

DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET

DATE OF DECISION 14 February 2019

DATE DECISION PUBLISHED 14 February 2019

DATE DECISION WILL COME INTO FORCE and implemented,
unless the decision is called in, in accordance with section 7.25 of
the Gwynedd Council Constitution 21 February 2019

Cabinet Member: Councillor Gareth Thomas, Cabinet Member for Education

Subject:

A Statutory Notice on the proposal to close Ysgol Cwm y Glo.

DECISION

To approve commencing a process to close Ysgol Cwm y Glo on 31 August 2019

In accordance with the Schools Standards and Organisation Act 2013 and guidance in the Schools Organisation Code 011/2018, to issue a statutory notice declaring that the School will close on 31 August 2019, allowing for a 28-day objection period.

REASON WHY THE DECISION IS NEEDED

Please see attached officer report


**DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS
APPROVED BY THE COUNCIL'S STANDARDS COMMITTEE**

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

Consultation with
Gwynedd Council Statutory Officers
Local Members

The results of the consultations are reported upon in the attached report

DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL'S CABINET – OFFICER'S REPORT

Name and Title of Cabinet Member/s:	Councillor Gareth Thomas
Name and Title of the Report's Author:	Diane Jones Education Officer
Date Decision was Taken:	14 February 2019
Cabinet Member/s Signature:	

Subject:

A Statutory Notice on the proposal to close Ysgol Cwm y Glo.

Recommendation for the Decision:

Based on the fact that there were no pupils on the Ysgol Cwm y Glo register at the pupils census point in January 2019, directly prior to the date the proposal was made (in accordance with the Schools Standards and Organisation Act (Wales) 2013) it is recommended:

- To approve commencing a process to close Ysgol Cwm y Glo on 31 August 2019
- In accordance with the Schools Standards and Organisation Act 2013 and guidance in the Schools Organisation Code 011/2018, to issue a statutory notice declaring that the School will close on 31 August 2019, allowing for a 28-day objection period.

The reason for the need for a Decision:

In the Pupil Level Annual Schools Census in January 2019, there were no pupils on the School's register.

The School Organisation Code 011/2018 notes:

'Where a school has fewer than 10 registered pupils (or there are no pupils remaining at a school) at the January census point the 2013 Act permits governing bodies/local authorities to undertake a streamlined procedure to bring about official closure.

This consists solely of the issue of the notice of closure – the requirement for general consultation being waived'.

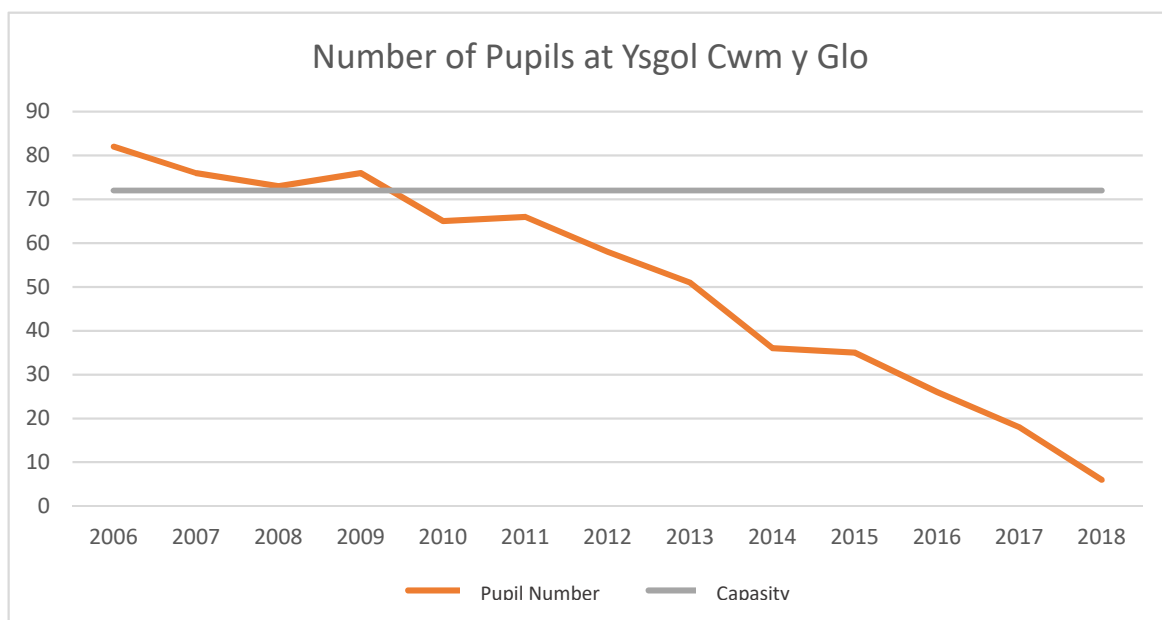
Considering this need, and the fact that there were no pupils on the Ysgol Cwm y Glo register on the 2019 census point, it is recommended that the Statutory Notice be issued on the proposal to close Ysgol Cwm y Glo on 31 August 2019. The Statutory Notice will be issued in accordance with the Schools Standards and

