



Background Pack
Statutory Consultation
Ysgol Nebo

05 December 2025 – 23 January 2026

Order	Document
1	School Organisation Code 011/2018
2	School Standards and Organisation (Wales) Act 2013
3	Excellent Primary Education for Children in Gwynedd
4	Statistic Pack 2025-26
5	Assessment of the likely impact on the quality and standards of education
6	Assessment of the likely impact on travel arrangements
7	Assessment of the likely impact on the community
8	Language Impact Assessment
9	Well-being and future generations act Impact assessment
10	Assessment of the impact on the people of Gwynedd
11	Local Discussions
12	Cabinet Report and Decision Notice 11 February 2025
13	Cabinet Report and Decision Notice 14 October 2025

School Organisation Code



Statutory Code

Statutory Code document no: 011/2018

Date of issue: November 2018

Replaces statutory code document no: 006/2013

School Organisation Code

Audience

Local authorities, governing bodies of maintained schools, diocesan authorities and Estyn.

Overview

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code.

The Code imposes requirements in accordance with which relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) must act. It also includes practical guidance to which relevant bodies must have due regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals.

Action required

See above.

Further information

Enquiries about this document should be directed to:

Schools Effectiveness Division

The Education Directorate

Welsh Government

Cathays Park

Cardiff

CF10 3NQ

Tel: 0300 025 1356/0300 025 7710

e-mail: SchoolsManagementDivision3@gov.wales



@WG_Education



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Additional copies

This document can be accessed from the Welsh Government's website at gov.wales/educationandskills

Related documents

School Standards and Organisation (Wales) Act 2013

Defining schools according to Welsh medium provision (2007)

Measuring the capacity of schools in Wales Welsh Government Circular

No: 021/2011 (2011)

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Summary

This Code on School Organisation (“the Code”) is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”).

Section 38 requires the Welsh Ministers to issue a Code that may impose requirements and include guidelines in respect of school organisation on the following (known collectively in this Code as “relevant bodies”):

- the Welsh Ministers;
- local authorities;
- the governing bodies of maintained schools¹; and
- the promoters of proposals to establish voluntary schools.

The Code applies to proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school. This does not include pupil referral units (PRUs).

The first edition of the Code came in to force on 1 October 2013 and applied in respect of all school organisation proposals published by way of statutory notice on or after that day. This is the second edition of the Code and it comes in to force on 1 November 2018 and comes into effect immediately subject to the following paragraph.

If a proposer has commenced consultation before 1 November 2018 the proposal **must** be published and determined in accordance with the first edition of the Code. Consultation will be considered to have commenced where a consultation document, required by section 3.2 of the first edition of the code, has been published.

The Code contains the following elements:

1. It imposes requirements in accordance with which relevant bodies (or persons exercising a function for the purpose of the discharge, by a local authority or the governing body of a maintained school, of functions in Part 2 (changes which require proposals)) must act. Failure by a relevant body to comply with the requirements set out in this Code may result in a complaint to the Welsh Ministers or to the Public Services Ombudsman for Wales. Where mandatory requirements are imposed by the Code or by the 2013 Act or another statute or statutory instrument, it is stated that the relevant bodies **must** comply with the particular provision. Where practices are prohibited, it is stated that the relevant bodies **must not** use this practice.

¹ The categories of maintained schools in Wales are community, voluntary controlled, voluntary aided, foundation and community special.

2. It includes statutory guidance to which relevant bodies **must** have regard and sets out the policy context, general principles and factors that should be taken into account by those bringing forward proposals to reconfigure school provision and by those responsible for determining proposals. Where guidance is given by the Code, it is stated that relevant bodies **should** follow this guidance unless they can demonstrate that they are justified in not doing so.
3. It provides a description of the statutory requirements set out in the 2013 Act.

The Code builds on good practice which already exists amongst local authorities and others, but does not aim to give exhaustive guidance on all aspects of school organisation. Local authorities and others will need to ensure that in carrying out their school organisation functions they act at all times in ways which are reasonable and founded on the interests of learners.

The Code is primarily designed for the use of the relevant bodies but all those with an interest in school organisation matters may also find it useful.

Presumption against the closure of rural schools

This second edition of the Code makes special arrangements for rural schools (defined within the Code), establishing a procedural presumption against the closure of rural schools. This requires proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal. These are set out mainly in sections 1.8 and followed through in sections 3, 5, 7 and Annex A of this Code.

1. Development and consideration of proposals

1.1 Key background principles and policies

The planning and development of effective school organisation proposals is crucial to the Welsh Government's goal of transforming education in Wales and providing better educational outcomes.

Relevant bodies **should** aim to ensure that proposals support the Welsh Government's commitment to increase school effectiveness, and narrow inequalities in achievement between advantaged and disadvantaged areas, groups and individuals.

A list of legislation, overarching principles and policies which will assist proposers in the development and consideration of proposals is included at annex E. This list is not exhaustive.

1.2 Factors to be taken into account in preparing, publishing, approving or determining school organisation proposals

The following paragraphs set out the factors which **should** be taken into account by relevant bodies when exercising their functions of preparing and publishing school organisation proposals, or approving/determining them. Paragraphs 1.3 to 1.6 are applicable in the case of all proposals.

1.3 Quality and standards in education

Relevant bodies **should** place the interests of learners above all others. With reference to the five inspection areas of the Office of Her Majesty's Chief Inspector of Education and Training in Wales (Estyn) Common Inspection Framework (as of September 2017), they **should** consider the likely impact of the proposals on:

- standards and progress overall, of specific groups and in skills;
- wellbeing and attitudes to learning;
- teaching and learning experiences (quality of teaching, the breadth, balance and appropriateness of the curriculum, and the provision of skills;
- care support and guidance (tracking, monitoring and the provision of learning support, personal development and safeguarding); and
- leadership and management (quality and effectiveness of leaders and managers, self evaluation processes and improvement planning, professional learning, and use of resources)

at the school or schools which are the subject of the proposals and at any other school or educational institution which is likely to be affected. Relevant bodies

should pay particular attention to the impact of the proposals on vulnerable groups, including children with Special Educational Needs (SEN)².

Relevant bodies **should** also consider the ability of the school or schools which are the subject of the proposals to deliver the full curriculum at the foundation phase and each key stage of education. This consideration **should** include the quality of curriculum delivery and the extent to which the structure or size of the school is impacting on this.³

Where proposals involve the transfer of learners to alternative provision there **should** normally be evidence that the alternative would deliver outcomes and offer provision at least equivalent to that which is currently available to those learners (including learners with SEN). Advice from Estyn might reasonably be used as evidence in relation to alternative provision which is brand new. Proposers **should** ensure that the disruption to learners is minimised.

In assessing the impact of proposals on quality and standards in education and how effectively the curriculum is being delivered, relevant bodies **should** consider any relevant advice from Estyn, refer to the most recent Estyn reports or other evidence derived from performance monitoring, and take into consideration any other generally available information available on a school's effectiveness.

1.4 Need for places and the impact on accessibility of schools

Local authorities **must** ensure that there are sufficient schools providing primary and secondary education for their area. Schools are regarded as sufficient if they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education⁴. In order to fulfil these duties, local authorities **must** ensure that they plan thoroughly and engage fully with relevant partners, including the appropriate religious bodies⁵ for schools serving their area which have a designated religious character.

In the light of the above, relevant bodies **should** have regard to the following factors:

Where a school closure⁶, reduction in capacity or age range contraction is proposed:

- whether alternative school-based provision will have sufficient capacity and provide accommodation of at least equivalent quality, for existing and projected pupil numbers;

² The term Special Educational Needs (SEN) may in future be replaced by Additional Needs (AN)

³ Primary legislation sets out the statutory aims of the school curriculum in Wales at section 99 of the Education Act 2002.

⁴ Section 14 of the Education Act 1996.

⁵ An appropriate religious body is, in the case of a Church in Wales or Roman Catholic school, the appropriate diocesan authority, or in the case of other schools, the body representing the religion and religious denomination stated in relation to the school in an order made under section 69(3) of the School Standards and Framework Act 1998.

⁶ Any reference to 'school closure' included in this document means the discontinuance of a maintained school as set out in section 40 of the 2013 Act.

*In considering proposals relevant bodies **should** have regard to the relevant Building Regulations and associated Building Bulletins, and to the 'Welsh Government's circular on 'Measuring the capacity of schools in Wales' (Circular No: 021/2011). In addition, the Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **must** have access. Statutory proposals **should** ensure that these standards are met.*

- with reference to the nature of the schools subject to proposals, whether the alternative school-based provision is sufficient to meet existing and projected demand for schools of the same:
 - a. language category as set out in "Defining schools according to Welsh medium provision" Welsh Assembly Government Information document No: 023/2007 or any successor documents; and
 - b. (if relevant) designated religious character.

*Proposals **should** ensure that the balance of school provision reflects the balance of demand. This means that where school provision is being reduced or removed, alternative school provision of the same nature (language category or, if relevant, religious character), wherever possible, **should** remain available and accessible to pupils in the local area. However in some areas it may not be compatible with the cost effective provision of education to continue to maintain access to schools of the same nature.*

*In all cases, existing pupils of compulsory school age at a school where a school closure, reduction in capacity or age range contraction is proposed **must** be able to continue receiving an education in their current language medium. Specific transition arrangements may be necessary in order to achieve this.*

*Where proposals affect schools where Welsh is a medium of instruction (for subjects other than Welsh) for some or all of the time, local authorities **should** carry out a Welsh Language Impact Assessment.*

In all cases local authorities should consider:

- *The extent to which the proposal would support the targets in the approved Welsh in Education Strategic Plan (WESP).*
- *How the proposal would expand or reduce Welsh language provision and in the case of the latter, set out why provision will be reduced.*

In the case of proposed school closures local authorities should consider:

- the nature of journeys to alternative provision and resulting journey times for pupils including SEN pupils; in particular whether primary school pupils will have one-way journeys in excess of 45 minutes or secondary school pupils one way journeys of over an hour.

*Arrangements for accessing the alternative provision should encourage sustainable transport; and **should** address the possible effect of any transport*

*difficulties on pupils' engagement with and attendance at school. Likely walking or cycling routes for safety and accessibility **should** be assessed prior to bringing forward proposals⁷*

Where a new school, increase in capacity or age range expansion is proposed;

- that there is evidence of current or future need/demand in the area for additional places, with reference to the school or proposed school's language category, designated religious character, and the gender intake (i.e. co-educational/single sex);

*The demand for additional provision of any type in an area **should** be assessed and evidenced. (In the case of Welsh medium provision this would include an assessment of the demand for Welsh Medium education conducted in accordance with any regulations made under section 86 of the 2013 Act).*

- whether proposals will improve access for disabled pupils in accordance with requirements under the Equality Act 2010.

1.5 Resourcing of education and other financial implications

It is important that funding for education is cost effective. Relevant bodies **should** take into account the following factors in relation to the resourcing of education:

- What effect proposals will have on surplus places in the area;

Some spare places are necessary to enable schools to cope with fluctuations in numbers of pupils, but excessive numbers of unused places that could be removed mean that resources are tied up unproductively.

*Where there are more than 10% surplus places in an area overall, local authorities **should** review their provision and **should** consider whether to make proposals for their removal if this will improve the effectiveness and efficiency of provision. A significant level of surplus provision is defined as 25% or more of a school's capacity (as defined in Circular 21/2011) **and** at least 30 unfilled places.*

Although local authorities are asked to manage excessive surplus places this does not automatically mean closing schools. Sections 1.7 and 1.8 of the Code encourage proposers to look at other options available to them and their schools, for example clustering, collaboration or federation with other schools to increase the school's viability or making use of the existing buildings as a community resource. They are also encouraged to rationalise school space by co-locating services within the school to offset costs.

*It **should not** normally be necessary to provide additional places at schools when there are others of the same type with surplus places within a reasonable distance.*

⁷ The Learner Travel Statutory Provision and Operational Guidance June 2014 Chapter 5.

However, proposals to increase the number of places in response to demand for a particular type of provision, e.g. Welsh medium, may still be appropriate; particularly if effective provision of school places is planned for the local authority area.

- whether proposals form part of the local authority's 21st Century Schools Investment Programme and contribute to the delivery of sustainable schools for the 21st Century and to the better strategic management of the school estate.

Relevant bodies **should** also take into account the following factors in relation to finance:

- the recurrent costs of proposals over a period of at least 3 years and whether the necessary recurrent funding is available;
- additional transport costs incurred as a result of proposals;

*Proposers **should** take into account the requirement on local authorities to provide free transport provision under the Learner Travel (Wales) Measure 2008 and **should** seek the advice of the relevant local authority transport department in relation to the impact the proposal might have on associated transport costs and their affordability.*

- the capital costs of proposals and whether the necessary capital funding is available;
- the scale of any projected net savings (taking into account school revenue, transport and capital costs);

*In relation to proposals where substantial upfront capital investment is required (for example to support a substantial remodelling, refurbishment or a new build project), the costs and savings of the proposals **should** be calculated over the lifespan of the relevant building, and compared against the costs and savings associated with the maintenance of the status quo.*

- whether, without the proposals, the schools affected would face budget deficits;
- whether any savings in recurrent costs will be retained in the local authority's local schools' budget; and
- whether the proceeds of sales (capital receipts) of redundant sites are to be made available to meet the costs of the proposal or contribute to the costs of future proposals which will promote effective management of school places.

*In general, local authorities **should** look to recycle assets from any surplus school buildings and sites in their ownership into the overall improvement of their schools estate rather than allocate those proceeds to projects outside the education portfolio, although these decisions ultimately rest with local authorities.*

1.6 Other general factors

Relevant bodies **should** take into account the following general factors:

- what impact proposals will have on educational attainment among children from economically deprived backgrounds;
- any equality issues, including those identified through equality impact assessments; and
- whether the school or schools involved are subject to any trust or charitable interests which might be affected by the proposals, for example in relation to the use or disposal of land.

*Proposals which affect charities **must** be consistent with charity law or the stated purpose of the charitable trust.⁸ Advice **should** be sought from the Charity Commission or the Welsh Ministers (as the Principal Regulator of governing bodies which are charities) where there is any uncertainty.*

Under section 82 of the School Standards and Framework Act 1998 the Welsh Ministers have the power to order modifications of a trust deed. The power is discretionary and Welsh Ministers would ordinarily expect trustees to approach the Charity Commission first.

1.7 Specific factors in the consideration of school closures

The prime purpose of schools is the provision of education and any case for closure **should** be robust and in the best interests of educational provision in the area. Nevertheless, 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.

When considering whether a closure is appropriate, special attention **should** be given to the following:

- whether the establishment of multi-site schools might be considered as a means of retaining buildings, or the reasons for not pursuing this option;

⁸ All foundation and voluntary school governing bodies are charities under section 23 of the Schools Standards and Framework Act 1998 and community school sites may also be subject to charitable interests.

- whether alternatives to closure, such as clustering, collaboration or federation with other schools, might be considered (taking account of the scope for use of ICT links between school sites) or the reasons for not pursuing these as an alternative;
- whether the possibility of making fuller use of the existing buildings as a community or educational resource could be explored;

(Local authorities **should** consider whether it would be feasible and economical to co-locate local services within the school to offset the costs of maintaining the school);

- the overall effect of closure on the local community (including the loss of school based facilities which are used by the local community; and
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils; particularly any less advantaged pupils) will be helped to participate in after school activities).

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point⁹ local authorities and governing bodies bringing forward such proposals **must** still take into account the factors set out in this Code.

1.8 Presumption against the closure of rural schools

This second edition of the Code makes special arrangements in regard to rural schools establishing a procedural presumption against their closure. This requires proposers to follow a more detailed set of procedures and requirements in formulating a rural school closure proposal and in consulting on and reaching a decision as to whether to implement a rural school closure proposal.

This does not mean that a rural school will never close but the case for closure must be strong and all viable alternatives to closure must have been conscientiously considered by the proposer, including federation.

Designation of 'rural school' for the purposes of the presumption against closure

A rural school for the purposes of the presumption against closure is identified using the Office for National Statistics' rural and urban classification, as being located within villages in the sparsest context, other (hamlet or dispersed) in sparsest context and other (hamlet or dispersed) in less sparse context

⁹ Section 56 of the 2013 Act defines a 'small school', for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

A list of schools derived from this classification is attached at annex F. Proposers should refer to the designation and the list of schools to establish whether the proposed closure under consideration concerns a rural school and the procedural presumption against closure applies.

Specific further steps required to be taken by the proposer in formulating a rural school proposal

As well as taking into account the factors in chapter 1 (paragraphs 1.3 to 1.6) which are relevant in the case of all proposals the proposer is required to follow the further steps below where the proposal relates to the possible closure of a rural school.

Formulating the proposal

Where the proposer is considering formulating a proposal to close a rural school, the proposer must clearly identify the reasons for formulating the proposal. This will be the key challenges which the school faces and the proposer wishes to address by proposing closure of the school.

The proposer is required to consider these reasons when making their decision on a proposal or any reasonable alternatives, so it is important that they are as clear and specific as possible. For example, reasons might relate to a falling school roll, difficulties delivering the curriculum or concerns about the school building.

Rather than simply stating that the school is no longer viable, the proposer should carefully consider and set out the reasons why it considers the school is no longer viable.

Identifying reasonable alternatives

The proposer must identify any reasonable alternatives to the proposal which might also address the reason for formulating the proposal. It is important to ensure that all reasonable alternatives identified are properly explored **before** the proposer decides to proceed to consult on closure.

The aim is to ensure that when an option to close a rural school is proposed, the decision to consult on that option is only taken after very careful consideration, and after all other reasonable alternatives have been considered and a clear assessment undertaken of their merits and viability.

Federation has been shown to have particular benefits for rural schools. Proposers **must** show how they have considered federation as an alternative to closure of a rural school.

Schools are major public and community assets; it is important that their future is considered not just from an education perspective, but across the full range of a local authority's responsibilities. Consideration of alternatives to closure could include whether there is scope for the school to be better integrated into a local authority's wider asset management and community planning process. This could for example, include building effective links with local community regeneration strategies.

Examples of alternatives to closure that might merit consideration include:

- clustering, collaboration with other schools (taking account of the scope for use of ICT links between school sites);
- Using the school as a 'community hub' to accommodate and support provision of a range of community services, e.g. health, childcare facilities, family and adult learning, community education, sport, recreation, social activity etc.
- Whether it would be feasible and economical to co-locate local services within the school to offset the costs of maintaining the school);
- Whether the establishment of multi-site schools might be considered as a means of retaining buildings:

As with all closure proposals the proposer must prepare a community impact assessment to explore the overall and long term impact on people and the community of the closure of the rural school and the loss of the building as a community facility. Examples of what the proposer **should** consider as part of the Community Impact Assessment are included at Annex C.

Once the proposer has identified all the reasonable alternatives, the proposer **must** assess for each alternative its

- likely impact on Quality and Standards in Education;
- likely impact on the community; and
- likely effect of different travelling arrangements.

Preparing a proposal paper for the decision maker

Before determining whether to proceed to consultation in accordance with chapter 3 of this code, the person(s) who determine whether or not a proposal should proceed to consultation must be presented with a paper ("the proposal paper") which, in addition to detailing the general factors in paragraphs 1.3 to 1.6 of Chapter 1 of this Code must also include:

- The reason for the closure proposal
- A list of the reasonable alternatives to closure that have been identified; and
- An assessment of the following for each of reasonable alternatives that has been identified:
 - The likely impact on Quality and Standards in Education.
 - The likely impact on the community.
 - The likely effect of different travelling arrangements;

The proposer should not make a decision as to whether to proceed to consultation until these preliminary requirements have been carried out and unless they are satisfied that implementation is the most appropriate response to address the key challenges identified as the reason for proposing discontinuance of the school.

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point¹⁰ local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 of this Code when developing and considering proposals. If the school is on the list of “rural schools” this includes satisfying the requirements set out in 1.8 “*Presumption against the closure of rural schools*”.

1.9 Specific factors to be taken into account for proposals to add or remove nursery classes

Relevant bodies **should** take into account the following specific factors:

- the standard of nursery education and the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places;
- whether there is a need for additional nursery places in the area;
- the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character;
- the effect of the proposals on other institutions, including private and third sector providers; and
- the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

1.10 Specific factors to be taken into account for proposals to reorganise secondary schools or to add or remove sixth forms

Relevant bodies **should** take into account the following specific factors:

- whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19;
- whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A level and other established courses, as required under the Learning and Skills (Wales) Measure 2009 for 14-19 year old learners;
- whether proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel;

¹⁰ Section 56 of the 2013 Act defines a ‘small school’, for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made..

