (Do you agree that there should be a management and administration top up for secondary phase schools with fewer than 600 learners (as described in Appendix B)?)	Agree	
D14	Q62 (Please provide any additional comments you have in relation to the management and administration top up for secondary phase schools with fewer than 600 learners.)	N/A	
D15	Q63 (Do you agree that there should be a management and administration top up for secondary phase schools with more than one secondary campus in different towns (as described in Appendix B)?)	Disagree	
D16	Q64 (Please provide any additional comments you have in relation to the management and administration top up for secondary phase schools with more than one secondary campus in different towns.)	A single secondary school split across two geographical sites benefits from economies of scale savings that are not available to single site secondary schools. For example, management costs can be reduced at every tier of leadership. Through effective planning, additional costs should be counterbalanced by capitalising on economies of scale savings. This is better than reducing the overall funding envelope available for distribution among the wider community of schools.	Comments noted
D17	Q65 (Do you agree with providing a bilingual top up for Welsh medium or dual stream schools?)	Agree	
D18	Q66 (Please provide any additional comments you have in relation to a bilingual top up.)	There is going to be significant additional management time needed to move dual stream schools along the language continuum envisioned by Welsh Government's new school categorisation model.	Comments noted

D19	Q67 (Do you agree with the proposed Surplus Square meterage on internal floor area (as described in Appendix B)?)	Agree	
D20	Q68 (Please provide any additional comments you have in relation to the surplus floor area top up.)	N/A	
D21	Q69 (Do you agree with maintaining the building condition top up funding method?)	Agree	
D22	Q70 (Please provide any additional comments you have in relation to the building condition top up.)	We believe that the LA's current approach to the use of 21st Century Schools funding is misguided. While we agree with the building condition top up, we believe this is an inadequate substitute for redistributing 21st Century Schools funding more evenly across a larger number of schools/clusters in need of rapid upgrade. Long term, retrofitting many schools to support moves towards the LA achieving net zero status. Similarly, retrofitting will surely deliver greater overall environmental and learning environment benefits across the whole schools estate than is achieved by focusing all funding on a tiny proportion of schools receiving unaffordable new builds. The current approach needs to be halted and a more equitable, responsible approach introduced so that pupils in areas like Llanidloes, Caereinion, Newtown and Welshpool can receive educational benefits of improved premises at a faster pace.	
D23	Q71 (Do you agree with how the Grounds area adjustment is funded (as described in Appendix B)?)	Agree	
D24	Q72 (Please provide any additional comments you have in relation to the grounds area top up.)	N/A	

D25	Q73 (Do you agree with continuing the current funding arrangements for business rates, Statutory testing, Premises and Employee insurance?)	Disagree	
D26	Q74 (Please provide any additional comments you have in relation to the funding arrangements for non-domestic rates, statutory testing, premises insurance and employee insurance.)	Schools need greater independence when finding the best price for these services.	Non-domestic rates are a fixed cost. The overarching responsibility in terms of building and employees is Powys County Council and therefore the LA source the best insurance for the needs of the authority and its schools to ensure full coverage. Schools are currently funded for what they are charged for each of these elements and no change to this are proposed.
D27	Q75 (Please provide any comments on the proposals for Component 3 – Unique Factors, or any other elements that should be included:)	<p>For the reasons already given above, it would be fairer and clearer to retain our current approach to component 1 funding. However, if the decision is made to move to a per pupil funding model, then a teaching and learning top up for BOTH STREAMS will be essential for dual stream schools. This will avoid discriminating against Welsh learners in dual stream schools through planned underfunding. It will ensure dual stream schools to remain viable. It will help avoid a repeat of historic spiralling debt in dual stream schools such as Brecon High School.</p> <p>Topping up BOTH STREAMS in a dual stream school is also the only fair way of funding these schools. For example, a single stream school with 150 pupils per year group and class sizes of, say, no more than 30, would need 5 teachers per year group to staff the curriculum (+ PPA etc). However, a dual stream school with 150 pupils in each year group and 75 pupils in each stream, would need 6 teachers per year group to staff the curriculum. That's potentially over 250K per year extra to staff the curriculum in the dual stream school (and, quite rightly, a correspondingly higher level of per pupil funding). The current well-considered model deals</p>	As above