Organisation Act 2013 and the guidance given in the Schools Organisation Code (011/2018).

Rationale and justification for reaching the Decision:

In recent years, there has been a substantial fall in the number of pupils at Ysgol Cwm y Glo. With a capacity of 72 places, the school exceeded its capacity for a period preceding 2009. Since 2009, the numbers have fallen year on year, and by September 2018 there were only six pupils on the register. By 18 September 2018, these six pupils had moved to other schools.

Regular discussion were held between Council officers and the school's Headteacher in order to discuss concerns about the possibility of low numbers on the school's register by September 2018. Meetings were also held with the Chair of the Governing Body, and with the full Governing Body where possible options and the school's current and future situation was discussed. Following this meeting, the governors held a meeting with the parents in order to raise their awareness of the school's situation. The willingness of the Governing Body and Headteacher to respond pro-actively to the situation meant the arrangements for transferring the children to other schools were made with as little impact as possible on the children's education.



The table below shows that nearby schools have sufficient capacity to admit children from the Ysgol Cwm y Glo catchment area without the need to increase any capacity.

School	Number on the register September 2018 (N - Yr6)	Full Capacity (N - Yr6)	Number of Surplus Places 2018 (N - Yr6)	% Surplus Places 2018 (N - Yr6)
Cwm y Glo	0	72	72	100%
Llanrug	266	352	86	24%
Penisarwaun	62	73	11	8%

In 2018, with 16 pupils on the register, the cost per head was more than double the County average, and a minimum staffing contribution more than £58,000.

School Cwm y Glo	Cost Per Head	Minimum Staffing Protection	Average Cost Per Head for the County
2014/15	£4,077	£0	£3,856
2015/16	£4,698	£11,274	£3,857
2016/17	£4,658	£17,388	£3,811
2017/18	£6,266	£39,741	£3,777
2018/19*	£9,858	£58,491	£3,823

* financial distribution on 1 April 2018, based on the numbers on the full register in January 2018, which was 16 pupils.

Although a process to close a school with fewer than 10 pupils removes the requirement for general consultation, the Schools Organisation Code 011/2018 states that relevant matters included in the Code must still be considered:

- a)** Whether the establishment of multi-site schools might be considered as a means of retaining buildings, or reasons not to select this option

As there are no pupils on the school register, this option would not be practicable.

- b)** Could there be alternatives to closure that might merit consideration such as clustering, collaboration or federalisation with other schools, or reasons not to consider these as an alternative option to the school's closure

Again, as there are no pupils on the school register, this option would not be practicable.

- c)** Could the possibilities of making greater use of the existing buildings as a community or educational resource be considered.