- the extent to which proposals contribute to the 14-19 agenda taking account of the views of regional 14-19 networks.;
- the effect of proposals on 11-16 provision in schools;
- how proposals would affect the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations;
- how proposals might affect the sustainability or enhancement of Welsh medium provision in the regional 14-19 network and wider area and promote access to availability of Welsh medium courses in post-16 education;
- the extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation; and
- how proposals might affect the discretionary transport provision a local authority may provide to learners¹¹ above compulsory school age.

1.11 Specific factors to be taken into account for proposals to increase provision in voluntary schools or establish a new voluntary school

Relevant bodies **should** take into account whether:

- the local authority has confirmed that it will meet its liability to maintain the school;
- the governing body of a voluntary aided school will be able to meet its financial responsibilities for repairs and capital work; and
- the proposed land tenure arrangements give the school sufficient security of occupation of the site.

Where land tenure arrangements are not settled those determining proposals might indicate that they are minded to approve the proposals subject to satisfactory resolution of those issues. Such a decision could be appropriate where the promoters are unwilling to incur legal expenses to resolve the tenure issue until they know that there is a strong likelihood that the proposals will be approved.

¹¹ Section 6 of the Learner Travel (Wales) Measure 2008 gives a local authority the power to provide discretionary transport where they think fit to facilitate the travel of learners. Paragraphs 1.98 – 1.105 of the Welsh Government Learner Travel Statutory Provision and Operational Guidance 2014 provide further guidance on this provision.

1.12 Specific factors in the consideration of proposals for the change of language medium

Relevant bodies **should** take into account the following specific factors:

- the extent to which existing provision by the local authority of education in the medium of English and/or Welsh exceeds or falls short of demand or projected demand from parents for that type of provision, and the contribution the proposal would make to remedying that situation.
- the extent to which the proposal would support the targets in a local authority's Welsh in Education Strategic Plan (WESP).

1.13 Specific factors in the consideration of proposals for the change of school category

Relevant bodies **should** take into account the following specific factors:

- all categories of school - community, foundation, voluntary controlled or voluntary aided - are of equal status;
- all permissible proposals to change the category of a school will be considered on their individual merits¹² ; and
- whether any benefits can be identified.

*Changing category has the potential to cause disruption to the running of the school and/or place added burdens on the governing body and/or add complexity to school reorganisation or admissions. Therefore, there **should** be a presumption against changes where benefits cannot be identified.*

- Whether any trust deed relating to the school allows for the change of category proposed. If there is any doubt, or if a variation in the trust deed is clearly necessary, proposers **should** make early contact with the Charity Commission.

1.14 Additional factors to be taken into account in preparing, publishing, approving or determining proposals for the reorganisation of SEN provision

Policies and principles

The principles and plans set out elsewhere in this Code **should** be taken into account in the consideration of proposals for the reorganisation of maintained special schools and specialist resource bases in mainstream schools.

¹² Schools are not permitted to change their category to foundation and schools with a religious character may not become community schools.

Relevant bodies **should** consider how proposals fit with the local authority's plans for promoting inclusion (i.e. providing for a higher proportion of pupils with SEN to attend mainstream settings) wherever that is appropriate in meeting a child or young person's individual needs, and with its overall strategy for ensuring adequate provision for the full range of SEN.

Relevant bodies **should** have regard to the factors set out below in relation to proposals affecting special schools and specialist resource bases in mainstream schools.

Standards of provision

In addition to the usual considerations in relation to standards of provision, relevant bodies **should** consider:

- whether proposals will improve standards of accommodation for pupils with SEN, including building accessibility;
- how proposals will address any health, safety and welfare issues;
- how proposals, where appropriate, will support increased inclusion; and
- the impact of proposals on other SEN provision within the immediate and wider local authority area including out of county where appropriate.

Need for places and the impact on accessibility of schools

In addition to the considerations listed in 1.4, relevant bodies **should** consider:

- whether there is a need for a particular type of SEN provision within the area;
- whether there is surplus SEN provision within the area;
- whether SEN provision would be more effective or efficient if regional provision were made; and
- the impact of proposals on the transportation of learners with SEN.

Other factors

Relevant bodies **should** consider:

- how changes to SEN provision in schools are likely to impact on all other services provided in an area for pupils with disabilities and/or SEN.

1.15 Factors to be taken into account in approving/determining school organisation proposals

When approving proposals, relevant bodies who are the proposer:

- **must** consider whether there are any other related proposals;
- **must** ensure that the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals to discontinue a school which is a small school);
- **must** ensure that the proposal has been published in accordance with this Code and the notice contains all the required information;
- **must** consider the consultation document and consultation report;
- **must** consider the objections and the objection report and any responses to the notice supporting the proposals;
- **should** consider, in the case of a proposal to change the category of a school, whether, there are any benefits. If no benefits can be identified, such proposals **should not** be approved; and
- **must not** approve change of category proposals where a variation in the trust deed is necessary but has not yet taken place.

When determining proposals relevant bodies:

- **must** consider whether there are any other related proposals;
- **must** consider the extent to which the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals to discontinue a school which is a small school);
- **must** consider the extent to which the proposal has been published in accordance with this Code and whether the notice contains all the required information;
- **must** consider the consultation document and consultation report;
- **must** consider the objections and the objection report and any responses to the notice supporting the proposals;
- **should** consider, in the case of a proposal to change the category of a school, whether, there are any benefits. If no benefits can be identified, such proposals **should not** be approved; and
- **must not** approve change of category proposals where a variation in the trust deed is necessary but has not yet taken place.

2. Changes that require proposals

Statutory procedures are usually necessary to make significant changes to schools. The procedures are designed to enable changes to be made where they are considered necessary, but in a way which protects the interests of learners and allows interested parties the opportunity to have their say in the process.

2.1 Elements of school reorganisation that require the publication of proposals

Proposals **must** be published for the following elements of school reorganisation:

1. the opening of a maintained school (including a special school);
2. the closing of a maintained school (including a special school);
3. to make a regulated alteration to a maintained school; and
4. to change the category of a maintained school¹³.

2.2 Proposals to change the category of a school

The governing bodies of maintained schools may make proposals to change the category of their school. However, it should be noted that no alteration may be made to a maintained school that changes its designated religious character or causes it to acquire or lose a designated religious character. Community schools are not permitted to have a religious character. It is not possible for voluntary aided, voluntary controlled or foundation schools with a designated religious character to become a community school through a change of category proposal. Similarly community schools cannot become voluntary schools with a designated religious character. No proposals may be made for any category of school to become a foundation school.

2.3 Regulated alterations

Schedule 2 to the 2013 Act describes a number of regulated alterations to maintained schools (including special schools) which must not be carried out unless the relevant local authority and/or the governing body have complied with the requirements imposed by this Code. Although the regulated alterations are described below reference should also be made to Schedule 2 to the 2013 Act.

Regulated alterations to community, foundation, voluntary schools, community special schools and maintained nursery schools

- the transfer of any school to a new site or sites unless a main entrance of the school on its new site or sites would be within 1.609344 kilometres (one mile) of any of a main entrance of the school on its current site or sites;

¹³ Except to foundation – the 2013 Act prohibits schools from changing their category to foundation.

- changing a school (including a special school) from single-sex to mixed or vice-versa. (A school is treated as admitting pupils of one sex only if the admission of pupils of the other sex is limited to pupils over compulsory school age, and does not exceed 25% of the age group in question).

Regulated alterations to community, foundation, voluntary schools, and community special schools

- a change in the age range of a school (including a special school) by a year or more (not including the introduction or discontinuation of part-time or full-time Further Education or changes to provision for pupils over compulsory school age who are repeating a course of education completed before they reached the end of compulsory school age);
- the introduction of, or ending of, sixth form provision at a school;
- the alteration of the medium of instruction of a class of pupils in an age group or groups (including nursery pupils) at a primary school (or primary education in relation to middle or special schools) which falls within the description in column 1 of the table below so that it falls within the description in the corresponding entry in column 2.

Column 1	Column 2
At least 20% but no more than 80% of the teaching is conducted through the medium of English.	An increase or decrease of more than 20% in the teaching which is conducted through the medium of Welsh.
At least 20% but no more than 80% of the teaching is conducted through the medium of Welsh.	An increase or decrease of more than 20% in the teaching which is conducted through the medium of English.
More than 80% of the teaching is conducted through the medium of English, and some teaching is conducted through the medium of Welsh.	An increase of more than 10% in the teaching which is conducted through the medium of Welsh.
More than 80% of the teaching is conducted through the medium of Welsh, and some teaching is conducted through the medium of English.	An increase of more than 10% in the teaching which is conducted through the medium of English.
No teaching is conducted through the medium of Welsh.	More than 10% of the teaching is conducted through the medium of Welsh.
No teaching is conducted through the medium of English.	More than 10% of the teaching is conducted through the medium of English.
Some teaching is conducted through the medium of English.	No teaching is conducted through the medium of English.
Some teaching is conducted through the medium of Welsh.	No teaching is conducted through the medium of Welsh.

- the alteration of the teaching of pupils in a year group at a secondary school (or secondary education in relation to middle or special schools) which falls within the description in column 1 of the table below so that it falls within the description in the corresponding entry in column 2.

Column 1	Column 2
Five or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils.	A decrease by four or more in the number of the relevant subjects taught (wholly or mainly) through the medium of Welsh to any pupils.
Five or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils.	A decrease by four or more in the number of the relevant subjects taught (wholly or mainly) through the medium of English to any pupils.
Every relevant subject is taught (wholly or mainly) through the medium of Welsh to all pupils.	Three or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils.
Every relevant subject is taught (wholly or mainly) through the medium of English to all pupils.	Three or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils.
One or more relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils.	No relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils.
One or more relevant subject is taught (wholly or mainly) through the medium of English to any pupils.	No relevant subject is taught (wholly or mainly) through the medium of English to any pupils.

(Relevant subjects are defined as any subjects apart from English and Welsh which are taught at a school).

Regulated alterations to community, foundation and voluntary schools

- an enlargement of the premises of a school (excluding nursery and special schools), which would increase the capacity of the school by at least 25% or 200 pupils as compared with the school's capacity on the appropriate date. In determining an increase in capacity all enlargements that have taken place since the appropriate date are to be taken into account together with the proposed enlargement. The "appropriate date" is the latest date of:
 - the date falling five years before the date on which it is planned to implement the proposals to make the enlargement;
 - the date when the school first admitted pupils;

- the date (or the latest date) when any previous statutory proposals that involved enlarging the premises of the school were implemented. This includes where there has been a previous decrease in a school's capacity in the last five years.

For the purposes of an enlargement of school premises "capacity" is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Circular No: 21/2011);

A "temporary enlargement" is the enlargement of a school's premises which it is anticipated, at the time of its making, will be in place for fewer than three years.

- the making permanent of a temporary enlargement of the school where that temporary enlargement would have been a regulated alteration when undertaken but for the fact that it was temporary;
- the reduction in the physical capacity of a mainstream school, except where the proposed capacity will be greater than the highest number of pupils on roll at the school at any time in the previous two school years prior to the publication of the proposal. In this context, "capacity" is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011 Measuring the Capacity of Schools in Wales)¹⁴;
- the introduction or removal of SEN provision or any change in the type of such provision. This is where the provision is in a mainstream school but the pupils who are admitted are in addition to admission number of the school. The provision **must** also be recognised by the local authority as reserved for pupils with SEN;
- the introduction or ending of banding arrangements for the admission of pupils into a mainstream school (under section 101 of the School Standards and Framework Act 1998 (the 1998 Act));
- the introduction or ending of boarding, or an increase or decrease in boarding provision in mainstream schools by 50 pupils or 50% of capacity, whichever is the greater;

Regulated alterations to community special schools

- for special schools (except where the school is in a hospital) an increase in the number of pupils for whom the school makes provision which, when taken together with all such previous increases in the number of pupils, would increase the number of pupils by 10% or the relevant number of such pupils (whichever is the lesser). The relevant number is 5 where the school only makes boarding provision, and is 20 in other cases. Any

¹⁴ The effect of this is that where schools have spare capacity that capacity can be removed without the need for a statutory proposal. However, where schools are full or near full, a proposal must be published to reduce the school's capacity.

previous increase in the number of pupils is taken from the appropriate date. The appropriate date is whichever is the latest date of the following:

- 19 January 2012;
 - the date when the school first admitted pupils; and
 - the date (or the latest date) when any previous statutory proposals that involved enlarging the premises of the school were implemented.
- for a special school, the introduction or ending of boarding provision, or the alteration of boarding provision such that the number of pupils for whom provision is made is increased or decreased by 5 pupils;
 - a change in the type of special educational needs for which a special school makes provision;

Regulated alterations to maintained nursery schools

- the enlargement, or making permanent of a temporary enlargement, of the teaching space at a nursery school, by 50% or more;
- the addition or removal of provision (in a nursery school) which is recognised by the local authority as reserved for pupils with special educational needs, or any change in the type of such provision;
- for a nursery school at which a group of pupils is taught wholly or mainly through the medium of Welsh, an alteration so that all the pupils are taught wholly or mainly through the medium of English;
- for a nursery school at which a group of pupils is taught wholly or mainly through the medium of English, an alteration so that all the pupils are taught wholly or mainly through the medium of Welsh.

2.4 Who can make a proposal?

A local authority may make proposals to:

- establish, discontinue or make a regulated alteration (see 3.3 of Code) to community or maintained nursery schools;
- discontinue a voluntary or foundation school;
- increase or decrease the capacity of a foundation or voluntary school without a religious character.

Governing bodies of foundation or voluntary schools may make proposals to:

- discontinue their school;
- make a regulated alteration to their school.

Any person may make proposals to establish a new voluntary school. However, local authorities **should** work with the relevant religious body when the proposal is to establish a voluntary school with a religious character.

No new foundation school or foundation special school may be established in Wales.

Local authorities may also make proposals to add or remove school sixth forms at voluntary and foundation secondary schools, but only if they have first gained the consent of the Welsh Ministers to do so. Consent **must** be sought by means of a written application that clearly sets out the local authority's rationale for the proposal.

In addition, the 2013 Act provides the Welsh Ministers with the power to make proposals to:

- a) remedy excessive or insufficient provision of school places (where they have already issued a direction to a local authority or governing body to that effect) (section 59);
- b) secure regional provision for special educational needs (where they have already issued a direction to a local authority/local authorities/governing bodies to that effect) (section 68); and
- c) add or remove school sixth forms (section 71) .

3. Consultation

3.1 Principles

Section 48 of the 2013 Act requires that before school organisation proposals are published under sections 41-45, they **must** first be subject to consultation. In addition, proposals published under section 68 by the Welsh Ministers to secure regional provision for special educational needs or published under section 71 to reorganise sixth forms **must** also be subject to prior consultation.

The requirement to consult does not apply to proposals to discontinue a small school¹⁵ made under section 43. However, where a closure proposal relates to a small school with fewer than 10 pupils which is designated as a rural school local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 this Code, including the further requirements which relate to the closure of rural schools set out in 1.8 “*Presumption against the closure of rural schools*”.

Case law has established that the consultation process **should**:

- be undertaken when proposals are still at a formative stage;
- include sufficient reasons and information for particular proposals to enable intelligent consideration and response;
- provide adequate time for consideration and response; and;
- ensure that the product of consultation is conscientiously taken into account when the ultimate decision is taken.

The process and guidance which follow have been developed with due regard to the principles listed above. Those considering bringing forward proposals will need to be fully aware of this process and guidance. However, proposers **must** be mindful of the four underlying principles and take any necessary additional steps to ensure that those principles are fully upheld.

3.2 Attention to detail

It is essential that proposers seek and achieve high standards both in the information that underpins school consultations and in the consultation documents that are published. These will be examined closely by communities, school staff and parents, and errors in details can easily undermine confidence in a proposal. Failure to provide accurate, high quality consultation documents can result in consultations being abandoned, taking much longer than expected and to increased conflict with communities.

¹⁵ The 2013 Act defines a small school as a school with fewer than 10 registered pupils on the third Tuesday in the January immediately preceding the date on which the proposals are made. This date is chosen as it is the date that all schools in Wales are required to submit the Pupil Level Annual Census to the Welsh Government; this includes the number of pupils on roll.

From time to time proposers will have conducted 'informal' consultation with particular stakeholders at an earlier stage in the development of proposals. Such consultation **must not** be seen as a substitute for any part of the formal consultation processes set out below.

3.3 Procedures

There is no requirement for proposers to hold consultation meetings although there will be circumstances where proposers will consider that meeting with certain groups of consultees will assist greatly in the dissemination of information and provide a suitable platform for the consultees to make their views known.

Proposers may use other ways to engage consultees as they think appropriate. For example, open days or 'drop-in' sessions might provide interested parties with a convenient way to access information seek clarification and provide comments.

In the case of proposals to reorganise schools for which land and/or buildings are held on trust or which have a designated religious character, the proposer **must** conduct consultation with the trustees and/or appropriate religious body before the consultation document is published. The proposer **must** allow 28 days for the receipt of comments and **must** have due regard to those comments before any decision is made to proceed to general consultation.

Where, in the course of consultation, a new option emerges which the proposers decide to pursue, they **must** consult afresh on this option before proceeding to publication.

3.4 Consultation document

Those bringing forward statutory proposals **must** publish a consultation document in hard copy and electronically on their website or that of the relevant local authority. Hard copies **must** be available on request. Consideration **should** be given to publishing in other formats where accessibility might otherwise be an issue.

The consultation document **must** be published on a school day of the school or schools subject to the proposal and consultees **must** be given at least 42 days to respond to the document, with at least 20 of these being school days.¹⁶ Consultation documents should not be published on a school day which includes a school session which is devoted (wholly or mainly) to improving teaching standards or management practices of staff at the school (INSET days).

The following **must** be advised by letter or email of the availability of the consultation document and that recipients can, if they wish, obtain a hard copy of the consultation document on request (but see also section 3 on Consultation with Children and Young People):

¹⁶ A school day is defined in section 579 of the Education Act 1996 as 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.

- Parents (and where possible prospective parents) carers and guardians, and staff members of schools affected by the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including those in England, where appropriate) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer consider are likely to be affected by the proposals;
- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and

- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales. It is not necessary to send emails to individual Welsh Ministers.

In the case of all proposals, the consultation document **must** contain the following information:

Description and Benefits

- a detailed description of the status quo setting out its strengths and weaknesses and the reasons why change is considered necessary;
- a detailed description of the proposal or proposals (a proposer may consult on more than one potential proposal), the projected timetable for statutory procedures and for implementation of the proposals and any proposed interim arrangements which might be necessary for their implementation. In describing the proposals, proposers **should** normally refer to them using the terms set out in this Code (e.g. school closure) but where two or more existing schools become one school operating on more than one site (e.g. where former infant and junior schools become a primary school) the terms 'merger' or 'amalgamation' might be used;
- the expected benefits of the proposals and disadvantages when compared with the status quo;
- any risks associated with the proposals and any measures required to manage these;
- a description of any alternatives considered and the reasons why these have been discounted (but see para 1.8 "*Presumption against the closure of rural schools*");
- information on any changes to learner travel arrangements were the proposals to be implemented and the impact on accessibility of provision.

Details of affected schools

- the names, locations and categories (i.e. community, voluntary controlled, voluntary aided, foundation) of all existing schools likely to be affected by the proposals (for example, in the case of a proposal to close a school information **should** be provided about all the surrounding schools to which it might reasonably be considered that pupils may wish to transfer);

- the number of pupils on roll currently¹⁷ and the figures recorded for the previous four annual school censuses at all existing schools likely to be affected by the proposals;
- five year forecasts of pupil rolls at all existing schools likely to be affected by the proposals both currently (i.e. based on the existing configuration of schools) and if the proposals are implemented;
- the pupil places capacity¹⁸ of all existing schools likely to be affected by the proposals;
- the number of nursery places at any existing school likely to be affected by the proposals;
- information about the quality of accommodation at all existing schools likely to be affected by the proposals including reference to the local authority's most recent condition survey using the categories of the original 21st Century Schools Survey;
- the language medium of all existing schools likely to be affected by the proposals (using the Welsh Government Circular 23/2007 "Defining schools according to Welsh medium provision").