		<p>with this issue transparently in component 1.</p> <p>The proposed per pupil funding model will only be fair if the uplift for dual stream and small schools is the difference between what such schools would have been funded in component 1 under the current model, and the significantly reduced amount they will be funded in component 1 under the new per pupil model.</p> <p>Without such an approach, Powys will repeat the mistakes of the past when spiralling debt beset dual stream schools like Brecon High School where successive external finance reviews concluded the issue was not profligate spending on the part of the school, but predictable underfunding flowing from a per pupil model and an inadequate, arbitrary uplift.</p>	
28	Q76 (Do you agree that the implementation of the new formula should be phased?)	Agree	
29	Q77 (Do you agree with the proposed phasing over 5 years?)	Agree	
D30	Q78 (What are your views on the current methodology for delegating notional ALN funding to secondary phase schools (1:15 class in each year) and what factors should be considered in future reviews?)	<p>We agree with the current methodology for delegating notional ALN funding to secondary phase with small group provision in each year. First, this reflects practice across most secondary schools that want to invest in smaller class provision for learners most in need of support.</p> <p>Second, the Education Endowment Foundation (a world leader in educational research) states the following when consider the impact of reducing class size as an intervention:</p> <p>'The evidence suggests that significant effects of reducing class size are not seen until the number of pupils has decreased substantial (to fewer than 20</p>	<p>Comments noted. The Local Authority is aware of the evidence from the Education Endowment Foundation Teaching and Learning Toolkit. The overview of the toolkit for reducing class size clearly states that reducing class size is evidenced as having a 'low impact for very high cost based on very limited evidence' although this is based on very limited evidence.</p>

		<p>or even 15 pupils). Crucially, a reduction in class size is only likely to be effective if it permits teachers to change their teaching approach to the extent that this changes the learning behaviours of pupils. High quality implementation of reducing class size might consider:</p> <ul style="list-style-type: none"> • Additional opportunities to provide feedback on pupils • Time for high quality interaction between pupils and teachers e.g. modelling approaches closely with pupils.' 	
D31	Q79 (What other areas within the secondary phase school funding formula would you like to see considered in future reviews of the formula?)	Retain (or return) to the current per class funding model in component 1.	Comment noted
Page 7 of 14 32	Q80 (What other comments about the School Funding Formula would you wish to make?)	N/A	
	Q81 (Do you agree that the Post-16 grant funding is no longer allocated based on a pre-determined formula?)	Agree	
E2	Q82 (What other comments would you like to make in relation to changing the distribution of the post-16 grant from a formula distribution to a commissioning based distribution?)	Our support for the move towards a commissioning model reflects strong partnership working between schools and LA colleagues. By supporting this change, schools are placing considerable trust in LA officers who serve on the Strategic Management Board (SMB). The local knowledge of school representatives on Operational Management Boards (OMBs) should mean that changes to the OMB curriculum proposals are rare rather than the rule.	Comment noted.

E3	Q83 (Do you agree that funding for home school provision is allocated on a per learner basis?)	Agree	
E4	Q84 (Do you agree that funding for the Welsh Baccalaureate Qualification is allocated to the home school on a per learner basis, dependent on provision?)	Agree	
E5	Q85 (Do you agree that funding for post-16 courses be allocated on a per course basis to the school commissioned to deliver the course?)	Agree	
E6	Q86 (Do you agree that funding for year 12 post-16 courses should also be committed for the following year's course, should learner numbers warrant it?)	Agree	
E7	Q87 (Do you agree that the funding per course should be the same whether the course is delivered through Welsh or English, in person or through e-sgol?)	Agree	

E8	<p>Q88 (What other comments would you like to make in relation to the proposed principles for a commissioning-based post-16 funding mechanism?)</p>	<p>Funding for Year 13 courses should not be based on class sizes. If a student has studied a course for a year, they must be enabled to complete it even if their peers leave the course at the end of Year 12. This will not prohibit local efficiency solutions, such as reduced lesson allocation to the course to reflect the progress secured through costly small group provision.</p> <p>It is important that the OMB and SMB carefully consider the context of schools rather than specifying minimum class sizes. For example, the definition of a minimum class size for a course in a small Welsh Medium centre, such as Bro Hyddgen, will be considerably lower than in a large English medium school with a very large Sixth Form, like Crickhowell.</p> <p>The Education Endowment Foundation state the following in their Teaching and Learning Toolkit when commenting on the impact of small group provision:</p> <p>‘Evidence shows that small group tuition is effective and, as a rule of thumb, the smaller the group the better. Some studies suggest that greater feedback from the teacher, more sustained the engagement in smaller groups, or work which is more closely matched to learners’ needs explains this impact. Once group size increases above six or seven there is a noticeable reduction in effectiveness.</p> <p>The variability in findings suggests two things. First, the quality of the teaching in small groups may be as, or more important than, the precise group size (there is evidence of the benefits of staff professional development on pupil outcomes). Second, it is important to evaluate the effectiveness</p>	<p>Comment noted.</p> <p>As noted above, the Local Authority is aware of the evidence from the Education Endowment Foundation Teaching and Learning Toolkit. The overview of the toolkit for reducing class size clearly states that reducing class size is evidenced as having a ‘low impact for very high cost based on very limited evidence’.</p>
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of different arrangements, as the specific subject matter being taught and composition of the groups may influence outcomes.'