Currently, the school is used by the community occasionally. In accordance with the Council's Post-use Policy, community groups would be given the opportunity to take possession of the building, if the recommendation to close the building were approved, dependent on presenting a successful business case.

- d)** The general impact of closing the building on the local community (including loss of facilities at the school that are used by the local community)

Currently, the community makes occasional use of the school and it is not anticipated that this would have significant effect on the community. A Community Impact Assessment has been carried out separately from this report (Appendix 1). Although no other such resource exists in Cwm y Glo, there are numerous other options in nearby villages (Llanberis, Llanrug, Penisarwaun, or Brynrefail).

- e) How could parents and pupils be supported to capitalise on the alternative school and any other facilities this could offer

As there are no pupils on the school register, this factor is no longer relevant. The Education Department has been supporting the school and parents with applications to transfer children to nearby schools since September.

Relevant considerations

Equality - An Equalities Assessment has been held with input from the Equalities Officer (Appendix 2).

The outcome of the assessment was that the proposed change (namely to close Ysgol Cwm y Glo) would not have an impact, neither positive nor negative, on the specific protected characteristic as there are no pupils at the school. There is, therefore, no need to conduct the full assessment.

Language - As regards any possible linguistic impact, considering that no children now attend Ysgol Cwm y Glo, it is considered that there would be no impact on the Welsh language should there be a decision to implement this proposal. The aim of the Language Policy is the same across all the county's primary schools, which is to develop the ability of all pupils to be confident in both languages by the end of KS2. Welsh is the official assessment language in the school at the end of the Foundation Phase. In KS2, the aim is to continue to develop the pupils' grasp of Welsh giving attention to the development of their skills in both languages. Furthermore, our expectation is that the County's primary schools support and enhance the use of the Welsh language as their pupils' social language and educational language. On this basis, the children that have already left the school have transferred to other schools that have the same linguistic status and that follow the same language policy as the rest of the County.

Catchment Area - Consideration will be given to which catchment area any children from the Cwm y Glo catchment area would belong, if the school were to close. A process will take place and consultations carried out with nearby schools before this would be confirmed.

Transportation - as there are no children on the school's register at present, free transport arrangements in accordance with Gwynedd Council transportation policy need not be made.

Process

If a decision is made to go ahead with the proposal, a Statutory Notice will be issued on 22 February 2019 and there will be a 28- day objection period from the date of issuing the notice. Any one may object to the proposal during this time.

Following the objection period, a report will be submitted to the Gwynedd Council Cabinet Member for Education. This Report will note any objections received during the objection period and the Cabinet Member will then make a final decision about the future of Ysgol Cwm y Glo.

In order to implement the recommendations, it is intended to follow the proposed timetable below:

Next steps:
Issue a statutory notice and hold an objection period (28 days)
Cabinet Member for Education to consider a report on any objections
Cabinet Member publishes a decision paper
Decision becomes operational
Ysgol Cwm y Glo closes formally (dependent on the decision of the Cabinet Member for Education)

Record of any personal interest by any Cabinet Member consulted and any dispensations approved by the Standards Committee:

None

Any consultations undertaken prior to making the Decision:

Chief Finance Officer – The report is self explanatory and I support the recommendation.

Monitoring Officer – This report has been the subject of advice from the Legal Department. No comments to add regarding propriety.

Local Member/s - The main reason for the decline in pupil numbers at Ysgol Cwm y Glo is the demographic change in the school catchment area which has led to significant changes in the community. There is a scarcity of housing for families in the village with many houses rented to short and long term visitors which has resulted in a lack of community stability. In addition, as parents are able to make a request to register their children in schools outside of the catchment area, many follow their friends and transport their children to other schools.



