

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

21 September 2021

**REPORT AUTHOR: County Councillor Phyl Davies
Portfolio Holder for Education and Property**

REPORT TITLE: Llanfihangel Rhydithon C.P. School

REPORT FOR: Decision

1. Purpose

1.1 Further to the decision made by Cabinet on the 9th February 2021, the Council has carried out consultation on the following proposal:

- To close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools

1.2 The purpose of this report is to inform Cabinet members of the responses received to the consultation and to determine whether or not to proceed with the statutory process to close the school.

1.3 The report is supported by the following appendices:

- **Appendix A** – Consultation Document
- **Appendix B** – Consultation Report
- **Appendix C** – Minutes of meetings with School Council, Governors and Staff
- **Appendix D** – Updated Impact Assessments (to follow)
- **Appendix E** – Llanfihangel Rhydithon CP School Impact Assessment (Prepared by the Dolau School Action Group)
- **Appendix F** – Comments from the Learning and Skills Scrutiny Committee (To follow)

2. Background

Strategy for Transforming Education in Powys

2.1 On the 14th April 2020, a new Strategy for Transforming Education in Powys was approved by the Leader via a delegated decision.

2.2 The Strategy was developed following extensive engagement with a range of stakeholders during two separate periods between October

2019 and March 2020. The Strategy sets out a new vision education in Powys, as follows:

'All children and young people in Powys will experience a high quality, inspiring education to help develop the knowledge, skills and attributes that will enable them to become healthy, personally fulfilled, economically productive, socially responsible and globally engaged citizens of 21st century Wales.'

2.3 The new strategy also sets out a number of guiding principles which will underpin the transformation of education in Powys. These are as follows:

- *A world class rural education system that has learner entitlement at its core*
- *Schools that are fully inclusive, with a culture of deep collaboration in order to improve learner outcomes and experience*
- *A broad choice and high quality of provision for 14 – 19 year old learners, that includes both academic and vocational provision, meeting the needs of all learners, communities and the Powys economy*
- *Welsh-medium provision that is accessible and provides a full curriculum in Welsh from Meithrin to age 19 and beyond*
Provision for learners with Special Educational Needs (SEN)/Additional Learning Needs (ALN) that is accessible as near to home as is practicably possible, with the appropriate specialist teaching, support and facilities that enables every learner to meet their potential
- *A digitally-rich schools sector that enables all learners and staff to enhance their teaching and learning experience*
- *Community-focused schools that are the central point for multi-agency services to support children, young people, families and the community*
- *Early years provision that is designed to meet the needs of all children, mindful of their particular circumstances, language requirements or any special or additional learning needs*
- *Financially and environmentally sustainable schools*
- *The highest priority is given to staff wellbeing and professional development*

2.4 The new strategy sets out a number of Strategic Aims and Objectives, to shape the Council's work to transform the Powys education system over the coming years. One of the Strategic Aims of the Strategy is to *'improve learner entitlement and experience'* Within this aim, the Strategy sets out a Strategic Objective to *'rationalise primary provision'*.

2.5 On the 9th February 2021, the Council's Cabinet considered an options appraisal paper in respect of Llanfihangel Rhydithon C.P. School, and agreed to carry out consultation on the following:

- To close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools

Background

- 2.6 Llanfihangel Rhydithon C.P. School is an English-medium primary school situated within the catchment area of Ysgol Calon Cymru (Llandrindod area). It currently has 36 pupils on roll, taught in two classes of mixed aged groups. There is a shared headship arrangement with Llanelwedd C.i.W Primary School that has been in place for over 6 years. Standards of education at the school are good, and the Council has no concerns about the quality of leadership at the school.
- 2.7 The challenges facing the school as outlined in the Consultation Document are:

i) Low pupil numbers

Current pupil numbers¹ at Llanfihangel Rhydithon C.P. School are as follows:

	R	1	2	3	4	5	6	Total
Llanfihangel Rhydithon C.P. School	4	7	10	2	8	5	0	36

The Welsh Government defines a ‘small school’ as a school with less than 91 pupils. Pupil numbers are significantly lower than this. Whilst an increase is projected over the next couple of years based on information held by the Council’s Finance Team, they are expected to remain low for the foreseeable future.

ii) High budget share per pupil

Based on the Council’s Section 52 Budget Statement for 2020-21, the school’s budget share per pupil during 2020-21 was £6,304. This is significantly higher than the Powys average of £4,264. Llanfihangel Rhydithon is ranked the 8th highest school in Powys by budget share per pupil².

iii) Temporary leadership arrangements

¹ Teachers Centre 03/09/2021

² Section 52 Budget Statement 2020/2021

Leadership at the school is provided by the headteacher of Llanelwedd C. in W. School, as part of a long term temporary arrangement. This is a part time arrangement, with a teacher in charge responsible for the school whilst the acting headteacher is not on the site. This limits the time available to focus on leadership of Llanfihangel Rhydithon C.P. School.

iv) **Combined age classes**

The small pupil numbers at the school mean that pupils are taught in whole key stage classes, with Key Stage 2 in one class and Foundation Phase in another class. Because pupil numbers in each year group are small, it is more difficult to ensure all pupils are appropriately challenged.