Moreover, some courses are required for students to remain on their chosen career pathway.

Therefore, given the school context and language stream, learning benefits of small group provision, and the desirability of facilitating long term student aspirations, it may at times be justified to run a course with relatively low pupil numbers.

Operational Management Boards are best placed to make these determinations and should only rarely be overruled by the SMB (which is not party to the local knowledge steering professional dialogue between school leaders on the OMB).

ALL-AGE SCHOOLS

Question Ref	Q1 (Name of School:)	Ysgol Llanfyllin	Response
	Q2 (Is this the official response on behalf of the School, agreed by the Chair of Governors and the Headteacher?)	No	

	Q3 (If no, please provide further information:)	just responding as an individual governor	
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Disagree	
	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	every child has an allocated amount of funding for their education. that should follow the pupil on a pro rata basis if they move within the school year	Comment noted
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
A3	Q8 (Please make any other comments would you like to in relation to the pupil movement policy.)	when a pupil moves it can be various reasons. some of the reasons may require extra support for the pupil and additional money may be required and therefore the school should be allowed to look for further funding to support that child over and above the funding that should follow that child automatically	This will be considered through the case-by-case basis.

B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Disagree	
B2	Q10 (Please provide any comments you may have about the deadline for agreeing changes to the fair funding formula.)	he time scale of 3 months is tight reducing it to 2 months and the implications this may have on a school budget and its planning is not acceptable	Comment noted.
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Agree	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Neutral	
	Q16 (Section C: Special Schools Formula Review)	Go to Section D: Secondary Phase School Funding Formula Review	
	Q48 (Section D: Secondary Phase School Funding Formula Review)	Complete this section	
D1	Q49 (Do you agree that the current secondary phase funding formula should be amended to acknowledge the additional costs of managing and running a secondary school over more than one secondary campus situated in separate towns?)	Strongly disagree	

D2	Q50 (Please provide any additional comments you have in relation to the current funding for secondary schools with more than one secondary campus situated in separate towns.)	we need to be cutting costs and not increasing costs. surely we should be looking at the viability of a split school over 2 sites and look to amalgamate onto one site. what is the cost implication of amalgamation compared to the cost of running 1 school on 2 sites?	Specific costed options would be available when proposals are identified through the schools transformation programme.
D3	Q51 (Do you agree that a revised funding formula should include the four-component design for the formula?)	Agree	
D5	Q53 (Do you agree with basing the per pupil sum on applying the current formula to a model 600 learner school?)	Agree	
D7	Q55 (Do you agree that there should be a teaching and learning top up for single medium secondary phase schools with fewer than 600 learners in their secondary phase (as described in Appendix B)?)	Agree	
D9	Q57 (Do you agree that there should be a teaching and learning top up for one or both of the language streams in dual stream schools where they have fewer than 600 pupils in one or both of their language streams (as described in Appendix B)?)	Agree	
D11	Q59 (Do you agree that there should be a teaching and learning top up for one or more secondary campuses in secondary phase schools where they have more than 1 secondary campus in different towns with fewer than 600 pupils in one or more of their campuses (as described in Appendix B)?)	Disagree	