Modernising Education Programme

Education Department

Community Impact Assessment

Ysgol Cwm y Glo

February 2019

Community Impact Assessment

As part of the statutory consultation process the School Organisation Code 011/2018 states that a community impact assessment is required when proposing to discontinue a school. This assessment is based on Welsh Government guidelines for school reorganisation, also it takes into account any unique requirements for rural areas. The Code states:

“In some areas, a school may also be the main focal point for community activity, and its closure could have implications beyond the issue of the provision of education. This may be a particular feature in rural areas if school buildings are used as a place to provide services to the local community.”

“The case prepared by those bringing forward proposals should show that the impact of closure on the community has been assessed through the production of a Community Impact Assessment and how any community facilities currently provided by the school could be maintained.”

The following table outlines the use of the school building beyond the day-to-day educational use:

School pupils	Wider community
There are no pupils at the school	Hall Committee
	Polling Station
	Llanrug & Cwm y Glo Community Council meetings

In line with the Council’s policy for the post use of buildings, it is possible for buildings to be sold or leased for less than the market value should the proposer add social, economic or environmental value to the area.

Should this situation be realised at Ysgol Cwm y Glo, it is entirely possible to agree on terms, which would allow the current community based use of the facility to continue.

A Social Enterprise has already formally expressed an interest in the occupying the facility. In line with Council’s policy, any interested community group or enterprise will need to present a strong business case to the Council before a decision will be made on whether their plans are sustainable, and that the social, economic or environmental benefits outweigh the financial loss (the difference between the market value and the price offered).

Should no proposals be approved as part of the process, the current community based activities carried out at the school could be transferred to other community facilities nearby in Llanrug and Penisarwaun.

Do I need to undertake an Equality Impact Assessment?

The Council is required (under Equality Act 2010) to consider the impact of a change in any policy or procedure (or the creation of a new one) on people with protected equality characteristics. The Council also has additional general duties set out in part 2b. An equality impact assessment must therefore be made on any change that affects people with a specific protected characteristic.

The purpose of the form is to assist you to decide whether an Equality Impact Assessment needs to be made when changing a policy, plan or service, or when creating them from scratch. If you already believe that the change you are considering will have an effect, positive or negative, on a specific protected characteristic, there is no need to complete this form. Instead you should undertake a full assessment. For further assistance contact Delyth G Williams, DelythGadlysWilliams@gwynedd.llyw.cymru, ext. 32708

1) TITLE OF THE POLICY / PLAN / PRACTICE AND A SHORT EXPLANATION OF ITS PURPOSE OR THE PROPOSED CHANGE

Proposal to discontinue Ysgol Cwm y Glo

2) RELEVANCE AND IMPACT

When answering a) to b) below, it is important that you consider the impact on service users, employees and the wider community.

a. Protected Characteristics

From the evidence you have, is it likely that the policy / plan / practice will impact any of the following protected characteristics?

Characteristic	Possible impact*	Why? <i>Note your evidence here</i>
Race	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Sex	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Disability	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
The Welsh language	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Sexual Orientation	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no

		impact on any current Primary School age children
Gender reassignment	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Religion or belief	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Age	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Pregnancy and Maternity	None	Not applicable
Marriage or Civil Partnership	None	Not applicable

* Delete as appropriate

b. General Duties of the Equality Act

The Council has a duty to contribute positively to a fairer society by promoting equality and good relations in their activities in the areas of age, gender, sexual orientation, religion, race, transgender, disability and pregnancy and maternity. From the evidence you have, is it likely that the policy / plan / practice will impact any of the following duties? Remember to consider whether there is a further opportunity to reduce discrimination, improve equal opportunities or nurture good relationships.

General Duty	Impact *	Why? <i>Note your evidence here</i>
Abolishing illegal discrimination, harassment and victimisation	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Promoting equal opportunities	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children
Nurture good relationships between people with a protected characteristic and those without.	None	There have been no pupils at the school since the 18th September 2018, therefore the proposal will have no impact on any current Primary School age children

* Delete as appropriate

3) IS A FULL EQUALITY IMPACT ASSESSMENT REQUIRED?

If you have replied positive or negative to any of the above, a full assessment is required

Yes	
No	x