2.8 The nearest school for pupils currently attending Llanfihangel Rhydithon C.P. School is as follows:

- Llanfihangel Rhydithon C.P. School – 53%
- Crossgates C.P. School – 28%
- Ysgol Cefnlllys – 11%
- Knighton C. in W. School – 5%
- Rhayader C. in W. School – 3%

2.9 If there was no school in Llanfihangel Rhydithon, the nearest alternative schools for pupils would be as follows

- Crossgates C.P. School – 67%
- Llanbister C.P. School – 14%
- Ysgol Cefnlllys – 11%
- Knighton C. in W. School – 5%
- Rhayader C. in W. School – 3%

The Consultation Period

2.9 Consultation on the proposal to close Llanfihangel Rhydithon C.P. School commenced on the 14th April 2021 and ended on the 2nd June 2021.

2.10 The consultation document was available on the Council's website throughout the consultation period. The document was also distributed to stakeholders as required by the School Organisation Code (2018). The consultation document that was issued is attached as Appendix A.

2.11 Consultees were asked to respond to the consultation by either completing the online consultation form, filling in a paper copy of the

form and returning it to the Transforming Education Team, or by writing to the Transforming Education Team.

2.12 During the consultation period, virtual meetings were also held with the following:

- Staff of Llanfihangel Rhydithon C.P. School
- Governors of Llanfihangel Rhydithon C.P. School
- School Council of Llanfihangel Rhydithon C.P. School

The minutes of these meetings are attached as Appendix C, and the issues raised in the meetings are included in the Consultation Report (Appendix B).

Consultation Responses

2.13 290 respondents completed the consultation response form which was included in the consultation document. This included paper copies as well as responses submitted using the online response form. In addition, 130 written responses were received from respondents including Estyn, by e-mail or post.

2.14 As well as responses from parents, pupils, staff and governors at Llanfihangel Rhydithon C.P. School and members of the local community, responses were received from the following organisations:

- Governing Body of Llanfihangel Rhydithon CP School
- Llanfihangel Rhydithon Community Council
- Old Radnor Community Council
- Penybont & District Community Council
- Fay Jones MP and James Evans MS (Joint submission)
- Mudiad Meithrin
- Diocese of Swansea and Brecon
- Governing Body of Llanelwedd C.i.W Primary School
- Dolau School Action Group
- Friends of Dolau School Committee
- Cllr Hywel Lewis
- Cllr Martin Weale
- Dolau Youth Club
- Cylch Meithrin Dolau
- Dolau Parent and Toddler (Ti a Fi)
- Chair of Governors, Llanbister C.P. School
- Chair, Dolau Recreation Association
- Powys Radnor Federation WI
- Dolau WI
- Teme Valley Hunt Pony Club

- 2.15 Estyn's response to the consultation is provided on page 16 of the Consultation Report (Appendix B).
- 2.16 The consultation response form asked respondents to answer a number of questions. The findings are provided in full on pages 5 to 8 of the Consultation Report (Appendix B).

Consultation Findings

- 2.14 As part of the consultation, a consultation response form was issued, which was completed by 290 respondents. 77.6% of respondents indicated that they were associated with Llanfihangel Rhydithon C.P. School, 6.9% indicated that they were associated with another school and 15.2% of respondents indicated that they were not associated with any school.
- 2.17 The issues raised in the written responses to the consultation and those raised in the consultation meetings, are listed in the Consultation Report (Appendix B) from page 20 onwards, along with the Council's response to these issues.
- 2.18 The issues raised relate to the following headings:
1. Comments about Llanfihangel Rhydithon C.P. School
 2. Comments about small/rural schools
 3. Impact on pupils
 4. Comments relating to other schools
 5. Impact on the community
 6. Comments about pupil numbers
 7. Travel implications
 8. Impact on staff
 9. Comments about early years provision
 10. Reference to previous consultations
 11. Financial implications
 12. Criticism of Powys County Council
 13. Comments about Council strategies
 14. Comments about the consultation documentation
 15. Comments about the consultation process
 16. Comments about impact on protected characteristic groups
 17. Comments about impact on the Welsh Language
 18. Alternative options

3 Advice

- 3.1 Based on the findings of the consultation, and further assessment of the options in accordance with the requirements of the School Organisation Code in terms of the Presumption Against Closure of Rural Schools, the advice of officers is that the Council should proceed

with the proposal to close Llanfihangel Rhydithon C.P. School by publishing a Statutory Notice.