D13	Q61 (Do you agree that there should be a management and administration top up for secondary phase schools with fewer than 600 learners (as described in Appendix B)?)	Neutral	
D15	Q63 (Do you agree that there should be a management and administration top up for secondary phase schools with more than one secondary campus in different towns (as described in Appendix B)?)	Disagree	
D17	Q65 (Do you agree with providing a bilingual top up for Welsh medium or dual stream schools?)	Neutral	
D19	Q67 (Do you agree with the proposed Surplus Square meterage on internal floor area (as described in Appendix B)?)	Neutral	
D21	Q69 (Do you agree with maintaining the building condition top up funding method?)	Agree	
D23	Q71 (Do you agree with how the Grounds area adjustment is funded (as described in Appendix B)?)	Neutral	
D25	Q73 (Do you agree with continuing the current funding arrangements for business rates, Statutory testing, Premises and Employee insurance?)	Neutral	
D28	Q76 (Do you agree that the implementation of the new formula should be phased?)	Agree	
D29	Q77 (Do you agree with the proposed phasing over 5 years?)	Agree	
E1	Q81 (Do you agree that the Post-16 grant funding is no longer allocated based on a pre-determined formula?)	Agree	
E3	Q83 (Do you agree that funding for home school provision is allocated on a per learner basis?)	Agree	

E4	Q84 (Do you agree that funding for the Welsh Baccalaureate Qualification is allocated to the home school on a per learner basis, dependent on provision?)	Agree	
E5	Q85 (Do you agree that funding for post-16 courses be allocated on a per course basis to the school commissioned to deliver the course?)	Agree	
E6	Q86 (Do you agree that funding for year 12 post-16 courses should also be committed for the following year's course, should learner numbers warrant it?)	Agree	
E7	Q87 (Do you agree that the funding per course should be the same whether the course is delivered through Welsh or English, in person or through e-sgol?)	Agree	

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UNKNOWN SCHOOL SECTOR

Question Ref	Q1 (Name of School:)		Response
	Q4 (Do you agree that the current pupil movement policy is no longer used to adjust delegated funds in year for pupil transferring between Powys schools?)	Agree	

	Q5 (What other comments would you like to make in relation to the current pupil movement policy no longer being used to adjust delegated funds in year for pupil transferring between Powys schools?)	The authority should define what the percentage of a 'financial pressure' on a school budget would be. It is difficult to comment on an unknown parameter or quantity and therefore difficult to know the impact on the school budget.	Comment noted Financial pressures could reflect aspects such as pupil numbers impacting on staffing numbers, a need to change the class structure of the school, support deployment etc causing financial implications on the school that they cannot manage from within the budget. It is difficult to be prescriptive about this as the same change in 2 different schools could result in quite significantly different financial consequences.
A1	Q6 (Do you agree that pupil movement should be considered on a case-by-case basis should it cause financial pressures that a school cannot manage within existing funds?)	Strongly agree	
A2	Q7 (Do you agree that a simple template should be developed for schools to use to apply for additional financial support in relation to pupil movement?)	Agree	
B1	Q9 (Do you agree with the proposed change to the deadline for agreeing changes to the fair funding formula?)	Agree	
B3	Q11 (Do you agree with the proposed change to the wording of paragraph 4.3 of the Scheme?)	Strongly agree	
B4	Q12 (Do you agree with the proposed change to the wording of paragraph 4.6 of the Scheme?)	Strongly agree	
B6	Q14 (Do you agree with the proposed change to the wording of paragraph 4.8 of the Scheme?)	Agree	

B7	Q15 (Please provide any comments you may have about the treatment of licensed or unlicensed deficits.)	A maximum of five years for a recovery plan would be more useful, providing more flexibility for the schools involved.	The length of time over which a school may repay a deficit is three years, except in exceptional circumstances where a longer period has been agreed and with the support of the Chief Education Officer and the Section 151 Officer.
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Learning and Skills Scrutiny Committee

Scrutiny Observations to Cabinet on: 11-10-2022

The Learning and Skills Scrutiny Committee met on 28-09-2022 and considered the following documents:

- Ysgol Bro Hyddgen Capital Project.

The Learning and Skills Scrutiny Committee thank the Cabinet Members for a Learning Powys and Finance and Corporate Transformation and officers for attending scrutiny.

