MINUTES OF A MEETING OF THE LEARNING AND SKILLS SCRUTINY COMMITTEE HELD BY ZOOM ON WEDNESDAY, 18 JANUARY 2023

PRESENT

County Councillor R G Thomas (Chair)

County Councillors A W Davies, G D Jones, C Kenyon-Wade, DW Meredith, L Roberts, L Rijnenberg, D Bebb, Mrs S. Davies, Mrs M Evitts, J Charlton, P Roberts, D A Thomas and M J Dorrance

Apologies for absence were received from County Councillors M Beecham and B Davies

1. APOLOGIES

Apologies for absence were received from County Councillors: B Davies, M Beecham

2. DISCLOSURES OF INTEREST

There were no declarations of interest from Members relating to items for consideration on the agenda.

3. DECLARATIONS OF PARTY WHIP

The Committee did not receive any 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.

4. CORPORATE IMPROVEMENT PLAN PRESENTATION

Documents Considered:

 Presentation provided by Catherine James on the Corporate and Strategic Equality Plan

Questions:

Question	Response
Regarding the comment on air quality,	
request made from where had the	The whole environment section in the
statistics and data been sourced. This information could be interpreted as	Wellbeing Assessment was aligned with the Mid Wales Area Statement, which was published by Natural Resources Wales.

Request for this data to be shared with	
the Scrutiny Committee.	
Why do WG only fund 70% of Council	Cabinet Member Comment –
expenditure in Powys as opposed to	The Settlement received from WG is
80% for other Councils, as this would	calculated via a specific formula, which
make a £60m difference per annum?	takes into consideration deprivation
Can the weightings of rurality be	and population numbers etc., with
adjusted to ensure Powys is fairly	Powys being relatively under populated
funded? Council Tax does not	given the size of the County, this would
represent the ability to pay, but the	inevitably impact.
value of the property without	In addition, Powys' Council tax base is
consideration of level of income.	very high due to the valuation of
	properties in contrast to those in other
	areas of Wales.
	Individuals can apply for the Council Tax Reduction scheme.
Newtown East is 31st on the list of	Officer Comment –
Areas of Deprivation, are there any	Yes, there are other areas in the Welsh
other areas in Powys that are close to	Index of multi – deprivation, i.e., St
that? Could this information be	Johns area in Brecon, and areas in
provided to the Scrutiny Committee.	Ystradgynlais and Welshpool.
Could information on the average	Officer Comment –
earning per household be provided to	Information will be forwarded to the
the Scrutiny Committee, as information	Scrutiny Committee as requested.
provided in the presentation may not	
reflect the number of individuals who	
are on a lower wage.	
The report notes that almost 80% of	Officer Comment –
people are economically active, can	The information provided relates to the
this be clarified in respect of age group.	16-64yrs age group.

Comments / Discussion:

There are three objectives for the Scrutiny Committee's consideration from the information provided on the Draft Corporate Improvement Plan. The Scrutiny Committee objectives relate to how would the Corporate Improvement Plan address the outcomes of the Wellbeing Assessment to impact Powys individuals i.e., cost of living and poverty. Housing and education elements where required are to be reviewed to meet and address need.

Other elements to be reviewed are Access to Services, employment, and the aspiration to increase Welsh speakers throughout Powys. If Welsh medium education were increased and individuals remained in Powys, the result could be increased recruitment of Welsh speakers with the prospect of an improved offer.

Outcomes:

Scrutiny made the following observations:

• The Committee noted that information provided from the Corporate Improvement Plan presentation would enable reference and contribution to the Plan through future work programmes.

5. CATCHMENT REVIEW - ADMISSIONS

Documents Considered:

Catchment Consultation and Recommendation Report to Cabinet Appendices A – G

Issues Discussed:

- The Service had met with the Cabinet Member to discuss the outcomes of the Catchment Consultation. A robust challenge process was also undertaken with the Service Management Team prior to the report being presented to Members.
- The proposed catchment maps will be implemented for admissions and transport purposes from September 2024 onwards.