3.2 The reasons for this are outlined below:

- Would address the issue of low pupil numbers at Llanfihangel Rhydithon C.P. School
- Would reduce the Council's overall surplus capacity in primary schools
- Revenue saving to the Council
- Pupils would attend larger schools, which would be better equipped to meet the requirements of the new curriculum
- Pupils would attend larger schools, which could provide a wider range of educational and extra-curricular opportunities
- Pupils would attend schools with permanent leadership arrangements
- Meets all of the critical success factors

3.3 It is anticipated that the Statutory Notice would be published in September 2021, and that a further report, summarising any objections received, will be considered by the Council's Cabinet later in the autumn term 2021.

3.4 The target date to implement the closure of Llanfihangel Rhydithon C.P. School is 31st August 2022.

3.5 It must also be noted that implementation of this proposal does not preclude that school from being a part of future reorganisation proposals.

4. Resource Implications

4.1 The amount of funding provided to schools is driven by the funding formula. Any change to the formula funding provided will impact on the Council's revenue budget. Based on the current formula, it is estimated that implementation of the proposal would result in annual revenue savings to the Council of around **£59,000** per annum. This overall figure comprises a potential saving on schools' delegated funding of over £52,000 and savings on catering costs of around £6,600. It is anticipated that any additional transport requirements would be managed within the current arrangements.

4.2 The school had a cumulative surplus balance of £40,972 as at the 31st March 2021. The budget approved by the Governing Body for the current year shows this decreasing to £38,999 by 31st March 2022.

4.3 The Scheme for Financing Schools also states the following in section 3.7.2:

'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'

The Council will consider the use of these powers of intervention where appropriate.

4.4 Implementation of the proposal would require involvement from a number of service areas, including staff from the Schools Service, HR and Finance.

4.5 Comments received from the Council's Schools Budget Forum state:

'The School Forum wishes to comment on the financial implications of these proposals for the overall schools' delegated budget. At our last meeting we agreed on the importance of making sure that any savings accruing from transformation proposals are retained within the overall schools' delegated budget. This is fundamental to the overall transformation programme being taken forward by the Council. One of the main tenets of the overall programme is to reduce the overall number of schools so that the existing level of funding could be shared more equitably and resolve the existing problem of some schools having insufficient resources.

There is a common sentence in each of the reports which says "Any savings would be reinvested in the Council's corporate budget and any reinvestment in the schools' system would be agreed as part of the annual budget planning cycle". This falls a long way short of guaranteeing that the savings will be retained within the overall schools' delegated budget. Essentially this means that it will be up to the Council each year to decide on whether the funding should be retained for schools or not. This approach is very worrying as it could lead to the overall schools' delegated budget being reduced as a result of the Council deciding that savings should be reinvested elsewhere. That runs very much against the overall plan to share the existing resources amongst a smaller number of schools and could result in the same problem we have now – not enough funding to run all the schools.

Against this background can you please, when reporting back to the Cabinet on the results of the consultations for each of these schools, report the concerns of the Schools' Forum as set out above and change the approach to how savings are to be treated, i.e. that they are ring fenced for use within the schools' delegated budget.'

4.6 The Head of Finance (Section 151 Officer) "I note the resource implications set out above and the comments submitted by the Schools

Budget Forum. Education and the Transforming Education Strategy are both amongst the highest priorities for the Council and there has been significant work over the last few years to agree an appropriate level of funding in the delegated schools' budget. I acknowledge the Schools Budget Forum's desire to have a guarantee on the savings being reinvested into the schools' delegated budget. However, given that the Council's funding is only confirmed on an annual basis, it is not appropriate to ring-fence in this way. The funding allocated to all services has to be considered collectively and the Council will prioritise its resources in order to deliver its objectives. This approach has seen investment in Education over recent years."

5. Legal implications

- 5.1 Legal: "The proposal can be supported from a legal point of view."
- 5.2 The Head of Legal and Democratic Services (Monitoring Officer) has commented as follows:

6. Comment from local member(s)

- 6.1 **XXX**

7. Integrated Impact Assessment

- 7.1 An initial impact assessment was considered by Cabinet on the 9th February 2021.
- 7.2 In addition, a range of draft impact assessments were produced as part of the consultation documentation. These included an Integrated Impact Assessment, an Equalities Impact Assessment, and a Community Impact Assessment.
- 7.3 These draft impact assessments have been updated to reflect issues raised during the consultation period, and are attached in Appendix D.
- 7.4 In addition, an impact assessment prepared by the Dolau School Action Group was submitted as a consultation response. This is attached as Appendix E.

8. Recommendation

- To receive the Consultation Report in respect of closing Llanfihangel Rhydithon C.P. School.
- To approve the publication of a statutory notice to close Llanfihangel Rhydithon C.P. School from the 31st August 2022, with pupils to attend their nearest alternative schools.

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CABINET REPORT TEMPLATE VERSION X