Quality and standards in education

- an analysis of the likely impact of the proposals on the quality of the following (reference to relevant Estyn five inspection areas are included in brackets):
 - a) standards (standards and progress overall, of specific groups and in skills); wellbeing and attitudes to learning;
 - b) teaching and learning experiences (quality of teaching, the breadth, balance and appropriateness of the curriculum, and the provision of skills;
 - c) care support and guidance (tracking, monitoring and the provision of learning support, personal development and safeguarding); and
 - d) leadership and management (quality and effectiveness of leaders and managers, self evaluation processes and improvement planning, professional learning, and use of resources)

at the school or schools which are the subject of the proposals and at any other school or educational institution which is likely to be affected.
- information from the most recent Estyn reports for each school likely to be affected;
- the likely impact of the proposals on the ability of school or schools which are the subject of the proposals or any other school which is likely to be

¹⁷ For primary schools, the number of nursery pupils should be shown separately and excluded from forecasts.

¹⁸ The Welsh Government Circular 21/2011 "Measuring the Capacity of Schools in Wales".

affected, to deliver the full curriculum at the foundation phase and each key stage of education.

Welsh in Education Strategic Plan (WESP)

- the extent to which the proposal would support the targets in the approved Welsh in Education Strategic Plan.
- How the proposal would expand or reduce Welsh language provision. In the case of the latter, set out why provision will be reduced.

Finance

- the financial costs of the proposal and any potential savings (including where appropriate the current costs per pupil and the projected costs upon completion) – capital and recurrent (including school transport and staff costs);
- the sources from which capital funding will be provided;
- how any capital receipts or recurrent costs savings will be deployed;

Land and buildings

- details of any potential transfer or disposal of land or buildings that may need to occur as a result of the proposals.

Consultation details

- details of how people can make their views known including the address to which comments in writing can be made and the deadline for those comments;
- details of how people can ask further questions about the proposals or suggest alternatives to the proposals;
- a statement to the effect that responses to consultation will not be counted as objections to the proposal and that objections can only be registered following publication of the notice;
- an explanation of the publication process, the making of objections and determination of published proposals.
- a space for consultees to respond to the consultation
- an opportunity for consultees to register their wish to be notified of publication of the consultation report.

Where proposals involve establishing a new school the following information **must** also be included in the consultation document:

- the new school's:
 - a. proposed admission number and admission arrangements;

- b. age range;
- c. pupil places capacity and/or number of nursery places;
- d. location;
- e. category (i.e. Community, Voluntary Aided or Voluntary Controlled);
- f. language category (as defined by Information document No. 023/2007);
- g. details of the proposed accommodation to include a list of proposed facilities;
- h. in the case of a special educational needs (SEN) resource base in a mainstream school or a special school, information on the special needs of the pupils proposed to be admitted;
- i. home to school transport arrangements (including any transitional arrangements) and the local authority's transport policy.¹⁹

Where proposals involve the closure of a school the following information **must** be included in the consultation document:

- details of any alternatives to closure that have been considered and the reasons why these have not been taken forward (but see para 1.8 *"Presumption against the closure of rural schools"*); ;
- the impact of proposals on the local community, the likely impact on staff of schools named in proposals;
- in the case of alternative provision:
 - a. the name and location of the proposed alternative provision;
 - b. a comparison of the quality and standard of education provided at the school from which pupils would be transferred and the proposed alternative school or schools and an outline of any steps necessary in order to ensure that any shortcomings in the latter are addressed;
 - c. admission arrangements at the proposed alternative school;
 - d. a comparison of the quality of accommodation at the school from which pupils would be transferred and at the proposed alternative and an outline of any steps necessary in order to ensure that any shortcomings in the latter are addressed;
 - e. information on any building works necessary to ensure that transferred children can be accommodated at the alternative provision;
 - f. the impact on pupils' journeys to school and on school transport costs;

¹⁹ Section 3 of the Learner Travel (Wales) Measure 2008 sets a threshold for entitlement for free home to school transport provision at 2 miles or further for primary education and 3 miles or further for compulsory aged secondary school education.

g. information regarding available walking routes to the alternative provision;

h. the language medium at the proposed alternative school.

Where proposals involve the closure of a rural school and the decision has been made to consult on the proposal, the following information **must** be contained in the consultation document along with the information that **must** be contained for all proposals:

- The reason for the closure proposal (i.e. a description of the key challenges that the school faces and the proposer wishes to address);
- The alternatives to closure that have been identified and an assessment of these alternatives to include:
 - the likely impact on quality and standards in education,
 - the likely impact on the community and
 - the likely effect of different travelling arrangements.

In addition consultees must be informed of their opportunity to:

- make representations regarding the alternatives to closure that have been identified by the proposer as well as the main proposal;
- suggest other alternatives to closure which would address the reasons for closure (i.e. the key challenges the school faces which the proposer is seeking to address).

Where the proposal concerns adding or removing nursery provision. The following information **must** be included in the consultation document:

- the sufficiency of accommodation and facilities offered, both in the classroom and outdoors, and the viability of any school that wishes to add nursery places;
- whether there is a need for additional nursery places in the area;
- the levels of demand for certain types of nursery education e.g. Welsh medium or provision with a religious character;
- the effect of the proposals on other institutions, including private and third sector providers; and
- the extent to which proposals will integrate early years education with childcare services or are consistent with an integrated approach.

Where the proposal concerns adding or removing sixth form provision. The following information **must** be included in the consultation document:

- whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19 in the area;
- whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A level and other established courses, as required under the Learning and Skills (Wales) Measure 2009 for 14-19 year old learners;
- whether proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel;
- the extent to which proposals contribute to the 14-19 agenda taking account of the views of local 14-19 networks and learning partnerships;
- the effect of proposals on 11-16 provision in schools;
- how proposals would affect the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations;
- how proposals might affect the sustainability or enhancement of Welsh medium provision in the local 14-19 network and wider area and promote access to availability of Welsh medium courses in post-16 education;
- the extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation; and
- how proposals might affect the discretionary transport provision a local authority may provide to learners²⁰ above compulsory school age.

Where proposals relate to a special school or involve specialist resource bases attached to mainstream schools the following information **must** be included in the consultation document:

- the impact on SEN provision;
- how proposals will contribute more generally to enhancing the quality of education and support for children with SEN.

Where the proposal concerns a change of language medium. The following information **must** be included in the consultation document:

- projected demand from parents for the type of provision proposed; and

²⁰ Section 6 of the Learner Travel (Wales) Measure 2008 gives a local authority the power to provide discretionary transport where they think fit to facilitate the travel of learners. Paragraphs 1.98 – 1.105 of the Welsh Government Learner Travel Statutory Provision and Operational Guidance 2014 provides further guidance on this provision.

- the extent to which existing provision, of the type proposed exceeds or falls short of demand or projected demand.

Where any school involved or affected provides teaching through the medium of Welsh the following information **must** be included in the consultation document:

- an assessment of the impact of proposal on the Welsh language (a Welsh language impact assessment must be included either in the main part of the consultation document or as an Annex); and
- an explanation of how the proposal forms part of the WESP.

Where the proposal concerns a school with a designated religious character the following information **must** be included in the consultation document:

- the impact on availability and access to places at a school with the same designated religious character.

Where the proposal concerns a change of category the following information **must** be included in the consultation document:

- the effect of the change of category on governance arrangements and the governing body's powers over policies and arrangements in respect of admissions, employment and the curriculum; and
- any proposed changes to policies and arrangements in respect of admissions, employment and the curriculum.

In some circumstances, proposers may consider it appropriate to consult on a range of options rather than one specific proposal, but in such cases, all of the information set out above **must** be provided in relation to each of the identified options.

3.5 Consultation with children and young people

Proposers **must** also make suitable arrangements to consult with pupils of any affected school (or part of a school in the case of provision reserved for children with SEN) and, where possible, with children and young people who are likely to attend those schools. As a minimum, this **must** include consultation with the school councils of the affected schools, but **should** also include consultation with individual learners where this is appropriate and practicable. Governing bodies **must** help facilitate this aspect of the consultation.

The information given to children and young people **must** be presented in such a way that it is relevant to their age and level of likely understanding and allows them to reach an informed opinion. The agreed children and young people's participation standards for Wales are available on the Welsh Government's website; proposers **should** refer to these and act in accordance with them.

<https://gov.wales/topics/people-and-communities/people/children-and-young-people/rights/ParticipationforChildrenandYoungPeople/?lang=en>

If consulting with individual learners, proposers **should** produce and distribute a version or versions of the consultation document appropriate to the age/ages of the children and young people affected. The consultation document **should** also clearly explain to children and young people the difference between the consultation and objection periods and how and when they can object to proposals. Where necessary, proposers **should** provide assistance to children and young people who wish to submit a consultation response.

3.6 Consultation reports

The proposer **must** publish a consultation report on their website or that of the relevant local authority. The report **must** be published at least two weeks prior to the publication of a statutory notice:

- summarising each of the issues raised by consultees;
- responding to these by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons;
- setting out Estyn's response to the consultation in full; and
- responding to Estyn's response by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons.

The consultation report might also make recommendations – for example, to the local authority's executive or the governing body – about how to proceed i.e. to publish the proposals as consulted on with any appropriate modifications, to abandon the proposals and retain the status quo or to significantly recast the proposals and re-consult.

Proposers **must** ensure that any views expressed by children and young people affected by the proposals are highlighted in the consultation report and that it is accessible to them.

Where the proposal relates to the closure of a rural school in addition to the steps to be taken in respect of the consultation report for all schools the following special requirements apply:

Following the consultation period, when the proposer is reviewing the proposal prior to publication the proposer is required to carry out a further assessment for the proposal and each of the alternatives that were set out in the proposal paper. This involves the same matters that the proposer was required to assess in formulating the proposal:

- the likely impact on quality and standards in education,
- the likely impact on the community and
- the likely effect of different travelling arrangements.

The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

In its consultation report, the proposer is required to explain its assessment of the proposal and the reasonable alternatives identified, how this assessment differs from their earlier assessment (if at all) and its assessment of any further reasonable alternatives. Finally, the proposer is required to confirm whether it considers the implementation of the proposal, (wholly or partly) to be the most appropriate response to the reasons it identified for the proposal and give reasons for its conclusion.

Although under the 2013 Act the requirement to consult does not apply to proposals to discontinue small schools with fewer than 10 pupils at the preceding January census point²¹ local authorities and governing bodies bringing forward such proposals **should** still take into account the factors set out in Chapter 1 of this Code when developing and considering proposals. If the school is on the list of “rural schools” this includes satisfying the requirements at 1.8 “*Presumption against the closure of rural schools*”.

The consultation report **must** be published electronically, either on the proposer’s website or on the relevant local authority’s website. In addition, hard copies **must** be available on request. This **must** take place before any proposal is published.

The following **must** be advised by letter or email of the availability of the consultation report:

- parents (and where possible prospective parents) carers and guardians, and staff members of schools which are subject to the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school; and
- consultees who had requested notification.
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, those in England, where appropriate) likely to be affected – including in the case of dedicated SEN provision any authority placing or likely to place statement pupils in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer considers are likely to be affected by the proposals;

²¹ Section 56 of the 2013 Act defines a ‘small school’, for the purposes of deciding whether consultation is required, as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoollmanagementdivision3@gov.wales. It is not necessary to send emails to individual Ministers.

Unless proposers have applied for and been granted a time extension by the Welsh Ministers, proposals **must** be published within 26 weeks of the end of the period allowed for consultation responses, otherwise the proposals will lapse and a new consultation document **must** be issued to revive them.

Applications to the Welsh Ministers for a time extension **must** be made in writing before the 26 week period has elapsed and **must** set out the reasons why an extension is considered necessary. In deciding whether to approve an extension, the Welsh Ministers will take into account the reasons given for the application, the nature of the proposals and any other relevant factors. The Welsh Ministers would be unlikely to approve any application which would result in more than a year

elapsing between the end of the period allowed for consultation responses and the publication of a statutory notice.

Statutory proposals are sometimes brought forward as a result of strategic reviews into school provision carried out by local authorities. Whilst it is good practice to consult on such reviews, such consultation **must not** take the place of the formal consultation necessary on individual proposals as required by the Code.

Where the prospective proposers are not a local authority they **should** discuss their intentions with the local authority which would maintain any proposed new or altered provision at an early stage, i.e. before formal consultation commences.

Proposers **should not** refer to the period allowed for objections as the consultation period. The term consultation only applies to the period before final decisions are made to proceed to publish a proposal.

Consultees can submit views either in favour of or against a proposal. Consultees **should** be advised that unfavourable comments made during the consultation period will not be treated as objections and that if they wish to object, that they need to do so in writing during the statutory objection period. If consultees submit a request during the objection period that a response submitted at consultation stage should be treated as an objection, this **should** normally be accepted. Those responsible for publishing proposals **should** make every effort to ensure that those who have expressed opposition or concern during the consultation period are aware that statutory notices have been published.

4. Publication of statutory proposals

4.1 Manner of publication

If the proposer decides to proceed with a proposal they **must** publish the proposal²² by way of a notice (referred to in this Code as a “statutory notice”).

The statutory notice **must** be published on a school day but not on a school day which includes a session which is devoted (wholly or mainly) to improving teaching standards or management practices of staff at the school (INSET days).

The objection period (see 4.2) **must** include 15 school days²³ (in addition to the day on which it is published).

The statutory notice **must** be published:

- i. on the proposer’s website (if it has one);
- ii. on the website of the existing/proposed maintaining local authority, where the local authority is not the proposer;
- iii. by being posted at or near the main entrance to any existing school which is the subject of the proposal, or, if there is more than one main entrance, all of them;
- iv. where a new school is being established, in a conspicuous place in the area to be served by the school;
- v. by providing any school which is the subject of proposals with copies of the notice to distribute to pupils, parents carers and guardians, and staff members (the schools may distribute the notice by email);
- vi. in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school.

Furthermore, on the day that the statutory notice is published, the following **must** be sent either a hard copy of the notice or be emailed a link to the relevant website:

- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;

²² Section 48 2013 Act.

²³ A school day is defined in section 579 of the Education Act 1996 as 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.

- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals
- other schools which the proposers consider are likely to be affected by the proposals;
- the Welsh Ministers*;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision, any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

It is no longer a requirement to publish the proposal in a newspaper.

4.2 Length of objection period

The 2013 Act provides that anyone wishing to make objections to a school organisation proposal has the opportunity to do so. To be considered as statutory objections, objections **must** be made in writing or by email, and sent to the proposer before the end of 28 days beginning with the day on which the notice was published ("the objection period").

4.3 Content of published statutory notice

The published statutory notice **must** contain the following information:

- the name of the persons or body publishing the proposal;
- the planned date of implementation (or dates if implementation is to be staged);
- details of how to obtain a copy of the consultation report;
- the date by which objections should be sent and the address to send them to, including the relevant email address.

Additionally

- a statutory notice for a proposal to establish a new school **must** state:
 - the proposed language category of the school as defined by Information Document No: 023/2007;
 - the name of the proposed maintaining local authority;
 - the location of the site of the school (and where appropriate the postal address);
 - whether the school will be single or mixed sex;
 - the age range of the school;
 - the category of the school - community, voluntary aided, voluntary controlled, community special;
 - whether the governing body or the local authority will be the admission authority;
 - the proposed arrangements for transport of pupils;
 - the admission number for each relevant age group in the first year of implementation or at each stage of implementation - “admission number” is to be determined in accordance with the calculation set out from time to time by the Welsh Ministers (currently contained in the Welsh Government Circular No: 21/2011);
 - the proposed capacity of the school – “capacity” is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011);
 - for a special school, information on the type of SEN for which provision will be made;
 - whether the school will have a religious character, and if so the nature of that character and the proposed appropriate religious body;
 - whether the admission arrangements of the school will make any provision for selection by ability permitted by section 101 of the School Standards and Framework act 1998 (pupil banding);

- in the case of a new voluntary school, whether the proposals are to be implemented by the local authority or the promoters and, if the proposals are to be implemented by both, the extent to which they are to be implemented by each such body.
- A statutory notice for a proposal to alter a school or change its category **must** state:
 - the name and address of the school subject to the proposal;
 - the name of the maintaining local authority;
 - a description of the proposed alteration or change of category;
 - where the alteration involves enlargement, or a reduction in capacity, the current number of pupils, the capacity of the school and the proposed capacity – “capacity” is to be determined in accordance with the formulae set out from time to time by the Welsh Ministers (currently Welsh Government Circular No: 21/2011);
 - the number of pupils to be admitted in each relevant age group in the first year of implementation or at each stage of implementation;
 - in the case of a change in the type of SEN provision, the alternative provision for pupils and the impact on school transport; and
 - any implications the alteration might have on home to school transport provision.
- A statutory notice for a proposal to discontinue a school **must** state:
 - the name and address of school to be closed;
 - the name of the maintaining local authority;
 - the school’s religious character if it has one, and if so, the appropriate religious body;
 - details of the alternative school/s which pupils can attend, including any interim arrangements and the language category of the alternative school/s as defined by Information Document No: 023/2007;
 - details of any measures being taken to increase the number of places available in alternative schools; and
 - arrangements for transport of pupils to alternative schools.

Note: Sometimes a proposal will need to incorporate two separate elements, e.g. a school might transfer to a new site and also be enlarged. In this case two proposals, which can be incorporated into one statutory notice, may be necessary.

Annex B comprises several recommended statutory notice templates which proposers may find helpful in the construction of a statutory notice.

5. Determining proposals (other than proposals made by the Welsh Ministers)

5.1 Objection reports

Under section 49 of the 2013 Act when objections have been received proposers **must** publish a summary of the statutory objections and the proposer's response to those objections ("the Objection Report"). This **must** take place:

(a) in the case of a local authority that is required to determine its own proposals under section 53 of the Act (see 5.4 below), before the end of 7 days beginning with the day of its determination; and

(b) in all other cases, before the end of 28 days beginning with the end of the objection period.

The Objection Report **must** be published by being posted:

- i. on the proposer's website (if it has one);
- ii. on the website of the existing/proposed maintaining local authority, where this differs from i. above.

In addition, hard copies **must** be made available on request.

The following **must** be advised by letter or email of the availability of the Objection Report:

- Parents (and where possible prospective parents) careers and guardians, and staff members of schools which are the subject of the proposals;
- in the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer consider are likely to be affected by the proposals;
- the Welsh Ministers*;

- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposal;
- the relevant Regional Education Consortium;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision any independent or voluntary providers who may be affected, including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest in the case of proposals affecting secondary provision, any further education institutions serving the area of the school;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the "Welsh Ministers" emails should be sent to the following Welsh Government mailbox: Schoollmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

5.2 Approval by the Welsh Ministers (section 50 of the 2013 Act)

Proposals require approval by the Welsh Ministers under section 50 of the 2013 Act if:

- (a) the proposals affect sixth form education; or
- (b) the proposals have been made by a proposer other than the relevant local authority and an objection has been made by that authority and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.

Proposals affect sixth form education if:

- (a) they are proposals to establish or discontinue a school providing education suitable only to the requirements of persons above compulsory school age; or
- (b) they are proposals to make a regulated alteration to a school, the effect of which would be that provision of education suitable to the requirements of persons above compulsory school age at the school increases or decreases.

Where a proposal requires approval by the Welsh Ministers, the proposers **must** notify the Welsh Ministers within 35 days of the end of the objection period and forward to them copies of the statutory objections in addition to the objection report set out at paragraph 5.1. The proposer **must** also send to the Welsh Ministers any proposals which it considers are related to the proposals requiring determination. The Welsh Ministers will then decide whether these other proposals require determination by them.

A proposal shall be regarded as “related” if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Where proposals are “related”, the decisions should be compatible.

The Welsh Ministers may decide to approve, reject or approve the proposals with modifications.

Modifications would normally only include changes to matters such as the timing of implementation or admission numbers. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published. Before making any modification, the Welsh Ministers **must** first consult with the proposer and the relevant governing body/ies and local authority (where they are not the proposers), and obtain the proposer’s agreement to the modification.

Approvals can be made conditional on a specified event occurring by a specified date.

5.3 Approval by the local authority (section 51 of the 2013 Act)

Proposals published under section 48 require approval under section 51 of the 2013 Act if:

- (a) they do not require approval by the Welsh Ministers;
- (b) they have been made by a proposer other than the relevant local authority; and
- (c) an objection to the proposals has been made and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.

Procedures

Where proposals require approval by the local authority, the proposer **must** notify the local authority of a proposal requiring approval and forward to them the documents listed below within 35 days of the end of the objection period:

- a copy of the consultation document;
- a copy of the consultation report;
- a copy of the published notice;
- a copy of the objection report;
- copies of the statutory objections;
- copies of all of the above in relation to any proposals which are related to the proposals requiring approval.

Local authorities **must** decide whether any related proposals sent to them require their approval.

They **must** deal with all proposals which require approval without delay in so far as that is compatible with the proper consideration of the issues. In any event, the local authority **must** issue its decision, within 16 weeks (112 days) beginning with of the end of the objection period. However a failure to comply with that time limit does not affect the validity of any decision reached.