Objective:

• 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.

Measures

- Each primary catchment map (Appendix G) has been developed based on the following principles:
 - nearest school
 - minor adjustments for local geography and topography
- 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 (Appendix B -Admissions Information and Arrangements document).
- 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.
- 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.

Questions: Question Response It would be helpful if the Maps used in Officer Comment report were from the same It proved difficult to show relevant database / App, therefore not open to detail on one database / app. The Transport Unit use the GIS systems, to interpretation. Could the decision-making process calculate routes. used be made available to Scrutiny? The decision-making process used reemphasised the premise of the nearest school. This was only amended due to infrastructure, geography, minor track, or B roads etc. Routes used must be accessible for young learners. То communities villages Officer Comment keep together it would be beneficial to refrain The Transport Dept are considering from using the term catchment, but undertaking a review of the current instead nearest school in alignment Transport policy. with the Transport policy. Diverting a line on a catchment area map would Cabinet Member Comment -Council's Whilst appreciate the synergy between not remove the legal the two policies; Admissions and responsibility to provide transport to the nearest school nor would it remove the Transport, this review is related to the cost. entitlement to go to a school. In instances where there was over subscription, the catchment was a key factor in the decision-making process to offer a school place. It is the conflation of home to school transport which has come about with reference to nearest or catchment where issues have arisen. The review discussed is admissions to

The review discussed is admissions to and not transport to school.

Officer Comment -

The main point of the review of the Admissions policy is not to refer to past occurrences but to reduce the surplus places within our schools. Catchment maps identify the natural transition from primary to secondary education settings, to attain a position where compliant and with clarity provided to move forward with the Transformation programme and meet standards expected of the Local Authority.

Castle Caereinion was a CIW (Church | Officer Comment -

in Wales) school, neither Berriew nor Bro Caereinion are, is there an entitlement to choose within the Admission Policy to attend CIW schools?

Admission policy states that parents can choose for children to attend CIW other denomination schools. or however the Transport policy does not have a religious element, therefore the family would source transport.

The recommendations with reference to language medium, in particular pupils in Castle Caereinion, splits a community. English Medium pupils travel to Berriew, Welsh Medium to Bro Caereinion. The natural flow of pupils from Castle Caereinion has always been to Llanfair Caereinion, road links to both schools are equally narrow and as noted above does not promote the All – Age school policy. To enable Bro Caereinion to succeed, request made for this decision to be reviewed.

Chair comments -Irregularities of this nature may exist throughout the report, raising concern that the review does not make

consideration for the Council's current policy for All-Age schools.

Officer Comment -

The recommendation in this Catchment Admission review is to retain the policy nearest school. The comments from the Scrutiny Committee are welcomed, the Portfolio holder and Officer will review the decision-making process in this case.

Llanfihangel Ngwynfa, yng was previously within the catchment of Llanfyllin, this review places it within the catchment of Pont Robert, which falls into the catchment for secondary education in Bro Caereinion.

The communities of Llanwddyn and Llanfihangel yng Ngwynfa are closer to Llanfyllin, therefore request that this decision be reviewed for catchment to fall under Llanfyllin as nearest High School?

Cabinet Member Comment -

Commitment made by Portfolio Holder and Officers to explore decision making process for secondary education as Llanfihangel yng Ngwynfa is 5.4miles to Llanfyllin High School and 10.6miles to Bro Caereinon.

is focused The review on the appropriate primary school, of which High schools are an aggregation. For those communities on the edge of a catchment area, there may be a number of pupils closer to another High School.

Recent figures have 16% of the Powys Welsh population recorded as speakers, a drop from 19%, how many children remain in Welsh medium education until the end of Yr.11? Secondly request made for Transformation Department to urgently review the WESP (Welsh in Education Strategic Plan).

