

CYNGOR SIR POWYS COUNTY COUNCIL.

CABINET EXECUTIVE

9 November 2021

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

REPORT TITLE: Llanbedr C. in W. 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 Llanbedr C. in W. 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
- **Appendix E** – Powys Schools Budget Share per Pupil 2021-22
- **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 for 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 Llanbedr C. in W. School, and agreed to carry out consultation on the following:

- To close Llanbedr C. in W. School from the 31st August 2022, with pupils to attend their nearest alternative schools

Background

2.6 Llanbedr C. in W. School is an English-medium Church in Wales Voluntary Aided primary school located in the village of Llanbedr in the Crickhowell catchment area in South Powys. The school primarily serves the village of Llanbedr and the surrounding area.

2.7 The challenges facing the school as outlined in the Consultation Document are:

i) Low pupil numbers

Current pupil numbers¹ at Llanbedr C. in W. School are as follows:

	N1	N2	R	1	2	3	4	5	6	Total N-Yr 6	Total R-Yr 6
Llanbedr C in W. School	0	4	5	6	3	12	8	4	7	49	45

(As a Voluntary Aided School, Llanbedr C. in W. School is responsible for its own admissions arrangements and admits nursery aged pupils to the school, however these pupils are not funded by the Council. Information about nursery aged pupil numbers is provided here for information. The school has indicated that they another 5 pupils will be starting during the 2021/22 academic year.)

The Welsh Government defines a 'small school' as a school with less than 91 pupils. Pupil numbers are lower than this, and the latest projected pupil numbers suggest that pupil numbers are not expected to increase significantly over the coming years.

ii) High budget share per pupil

Based on the Council's Section 52 Budget Statement for 2021-22, the school's budget share per pupil during 2021-22 was £6,010. This is higher than the Powys average. Llanbedr C. in W. School is ranked the 9th highest school in Powys by budget share per pupil².

¹ Teachers Centre September 2021

² Section 52 Budget Statement 2020/2021

Appendix E provides a summary of the Budget Share per pupil of all Powys schools 2021-22.

iii) **Combined age classes**

- The small pupil numbers at the school mean that pupils are taught in three classes:
 - Nursery/Reception/Year 1 - 15 pupils
 - Year 2/3 - 15 pupils
 - Year 4/5/6 - 19 pupils

Because pupil numbers in each year group are small, it is more difficult to ensure all pupils are appropriately challenged.

iv) **Leadership**

Whilst there is permanent leadership in place in Llanbedr C. in W. School, the headteacher has a significant teaching commitment, which limits the time available to focus on leadership of the school.

2.8 **Closest schools**

The nearest school for pupils currently³ attending Llanbedr C. in W. School is as follows:

- Llanbedr C. in W. School – 38.5%
- Crickhowell C.P. School – 28.8%
- Llangattock C.in W. School – 9.6%
- Llangynidr C.P. School – 11.5%
- Llangors C. in W. School – 1.9%
- Deri View Primary School (Out of County) – 9.6%

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

- Crickhowell C.P. School – 61.5%
- Llangattock C. in W. School – 9.6%
- Llangors C. in W. School – 1.9%
- Llangynidr C.P. School – 11.5%
- Deri View Primary School (Out of County) – 13.5%
- Llanvihangel Crucorney C.P. School (Out of County) – 1.9%

The Consultation Period

³ PLASC 2021

- 2.9 Consultation on the proposal to close Llanbedr C. in W. School commenced on the 21st April 2021 and ended on the 23rd 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 Llanbedr C. in W. School
 - Governors of Llanbedr C. in W. School
 - School Council of Llanbedr C. in W. 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

- 2.13 113 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, 62 written responses were received from respondents including Estyn, by e-mail or post.

The written responses also included an online and paper petition to 'Save Our School Llanbedr CIW is under threat of closure and we need your help!', which received 2,119 signatures.

- 2.14 As well as responses from parents, pupils, staff and governors at Llanbedr C. in W. School and members of the local community, responses were received from the following organisations:
- Governing Body of Llanbedr C. in W. School
 - Vale of Grwyney Community Council
 - Diocese of Swansea and Brecon
 - Joint submission from Fay Jones MP and James Evans MS
 - Crickhowell Town Council
 - Governing Body of Llangattock C. in W. School
 - Powys Schools Forum

- 2.15 Estyn's response to the consultation is provided on page 43 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, starting at page 47 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 113 respondents. 85.0% of respondents indicated that they were associated with Llanbedr C. in W. School, 9.7% indicated that they were associated with another school and 5.3% 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 34 to page 43, along with the Council's response to these issues.
- 2.18 The issues raised relate to the following headings:
1. Comments about Llanbedr C. in W. School
 2. Impact on pupils
 3. Impact on parents / families
 4. Impact on early years provision
 5. Impact on protected characteristic groups
 6. Comments about Church in Wales provision
 7. Comments about housing developments in the area
 8. Comments about small / rural schools
 9. Travel implications
 10. Comments about the schools pupils might transfer to
 11. Impact on the community
 12. Issues relating to finance
 13. Comments about Council strategies
 14. Comments about Welsh Government initiatives
 15. Comments about the process
 16. Comments about the Consultation Documentation
 17. Criticism of Powys County Council
 18. Alternative Options
 19. Comments about the Impact on Welsh
 20. Comments in support of the Proposal

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 Llanbedr C. in W. School by publishing a Statutory Notice.