Local authorities **must** decide whether to approve, reject or approve with modifications, the proposals.

Modifications can only include changes to matters related to implementation such as changes to admission numbers or to the timing of implementation. The local authority **must not** make modifications that would, in effect, substitute a new proposal for the proposal which was published. Before making any modification, the local authority **must** first consult with the proposer and obtain their consent to the modification. They **must** also obtain the consent of the Welsh Ministers. If consent cannot be obtained, and the local authority believes that the proposals are not acceptable in their published state, they **must** reject the proposals. The local authority **must** also consult with the governing body of any school to which the proposals relate (where the governing body is not the proposer).

Approvals may be made conditional on a specified event occurring by a specified date.

5.4 Determination by proposers (section 53 of the 2013 Act)

Where proposals do not require approval under section 50 and 51 of the 2013 Act, they fall to be determined by the proposer.

Under section 53 of the 2013 Act, determination by the proposer **must** be made within 16 weeks (112 days) of the end of the objection period. Where the proposer fails to determine the proposal within the period of 16 weeks it is taken to have

withdrawn the proposal and it is required to republish the proposals if it wishes to proceed.

Where a local authority's proposals have received objections, and require determination under section 53 of the 2013 Act, the local authority **must** not approach the determination of these proposals with a closed mind. Objections **must** be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in section 1.3 – 1.14 of this Code. In these cases the objection report **must** be published at the same time as the decision is issued rather than within 28 days beginning with the end of the objection period.

5.5 Local authority decision making

Where local authorities are required to approve or determine proposals which have received objections, an amendment²⁴ to Schedule 2 to the Local Authority (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (as amended) permits the local authority's executive to exercise this function. Executives and/or Cabinets are already responsible for overseeing school organisation planning, including decisions to consult on and to publish school organisation proposals and will have a well developed understanding of school organisation issues. This understanding, combined with their more general experience of decision making and the fact that they are democratically accountable to the local electorate, makes executives well placed to decide whether or not contested school organisation proposals should be approved.

However, if they choose to do so, local authorities will not be prevented by Schedule 2 to the relevant regulations from adopting alternative, locally agreed processes for taking such decisions. These might include the formation of a local decision making committee, potentially in collaboration with other local authorities in their region.

Where local authorities choose to follow this route, they will need to consider carefully how they will ensure that such bodies deliver fair and robust decision making.

Annex D provides details of a possible model for a local decision making committee.

²⁴ The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2013 No.2438 (W. 235).

5.6 Decision notification

Decisions (in relation to proposals which require approval or determination) **must** be made and issued in the form of a decision letter. The decision letter **must** set out clearly the reasons for the decision with reference to sections 1.3 to 1.6 of this Code and the specific factors in sections 1.7 to 1.14 [which includes the additional factors to be considered and requirements in relation to the closure of rural schools].

Additionally a decision letter for a proposal to discontinue a school designated as a rural school must state why the proposer is satisfied that such implementation is the most appropriate response to the reasons it identified for formulating the proposal.

Decision letters **must** be published electronically on the proposer's website (if it has one) and that of the relevant local authority (if different).

The following **must** be advised by letter or email of the availability of the decision letter:

- Parents (and where possible prospective parents) carers and guardians, and staff members of schools which are the subject of the proposals;
- In the case of proposals affecting secondary provision, parents of pupils attending primary schools from which pupils normally transfer to that secondary school;
- the maintaining or proposed maintaining authority for any school likely to be affected by the proposals;
- any other local authority (including, where appropriate, a local authority in England) likely to be affected - including in the case of dedicated SEN provision any authority placing or likely to place pupils with SEN in it;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school likely to be affected is located;
- any other appropriate religious body for any school likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals;
- the governing body of other schools which the proposer considers are likely to be affected by the proposals;
- the Welsh Ministers;
- Constituency and Regional Assembly Members (AMs) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;
- the relevant Regional Education Consortium;

- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by/ intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision, any independent or voluntary providers who may be affected including Mudiad Meithrin;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- in the case of proposals affecting SEN provision, any relevant health or third sector bodies with an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner.

* In the case of the Welsh Ministers emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales It is not necessary to send emails to individual Ministers.

5.7 Referral of local authority decisions to the Welsh Ministers

Under section 54 of the 2013 Act where proposals have been approved or rejected by a local authority the following bodies may, before the end of 28 days beginning with the day of the decision, refer the proposals to the Welsh Ministers for consideration:

- i. Another local authority affected by the proposals;
- ii. The appropriate religious body for any school affected;
- iii. The governing body of a voluntary or foundation school subject to the proposals;
- iv. A trust holding property on behalf of a voluntary or foundation school subject to the proposals; and
- v. A further education institution affected by the proposals.

Referrals should be sent by email to the Welsh Government mailbox schoolsmanagementdivision3@gov.wales. The body referring the decision **should** inform the relevant local authority that a referral has been made.

The body making the referral will need to set out in a letter why they believe that the decision reached by the local authority is wrong.

The Welsh Ministers will decide whether the bodies referred to in i, ii and iv are affected by the proposals and therefore require consideration.

Where a proposal requires consideration by the Welsh Ministers, the local authority **must** provide them, on request, with copies of the statutory objections and any other information considered necessary by the Welsh Ministers.

Where a proposal requires their consideration the Welsh Ministers may decide to approve, reject or approve the proposals with modifications.

Modifications would normally only include changes to matters such as the timing of implementation or admission numbers. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published. Before making any modification, the Welsh Ministers **must** first consult with the proposer and the relevant governing body/ies and local authority (where they are not the proposers), and obtain the proposer's agreement to the modification.

Approvals can be made conditional on a specified event occurring by a specified date.

Proposals to discontinue a small school²⁵ may not be referred to the Welsh Ministers.

²⁵ Under section 54 of the 2013 Act proposals made under section 43 or 44 to discontinue a school which is a small school (see section 56) may not be referred to the Welsh Ministers under this section. Section 56 defines a small school as a school with fewer than 10 registered pupils on the third Tuesday in January immediately preceding the date on which the proposals are made.

6. Implementing proposals

6.1 Implementation – general

Proposals **must** normally be implemented as determined or approved (with or without modifications). Proposers **should** notify the Welsh Ministers by email when a proposal is implemented. Emails should be sent to the following Welsh Government mailbox: Schoolsmanagementdivision3@gov.wales. It is not necessary to send emails to individual Welsh Ministers.

However, under Section 55 of the 2013 Act if a proposer is satisfied, after consultation with any affected governing body, that a proposal would be unreasonably difficult to implement on the original implementation date, or that circumstances have so altered since the proposal was approved that its implementation on the original date was inappropriate, it may modify the proposal so that its implementation is delayed by up to three years.

If a proposer is satisfied, after consultation with any affected governing body, either that implementation of proposals would be unreasonably difficult or that circumstances have so altered since the proposals were approved that their implementation would be inappropriate altogether, it may determine that the proposals should be abandoned.

In the case of proposals to close a school, and after consultation with any affected governing body, a proposer may also determine to bring forward implementation by a period of up to 13 weeks. Implementation **must** only be brought forward where a school has no remaining pupils on roll or so few pupils that delivery of the curriculum is severely compromised.

Where proposals have received approval by the local authority (under section 51 of the 2013 Act) or the Welsh Ministers (under section 50 of the 2013 Act), proposers **must** only make a determination to delay, bring forward or abandon a proposal with the agreement of the Welsh Ministers. Any such application for agreement **must** be made in writing with the proposer's reasons clearly set out.

Where a proposal has been determined by the local authority under section 53 of the 2013 Act the local authority itself may determine to delay, bring forward or abandon the proposal.

Notification of any determination to delay, bring forward or abandon a proposal **must** be given to relevant parties including the Welsh Ministers, Estyn, the maintaining local authority, and the governing bodies, parents, pupils and staff of any affected school, as appropriate, within seven days of it being made. The notification **must** set out, briefly, the reasons for that determination.

If a proposal has been approved by the Welsh Ministers or by a local authority subject to a specified event occurring by a specified date, and that condition is not met by that date, the proposals **must** be considered as rejected unless the proposer has sought and received agreement from the Welsh Ministers or the local authority to have that condition varied by the substitution of a later date.

6.2 Implementation – change of category

Part 3 of Schedule 5 to the 2013 Act sets out full details relating to the transfer of land. Any transfers will take place on the implementation date. Where a community school becomes a voluntary aided or voluntary controlled school, any land other than playing fields held by a local authority transfers automatically to the school's trustees.

Where a foundation, voluntary aided or voluntary controlled school without a religious character becomes a community school any publicly funded land transfers automatically to the local authority. Publicly funded land is defined in schedule 4 to the 2013 Act and includes land provided by the local authority or by means of a capital grant (within the meaning of Chapter 6 of Part 3 to the Education Act 1996). Any other land held by trustees or the governing body **must** be transferred to the local authority by means of a transfer agreement to be drawn up by the parties. Such a transfer may be subject to an agreed payment by the local authority. If the parties are unable to reach agreement in relation to a transfer, either party may apply to the Welsh Ministers to exclude the transfer of any area of land. The Welsh Ministers **must** then decide whether or not to direct its exclusion.

7. The closure of a school with fewer than 10 registered pupils

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.²⁶

This consists solely of the issue of the notice of closure – the requirement for general consultation being waived, provided sufficient equivalent school places have been identified which would be reasonably accessible to those pupils actually or potentially displaced. If objections are made, the proposal would be determined in all cases by the proposer. However, before bringing forward such proposals, proposers **must** seek the views of any trust with an interest in the school or the appropriate religious body and take these views into account before proceeding.

In the case of schools where some pupils remain, proposers **must** make sure that the closure notice is brought to the pupils' attention, that its meaning is made clear to them, and that appropriate steps are taken to enable these pupils to respond to the notice if they so wish. It is essential that pupils are provided with the opportunity to contribute to the decision making process and proposers **must** ensure that full account is taken of any views they express before a final decision is taken.

Proposers are encouraged to share information with parents and other schools and **should** ensure that they receive a copy of the notice. Any schools identified as those most likely to receive pupils **must** also be notified.

The existence of streamlined procedures in relation to the proposed closure of schools with fewer than 10 registered pupils does not mean that governing bodies or local authorities are required to bring forward closure proposals in relation to such schools.

The possible closure of such schools **should** be considered in the light of the factors set out at section 1. If the school is on the list of "rural schools" this includes considering the factors and satisfying the requirements set out in section 1.8 "*Presumption against the closure of rural schools*" before issuing a closure notice. This means that the proposer should also:

- identify clear and specific reasons for formulating the proposal;
- identify any reasonable alternatives to closure which might also address the reasons for the proposal and provide evidence to show that it has carefully considered all other viable options (including federation), with a clear assessment of the merits and their viability including:
 - ✓ The likely education benefits;
 - ✓ The likely impact on the community;
 - ✓ The likely impact on travelling arrangements; and
- set out in the proposal paper (which is a paper to be presented to the decision maker) the alternatives that have been identified, give an assessment of these and explain why

the proposer considers in the light of the assessment that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.

8. Proposals by the Welsh Ministers to rationalise school places

Where the Welsh Ministers have previously directed a local authority or governing body to bring forward proposals to remedy excessive or insufficient school places, they may publish their own proposals to the same effect.

The specific criteria upon which the Welsh Ministers might decide to issue a direction or subsequently publish a proposal would vary depending on the circumstances pertaining to a particular area, but in general terms these are powers of last resort and would be used where a local authority has failed to ensure that:

- their area is served by schools which are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education; or
- each child in their area has reasonable access to one of those schools; or
- funding for education is cost effective and resources are used to secure the best possible educational outcomes for children and young people.

The proposals **must** be published in accordance with the provisions included in Chapter 4 above.

Any person may object to the proposals within the 28 day objection period. If objections are received, the Welsh Ministers **must** cause a local inquiry to be held to consider the proposals. Any other school organisation proposals which have been published and not determined **must** be referred to the local inquiry if the Welsh Ministers believe they are related to the proposal which is the subject to objection (and unless the Welsh Ministers form the opinion that they should be implemented).

The local inquiry **must** be conducted by a person appointed for that purpose by the Welsh Ministers and in accordance with any procedures set out by them at the time of the local inquiry's establishment.

Where a local inquiry has been held, the Welsh Ministers **must** consider the report of the person conducting the local inquiry. They may then do one of the following:

1. adopt with or without modifications, or determine not to adopt any of the proposals made by the Welsh Ministers;
2. approve with or without modifications, or reject any other proposals which are referred to the local inquiry;
3. make further proposals to rationalise school places.

If the Welsh Ministers decide to make further proposals there is no requirement to cause a further local inquiry to be held.

Where these further proposals made by the Welsh Ministers have not been referred to a local inquiry the Welsh Ministers may after considering any objections:

1. adopt the proposal with or without modifications; and
2. determine not to adopt the proposal.

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not**

make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be approved or adopted subject to a specified event occurring by a specified date.

Proposals approved or adopted **must** be implemented in accordance with Chapter 6 above.

9. Proposals by the Welsh Ministers for regional provision for special educational needs

Where the Welsh Ministers have previously made an order directing a local authority or a governing body to bring forward school organisation proposals for the purpose of securing regional provision for children with special educational needs, they may publish their own proposals to the same effect.

The proposals **must** be consulted upon in accordance with Chapter 3 above and published in accordance with Chapter 4.

Any person may object to the proposals within the 28 day objection period.

The Welsh Ministers may, after considering any objections;

1. adopt the proposals with or without modification;
2. determine not to adopt the proposals.

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be adopted subject to a specified event occurring by a specified date.

Proposals which are adopted **must** be implemented in accordance with Chapter 6 above.

10. Proposals by the Welsh Ministers to restructure sixth form education

Under section 71 of the 2013 Act, the Welsh Ministers may make proposals for:

1. the establishment by a local authority of a school or schools to provide secondary education suitable to the requirements of sixth formers only (a 'sixth form school');
2. the introduction or ending of sixth form provision at a school, or;
3. the discontinuance of a sixth form school.

The proposals **must** be consulted upon in accordance with Chapter 3 above and published in accordance with Chapter 4.

Any person may object to the proposals within the 28 day objection period.

The Welsh Ministers may, after considering any objections;

1. adopt the proposals with or without modification
2. determine not to adopt the proposals

Modifications made by the Welsh Ministers **should** normally extend only to include changes to admission numbers or to the timing of implementation. The Welsh Ministers **must not** make modifications that would in effect substitute a new proposal for the proposal which was published.

Proposals can be adopted subject to a specified event occurring by a specified date.

Proposals which are adopted **must** be implemented in accordance with Chapter 6 above.

11. Governing body notice to discontinue a foundation or voluntary school

Section 80 of the 2013 Act permits the governing body of a foundation or voluntary school to discontinue the school by giving the Welsh Ministers and the local authority responsible for maintaining the school two years notice of its intention to do so. Before given notice, the governing body **must**:

1. gain the consent of the Welsh Ministers if expenditure has been incurred on the school premises (otherwise than in connection with repairs) by the Welsh Ministers or local authority;
2. consult the Welsh Ministers if discontinuing the school would affect facilities for full time education suitable to requirements of persons over compulsory school age who have not attained the age of 19; and
3. consult the trustees for any land or buildings held on trust and/or the appropriate religious body where the school has a designated religious character and have regard to any comments which are received.

Where governing bodies require advice in relation to property held on charitable trust, they should contact the Charity Commission.

Annex A: Illustrative flow chart for statutory proposals

Step 1

The proposer should refer to the designation of rural schools and the list of rural schools derived from it to establish if a proposed closure involves a rural school and the presumption against closure of rural schools set out in this Code applies.

Step 2

The proposer should refer to section 1 of the School Organisation Code (the Code) which provides the factors to be taken into account in preparing, publishing, approving or determining all school organisation proposals.

Step 3

In the case of proposals to reorganise schools for which land and/or buildings are held on trust, or which have a designated religious character the proposer must consult the trustees and/or appropriate religious body before the consultation is published and allow 28 days for the receipt of comments and must have due regard to those comments before any decision is made to proceed to general consultation.

Step 4

Approval to proceed to formal consultation should be obtained. Where the proposer is the local authority the decision is normally made by the executive committee or cabinet. Where the governing body of a school is the proposer the governing body must make the decision.

Step 5

The proposer must publish a consultation document on its website and make it available in hard copy. If the proposer is other than the local authority the consultation document can also be published on the relevant local authority's website. The consultation document must be published on a school day and consultees must have at least 42 days in which to respond, with at least 20 of these being school days. Section 3 of the Code sets out the information that all consultation documents and the additional information that consultation documents on proposed closure of rural schools must contain and provides a list of those parties who must be advised of its availability. The proposer must make suitable arrangements to consult with pupils of any school affected.

Step 6

The proposer must publish a summary of the consultee's comments and the proposer's own responses to the comments (the consultation report) at least 2 weeks prior to publishing a notice. Section 3 of the Code provides information about the consultation report and lists the parties that must be advised of its availability.

Step 7

Where the local authority is the proposer normally the executive committee or cabinet meets to consider the consultation and whether or not to proceed with the proposal. Where the governing body of a school is the proposer they should meet to consider the consultation and decide whether or not to proceed. If the decision is to proceed, Step 8 is taken. If a new option emerges during consultation which the proposers wish to consider, then Steps 1-5 are repeated.

Step 8

Proposals must be published within 26 weeks of the end of the consultation period allowed for consultation responses, otherwise the proposal will lapse and a new consultation is required.

If the proposer decides to proceed with the proposal the proposer must publish a statutory notice providing a 28 day notice period for objections. The notice **must** be published on a school day and with 15 school days (not including the day of publication) in the notice period. Section 4 of the Code sets out the information a notice must contain and explains how it must be published.

Step 9a

If there are no objections and the proposal does not require the approval of the Welsh Ministers. Where the proposer is the local authority normally the executive committee or cabinet meets to determine whether or not to proceed. Where the proposer is the governing body of the school the governing body should meet and determine whether or not to proceed.

Step 9b

If objections are received, the proposer **must** publish a summary of the objections and their responses to those objections (the objection report).

Step 10a

If the proposal does not require approval by the Welsh Ministers or the local authority, it **must** receive final determination by proposers within 16 weeks of the end of the objection period.

Step 10b

If the proposal requires determination by the Welsh Ministers, the proposer **must** send to the Welsh Ministers within 35 days of the end of the objection period the objections and the objection report. The Welsh Ministers will

Step 10c

If the proposal requires determination by the local authority, the proposer **must** send to the local authority within 35 days of the end of the objection period the consultation document, the consultation report, the published notice, the objections and the objection

	<p>normally aim to determine proposals within 16 weeks of the end of objection period.</p>	<p>report.</p> <p>The local authority must issue a decision within 16 weeks of the end of the objection period.</p> <p>Within 28 days of the local authority's determination proposals may be referred to the Welsh Ministers by the following:</p> <ul style="list-style-type: none"> i. Another local authority; ii. The appropriate religious body for any school affected (the diocesan authority); iii. The governing body of a voluntary or foundation school; subject to the proposals iv. A trust holding property on behalf of a voluntary or foundation school; subject to the proposals v. A further education institution affected by the proposals.
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Step 11

If proposals receive approval or the proposer determines to implement them, they **should** be implemented in accordance with the date given in the statutory notice, or any subsequent modified date.

Annex B: Examples of statutory notices

Example of a statutory notice to establish a new community or voluntary school

[Insert name and address of those publishing the proposals].

Notice is given in accordance with section 41 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that [*proposer's name*], having consulted such persons as required, propose to establish a new [*state language category*²⁷] school to be maintained by [*state name of maintaining local authority*] at [*state location and, where appropriate, the postal address*] for [*boys*]/ [*girls*] / [*boys and girls*] aged [*insert age range*].

The [*insert name of proposer*] undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on [*insert the proposer's website or if one is not available the relevant local authority's website*].

It is proposed to implement the proposal on [*insert date*]. [*Where implementation is planned in stages, the date on which each stage is planned to be implemented **should** be given*].

The proposed new school will be a [*insert community or voluntary aided or voluntary controlled*] school.

[*insert the governing body or the name of the local authority*] will be the admission authority.

The admission number for [*state the relevant age group or age groups*²⁸] at the new school in the first school year in which the proposals have been implemented is [*state number*] [*Where the proposals are to be implemented in stages, the admission number in the first school year in which each stage has been implemented **must** be given*]. [*If there is to be a separate admission number for the sixth form it **should** be included*].

The new school's pupil capacity will be [*insert capacity figure*²⁹]. [*It would also be useful to include the number of nursery places being provided if appropriate*].