Are the pupils from Dafydd Llwyd included in the tracker to understand how many complete their education to Yr.11 through the medium of Welsh?

Officer Comment -

The Service is not only looking at the numbers but tracking Yr9 to Yr11 for subjects taught through the medium of Welsh.

Will options available be limited in one Officer Comment -

school compared with another and what options are available through the medium of Welsh?	Will require input from the Transformation Service to make decision or provide further information
Ysgol Gynradd Carno is feeding into Bro Hyddgen in the Admissions review however, Ysgol Llanidloes School and Newtown High School are nearer, offering English and / or Welsh medium Education., can this be explained?	Officer Comment – Ysgol Llanidloes School is 15 miles away from Ysgol Gynradd Carno, which has aligned via federation work with Bro Hyddgen.
Is there an update from the Transformation agenda for plans for a Welsh Medium all-age school in Newtown?	Officer Comment – Currently revisiting the Welsh Medium Strategic plan which is subject to due process to include the ambitions set out by the new Cabinet, once completed we can then embark on the implementation of the WESP.
Will an impact assessment will be undertaken for those pupils at Ysgol Dyffryn Trannon transitioning to Ysgol Llanidloes School following the transformation to Welsh medium education?	Officer Comment – This will form an element of the ongoing recommendation for Ysgol Dafydd Llwyd.
Llangors is a new school, the size of which has been based on numbers of pupils from Bwlch. Access to Llangynidr school from Bwlch via a bus large enough to transport the current 28 pupils, would have to travel a considerable distance due to the bridge / weigh restrictions, pavements on which are non-existent, making walking an unviable option for young children, it does not make sense to have catchment to Llangynidr.	Cabinet Member Comment – Areas of dual catchment need to be resolved, the proposal before all does accurately reflect the conflicting information and highlights again the High School anomaly as closer to Crickhowell than Gwernyfed, Will review this issue as debate continues, if remove away from dual catchment it will create an anomaly of some kind.
The interdependencies between transport and admission arguments will continue with dual catchment, where there are defensible and justifiable reasons.	
Ystradfallte do not appear within the Catchment - Admission review report please advise?	Officer Comment – No Comments were received during the public consultation relation to Ystradfallte, or the existing catchment area.
Where two catchments were adjoined, concern raised that the wider	Officer Comment – Assurance given that throughout the

community may not realise in future	Consultation process, engagement had
they can access only one school.	been sought with parents,
	communities, the schools, and
	Governing bodies. A large number of
	responses were received where
	schools through Head Teacher
	meetings etc. and Governing bodies
	have made communities aware.

Issues Discussed:

- The vast number of Committee members were from the North of the County and therefore were not able to provide as detailed scrutiny to some areas in the south of the County.
- Historically Ysgol Meifod was linked to Caereinion, the Committee and the Governing Body of Bro Caereinion recognise the desire of the local community to align with Llanfyllin High school, a switch that has occurred organically over several years and may have been influenced as the only English medium school feeding into Bro Caereinion.
- That a transparent and consistent Admissions policy without ambiguity or anomaly be implemented across the County, aligned with a Transport policy with specific parameters to provide a consistent approach for communities, without exemptions.

Outcomes:

Scrutiny made the following observations:

- The Committee noted:
 - I. That whilst a parent and young person may wish to attend a CIW or other denomination school, the current Transport Policy does not include any religious element.
 - II. That Ysgol Meifod has organically aligned itself from Bro Caereinion to Ysgol Llanfyllin High School, a decision which may have been influenced as the only English Medium school feeding Bro Caereinion, Scrutiny recognised the desire of the local community in this matter.
 - III. That the majority of Scrutiny Members are located in the North of the County, which makes decisions affecting schools, elsewhere in the County, difficult to judge, as geography, topography and road links may be unknown.
 - IV. Ystradfallte was not noted within the Catchment Admission paper as no comments had been received during the public consultation.
 - V. Officer assurance given that thorough engagement with communities, parents, pupils, grandparents, schools, and Governing Bodies had been sought prior to and during the Consultation process. However, the Committee commented that where two catchments were adjoining, there was concern that the wider community may not realise in future they can access only one school.
- The Committee requested that:
 - I. The maps used are consistent, as the use of two versions, including GIS, can leave distances open to interpretation.
 - II. The impact on pupils of Ysgol Dyffryn Trannon be reviewed following the transformation to Welsh medium education.