Scrutiny made the following observations:

- The Committee welcomed:
 - The proposed new building for the school.
 - The consultation with local people as to whether the library should be moved to the new complex.
- The Committee noted:
 - That the estimated cost of replacing the leisure centre was £6m, whilst improvements to bring the existing building to acceptable standards and maintenance over 10 years was in the region of £3.5m.
 - That any refurbishment to the leisure centre needed to be flexible to take account of service users' needs.
 - That if Band B funding was used for the leisure facility it would mean that the Council could not build other schools elsewhere.
 - That pupil projections had been revised for the new school from 620 originally to 540 and that numbers included those projected to be attending the school from across the border with other counties as well. The revised projection had been accepted by the school and also took account for some growth in future.
 - That the future retention, repurposing or possible sale of Canolfan Hyddgen was being considered as part of the wider discussions in relation to the proposal.
 - That the size of the 3G pitch at the school would be dependent on the inclusion (or not) of the library in the complex.
- The Committee requested that:
 - Potential capital receipts from the sale of existing buildings as well as lifetime costs which were included in the economic case be included in the main Cabinet report which was accepted by officers.
- The Committee remained unconvinced about the case of not including the leisure facility within the campus, but also understood the impact of its inclusion on the funding available for other schemes. In addition, whilst Welsh Government were pushing net carbon zero schemes, it was accepted that this could not be achieved in a leisure facility with a swimming pool.
- The Committee expressed concern:
 - That the project be progressed as soon as possible in view of increasing costs due to delays.

- That there needed to be good management of the build to overcome issues on previous projects, for example with the build of Brecon High School where remedial work had to be undertaken after the school was occupied, are addressed.
- That the unintended knock-on impact on funding schemes in following Welsh Government's policy on the co-location of facilities, be brought to Welsh Government's attention.

Scrutiny's Recommendations to Cabinet	Accept (plus Action and timescale)	Partially Accept (plus Rationale and Action and timescale)	Reject (plus Rationale)
<p>1 Potential capital receipts from the sale of existing buildings as well as lifetime costs which were included in the economic case be included in the main Cabinet report which was accepted by officers</p>	<p>Accepted – information was included in the Cabinet report</p>		
<p>2 That the project be progressed as soon as possible in view of increasing costs due to delays</p>	<p>Accepted – the new SOC/OBC will be submitted to Welsh Government for consideration at it's Capital Panel meeting in December. Following approval, the next stage will be to tender for a design and build contractor.</p>		
<p>3 That there needed to be good management of the build to overcome issues on previous projects</p>	<p>Accepted – bringing a design and build contractor in at an early stage will enable the project to be fully resourced and managed, under the supervision of PCC officers.</p>		
<p>4 That the unintended knock-on impact on funding schemes in following Welsh Government's policy on the co-location of</p>	<p>Accepted – this will be discussed with Welsh Government colleagues at the next progress meeting.</p>		

facilities, be brought to Welsh Government's attention			
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In accordance with Rule 7.27.2 the Cabinet is asked to provide a written response to the scrutiny report, including an action plan where appropriate, as soon as possible or at the latest within 2 months of the date of the Cabinet meeting i.e. by 11-12-2022

Membership of the Learning and Skills Scrutiny Committee on 28-09-2022:

County Councillors:

G. Thomas, A Davies, B. Davies, G.D. Jones, A. Kennerley, C. Kenyon-Wade, I McIntosh, D. Meredith, L. Roberts, L. Rijnenberg, J. Brignell-Thorp, D. Bebb.

Co-Opted Members:

K. Chedgzoy, S. Davies, M. Evitts.

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2023

Date and Time	Type and Detail
Jan	Pre-Meeting
18-01-23 14.00 – 16.30 (Possibly 25 th)	Committee - Public Well Being Assessment – relevant sections New CIP – relevant sections for scrutiny Catchment Review – Admissions Performance and Risk Q3 All Heads of Service Finance All Heads of Service
Jan	Work Programming
Jan	Pre-Meeting
31-01-23 10.00 – 12.30	Committee - Public Budget Scrutiny
Feb	Pre-Meeting (if required)
10-02-23 14.00 – 16.30	Committee - Public Alternative Budget (if required)
Mar	Pre-Meeting
29-03-23 14.00 – 16.30	Committee - Public Mid Wales Education Partnership – Business Plan Regional Skills Partnership
Mar	Self Assessment
May	Pre-Meeting
31-05-23 14.00 – 16.30	Committee - Public WESP Update Q4 Performance and Risk Finance

Date and Time	Type and Detail
July	Work Programming
July	Pre-Meeting
19-07-23 14.00 – 16.30	Committee - Public School Standards Post 16 Curriculum for Wales
Sept	Pre-Meeting
20-09-23 14.00 – 16.30	Committee - Public Cluster Business Support Model Update on Early Years Provision
Oct	Pre-Meeting
01-11-23 14.00 – 16.30	Committee - Public School Budgets Q2 Performance and Risk Finance
Dec	Pre-Meeting
13-12-23 14.00 – 16.30	Committee - Public