[*For a special school, information on the special educational needs of pupils for which provision will be made*].

[*Give information on whether it is proposed that the admission arrangements for the new school will make provision for pupil banding*].

[*In the case of a new voluntary school, give information about its religious character and proposed appropriate religious body if it is to have a religious character*].

²⁷ Proposers should refer to the Welsh Assembly Government information document 23/2007 Defining schools according to Welsh medium provision.

²⁸ A "relevant age" group" is defined in section 142(1) of the 1998 Act as meaning "an age group in which pupils are normally admitted (or, as the case may be, will normally be admitted) to the school". There could, therefore, be more than one relevant age group, in which case the number to be admitted must be given in relation to each such relevant age group.

²⁹ Proposers should refer to the Welsh Government Circular 21/2011 Measuring the capacity of schools in Wales or any successor document.

[Give information about the proposed arrangements for transport of pupils to the new school].

[In the case of proposals to establish a new voluntary school, state whether the proposals are to be implemented by the local education authority or the promoters, and, if the proposals are to be implemented by both, the extent to which they are to be implemented by each such body].

Within a period of 28 days of the date on which the proposal was published, that is to say by *[insert date]* any person may object to the proposals.

Objections should be sent to *[name and address of proposer]*.

Signed

For the *[local authority]*.

[Date – **should** be the same as the date of publication].

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Example of a statutory notice to discontinue a maintained community, foundation, voluntary or nursery school

[Insert name and address of those publishing the proposals].

Notice is given in accordance with section 43 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code that *[proposer's name]*, having consulted such persons as required, propose to discontinue *[name and address of school]*. The school is currently maintained by *[state name of maintaining local authority]* *[and if relevant, state school's religious character]*.

The *[insert name of proposer]* undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on *[insert the proposer's website or if one is not available the relevant local authority's website]*.

It is proposed to implement the proposals on *[insert date]* (2).

[Insert details of the schools which pupils at the school to be discontinued may attend, including any interim arrangements and the language category of the alternatives as defined by Information Document No: 023/2007].

[Insert details of any other measures proposed to be taken to increase the number of school places available in consequence of the proposed discontinuance].

[Insert particulars of the proposed arrangement for transport of pupils to other schools].

[Proposals to discontinue a rural school must state the reasons why the proposer is satisfied that such implementation is the most appropriate response to the reasons the proposer identified in formulating the proposal.]

Within a period of 28 days of the date on which the proposal was published, that is to say by *[insert date]* any person may object to the proposals.

Objections should be sent to *[name and address of the proposer]*.

Signed

For the *[local authority or governing body]*.

*[Date – **should** be the same as the date of publication].*

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Example of a statutory notice to make a regulated alteration to a maintained community, foundation, voluntary or nursery school

Notice is given in accordance with section 42 of the School Standards and Organisation Act 2013 and the School Organisation Code that [*proposer's name*], having consulted such persons as required, proposes to alter [*name and address of school*] so that [*add description of proposed change/s*]. The school/s is/are currently maintained by [*state name of maintaining local authority*].

The [*insert name of proposer*] undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Estyn's full response is available on [*insert the proposer's website or if one is not available the relevant local authority's website*].

It is proposed to implement the proposal on [*insert date*]. [*Where implementation is planned in stages, the date on which each stage is planned to be implemented **should** be given*].

[*Where the alteration involves enlargement, or a reduction in capacity, insert*] The current number of pupils at the school is [*insert number*], the pupil capacity of the school is [*insert pupil places capacity³⁰*] and the proposed capacity once the proposal is implemented will be [*insert proposed capacity*].

[*Where the alteration involves enlargement or a reduction in capacity insert*] The admission number for [*state the relevant age group or age groups³¹*] at the school in the first school year in which the proposals have been implemented will be [*state number*] [*include a separate sixth form number if appropriate*] [*Where the proposals are to be implemented in stages, the admission number in the first school year in which each stage has been implemented **must** be given*]. [*where appropriate*] There will be xx nursery places.

[*Where the alteration involves a change in the type of provision, provide information on the alternative provision for pupils and the impact on school transport*].

Within a period of one 28 days of the date on which the proposal was published, that is to say by [*insert date*] any person may object to the proposals.

Objections should be sent to [*name and address of the proposer*].

Signed

For the [*local authority or governing body*].

[*Date – **should** be the same as the date of publication*].

³⁰ Proposers should refer to the Welsh Government Circular 21/2011 Measuring the capacity of schools in Wales or any successor document.

³¹ A "relevant age group" is defined in section 142(1) of the 1998 Act as meaning "an age group in which pupils are normally admitted (or, as the case may be, will normally be admitted) to the school". There could, therefore, be more than one relevant age group, in which case the number to be admitted must be given in relation to each such relevant age group.

EXPLANATORY NOTE

[It may be useful to include an Explanatory Note explaining the proposals in simple language and providing further information and background to the proposals].

Annex C: Community impact and Welsh-medium impact assessments

The Welsh Government takes the view that the requirement for assessments should not be overly burdensome and does not consider that it is necessary to commission such work from external consultants. Local authorities are already under a duty to carry out equality impact assessments which could provide the basis for the impact assessments specified in this guidance.

Community Impact

Impact assessments **should** ideally be included in consultation documents. Whilst these notes do not prescribe what should be included in a community impact assessment, proposers might include the following:

- information on the proportion of pupils from the catchment area that attend the school;
- information on the proportion of pupils from outside the catchment area that attend the school;
- information about any other facilities the school accommodates e.g. youth club/play group;
- information about any other facilities or services the school provides e.g. after school clubs, community library;
- if accommodation, facilities or services are provided by a school, where they would be provided in the event of closure;
- whether other facilities available in the immediate local or wider community will or could be enhanced in the event of a school closure (e.g. improvements to village halls, playgrounds, provision of holiday play schemes);
- information about the facilities and services provided at any alternative school;
- information about the distance and travelling time involved in attending an alternative school of the same language category;
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils (and particularly any less advantaged pupils) will be helped to participate in after school activities);
- impact on health and wellbeing e.g. if pupils would be less able to walk or cycle to school;
- Information about any wider implications the changes would have on public transport provisions;
- Information on wider community safety issues.

There are many other considerations that are also likely to be relevant in terms of an impact assessment for a rural school closure for example:

- Whether closure would encourage families with school-age children to leave the community or discourage young families from moving to the community;
- What impact closure might have on other services provided locally, for instance if the school is the only remaining public building in a community;
- Whether, or not, the school is a real hub of community life, used for other purposes – such as public meetings, local events, fetes, surgeries, and other get togethers – which would either cease or be diminished by being required to move elsewhere;
- Whether or not the loss of the school, and potentially families, will have a detrimental effect on the wider economy of the community;
- how parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils; particularly any less advantaged pupils) will be helped to participate in after school activities);
- the overall effect of closure on the local community (including the loss of school based facilities which are used by the local community).

Early engagement and communication with the local community is a good way of establishing and understanding all of the relevant factors.

Welsh language Impact

These notes are not prescriptive or exhaustive but the impact assessment in respect of the Welsh language might include the following:

- information on the language category of the school;
- information on the language category of any alternative school;
- information about standards in the Welsh language in the school and any alternative school;
- information about after school activities which provide additional opportunities to use Welsh in the school and any alternative school (e.g. the Urdd, Mentrau Iaith clubs);
- information about whether the school provides facilities for members of the community to learn Welsh, or undertake activities through the medium of Welsh, and where any alternative facilities could be provided;
- whether it might be appropriate to provide additional after school facilities at any alternative school to further secure standards in the Welsh language;
- how parents' and pupils' engagement with any alternative school and any specific language enhancement it offers could be supported (e.g. how pupils will be helped to participate in activities provided by the Urdd, Mentrau Iaith;
- observations provided by the local authority's Welsh medium education forum (if it has one)³²;
- information on how the proposal fits with the authority's Welsh in Education Strategic Plan and any future actions that will be needed in consequence of the change to continue to comply with the scheme or meet targets in the scheme.

³² The Welsh in Education Strategic Plans and Assessing Demand for Welsh Medium Education (Wales) Regulations 2013 provides a definition of a Welsh medium education forum. However, it should be noted that a local authority is not required to have such a forum.

Annex D: Local decision-making committee

The model set out below represents one potential way of establishing a 'local decision making committee'.

The size of the committee would be significant in shaping its effectiveness. Too large and it would be unwieldy and difficult to establish a consensus. Too small and there might be too little debate and too narrow a perspective. A committee with five members might represent an ideal size.

The make up of the committee will also be important in determining how it is perceived. If the intention is to emphasise its separation from the local authority's executive, it might be necessary to 'disqualify' members of the executive and anyone who has a connection to the local authority, proposer (if different from the local authority) or the school to which the proposals relate, which might raise doubts over their ability to act impartially regarding the proposal.

Providing they are not 'disqualified', local authorities might decide to appoint committees made up of local authority members only, or of persons unconnected with the local authority (including members of another local authority), or of any combination of the two.

Where a school with a designated Church in Wales or Roman Catholic religious character (or which is intended to have such a religious character) is the subject of a proposal, the local authority might invite the Diocesan Board of Education for the relevant diocese of the Church in Wales or the Bishop of the relevant Roman Catholic Church diocese to nominate a representative to be one of the members of the committee. In the case of any other voluntary school with a designated religious character, the person or persons by whom the foundation governors are appointed might be invited to nominate a representative.

Local authorities might want to ensure that at least one member of the committee has direct experience of working in the education sector. An existing or former member of a school's senior management team or an experienced school governor might be suitable in this respect.

In the event that the committee is to be comprised of local authority members only, the local authority might want to consider making it politically balanced in the sense set out at sections 15 and 16 of the Local Government and Housing Act 1989.

The local authority may wish to recruit, train and retain a pool of eligible persons and appoint to a committee as and when required. This would provide a number of advantages including reducing the time needed to set up a committee when required and helping the local authority to ensure potential committee members have sufficient training.

Local authorities could also co-operate to develop shared regional pools. This would increase the potential number of eligible and suitably experienced candidates whilst at the same time providing more opportunities for committee members to gain experience and develop expertise in making school organisation decisions. However, when appointing panels from any such regional pool, local authorities might want to ensure at least some members have specific local knowledge.

The local authority would want to ensure that all committee members receive appropriate training before considering proposals, and that experienced committee members are kept

abreast of any amendments to guidance and are given the opportunity of undertaking refresher training. Training need not be extensive but might look to ensure that committee members are familiar with the guidance contained in the Code and are familiar with the relevant parts of the 2013 Act. Two or more local authorities could collaborate to deliver training which, in addition to possible financial savings, could provide benefits such as the wider sharing of good practice.

It would be advisable for the committee to have the services of a clerk provided by the local authority. Whilst the clerk would not be a member of the committee they might act as an independent source of advice. To enable this, clerks would need a good understanding of the Code and the relevant parts of the 2013 Act and would have received appropriate training. The local authority, where necessary, would need to provide the committee with appropriate legal advice. It would be advisable for the clerk not to have been involved at any stage in the proposal that the committee are considering or to have any interest in any decision reached by the committee members.

The key tasks of the clerk would be to:

- make the necessary administrative arrangements for the committee;
- be an independent source of advice on procedure, the Code and the relevant parts of the 2013 Act;
- record the proceedings, decision and the reasons for it; and
- ensure notification and publication of the decision in accordance with paragraph 5.13.

To enable a committee to reach an informed decision, the local authority would need to forward to the appointed clerk the documents set out paragraph 5.3 above, shortly after of the end of the objection period. It would be advisable for the committee to reach its decision on the basis of this written evidence rather than seek or consider new information (unless they consider it will assist in the determination within the timescale), or consider oral representations.

Annex E: Legislation and national policies which will assist in the development of proposals

- United Nations Convention on the Rights of the Child
- The Well-being of Future Generations (Wales) Act 2015 (see below)
- Cymraeg 2050, A Million Welsh Speakers
- Action Plan, Cymraeg 2050
- One Wales: One planet, a new sustainable development scheme for Wales May 2009 or any successor strategy
- Child Poverty Strategy for Wales (issued February 2011 Information document number 95/2011), or any successor strategy
- Faith in Education
- Local plans for economic or housing development
- Welsh in Education Strategic Plans (made under part 4 of the School Standards and Organisation (Wales) Act 2013)
- Children and Young People's Plans (or successor plans)
- 21st Century Schools – Capital Investment Programme and the relevant wave of investment
- Learner Travel Statutory Provision and Operational Guidance 2014
- Measuring the capacity of schools in Wales, Circular No: 021/2011
- Children and Young People's National Participation Standards

The Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations (Wales) Act 2015 ('the 2015 Act') sets out new ways of working – of planning and making decisions – for local authorities and other public bodies it lists. The aim is that, by improving these things, the overall well-being of Wales will be better improved by the things public bodies collectively do. The Act and the statutory guidance makes it clear that local authorities must, in the course of their corporate planning and their delivery against those plans:

- balance short term needs against the ability to meet **long term** needs;
- think about the impact their objectives have on other organisations' objectives, and on the well-being of Wales, in an **integrated** way;
- **involve** in those processes people who reflect the diversity of the population they serve;
- work together **collaboratively** with other organisations to better meet each others' objectives; and
- deploy their resources to **prevent** problems from getting worse or from occurring in the first place.

The statutory guidance, for organisations subject to the Act, sets out the expectations for how the duties should be met:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>

The Act itself is available to view online:

<http://www.legislation.gov.uk/anaw/2015/2/contents/enacted>

Current practice on the use of surplus school accommodation, Information document No 158/2014

Annex F: List of rural schools

School Ref	School Name	Local Authority
6602133	Ysgol Gymuned Bodffordd	Isle of Anglesey
6602135	Ysgol Gymuned Bryngwran	Isle of Anglesey
6602141	Ysgol Gynradd Garreglefn	Isle of Anglesey
6602142	Ysgol Gymuned y Ffridd	Isle of Anglesey
6602145	Ysgol Gymuned Moelfre	Isle of Anglesey
6602146	Ysgol Gynradd Llanbedrgoch	Isle of Anglesey
6602153	Ysgol Gymuned Llanfechell	Isle of Anglesey
6602155	Ysgol Gynradd Llangoed	Isle of Anglesey
6602156	Ysgol Henblas	Isle of Anglesey
6602157	Ysgol Gymuned Llannerch-y-Medd	Isle of Anglesey
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6602162	Ysgol Penysarn	Isle of Anglesey
6602163	Ysgol Santes Gwenfaen	Isle of Anglesey
6602165	Ysgol Gynradd Rhosybol	Isle of Anglesey
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6602227	Ysgol Rhyd y Llan	Isle of Anglesey
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School Standards and Organisation (Wales) Act 2013

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School Standards and Organisation (Wales) Act 2013

An Act of the National Assembly for Wales to reform the powers of local authorities and the Welsh Ministers to intervene in the conduct of schools maintained by local authorities that are causing concern; to reform the powers of the Welsh Ministers to intervene in the exercise of education functions by local authorities; to provide for school improvement guidance; to reform the statutory arrangements for the organisation of maintained schools; to provide for Welsh in education strategic plans; to make miscellaneous provision in relation to maintained schools; and for connected purposes. [4 March 2013]

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

PART 1

INTRODUCTION

1 Overview of this Act

- (1) This Act has 6 Parts.
- (2) Part 2 is divided into 3 Chapters containing provisions concerned with maintaining and improving standards—
 - (a) in maintained schools, and
 - (b) in the exercise of education functions by local authorities.
- (3) Chapter 1 of Part 2 (including Schedule 1)—
 - (a) sets out the grounds for intervention by local authorities and the Welsh Ministers in the conduct of maintained schools that are causing concern, and
 - (b) provides a range of intervention powers to enable local authorities and the Welsh Ministers to deal with the causes of concern.

- (4) Chapter 2 –
 - (a) sets out the grounds for intervention by the Welsh Ministers in the exercise of education functions by local authorities that are causing concern, and
 - (b) provides a range of intervention powers to enable the Welsh Ministers to deal with the causes of concern.
- (5) Chapter 3 makes provision for the Welsh Ministers to give guidance to the governing bodies of maintained schools, the head teachers of such schools and local authorities on how functions should be exercised with a view to improving the standard of education provided in maintained schools.
- (6) Part 3 is divided into 6 Chapters containing provision about the organisation of maintained schools.
- (7) Chapter 1 of Part 3 provides for a School Organisation Code about the exercise of functions under Part 3.
- (8) Chapter 2 (including Schedules 2 to 4) makes provision requiring the establishment, alteration and discontinuance of maintained schools in accordance with a specified process.
- (9) Chapter 3 provides for the rationalisation of school places if the Welsh Ministers are of the opinion that there is excessive or insufficient provision for primary or secondary education in maintained schools.
- (10) Chapter 4 provides for the making of regional provision for special educational needs.
- (11) Chapter 5 provides for powers for the Welsh Ministers to re-structure sixth form education.
- (12) Chapter 6 provides for miscellaneous and supplemental matters relating to school organisation.
- (13) Part 4 makes provision for Welsh in education strategic plans, which are to be –
 - (a) prepared by local authorities,
 - (b) approved by the Welsh Ministers, and
 - (c) published and implemented by local authorities (sections 84, 85 and 87).
- (14) Part 4 also provides a power exercisable by regulations for the Welsh Ministers to require local authorities to carry out an assessment of the demand among parents for Welsh medium education for their children (section 86).
- (15) Part 5 makes provision about miscellaneous functions relating to maintained schools, including provision –
 - (a) requiring local authorities to provide breakfasts for pupils at maintained primary schools at the request of the governing bodies of those schools (sections 88 to 90);
 - (b) amending the existing powers of local authorities and governing bodies to charge for school meals, so that –
 - (i) a related requirement to charge every person the same price for the same quantity of the same item is removed, and

- (ii) a new requirement that the price charged for an item does not exceed the cost of providing that item is imposed (section 91);
 - (c) requiring local authorities to secure reasonable provision for a service providing counselling in respect of health, emotional and social needs for specified school pupils and other children (section 92);
 - (d) requiring governing bodies of maintained schools to hold a meeting if requested to do so by parents in a petition (section 94) and repealing an existing duty to hold an annual parents' meeting (section 95);
 - (e) repealing the Welsh Ministers' duty to issue a code of practice for securing effective relationships between local authorities and maintained schools (section 96).
- (16) Part 6 –
- (a) introduces Schedule 5, which makes minor and consequential amendments to other legislation arising from the provisions of this Act;
 - (b) contains definitions that apply for the purposes of this Act generally and an index of definitions that apply to a number of provisions, but not the whole Act (section 98);
 - (c) contains other provisions which apply generally for the purposes of this Act.

PART 2

STANDARDS

CHAPTER 1

INTERVENTION IN CONDUCT OF MAINTAINED SCHOOLS

Grounds for intervention

2 Grounds for intervention

For the purposes of this Chapter, the grounds for intervention in the conduct of a maintained school are as follows –

GROUND 1 - The standards of performance of pupils at the school are unacceptably low.

For this purpose, the standards of performance of pupils are low if they are low by reference to any one or more of the following –

- (a) the standards that the pupils might in all the circumstances reasonably be expected to attain;
- (b) where relevant, the standards previously attained by them;
- (c) the standards attained by pupils at comparable schools.

GROUND 2 - There has been a breakdown in the way the school is managed or governed.

GROUND 3 - The behaviour of pupils at the school or any action taken by those pupils or their parents is severely prejudicing, or is likely to severely prejudice, the education of any pupils at the school.

GROUND 4 - The safety of pupils or staff of the school is threatened (whether by a breakdown of discipline or otherwise).

GROUND 5 - The governing body or head teacher has failed, or is likely to fail, to comply with a duty under the Education Acts.

GROUND 6 - The governing body or head teacher has acted, or is proposing to act, unreasonably in the exercise of any of its or his or her functions under the Education Acts.

GROUND 7 - Her Majesty's Chief Inspector of Education and Training in Wales ("the Chief Inspector") has given a notice under section 37(2) of the Education Act 2005 that the school requires significant improvement and that notice has not been superseded by –

- (a) the Chief Inspector giving notice under that section that special measures are required to be taken in relation to the school, or
- (b) a person making a subsequent inspection making a report stating that in his or her opinion the school no longer requires significant improvement.

GROUND 8 - Her Majesty's Chief Inspector of Education and Training in Wales has given a notice under section 37(2) of the Education Act 2005 that special measures are required to be taken in relation to the school and that notice has not been superseded by a person making a subsequent inspection making a report stating that in his or her opinion the school no longer requires special measures.