- III. The Transformation Service urgently review the Offer of Welsh Medium Education, as the County has seen a drop of Welsh Speakers from 19% to 16%. In particular, a review of subjects offered up to and including Yr. 11 should be undertaken. Scrutiny would also request in respect to pupils leaving Dafydd Llwyd how many continue all subjects through the medium of Welsh to GCSE / Yr. 11.
- IV. Clarity be provided if options are limited to the nearest English medium school, and the pupil choice is for Welsh Medium, is there a categorisation of options available through the medium of Welsh.
- V. Clarity be provided on the Transformation agenda and the implementation of the WESP, with reference to moving Dafydd Llwyd to an all-age school.
- VI. A transparent and consistent Admissions policy without ambiguity or anomaly to be implemented across the County, to be aligned with a Transport policy with specific parameters to provide a consistent approach for communities.

The Committee remained unconvinced about:

- I. The separation of scrutinising the Catchment Admissions policy and the Schools Transport Policy, as the two are intrinsically linked.
- II. Whilst accepting the federation between Ysgol Gynradd Carno and Bro Hyddgen, Ysgol Llanidloes School and Newtown High School are nearer schools offering English and / or Welsh medium Education.

• The Committee expressed concern:

- I. That irregularities may exist throughout the report, with little consideration given to the current Education Policy of promoting All-Age schools, by recommending that pupils attend the nearest school.
- II. Regarding continued reference to Catchment Areas as opposed to Nearest School, diverting a Catchment Area line does not remove the Council's legal responsibility to transport pupils to the nearest school.
- III. That the outlined recommendations with reference to language medium, in particular pupils in Castle Caereinion, splits a community. English Medium pupils travel to Berriew, Welsh Medium to Bro Caereinion. The natural flow of pupils from Castle Caereinion has always been to Llanfair Caereinion, road links to both schools are equally narrow and as noted above does not promote the All Age school policy. It was requested this decision be reviewed.
- IV. That parity does not exist within the policy as the recommendations have noted an exception for Bwlch to retain a dual catchment option.

Scrutiny's Recommendations to Cabinet

- 1. That the recommendation of Llanfihangel yng Ngwynfa falling into Pont Robert catchment be reviewed
- 2. That the Cabinet seek assurance that engagement with communities, schools and Governing Bodies has been sought prior to and during the Consultation process.
- 3. That the maps used to show Catchments and nearest schools to be consistent and unambiguous.

- 4. That impact on pupils following schools' transformation to Welsh medium be monitored.
- 5. That the Transformation Service review the Offer of Welsh Medium Education under WESP
- 6. That a transparent and consistent Admissions policy without ambiguity or anomaly be implemented across the County, aligned with a Transport policy with specific parameters to provide a consistent approach for communities.
- 7. That a review be undertaken of Castle Caereinion pupils attending different schools in accordance to language preference. A decision that splits a community and does not promote the Council's All Age school policy.
- 8. That continued reference to Catchment Areas, as opposed to Nearest School, is ceased. Diverting a Catchment Area line does not remove the Council's legal responsibility to transport pupils to the nearest school.
- 9. That the Cabinet seek assurances for parity across the County.

6. SCHOOLS FUNDING FORMULA

Documents Considered:

- Schools Funding Formula and Scheme Review 2022 Report
- Appendices A-F

Issues Discussed:

- 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 five 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.