3.2 The reasons for this are outlined below:

- Would address the issue of low pupil numbers at Llanbedr C. in W. 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
- Meets all the critical success factors

3.3 It is anticipated that the Statutory Notice would be published in November 2021, and that a further report, summarising any objections received, will be considered by the Council's Cabinet early in 2022.

3.4 The target date to implement the closure of Llanbedr C. in W. School is 31st August 2022.

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 **£101,100**. This overall figure comprises a potential saving on schools' delegated funding of over £153,500 plus estimated savings on catering costs of around £9,000, reduced by estimated additional transport costs of £43,700 and a potential loss of funding for pupils that may move out of county of £17,700.

4.2 The school had a cumulative surplus balance of £22,263 as at the 31st March 2021. The budget approved by the Governing Body for the current year shows this decreasing to £13,861 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, Finance, HR and ICT. These service areas will be kept informed of the development of the proposal throughout the statutory process.

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 recommendations can be accepted from a legal point of view.
- 5.2 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".

6. Comment from local member(s)

- 6.1 Cllr John Morris:

Llanbedr Church in Wales Primary School is a vibrant, high achieving school that successfully serves its pupils and the local community and lies at the heart of this rural area.

Members you are here today to decide if there is adequate reason for the closure of this school. The over 400 pages of this report do not in my mind or the school and communities mind prove the case for closure in fact it is a poor report with many questionable and un-evidenced statements and conclusions. This is highlighted in the many responses and the scrutiny committee's report.

The cabinet often highlights that we are the most rural county in Powys so it stands to reason that we would have a higher proportion of smaller rural school than other areas of Wales. The Welsh Government clearly understands this in its policy of a presumption AGAINST the closure of small rural schools.

The poor Estyn report on our education service does not suggest that the problem lies with the number or size of small schools but highlighted the poor management of the schools service and particularly the failure to address the secondary sector.

As with other reports coming forward the arguments being put forward falls under two heading. Firstly the cost per pupil and secondly the ability of the school to give pupils a first class educational experience and deliver the new curriculum. The report on Page326 says that the council has no concerns about the education standards at the school. The school is already delivering parts of the new curriculum successfully and there is no evidence presented in the report as to why

the council consider a small school cannot successfully deliver the new curriculum. Equally your officers do not evidence how big they think a school should be in order to deliver the new curriculum. The school already has links with other schools in the area to share good practise and community involvement.

On the cost per pupil it would be expected that a small rural school would be marginally more costly and the attempt to argue this as a case for closure, as the report does, totally ignores the reality of the rural schools policy. It should be noted that recently developed new schools under the transformation policy are showing a higher cost per pupil than Llanbedr.

The school is virtually full with a low number of spare places at present, the nearest Church in Wales School (3miles away) is also virtually full and could not accommodate the numbers into the year groups required meaning that pupils would have to be split between a number of the receiving schools including lower achieving schools in Monmouthshire. Crickhowell Primary has a higher surplus capacity than Llanbedr but it also cannot accommodate pupils into some of the year groups as they are full. If pupils wish to remain in Powys the other two receiving schools are many miles away with the next nearest church in Wales School as stated in the report being 16 miles away.

A vital key element is missing here. The schools transformation policy around the Crickhowell Cluster has not yet been developed and will not be looked at until at least mid 2022. Neither has the Welsh medium provision under the WESP consultation been considered. There is a piecemeal approach here that does not make any sense and officers have failed to link their desire to close this school with any forward plan for the area. What the cabinet is being asked to do is to close this school without knowing the future demands and make up of education on the area that a review would establish.

The decision on this proposal rests firmly with the cabinet members and the future of this area's community and education provision is in your hands. Within this report there are a number of promises that the cabinet will visit the school PRIOR to making a decision. If you go ahead without this visit you will have broken promises made to the pupils, staff, governors and the community.

The Cabinet is here to serve all the residents of Powys, as I know you are aware, you will be held accountable for your actions and any substantial financial costs that will follow a decision to close from the resulting legal and ministerial challenges and proceedings.

Today you can either do what is easy or what is right and the right thing to do is to reject the proposal to move to closure as the case is unproven. The decision should at least be delayed until we understand

more fully the educational and transformational requirements within the Crickhowell Cluster.

Cllr John Morris
County Councillor for Crickhowell and the Vale of Grwyney

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.

8. Recommendation

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

Contact Officer:	Marianne Evans
Tel:	01597 826155
Email:	Marianne.evans@powys.gov.uk
Head of Service:	Emma Palmer – Head of Transformation & Communications Lynette Lovell – Interim Chief Education Officer
Corporate Director:	Dr Caroline Turner