Intervention by a local authority

3 **Warning notice**

- (1) If a local authority is satisfied that one or more of grounds 1 to 6 exist in relation to one of its maintained schools, the authority may give a warning notice to the governing body of the school.
- (2) The local authority must specify each of the following in the warning notice –
 - (a) the grounds for intervention;
 - (b) the reasons why the authority is satisfied that the grounds exist;
 - (c) the action the authority requires the governing body to take in order to deal with the grounds for intervention;
 - (d) the period within which the action is to be taken by the governing body ("the compliance period");
 - (e) the action the authority is minded to take if the governing body fails to take the required action.

- (3) If the local authority gives a warning notice to the governing body of a school, it must at the same time give a copy of the warning notice to—
 - (a) the head teacher;
 - (b) if the school is a foundation or voluntary school—
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body;
 - (c) the Welsh Ministers.

4 Power to intervene

- (1) A local authority has the power to intervene in the conduct of one of its maintained schools under this Chapter if subsection (2), (3) or (4) applies.
- (2) This subsection applies if—
 - (a) the local authority has given a warning notice under section 3 to the governing body of the school, and
 - (b) the governing body has failed to comply, or secure compliance, with the notice to the authority's satisfaction within the compliance period.
- (3) This subsection applies if the local authority is satisfied that one or more of grounds 1 to 6 exist in relation to the school and it has reason to believe that there is a related risk to the health or safety of any person that calls for urgent intervention under this Chapter.
- (4) This subsection applies if—
 - (a) ground 7 (school requiring significant improvement) or ground 8 (school requiring special measures) exists in relation to the school, and
 - (b) a period of not less than 10 days has elapsed since the date on which the Chief Inspector gave notice to the local authority under section 37(2) of the Education Act 2005, subject to subsection (5).
- (5) The Welsh Ministers may, in relation to a particular school, determine that subsection (4) (b) has effect as if the reference to 10 days were to a shorter period specified in the determination.
- (6) Where a local authority has the power to intervene, it must keep the circumstances giving rise to the power under review.
- (7) If the authority concludes that the grounds for intervention have been dealt with to its satisfaction or that exercise of its powers under this Chapter would not be appropriate for any other reason, it must notify the governing body of its conclusion in writing.
- (8) If a local authority gives notice under subsection (7), it must at the same time send a copy of the notice to—
 - (a) in the case of a foundation or voluntary school—
 - (i) the person who appoints the foundation governors, and

- (ii) if the school has a religious character, the appropriate religious body, and
 - (b) the Welsh Ministers.
- (9) A local authority's power to intervene continues in effect until one of the following events takes place –
 - (a) the authority gives notice under subsection (7);
 - (b) the Welsh Ministers determine that the power to intervene is no longer in effect and give notice in writing to the local authority and the governing body of their determination;
 - (c) the Welsh Ministers give a warning notice to the governing body of the school under section 10.
- (10) A local authority which has the power to intervene is not limited to taking the action it said it was minded to take in a warning notice.

5 Power to require governing body to secure advice or collaborate

- (1) This section applies if a local authority has the power to intervene in the conduct of one of its maintained schools.
- (2) The local authority may, with a view to improving the performance of the school, direct the governing body of the school to do either or both of the following –
 - (a) enter into a contract or other arrangement with a specified person (who may be the governing body of another school) for the provision to the governing body of specified services of an advisory nature;
 - (b) exercise such of the powers under section 5(2) of the Education (Wales) Measure 2011 (powers to collaborate) as are specified in the direction, subject to provision made in regulations under section 6 of that Measure.
- (3) Before giving a direction the local authority must consult –
 - (a) the governing body of the school, and
 - (b) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body.
- (4) A direction under subsection (2)(a) may require the contract or other arrangement to contain specified terms and conditions.

6 Power to appoint additional governors

- (1) This section applies if a local authority has the power to intervene in the conduct of one of its maintained schools.
- (2) The local authority may appoint as many additional governors to the governing body of the school as it thinks fit; and the instrument of government for the school has effect as if it provided for such appointments (despite anything in regulations under section 19 of the Education Act 2002).

- (3) The local authority may nominate one of those governors to be the chair of the governing body in place of any person who has been elected as chair of that body.
- (4) Before making any such appointment or nomination in relation to a voluntary aided school, the local authority must consult—
 - (a) the person who appoints the foundation governors, and
 - (b) if the school has a religious character, the appropriate religious body.
- (5) A governor appointed under this section is to hold office for a period determined by the local authority.
- (6) A governor nominated by the local authority to be the chair of the governing body is to be the chair for a period determined by the local authority.
- (7) The local authority may pay remuneration and allowances to governors appointed under this section.

7 Power of local authority to constitute governing body of interim executive members

- (1) This section applies if a local authority has the power to intervene in the conduct of one of its maintained schools.
- (2) The local authority may give the governing body of the school a notice in writing stating that, as from a date specified in the notice, the governing body is to be constituted in accordance with Schedule 1 (governing bodies consisting of interim executive members).
- (3) Before giving a notice the local authority must—
 - (a) consult the governing body of the school,
 - (b) in the case of a foundation or voluntary school, consult—
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body, and
 - (c) obtain the consent of the Welsh Ministers.

8 Power of local authority to suspend right to delegated budget

- (1) This section applies if—
 - (a) a local authority has the power to intervene in the conduct of a maintained school, and
 - (b) the school has a delegated budget within the meaning of Part 2 of the School Standards and Framework Act 1998.
- (2) The local authority may suspend the governing body's right to a delegated budget by giving the governing body notice of the suspension.
- (3) The suspension of the right to a delegated budget takes effect on receipt of the notice by the governing body.
- (4) If the local authority gives a notice suspending the right to a delegated budget, it must give a copy of the notice to the head teacher at the same time.

- (5) A suspension imposed under this section has effect for the purposes of Chapter 4 of Part 2 of the School Standards and Framework Act 1998 (financing of maintained schools) as if made under paragraph 1 of Schedule 15 to that Act (suspension of financial delegation).

9 General power to give directions and take steps

- (1) This section applies if the local authority has the power to intervene in the conduct of one of its maintained schools.
- (2) If the local authority thinks it is appropriate for the purposes of dealing with the grounds for intervention, the authority may –
- (a) give directions to the governing body or head teacher, or
 - (b) take any other steps.

Intervention by the Welsh Ministers

10 Warning notice

- (1) The Welsh Ministers may give a warning notice to the governing body of a maintained school if –
- (a) they are satisfied that one or more of grounds 1 to 6 exist in relation to the school, and
 - (b) the local authority that maintains the school either –
 - (i) has not given a warning notice to the governing body under section 3 on one or more of those grounds, or
 - (ii) has given a warning notice, but in terms that are inadequate in the opinion of the Welsh Ministers.
- (2) The Welsh Ministers must specify each of the following in the warning notice –
- (a) the grounds for intervention;
 - (b) the reasons why they are satisfied that the grounds exist;
 - (c) the action they require the governing body to take in order to deal with the grounds for intervention;
 - (d) the period within which the action is to be taken by the governing body (“the compliance period”);
 - (e) the action they are minded to take if the governing body fails to take the required action.
- (3) If the Welsh Ministers give a warning notice to the governing body of a school, they must at the same time as they give the warning notice to the governing body give a copy of the warning notice to –
- (a) the local authority;
 - (b) the head teacher;
 - (c) if the school is a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and

- (ii) if the school has a religious character, the appropriate religious body.

11 Power of the Welsh Ministers to intervene

- (1) The Welsh Ministers have the power to intervene in the conduct of a maintained school under this Chapter if subsection (2), (3), (4) or (5) applies.
- (2) This subsection applies if –
 - (a) the local authority has given a warning notice under section 3 to the governing body of the school,
 - (b) the governing body has failed to comply, or secure compliance, with the notice to the Welsh Ministers' satisfaction within the compliance period, and
 - (c) the Welsh Ministers are satisfied that the local authority has not taken, and is not likely to take, adequate action for the purposes of dealing with the grounds for intervention.
- (3) This subsection applies if –
 - (a) the Welsh Ministers have given a warning notice under section 10 to the governing body of the school, and
 - (b) the governing body has failed to comply, or secure compliance, with the notice to the Welsh Ministers' satisfaction within the compliance period.
- (4) This subsection applies if the Welsh Ministers are satisfied that one or more of grounds 1 to 6 exist in relation to the school and they have reason to believe that there is a related risk to the health or safety of any person that calls for urgent intervention under this Chapter.
- (5) This subsection applies if –
 - (a) ground 7 (school requiring significant improvement) or ground 8 (school requiring special measures) exists in relation to the school, and
 - (b) a period of not less than 10 days has elapsed since the date on which the Chief Inspector gave notice to the Welsh Ministers under section 37(2) of the Education Act 2005, subject to subsection (6).
- (6) The Welsh Ministers may, in relation to a particular school, determine that subsection (5) (b) has effect as if the reference to 10 days were to a shorter period specified in the determination.
- (7) Where the Welsh Ministers have the power to intervene, they must keep the circumstances giving rise to the power under review.
- (8) If the Welsh Ministers conclude that the grounds for intervention have been dealt with to their satisfaction or that exercise of their powers under this Chapter would not be appropriate for any other reason, they must notify the governing body and the local authority of their conclusion in writing.
- (9) If the Welsh Ministers give notice under subsection (8) in relation to a foundation or voluntary school, they must at the same time, send a copy of the notice to –

- (a) the person who appoints the foundation governors, and
 - (b) if the school has a religious character, the appropriate religious body.
- (10) The Welsh Ministers' power to intervene continues in effect until they give notice under subsection (8).
- (11) Where the Welsh Ministers have the power to intervene they are not limited to taking the action they said they were minded to take in a warning notice.

12 Power to require governing body to secure advice or collaborate

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school.
- (2) The Welsh Ministers may, with a view to improving the performance of the school, direct the governing body of the school to do either or both of the following –
 - (a) enter into a contract or other arrangement with a specified person (who may be the governing body of another school) for the provision to the governing body of specified services of an advisory nature;
 - (b) exercise such of the powers under section 5(2) of the Education (Wales) Measure 2011 (powers to collaborate) as are specified in the direction, subject to provision made in regulations under section 6 of that Measure.
- (3) Before giving a direction the Welsh Ministers must consult –
 - (a) the governing body of the school, and
 - (b) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body.
- (4) A direction under subsection (2)(a) may require the contract or other arrangement to contain specified terms and conditions.

13 Power of Welsh Ministers to appoint additional governors

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school.
- (2) The Welsh Ministers may appoint as many additional governors to the governing body of the school as they think fit; and the instrument of government for the school has effect as if it provided for such appointments (despite anything in the regulations under section 19 of the Education Act 2002).
- (3) The Welsh Ministers may nominate one of those governors to be the chair of the governing body in place of any person who has been elected as chair of that body.
- (4) Before making any such appointment or nomination in relation to a voluntary aided school, the Welsh Ministers must consult –
 - (a) the person who appoints the foundation governors, and
 - (b) if the school has a religious character, the appropriate religious body.

- (5) A governor appointed under this section is to hold office for a period determined by the Welsh Ministers.
- (6) A governor nominated by the Welsh Ministers to be the chair of the governing body is to be the chair for a period determined by the Welsh Ministers.
- (7) The Welsh Ministers may pay remuneration and allowances to governors appointed under this section.
- (8) Where the Welsh Ministers have exercised their power under this section in relation to any school –
 - (a) the local authority may not suspend the governing body's right to a delegated budget under paragraph 1 of Schedule 15 to the School Standards and Framework Act 1998, and
 - (b) if the local authority has already exercised that power or its power under section 8, the Welsh Ministers may revoke the suspension.
- (9) Where the Welsh Ministers have exercised their power under this section in relation to a voluntary aided school, nothing in regulations under section 19 of the Education Act 2002 is to be read as authorising the appointment of foundation governors for the purpose of outnumbering the other governors as augmented by those appointed by the Welsh Ministers under this section.
- (10) The revocation of a suspension under subsection (8)(b) –
 - (a) must be notified to the local authority in writing, and
 - (b) takes effect from the date specified in that notification.

14 Power of Welsh Ministers to constitute governing body of interim executive members

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school.
- (2) The Welsh Ministers may give the governing body of the school a notice in writing stating that, as from the date specified in the notice, the governing body is to be constituted in accordance with Schedule 1 (governing bodies consisting of interim executive members).
- (3) Before giving a notice the Welsh Ministers must consult –
 - (a) the local authority that maintains the school,
 - (b) the governing body of the school, and
 - (c) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body.
- (4) The Welsh Ministers are not obliged to consult the persons mentioned in subsection (3)(b) and (c) if the local authority has consulted them about the constitution of a governing body under section 7 on the basis of a power to intervene brought to an end by effect of section 4(9)(b) or (c).

15 Power of Welsh Ministers to direct federation of schools

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school (“the school causing concern”).
- (2) The Welsh Ministers may direct any of the following persons to provide for one or more of the arrangements set out in subsection (3) –
 - (a) a local authority;
 - (b) a governing body of a maintained school;
 - (c) a governing body of a federation.
- (3) The arrangements are –
 - (a) the federation of the school causing concern and one or more maintained schools;
 - (b) the federation of the school causing concern and an existing federation;
 - (c) the federation of the school causing concern and an existing federation and one or more maintained schools;
 - (d) where the school causing concern is part of a federation, the federation of that federation and one or more maintained schools;
 - (e) where the school causing concern is part of a federation, the federation of that federation and another existing federation;
 - (f) where the school causing concern is part of a federation, the federation of that federation and an existing federation and one or more maintained schools;
 - (g) where the school causing concern is part of a federation, for the school to leave that federation.
- (4) Before giving a direction under subsection (2), the Welsh Ministers must consult –
 - (a) the local authority,
 - (b) the governing bodies concerned, and
 - (c) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body.
- (5) In this section “federation” has the meaning given by section 21(1) of the Education (Wales) Measure 2011.

16 Power of Welsh Ministers to direct closure of school

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school on the basis of ground 8 (school requiring special measures).
- (2) The Welsh Ministers may give a direction to the local authority requiring the school to be discontinued on a date specified in the direction.
- (3) Before giving a direction under subsection (2), the Welsh Ministers must consult –
 - (a) the local authority that maintains the school,

- (b) the governing body of the school,
 - (c) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body, and
 - (d) any other persons the Welsh Ministers consider appropriate.
- (4) On giving a direction to discontinue the school, the Welsh Ministers must also give notice in writing of the direction to the governing body of the school and its head teacher.
- (5) Where the local authority is given a direction under subsection (2), it must discontinue the school in question on the date specified in the direction; and nothing in Part 3 applies to the discontinuance of the school under this section.
- (6) In this section any reference to the discontinuance of a maintained school is to the local authority ceasing to maintain it.

17 General power to give directions and take steps

- (1) This section applies if the Welsh Ministers have the power to intervene in the conduct of a maintained school.
- (2) If the Welsh Ministers think it is appropriate for the purposes of dealing with the grounds for intervention, the Welsh Ministers may –
- (a) give directions to the governing body or head teacher, or
 - (b) take any other steps.

Supplementary

18 Governing bodies consisting of interim executive members

Schedule 1 (appointment of members of interim executive boards, the functions of boards, their procedures and related matters) has effect.

19 Directions

- (1) A governing body of a maintained school or a head teacher subject to a direction under this Chapter must comply with it.
- (2) This includes a direction to exercise a power or duty that is contingent upon the opinion of the governing body or head teacher.
- (3) A direction under this Chapter –
- (a) must be in writing;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by mandatory order on application by, or on behalf of, the person who gave the direction.

20 Guidance

In exercising its functions under this Chapter, a local authority must have regard to guidance given by the Welsh Ministers.

CHAPTER 2

INTERVENTION IN LOCAL AUTHORITIES

Grounds for intervention

21 Grounds for intervention

For the purposes of this Chapter, the grounds for intervention in the exercise by a local authority of its education functions are as follows –

GROUND 1 - The local authority has failed, or is likely to fail, to comply with a duty that is an education function.

GROUND 2 - The local authority has acted, or is proposing to act, unreasonably in the exercise of an education function.

GROUND 3 - The local authority is failing, or is likely to fail, to perform an education function to an adequate standard.

Warning notice

22 Warning notice

- (1) The Welsh Ministers may give a warning notice to a local authority if they are satisfied that one or more of grounds 1 to 3 exist in relation to the local authority.
- (2) The Welsh Ministers must specify each of the following in the warning notice –
 - (a) the grounds for intervention;
 - (b) the reasons why they are satisfied that the grounds exist;
 - (c) the action they require the local authority to take in order to deal with the grounds for intervention;
 - (d) the period within which the action is to be taken by the local authority (“the compliance period”);
 - (e) the action they are minded to take if the local authority fails to take the required action.

Powers of intervention

23 Power of Welsh Ministers to intervene

- (1) The Welsh Ministers have the power to intervene under this Chapter in the exercise of education functions by a local authority if subsection (2) or (3) applies.
- (2) This subsection applies if –
 - (a) the Welsh Ministers have given a warning notice, and
 - (b) the local authority has failed to comply, or secure compliance, with the notice to the Welsh Ministers’ satisfaction within the compliance period.
- (3) This subsection applies if the Welsh Ministers are satisfied that one or more of grounds 1 to 3 exist in relation to the local authority and they have reason to believe that –

- (a) there is a related risk to the health or safety of any person that calls for urgent intervention under this Chapter, or
- (b) the local authority is unlikely to be able to comply, or secure compliance, with a warning notice.
- (4) Where the Welsh Ministers have the power to intervene, they must keep the circumstances giving rise to the power under review.
- (5) If the Welsh Ministers conclude that the grounds for intervention have been dealt with to their satisfaction or that exercise of their powers under this Chapter would not be appropriate for any other reason, they must notify the local authority of their conclusion in writing.
- (6) The Welsh Ministers' power to intervene continues in effect until they give notice under subsection (5).
- (7) Where the Welsh Ministers have the power to intervene, they are not limited to taking the action they said they were minded to take in a warning notice.

24 Power to require local authority to obtain advisory services

- (1) This section applies if the Welsh Ministers have the power to intervene in the exercise of education functions by a local authority.
- (2) The Welsh Ministers may direct the local authority to enter into a contract or other arrangement with a specified person, or a person falling within a specified class for the provision to the authority or the governing body of a school maintained by it (or both), of specified services of an advisory nature.
- (3) The direction may require the contract or other arrangement to contain specified terms and conditions.
- (4) In this section "specified" means specified in a direction under this section.

25 Power to require performance of functions by other persons on behalf of authority

- (1) This section applies if the Welsh Ministers have the power to intervene in the exercise of education functions by a local authority.
- (2) The Welsh Ministers may give such directions to the local authority or any of its officers as they think are appropriate for securing that the functions to which the grounds for intervention relate are performed on behalf of the authority by a person specified in the direction.
- (3) A direction under subsection (2) may require that any contract or other arrangement made by the authority with the specified person contains terms and conditions specified in the direction.

26 Power to require performance of functions by Welsh Ministers or nominee

- (1) This section applies if the Welsh Ministers have the power to intervene in the exercise of education functions by a local authority.

- (2) The Welsh Ministers may direct that the functions to which the grounds for intervention relate are to be exercised by the Welsh Ministers or a person nominated by them.
- (3) If a direction is made under subsection (2), the local authority must comply with the instructions of the Welsh Ministers or their nominee in relation to the exercise of the functions.

27 Power to direct exercise of other education functions

- (1) If the Welsh Ministers think it is expedient, a direction under section 25 or 26 may relate to the performance of education functions in addition to the functions to which the grounds for intervention relate.
- (2) The Welsh Ministers may have regard (among other things) to financial considerations in deciding whether it is expedient that a direction should relate to education functions other than functions relating to the grounds for intervention.

28 General power to give directions and take steps

- (1) This section applies if the Welsh Ministers have the power to intervene in the exercise of education functions by a local authority.
- (2) If the Welsh Ministers think it is appropriate in order to deal with the grounds for intervention, the Welsh Ministers may –
 - (a) give directions to the local authority or any of its officers, or
 - (b) take any other steps.

Supplementary

29 Directions

- (1) A local authority, or an officer of an authority, subject to a direction or instruction under this Chapter must comply with it.
- (2) This includes a direction or an instruction to exercise a power or duty that is contingent upon the opinion of the local authority or an officer of the authority.
- (3) A direction under this Chapter –
 - (a) must be in writing;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by mandatory order on application by, or on behalf of, the Welsh Ministers.

30 Duty to co-operate

- (1) A local authority and the governing body of a maintained school must give the Welsh Ministers and any person specified in subsection (3) as much assistance in connection with the exercise of functions under or by virtue of this Chapter as they are reasonably able to give.
- (2) The governing body of a maintained school and the local authority that maintains the school must also secure, so far as reasonably practicable, that persons who work at the school do the same.