Questions:

Question	Response
Model impact on individual school budget may be difficult to ascertain, was there a reason the responses were low?	Officer Comment – Aware that it can be difficult measuring impact for schools in timing of formula change.
	Cabinet Member Comment – The funding Consultation fell later in the school year due to the Mourning period for the Late HM the Queen. Assurances given to review the timing issues for future consultations.
Has the new formula been worked through regarding impact on schools and ensuring delivery provision	Officer Comment – All 3 Special schools have been involved and are keen to proceed. Modelling is based on the current year only, resulting in a re-distribution of funding for 2 schools with a slight decrease for the remaining school. A review will take place at the end of February 2023, to determine the impact on schools delivery.
Is the funding level across the 3 schools similar to previous levels, with a slight overall percentage change?	Officer Comment – Yes, relatively slight changes financially
Have schools been informed of the budget option of Cover Supervisor rather than Supply Teacher?	Officer Comment – Assurance that discussions have commenced with individual Primary schools in relation to option of Cover Supervisor rather than Supply Teacher given the budget allocation.
Following Estyn inspections and the very significant developments in ALN (Additional Learning Needs) under the ALN and Educational Tribunal (Wales) Act. Can it be confirmed that funding is correct to comply with the New Act?	Officer Comment – Assurance provided that the funding complies with ESTYN recommendations and the significant developments required in ALN under the new ALN and Educational Tribunal (Wales) Act.
	Officer Comment – ALN Coordinators appointed onto Management Teams, with each Cluster having a nominated ALNCO (Additional Learning Needs Co Ordinator) Leader to ensure implementation and readiness monitoring of the Act and the ALN Code

When will the 198k additional funding be made available, prior to the implementation of the new formula?

Officer Comment -

Confirmation given that the £198k relates to the split secondary campus amendment being made to the current formula, effectively 2 x £98,960 being allocated immediately.

The main element is the 640k, when resources allow, at what stage do you expect that funding to be made available, noting the draft budget has schools underfunded by £3.8m?

Officer Comment –

This will form part of the on-going discussions at Cabinet.

Cabinet Member Comment -

The additional funding needed for the proposed move to a per pupil allocation funding formula for secondary phase schools of £133,860 would be made available from the increased WG settlement.

Explained that further work was required regarding the £640k, as waiting to understand the exact end of year 22/23 position, following which, the required level of savings to be made through the Transformation programme could be established.

The £3.8m deficit mentioned does not take into account the £5.3m extra that went into School reserves last year. Assurance given that if schools do run into financial difficulties next year, given the enormous financial pressures developing, these will be looked at on a school-by-school basis.

Is the building condition top up sufficient across the schools' estate and equitable for small schools?

Officer Comment -

Confirmation given that the building condition top-up mechanism for funding is deemed sufficient for small schools and is distributed fairly. The mechanism used provides full transparency across the schools' estate.

Is the funding formula robust or may some schools be left with a deficit budget? Officer Comment -

Work is being undertaken with individual schools to review debt recovery plans and advise on spending patterns. Some schools have utilised the finance toolkit to help identify

savings. Officers will update Scrutiny
when a comprehensive picture is
available from Finance.

Outcomes:

Scrutiny made the following observations:

The Committee welcomed:

- I. That all 3 Special Schools have been involved in and are keen to progress with the funding formula, noting that the modelling undertaken has been based on the current year only, resulting in redistribution of funds for two schools and a slight decrease for the remaining school. The Committee also welcomes that updated modelling will be undertaken towards the end of February 2023, and that implementation will be reviewed, including monitoring the impact of the new formula on provision delivery.
- II. That the overall funding level percentage across the 3 Special schools remains constant, albeit with a small financial change.