- (3) The specified persons are –
 - (a) any person authorised for the purposes of this section by the Welsh Ministers;
 - (b) any person acting under directions under this Chapter;
 - (c) any person assisting –
 - (i) the Welsh Ministers, or
 - (ii) a person mentioned in paragraph (a) or (b).

31 Powers of entry and inspection

- (1) A person falling within subsection (2) has at all reasonable times –
 - (a) a right of entry to the premises of the local authority in question and any school maintained by it;
 - (b) a right to inspect, and take copies of, any records or other documents kept by the authority or any school maintained by it, and any other documents containing information relating to the authority or any such school, which the person considers relevant to the exercise by the person of functions under or by virtue of this Chapter.
- (2) The following persons fall within this subsection –
 - (a) the person specified in a direction under section 24 or, where the direction specifies a class of persons, the person with whom the local authority enter into the contract or other arrangement required by the direction;
 - (b) the person specified in a direction under section 25;
 - (c) the Welsh Ministers in pursuance of a direction under section 26;
 - (d) the person nominated by direction under section 26.
- (3) In exercising the right under subsection (1)(b) to inspect records or other documents, a person (“P”) –
 - (a) is entitled to have access to, and inspect and check the operation of, any computer and any associated apparatus or material which is or has been in use in connection with the records or other documents in question, and
 - (b) may require the following persons to provide any assistance P may reasonably require (including, among other things, the making of information available for inspection or copying in a legible form) –
 - (i) the person by whom or on whose behalf the computer is or has been so used;
 - (ii) any person having charge of, or otherwise concerned with the operation of, the computer, apparatus or material.
- (4) Any reference in this section to a person falling within subsection (2) includes a reference to any person assisting that person.

- (5) In this section “document” and “records” each include information recorded in any form.

CHAPTER 3

SCHOOL IMPROVEMENT GUIDANCE

32 Meaning of “school authority”

In this Chapter “school authority” means –

- (a) a local authority in the exercise of its education functions;
- (b) the governing body of a maintained school;
- (c) the head teacher of a maintained school.

33 Power to issue school improvement guidance

- (1) The Welsh Ministers may issue guidance to a school authority on how the authority should exercise its functions with a view to improving the standard of education provided by any maintained school in respect of which the authority exercises functions (“school improvement guidance”).
- (2) The Welsh Ministers –
 - (a) may issue school improvement guidance to school authorities generally or to one or more particular authorities;
 - (b) may issue different school improvement guidance to different school authorities;
 - (c) may revise or revoke school improvement guidance by further guidance;
 - (d) may revoke school improvement guidance by issuing a notice to the school authorities to which it is directed.
- (3) The Welsh Ministers must ensure that school improvement guidance, or a notice revoking such guidance, states –
 - (a) that it is issued under this section, and
 - (b) the date on which it is to take effect.
- (4) The Welsh Ministers must arrange for school improvement guidance, or a notice revoking such guidance, to be published.

34 Consultation and National Assembly for Wales procedures

- (1) Before issuing or revising school improvement guidance, the Welsh Ministers must consult the following persons on a draft of the guidance –
 - (a) school authorities likely to be affected by the guidance,
 - (b) Her Majesty's Chief Inspector of Education and Training in Wales, and
 - (c) any other person the Welsh Ministers consider appropriate.
- (2) If the Welsh Ministers wish to proceed with the draft (with or without modifications) they must lay a copy of the draft before the National Assembly for Wales.

- (3) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the guidance, the Welsh Ministers must not issue it in the form of that draft.
- (4) If no such resolution is made before the end of that period, the Welsh Ministers must issue the guidance (or revised guidance) in the form of the draft.
- (5) The 40 day period –
 - (a) begins on the day on which the draft is laid before the National Assembly, and
 - (b) does not include any time during which the National Assembly is dissolved or is in recess for more than four days.
- (6) Subsection (3) does not prevent a new draft of proposed guidance or proposed revised guidance from being laid before the National Assembly.

35 Duty to follow school improvement guidance

- (1) A school authority must follow the course set out in school improvement guidance issued to it in accordance with this Chapter when exercising a power or duty (including a power or duty that is contingent upon the opinion of the school authority); but this is subject to the following provisions of this section.
- (2) A school authority that is a local authority is not subject to the duty under subsection (1) so far as –
 - (a) the authority thinks there is good reason for it not to follow the guidance in particular categories of case or at all,
 - (b) it decides on an alternative policy for the exercise of its functions in respect of the subject matter of the guidance, and
 - (c) a policy statement issued by the authority in accordance with section 36 is in effect.
- (3) A school authority that is the governing body of a maintained school or its head teacher is not subject to the duty under subsection (1) so far as –
 - (a) the governing body thinks there is good reason for it or the head teacher not to follow the guidance in particular categories of case or at all,
 - (b) the governing body decides on an alternative policy for the exercise of its, or the head teacher's, functions in respect of the subject matter of the guidance, and
 - (c) a policy statement issued by the governing body in accordance with section 36 is in effect.
- (4) Where subsection (2) or (3) applies in the case of a school authority, the authority –
 - (a) must follow the course set out in the policy statement, and
 - (b) is subject to the duty under subsection (1) only so far as the subject matter of the school improvement guidance is not displaced by the policy statement.

- (5) The duties in subsections (1) and (4) do not apply to a school authority so far as it would be unreasonable for the authority to follow the school improvement guidance or policy statement in a particular case or category of case.

36 Policy statements: requirements and ancillary powers

- (1) A policy statement issued under section 35(2) or (3) must set out –
 - (a) how the local authority or governing body (as the case may be) proposes that functions should be exercised differently from the course set out in the school improvement guidance, and
 - (b) the authority's or the body's reasons for proposing that different course.
- (2) An authority or body that has issued a policy statement may –
 - (a) issue a revised policy statement;
 - (b) give notice revoking a policy statement.
- (3) A policy statement (or revised statement) must state –
 - (a) that it is issued under section 35(2) or (3) (as the case may be), and
 - (b) the date on which it is to take effect.
- (4) The authority or body that issues a policy statement (or revised statement), or gives a notice under subsection (2)(b), must –
 - (a) arrange for a statement or notice to be published;
 - (b) send a copy of any statement or notice to the Welsh Ministers.

37 Directions

- (1) Subsection (2) applies if, in relation to a policy statement issued by a school authority, the Welsh Ministers consider that the authority's alternative policy for the exercise of functions (in whole or in part) is not likely to improve the standard of education provided at a school to which the policy statement relates.
- (2) The Welsh Ministers may direct the school authority to take any action which the Welsh Ministers consider appropriate for the purpose of securing the exercise of functions by the authority in accordance with the school improvement guidance issued to the authority in accordance with this Chapter.
- (3) A school authority subject to a direction under this section must comply with it.
- (4) This includes a direction to exercise a power or duty that is contingent upon the opinion of the school authority.
- (5) A direction under this section –
 - (a) must be given in writing;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by mandatory order on application by, or on behalf of, the Welsh Ministers.

PART 3

SCHOOL ORGANISATION

CHAPTER 1

SCHOOL ORGANISATION CODE

38 School Organisation Code

- (1) The Welsh Ministers must issue, and may from time to time revise, a code on school organisation (“the Code”).
- (2) The Code is to contain provision about the exercise of the functions of the following persons under this Part –
 - (a) the Welsh Ministers;
 - (b) local authorities;
 - (c) governing bodies of maintained schools;
 - (d) other persons in connection with proposals made (or to be made) by them under this Part.
- (3) The Code may impose requirements, and may include guidelines setting out aims, objectives and other matters.
- (4) The persons referred to in subsection (2) must, when exercising functions under this Part –
 - (a) act in accordance with any relevant requirements contained in the Code, and
 - (b) have regard to any relevant guidelines contained in it.
- (5) The duty imposed by subsection (4) also applies to a person exercising a function for the purpose of the discharge of functions under this Part by –
 - (a) the Welsh Ministers,
 - (b) a local authority,
 - (c) the governing body of a maintained school, or
 - (d) other persons in connection with proposals made (or to be made) by them under this Part.
- (6) The Welsh Ministers must publish the Code for the time being in force on their website.
- (7) The Welsh Ministers may make separate provision (by means of separate codes) in relation to different functions under this Part of the persons mentioned in subsection (2).
- (8) References in this section to “the Code” or to functions under this Part have effect, in relation to a separate code, as references to that code or to functions under this Part to which it relates.

39 Making and approval of School Organisation Code

- (1) Before issuing or revising a code under section 38, the Welsh Ministers must consult the following persons on a draft of the code (or revised code) –

- (a) each local authority,
 - (b) the governing body of each maintained school,
 - (c) Her Majesty's Chief Inspector of Education and Training in Wales, and
 - (d) any other person the Welsh Ministers consider appropriate.
- (2) If the Welsh Ministers wish to proceed with the draft (with or without modifications) they must lay a copy of the draft before the National Assembly for Wales.
- (3) If, before the end of the 40 day period, the National Assembly resolves not to approve the draft of the code, the Welsh Ministers must not issue the proposed code in the form of that draft.
- (4) If no such resolution is made before the end of that period –
- (a) the Welsh Ministers must issue the code (or revised code) in the form of the draft, and
 - (b) the code (or revised code) comes into force on the date appointed by order of the Welsh Ministers.
- (5) The 40 day period –
- (a) begins on the day on which the draft is laid before the National Assembly for Wales, and
 - (b) does not include any time during which the National Assembly for Wales is dissolved or is in recess for more than four days.
- (6) Subsection (3) does not prevent a new draft of a proposed code from being laid before the National Assembly.
- (7) References in this section to a proposed code include a proposed revised code.
- (8) The requirement to consult imposed by subsection (1) may be satisfied by consultation undertaken before the coming into force of this Part even though the code issued under section 38(1) takes account (to any extent) of any provision made by this Part.

CHAPTER 2

SCHOOL ORGANISATION PROPOSALS

Establishment, alteration and discontinuance of maintained schools

40 Restriction on establishment, alteration and discontinuance of maintained schools

- (1) A new community school, voluntary school or community special school may be established in Wales only in accordance with this Part.
- (2) No new foundation school or foundation special school may be established in Wales.
- (3) A maintained school may be discontinued only in accordance with this Part.
- (4) An alteration which is a regulated alteration in relation to the type of school in question may be made to a maintained school only in accordance with this Part.

- (5) No alteration may be made to a maintained school that changes the religious character of the school or causes a school to acquire or lose a religious character.
- (6) Subsection (3) has effect subject to section 16(5) (power of Welsh Ministers to direct closure of school).
- (7) Schedule 2 (which describes regulated alterations) has effect.

41 Proposals to establish mainstream schools

- (1) A local authority may make proposals to establish –
 - (a) a new community school, or
 - (b) a new maintained nursery school.
- (2) Any person may make proposals to establish a new voluntary school.

42 Proposals to alter mainstream schools

- (1) A local authority may make proposals –
 - (a) to make a regulated alteration to a community school;
 - (b) with the consent of the Welsh Ministers, to make an alteration described in paragraph 6 of Schedule 2 (opening or closing a school's sixth form) to a voluntary or foundation school;
 - (c) to make an alteration described in paragraph 10, 11, 12 or 13 of Schedule 2 (increasing and reducing capacity) to a voluntary or foundation school if that school does not have a religious character;
 - (d) to make a regulated alteration to a maintained nursery school.
- (2) The governing body of a foundation or voluntary school may make proposals to make a regulated alteration to the school.

43 Proposals to discontinue mainstream schools

- (1) A local authority may make proposals to discontinue –
 - (a) a community, foundation or voluntary school, or
 - (b) a maintained nursery school.
- (2) The governing body of a foundation or voluntary school may make proposals to discontinue the school.

44 Proposals to establish, alter or discontinue community special schools

A local authority may make proposals –

- (a) to establish a new community special school,
- (b) to make a regulated alteration to such a school, or
- (c) to discontinue such a school.

*Changes of category***45 Proposals to change a school's category**

- (1) The governing body of a community school may make proposals for the school to become a voluntary aided school or a voluntary controlled school.
- (2) The governing body of a voluntary aided school may make proposals for the school to become a community school or a voluntary controlled school (but see subsection (5)).
- (3) The governing body of a voluntary controlled school may make proposals for the school to become a community school or a voluntary aided school (but see subsection (5)).
- (4) The governing body of a foundation school may make proposals for the school to become a community school, a voluntary aided school or a voluntary controlled school (but see subsection (5)).
- (5) No proposals may be made for a foundation or voluntary school which has a religious character to become a community school.

46 Restrictions on changing category of school

- (1) A maintained school within one of the categories set out in section 20(1) of the School Standards and Framework Act 1998 may become a school within another of those categories (except a foundation school or foundation special school) only in accordance with this Part.
- (2) A school may not change category to become a voluntary aided school unless the governing body of the school satisfies the Welsh Ministers that it will be able to carry out its obligations under Schedule 3 to the School Standards and Framework Act 1998 (funding of voluntary aided schools) for a period of at least five years following the date on which it is proposed that the change of category is to take place.
- (3) A voluntary or foundation school may not become a community school unless any transfer agreement and transfer of rights and liabilities agreement required by Part 3 of Schedule 4 has been entered into.

47 Effect of change of category

- (1) A school's change of category in accordance with proposals made under section 45 is not to be taken as authorising or requiring any change in the character of the school (including, in particular, any religious character of the school).
- (2) A school's change of category in accordance with proposals made under section 45 is not to be taken as authorising a school to establish, join or leave a foundation body.

*Publication, consultation and objections***48 Publication and consultation**

- (1) A proposer must publish proposals made under this Chapter in accordance with the Code.
- (2) Before publishing proposals made under this Chapter, a proposer must consult on its proposals in accordance with the Code.

- (3) The requirement to consult does not apply to proposals to discontinue a school which is a small school (see section 56).
- (4) Before the end of 7 days beginning with the day on which they were published, the proposer must send copies of the published proposals to—
 - (a) the Welsh Ministers, and
 - (b) the local authority (if it is not the proposer) that maintains, or that it is proposed will maintain, the school to which the proposals relate.
- (5) The proposer must publish a report on the consultation it has carried out in accordance with the Code.

49 Objections

- (1) Any person may object to proposals published under section 48.
- (2) Objections must be sent in writing to the proposer before the end of 28 days beginning with the day on which the proposals were published (“the objection period”).
- (3) The proposer must publish a summary of all objections made in accordance with subsection (2) (and not withdrawn) and its response to those objections—
 - (a) in the case of a local authority that is required to determine its own proposals under section 53, before the end of 7 days beginning with the day of its determination under section 53(1), and
 - (b) in all other cases, before the end of 28 days beginning with the end of the objection period.

Approval and determination of proposals

50 Approval by Welsh Ministers

- (1) Proposals published under section 48 require approval under this section if—
 - (a) the proposals affect sixth form education, or
 - (b) the proposals have been made by a proposer other than the relevant local authority and an objection has been made by that authority in accordance with section 49(2) and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.
- (2) Proposals affect sixth form education if—
 - (a) they are proposals to establish or discontinue a school providing education suitable only to the requirements of persons above compulsory school age, or
 - (b) they are proposals to make a regulated alteration to a school, the effect of which would be that provision of education suitable to the requirements of persons above compulsory school age at the school increases or decreases.
- (3) Where proposals require approval under this section, the proposer must send a copy of the documents listed in subsection (4) to the Welsh Ministers before the end of 35 days beginning with the end of the objection period.

- (4) The documents are –
 - (a) the report published under section 48(5),
 - (b) the published proposals,
 - (c) any objections made in accordance with section 49(2) (and not withdrawn), and
 - (d) where objections have been so made (and not withdrawn), the response published under section 49(3).
- (5) Where proposals require approval under this section, the Welsh Ministers may –
 - (a) reject the proposals,
 - (b) approve them without modification, or
 - (c) approve them with modifications –
 - (i) after obtaining the consent of the proposer to the modifications, and
 - (ii) (except where the governing body or local authority, as the case may be, is the proposer), after consulting the governing body (if any) of the school to which the proposals relate and the relevant local authority.
- (6) An approval may be expressed to take effect only if an event specified in the approval occurs by a date so specified.
- (7) The Welsh Ministers may, at the request of the proposer, specify a later date by which the event referred to in subsection (6) is to occur.
- (8) Subsection (1) does not prevent proposals from being withdrawn by notice in writing given by the proposer to the Welsh Ministers at any time before they are approved under this section.
- (9) No approval is required under this section for proposals made under section 43 or 44 to discontinue a school which is a small school (see section 56).
- (10) In this section “relevant local authority” means the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate.

51 Approval by local authority

- (1) Proposals published under section 48 require approval under this section if –
 - (a) they do not require approval under section 50,
 - (b) they have been made by a proposer other than the relevant local authority, and
 - (c) an objection to the proposals has been made in accordance with section 49(2) and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.
- (2) Where proposals require approval under this section, the proposer must send a copy of the documents listed in subsection (3) to the relevant local authority before the end of 35 days beginning with the end of the objection period.
- (3) The documents are –

- (a) the report published under section 48(5),
 - (b) the published proposals,
 - (c) objections made in accordance with section 49(2) (and not withdrawn), and
 - (d) the response published under section 49(3).
- (4) Where proposals require approval under this section, the relevant local authority may –
 - (a) reject the proposals,
 - (b) approve them without modification, or
 - (c) approve them with any of the modifications specified in subsection (5) –
 - (i) after obtaining the consent of the Welsh Ministers and the proposer to the modifications, and
 - (ii) (except where the governing body is the proposer) after consulting the governing body (if any) of the school to which the proposals relate.
- (5) The relevant local authority may modify –
 - (a) the date or dates specified in the published proposals as the date or dates on which the proposals are planned to be implemented;
 - (b) the number of pupils specified in the published proposals as the number to be admitted to the school (in any age group and in any school year).
- (6) An approval may be expressed to take effect only if an event specified in the approval occurs by a date so specified.
- (7) The relevant local authority may, at the request of the proposer, specify a later date by which the event referred to in subsection (6) is to occur.
- (8) The relevant local authority must make a determination under subsection (4) whether to reject or approve the proposals before the end of 16 weeks beginning with the end of the objection period.
- (9) Subsection (1) does not prevent proposals from being withdrawn by notice in writing given by the proposer to the relevant local authority at any time before they are approved under this section.
- (10) No approval is required under this section for proposals made under section 43 or 44 to discontinue a school which is a small school (see section 56).
- (11) In this section “relevant local authority” means the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate.

52 Related proposals

- (1) A proposer must send to the Welsh Ministers proposals (“proposals B”) it has made if –
 - (a) it considers that they are related to proposals requiring approval under section 50 (“proposals A”), and

- (b) the proposer has not determined whether to implement proposals B under section 53 before the Welsh Ministers approve or reject proposals A.
- (2) If the Welsh Ministers consider that proposals B are related to proposals A, proposals B are to be treated as requiring approval under section 50.
- (3) A proposer must send to a local authority proposals ("proposals D") it has made if –
 - (a) it considers that they are related to proposals requiring the local authority's approval under section 51 ("proposals C"), and
 - (b) the proposer has not determined whether to implement proposals D under section 53 before the local authority approves or rejects proposals C.
- (4) If the local authority considers that proposals D are related to proposals C, proposals D are to be treated as requiring approval under section 51.
- (5) The Welsh Ministers may require any other proposals to be treated as requiring approval under section 50 if –
 - (a) they consider that they are related to proposals requiring their approval under section 50, and
 - (b) the proposer has not determined whether to implement them under section 53 before the Welsh Ministers approve or reject the proposals requiring approval.
- (6) A local authority may require any other proposals to be treated as requiring approval under section 51 if –
 - (a) it considers that they are related to proposals requiring its approval under section 51, and
 - (b) the proposer has not determined whether to implement them under section 53 before the local authority approves or rejects the proposals requiring approval.
- (7) This section does not apply to proposals referred to a local inquiry under section 61 (local inquiry into proposals for the rationalisation of school places).

53 Determination

- (1) Where any proposals published under section 48 do not require approval under section 50 or 51, the proposer must determine whether the proposals should be implemented.
- (2) If a determination under subsection (1) is not made before the end of 16 weeks beginning with the end of the objection period, the proposer is to be taken to have withdrawn the proposals.
- (3) Before the end of 7 days beginning with the day of its determination under subsection (1), the proposer must notify the following of the determination –
 - (a) the Welsh Ministers;
 - (b) (except where it is the proposer) the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate;

- (c) (except where it is the proposer) the governing body (if any) of the school to which the proposals relate.