The Committee noted:

- I. That modelling impact on individual schools' budgets may be difficult to ascertain given the lateness in the Autumn Term of the Consultation. Committee did welcome comment from the Portfolio Holder for a Learning Powys that the delay was in part due to the mourning period of the late HM the Queen, however, will review timing issues for future Consultations.
- II. The assurances from Officers that discussions have commenced with individual Primary schools in relation to option of Cover Supervisor rather than Supply Teacher given the budget allocation.

The Committee requested:

- I. That assurance be provided that the funding complies with ESTYN recommendations and the significant developments required in ALN under the new ALN and Educational Tribunal (Wales) Act. The Committee welcomed the addition of ALN Coordinators to Management Teams, with each Cluster having a nominated ALNCO Leader to ensure implementation and readiness monitoring of the Act and the ALN Code
- II. Confirmation that the building condition top-up mechanism for funding is deemed sufficient for small schools and is distributed fairly. Confirmation provided by Officers this is the case. The mechanism used provides full transparency across the schools' estate.
- III. The proposed teaching and learning top ups will be in addition to the per pupil funding and is to be provided to ensure that that the current funding for the curriculum is maintained.
- IV. Further explanation on the £198k additional funding being made available until implementation of the new funding formula. Officers confirmed that the £198k relates to the split secondary campus amendment being made to the current formula, effectively 2 x £98,960 being allocated immediately.

V. That a summary report of the financial position submitted by schools in December 2022 be provided to Scrutiny.

The Committee remained unconvinced about

The £640k additional element relating to the teacher contact ratio and cover supervisors. Scrutiny Committee request confirmation of when this funding would be available, given that the draft schools budget discussed at Cabinet is £3.8m under funded. Officer understanding is that the £640k forms part of the current Cabinet budget discussions. The Portfolio Holder for Finance and Corporate Transformation confirmed that the additional funding needed for the proposed move to a per pupil allocation funding formula for secondary phase schools of £133,860 would be made available from the increased WG settlement and explained that further work was required regarding the £640k, as waiting to understand the exact end of year 22/23 position following which, the required level of savings to be made through the Transformation programme could be established. The £3.8m deficit noted above does not take into account the £5.3m extra that went into School reserves last year. The Portfolio Holder for Finance and Corporate Transformation assured that if schools do run into financial difficulties next year, given the enormous financial pressures developing, these will be looked at on a school-by-school basis.

• The Committee expressed concern:

I. That the funding formula may leave schools with a deficit budget. Officers are currently undertaking work with individual schools reviewing debt recovery plans and advising on spending patterns. Some schools are using the finance toolkit to help identify savings. Will update Scrutiny when have a comprehensive picture from Finance.

Scrutiny's Recommendations to Cabinet

- 1. That the outcome of the new formula on service delivery review be shared
- 2. That timings of future Consultations be appropriate
- That assurance is provided that funding complies with ESTYN recommendations and the new ALN and Educational Tribunal (Wales) Act
- 4. That the building condition top-up is both transparent and distribution is equitable.
- 5. Obtain a summary of the financial position of schools as at Dec 2022
- 6. That clarity be provided regarding availability of the £640k additional element relating to the teacher contact ratio and cover supervisors.
- 7. Be aware that the funding formula may leave some schools with a deficit budget.

7.1. 2022-09-28 Scrutiny Recs to Cabinet - Bro Hyddgen

Documents Considered:

Responses to Scrutiny Committee recommendations to Cabinet 28-09-2022 re: Bro Hyddgen

Outcomes:

Responses were noted by the Committee.

8. WORK PROGRAMME

The Committee noted the work programme as detailed in the agenda pack.

The Committee considered that the following items be added for possible inclusion on the work programme:

- School transportation.
- Quality of education, pressures on staff, Estyn reports (what is the quality of education across the County and are there any gaps).
- Development of ALN and how the development has progressed during the first year.
- Update on WESP. Will review schedule to bring to Scrutiny Committee upon outcome of the Consultation.

County Councillor R G Thomas (Chair)