54 Referral to the Welsh Ministers

- (1) This section applies if a local authority has —
 - (a) determined to approve or reject proposals under section 51(4), or
 - (b) determined under section 53(1) to implement proposals to which there was an objection made in accordance with section 49 (and which was not withdrawn in writing before the end of 28 days beginning with the end of the objection period).
- (2) Before the end of 28 days beginning with the day of the local authority's determination under section 51(4) or 53(1), the following may refer the proposals to the Welsh Minister —
 - (a) another local authority which is likely to be affected by the proposals;
 - (b) a local authority in England which is likely to be affected by the proposals ;
 - (c) the appropriate religious body for —
 - (i) the school to which the proposals relate if it is, or is intended to be, a school which has a religious character, or
 - (ii) any other school which has a religious character and which is likely to be affected by the proposals;
 - (d) if the school to which the proposals relate is a foundation or voluntary school, the governing body of the school;
 - (e) a trust holding property for the purpose of the school to which the proposals relate;
 - (f) an institution within the further education sector which is likely to be affected by the proposals.
- (3) Whether an authority, school or institution is likely to be affected by the proposals for the purpose of subsection (2) is a question to be determined by the Welsh Ministers.
- (4) The Welsh Ministers must consider proposals referred to them under this section afresh and subsections (5) to (8) of section 50 apply as if the proposals required their approval under that section.
- (5) Proposals made under section 43 or 44 to discontinue a school which is a small school (see section 56) may not be referred to the Welsh Ministers under this section.
- (6) Proposals which the Welsh Ministers are required to consider under this section are not to be treated for the purposes of section 55 or 61 as proposals approved under section 51 or as proposals that the proposer has determined to implement under section 53.
- (7) Proposals approved in accordance with this section are to be treated for the purposes of section 55 as proposals approved under section 50.
- (8) Proposals rejected in accordance with this section are to be treated for the purposes of paragraph 35(3)(e) of Schedule 4 as proposals rejected under section 50.

55 Implementation

- (1) This section applies to—
 - (a) proposals approved under section 50 or 51, or
 - (b) proposals which the proposer has determined under section 53 to implement.
- (2) The proposals must (subject to the following provisions of this section) be implemented in the form in which they were approved or determined to be implemented—
 - (a) in the case of proposals made under section 41, 42, 43 or 44 (establishment, alteration or discontinuance of schools), in accordance with Schedule 3;
 - (b) in the case of proposals made under section 45 (change of category), in accordance with Schedule 4.
- (3) The proposer may (subject to subsection (6)) determine to delay implementation for a period of up to three years from the date or dates specified in the proposals (as approved or determined) as the date or dates on which they are to be implemented, if it is satisfied—
 - (a) that implementation of the proposals on that date or those dates would be unreasonably difficult, or
 - (b) that circumstances have so altered since the proposals were approved under section 50 or 51 or determined under section 53, that implementation of the proposals on that date or those dates would be inappropriate.
- (4) In the case of proposals to discontinue a school made under section 43 or 44, the proposer may (subject to subsection (6)) determine to bring forward implementation by a period of up to 13 weeks from the date or dates specified in the proposals (as approved or determined) as the date or dates on which they are to be implemented.
- (5) The proposer may (subject to subsection (6)) determine that subsection (2) does not apply to proposals if it is satisfied—
 - (a) that implementation of the proposals would be unreasonably difficult, or
 - (b) that circumstances have so altered since the proposals were approved under section 50 or 51 or determined under section 53, that implementation of the proposals would be inappropriate.
- (6) In the case of proposals which have been approved under section 50 or 51, the proposer may only make a determination under subsection (3), (4) or (5) with the agreement of the Welsh Ministers.
- (7) Before the end of 7 days beginning with the day of the determination, the proposer must notify the following of any determination it makes under subsection (3), (4) or (5)—
 - (a) the Welsh Ministers;
 - (b) (except where it is the proposer) the local authority that maintains, or that it is proposed will maintain the school to which the proposals relate;

- (c) (except where it is the proposer) the governing body (if any) of the school to which the proposals relate.
- (8) Where, by virtue of subsection (5), subsection (2) ceases to apply to any proposals, those proposals are to be treated as if they had been rejected under section 50(5)(a) or 51(4)(a) or as if the proposer had determined under section 53 not to implement them.

56 Interpretation of Chapter 2

- (1) In this Chapter –
 - “the Code” (“*y Cod*”) means the code on school organisation issued under section 38(1);
 - “objection period” (“*cyfnod gwrthwynebu*”) has the meaning given by section 49(2);
 - “proposer” (“*cynigydd*”), in relation to proposals made under section 41, 42, 43, 44 or 45, is the local authority, the governing body or other person who has made the proposals;
 - “regulated alteration” (“*newid rheoleiddiedig*”) means an alteration described in Schedule 2;
 - “small school” (“*ysgol fach*”) means a school with fewer than 10 registered pupils on the third Tuesday in the January immediately preceding the date on which the proposals are made.
- (2) The Welsh Ministers may by order amend the definition of “small school” in subsection (1) so as to substitute a reference to a different date for the reference to the date for the time being specified.

CHAPTER 3

RATIONALISATION OF SCHOOL PLACES

Directions to make proposals for rationalisation of school places

57 Directions to make proposals to remedy excessive or insufficient provision

- (1) This section applies where the Welsh Ministers are of the opinion that there is excessive provision, or that there is, or there is likely to be, insufficient provision, for primary or secondary education in maintained schools –
 - (a) in the area of a local authority, or
 - (b) in a part of such an area.
- (2) The Welsh Ministers may –
 - (a) direct the local authority to exercise its powers to make proposals to establish, alter or discontinue schools, and
 - (b) direct the governing body of a foundation or voluntary school maintained by the authority to exercise its powers to make proposals to alter its school.
- (3) A direction under subsection (2) must –
 - (a) require the proposals to be published no later than the date specified in the direction,

- (b) require the proposals, in giving effect to the direction, to apply any principles specified in it, and
 - (c) where the Welsh Ministers are of the opinion that there is, or there is likely to be, insufficient provision, specify the additional number of pupils to be accommodated.
- (4) A direction under subsection (2)(a) may not require the proposals to relate to a named school.

58 Further provision about proposals made after a direction under section 57(2)

- (1) Proposals made in accordance with a direction under section 57(2) may not be withdrawn without the consent of the Welsh Ministers.
- (2) The Welsh Ministers may give consent for the purposes of subsection (1) subject to conditions.
- (3) The local authority must reimburse expenditure reasonably incurred by a governing body of a school maintained by it in making proposals in accordance with a direction under section 57(2).
- (4) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), the local authority must meet the cost of implementing proposals made by a governing body of a school maintained by the authority in accordance with a direction under section 57(2) which have been approved or determined to be implemented.

Proposals by Welsh Ministers to rationalise school places

59 Making and publication of proposals by Welsh Ministers

- (1) This section applies where –
 - (a) the Welsh Ministers have made a direction under section 57(2), and
 - (b) either –
 - (i) proposals have been published in accordance with the direction, or
 - (ii) the time allowed under the direction for the publication of the proposals has expired.
- (2) The Welsh Ministers may make any proposals that could have been made in accordance with the direction.
- (3) The proposals must be published in accordance with the code issued under section 38(1) for the time being in force.
- (4) The Welsh Ministers must send a copy of the proposals –
 - (a) to the local authority for the area, and
 - (b) to the governing body of each school to which the proposals relate.

Procedure for dealing with proposals under section 59

60 Objections

- (1) Any person may object to proposals published under section 59.
- (2) Objections must be sent in writing to the Welsh Ministers before the end of 28 days beginning with the day on which the proposals were published.

61 Local inquiry into proposals

- (1) This section applies where the Welsh Ministers have made proposals under section 59 (other than proposals made by virtue of section 62(1)) which they have not withdrawn.
- (2) If objections have been made in accordance with section 60(2), then, unless all objections so made have been withdrawn in writing within the 28 days referred to in that section, the Welsh Ministers must cause a local inquiry to be held.
- (3) The purpose of the local inquiry is to consider the Welsh Ministers' proposals, any other proposals the Welsh Ministers refer to the inquiry and the objections mentioned in subsection (2).
- (4) Proposals referred to a local inquiry under this section are to be determined under section 62, and sections 50, 51, 53, 54, 70 and 73 do not apply to them.
- (5) Where a local inquiry is required to be held, the Welsh Ministers must refer the proposals listed in subsection (6) to the inquiry if the proposals –
 - (a) have not been determined before the proceedings on the inquiry begin, and
 - (b) appear to the Welsh Ministers to be related to the proposals made under section 59 in respect of which the inquiry is to be held.
- (6) The proposals to be referred are –
 - (a) any other proposals published under section 59 in relation to the area of the local authority (and not withdrawn);
 - (b) any proposals made by that authority in the exercise of their powers to make proposals to establish, alter or discontinue schools (and not withdrawn);
 - (c) any proposals made by the governing body of a foundation or voluntary school in the area in the exercise of its powers to make proposals to alter its school (and not withdrawn);
 - (d) any proposals made under section 68 or 71 (and not withdrawn).
- (7) If, before the proceedings on the inquiry begin, the Welsh Ministers form the opinion that any proposals should be implemented, subsection (5) does not require them to refer those proposals to the inquiry unless they form a different opinion before –
 - (a) the proceedings on the inquiry are concluded, or
 - (b) (if earlier) the proposals are determined.

- (8) It is not open to the inquiry to question the principles specified in the direction under section 57(2).
- (9) References in this section to the determination of proposals are to—
 - (a) a determination whether or not to adopt or approve the proposals under section 50, 51, 62, 70 or 73;
 - (b) a determination whether or not to implement the proposals under section 53;
 - (c) a determination whether or not to approve proposals referred to the Welsh Ministers under section 54.

62 Adoption of proposals

- (1) Where a local inquiry has been held, the Welsh Ministers may, after considering the report of the person appointed to hold the inquiry, do one or more of the following—
 - (a) adopt, with or without modifications, or determine not to adopt any of the proposals made by the Welsh Ministers (including proposals made by them referred under section 61(5)) and considered by the inquiry;
 - (b) approve, with or without modifications, or reject any other proposals which were referred to the inquiry under section 61(5);
 - (c) make further proposals under section 59.
- (2) If the Welsh Ministers make further proposals under section 59 in accordance with subsection (1)(c), the requirement in section 61(2) to cause a local inquiry to be held does not apply.
- (3) Where the Welsh Ministers have published proposals under section 59 which are not required to be considered by a local inquiry, they may, after considering any objections made in accordance with section 60(2) (and not withdrawn)—
 - (a) adopt the proposals with or without modifications, or
 - (b) determine not to adopt the proposals.
- (4) The adoption or approval of proposals may be expressed to take effect only if an event specified in the adoption or approval occurs by a date so specified.

63 Implementation of proposals

- (1) Proposals adopted or approved by the Welsh Ministers under section 62 have effect as if they had been approved by the Welsh Ministers under section 50 after having been made—
 - (a) by the local authority under its powers to make proposals to establish, alter or discontinue schools, or
 - (b) in the case of proposals to alter a foundation or voluntary school, by the governing body under its powers to make proposals to alter its school.

- (2) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), the local authority that maintains the school in question must meet the cost of implementing proposals adopted or approved under section 62 which have effect as mentioned in subsection (1)(b).

CHAPTER 4

REGIONAL PROVISION FOR SPECIAL EDUCATIONAL NEEDS

64 Meaning of “regional provision” and “special education functions”

In this Chapter –

“regional provision” (*“darpariaeth ranbarthol”*) means –

- (a) provision of education for children belonging to the areas of different local authorities, at a school maintained by one of those authorities, or
- (b) provision made by two or more local authorities for goods or services to be supplied by one of the authorities –
 - (i) to the other or others, or
 - (ii) to one or more governing bodies of schools maintained by the other authority or authorities;

“special education functions” (*“swyddogaethau addysg arbennig”*) means functions under Part 4 of the Education Act 1996 (special educational needs).

65 Direction to consider making regional provision

- (1) The Welsh Ministers may direct local authorities to consider whether they (or any of them) would be able to carry out their special education functions, in respect of children with the special educational needs specified in the direction, more efficiently or effectively if regional provision were made.
- (2) The authorities to whom a direction is given must report their conclusions to the Welsh Ministers no later than the time specified in the direction.
- (3) A direction under this section may be given to local authorities generally or to one or more authorities specified in the direction.

66 Directions to make proposals to secure regional provision

- (1) This section applies where the Welsh Ministers are of the opinion that two or more local authorities would be able to carry out their special education functions, in respect of children falling within a particular description, more effectively or efficiently if regional provision were made in relation to the areas of those authorities.
- (2) The Welsh Ministers may give one or more of the directions specified in subsection (3) for the purpose of securing that regional provision is made in relation to the description of children from the areas specified in the direction.
- (3) The directions are –

- (a) that a local authority exercise its powers to make proposals to establish, alter or discontinue schools;
 - (b) that the governing body of a foundation or voluntary school exercise its powers to make proposals to alter its school;
 - (c) that two or more local authorities make arrangements under which —
 - (i) provision for education is made by one of the authorities in respect of persons from the area (or areas) of the other authority (or authorities), and
 - (ii) provision is made for determining the payments to be made under the arrangements in respect of the provision of that education;
 - (d) that two or more local authorities make arrangements that provide for one of those authorities to supply to the other (or others) goods or services to be specified in the arrangements on terms (including terms as to payment) to be so specified;
 - (e) that a local authority and the governing bodies of one or more foundation or voluntary schools make arrangements that provide for the authority to supply to the governing bodies goods or services to be specified in the arrangements, on terms (including terms as to payment) to be so specified.
- (4) Where the Welsh Ministers give a direction under subsection (3)(c) and a direction under subsection (3)(a) or (3)(b), the payments to which subsection (3)(c) refers may include an amount in respect of the costs connected with the establishment, alteration or discontinuance of the school in question.
- (5) A direction under subsection (3)(a) or (3)(b) —
- (a) must require the proposals in question to be published no later than the date specified in the direction, and
 - (b) must require the body making the proposals to send a copy of the published proposals, together with other information (of a kind specified in the direction) in connection with those proposals to the Welsh Ministers.

67 Further provision about proposals made after a direction under section 66

- (1) Proposals made in accordance with a direction under section 66 may not be withdrawn without the consent of the Welsh Ministers.
- (2) The Welsh Ministers may give consent for the purposes of subsection (1) subject to conditions.
- (3) The local authority must reimburse expenditure reasonably incurred by the governing body of a school maintained by it in making proposals in accordance with a direction under section 66.
- (4) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), the local authority must meet the cost of implementing proposals made by the governing body of a school maintained by the authority in accordance with a direction under section 66 which have been approved or determined to be implemented.

68 Proposals by Welsh Ministers

- (1) This section applies where –
 - (a) the Welsh Ministers have given a direction under section 66, and
 - (b) either –
 - (i) proposals have been published in accordance with the direction, or
 - (ii) the time allowed under the direction for the publication of the proposals has expired.
- (2) The Welsh Ministers may make any proposals that could have been made in accordance with the direction.
- (3) Before publishing proposals under this section, the Welsh Ministers must consult on the proposals in accordance with the code issued under section 38(1) for the time being in force.
- (4) The proposals must be published in accordance with the code issued under section 38(1) for the time being in force.
- (5) The Welsh Ministers must send a copy of the proposals to –
 - (a) local authorities whose areas are affected by the proposals, and
 - (b) the governing body of each school to which the proposals relate.

69 Objections

- (1) Any person may object to proposals published under section 68.
- (2) Objections must be sent in writing to the Welsh Ministers before the end of 28 days beginning with the day on which the proposals were published.

70 Adoption of proposals

- (1) The Welsh Ministers may, after considering any objections made in accordance with section 69 (and not withdrawn) –
 - (a) adopt the proposals with or without modifications, or
 - (b) determine not to adopt the proposals.
- (2) The adoption of proposals may be expressed to take effect only if an event specified in the adoption occurs by a date so specified.
- (3) Proposals adopted by the Welsh Ministers have effect as if they had been approved by the Welsh Ministers under section 50 after having been made –
 - (a) by the local authority under its powers to make proposals to establish, alter or discontinue schools, or
 - (b) in the case of proposals to alter a foundation or voluntary school, by the governing body under its powers to make proposals to alter its school.
- (4) Despite anything in Part 1 of Schedule 3 (responsibility for implementation of statutory proposals), the local authority that maintains the school in question must meet the cost of implementing proposals adopted under subsection (1) which have effect as mentioned in subsection (3)(b).

CHAPTER 5

PROPOSALS FOR RESTRUCTURING SIXTH FORM EDUCATION

Making and determining proposals

71 Welsh Ministers' powers to restructure sixth form education

- (1) The Welsh Ministers may make proposals under this section for –
 - (a) the establishment by a local authority of one or more new community or community special schools to provide secondary education suitable to the requirements of sixth formers (and no other secondary education);
 - (b) an alteration described in paragraph 6 of Schedule 2 to one or more maintained schools;
 - (c) the discontinuance of one or more maintained schools which provide secondary education suitable to the requirements of sixth formers (and no other secondary education).
- (2) A “sixth former” is a person who is above compulsory school age but below the age of 19.

72 Consultation, publication and objections

- (1) Before publishing proposals made under section 71, the Welsh Ministers must consult on the proposals in accordance with the code issued under section 38(1) for the time being in force.
- (2) The Welsh Ministers must publish proposals made under section 71 in accordance with the code issued under section 38(1) for the time being in force.
- (3) Any person may object to the proposals.
- (4) Objections must be sent in writing to the Welsh Ministers before the end of 28 days beginning with the day on which the proposals were published.

73 Determination by Welsh Ministers

- (1) After the end of the 28 days referred to in section 72(4), the Welsh Ministers must determine whether to –
 - (a) adopt the proposals, with or without modifications, or
 - (b) withdraw the proposals.
- (2) In making a determination under subsection (1), the Welsh Ministers must have regard to any objections made in accordance with section 72(4) and not withdrawn.
- (3) Before adopting proposals subject to modifications, the Welsh Ministers must consult such persons as they consider appropriate.
- (4) The adoption of proposals may be expressed to take effect only if an event specified in the adoption occurs by a date so specified.
- (5) If the event does not occur by the specified date the Welsh Ministers must reconsider their determination under subsection (1).

- (6) The Welsh Ministers may withdraw their proposals at any time before they make a determination under subsection (1).

Implementation of proposals for restructuring sixth form education

74 Form of implementation

- (1) This section applies to proposals which have been adopted by the Welsh Ministers under section 73.
- (2) The proposals must (subject to the following provisions of this section) be implemented in the form in which they were adopted.
- (3) At the request of a specified body, the Welsh Ministers –
 - (a) may modify proposals adopted under section 73 after consulting the specified bodies, and
 - (b) where the adoption of proposals was expressed to take effect subject to the occurrence of a specified event, may specify a later date by which that event must occur.
- (4) The Welsh Ministers may determine that subsection (2) does not apply to the proposals if they are satisfied, after consulting the specified bodies –
 - (a) that implementation of the proposals would be unreasonably difficult, or
 - (b) that circumstances have so altered since the proposals were adopted that implementation of the proposals would be inappropriate.
- (5) Each of the following is a “specified body” for the purposes of subsections (3) and (4) –
 - (a) the governing body of the school to which the proposals relate;
 - (b) in the case of a proposal to establish a new school, the temporary governing body constituted in accordance with arrangements made under section 34 of the Education Act 2002;
 - (c) the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate;
 - (d) where the school to which the proposals relate is a community special school each local authority which maintains a statement of special educational needs under Part 4 of the Education Act 1996 in respect of a registered pupil at the school.

75 Responsibility for implementation

- (1) Proposals to establish a school must be implemented by the local authority that it is proposed will maintain the school.
- (2) Proposals to make an alteration described in paragraph 6 of Schedule 2 must be implemented –
 - (a) in the case of proposals relating to a community school, by the local authority that maintains the school;
 - (b) in the case of proposals relating to a voluntary aided school –
 - (i) so far as relating to the provision of any relevant premises, by the local authority that maintains the school, and

- (ii) otherwise, by the local authority that maintains the school and the governing body of the school to the extent (if any) as the proposals provide for each of them to do so;
 - (c) in the case of proposals relating to any other school, by the local authority that maintains the school and the governing body of the school to the extent (if any) as the proposals provide for each of them to do so.
- (3) In subsection (2) “relevant premises” means –
 - (a) playing fields, or
 - (b) buildings which are to form part of the school premises but are not to be school buildings.
- (4) Proposals to discontinue a school must be implemented –
 - (a) in the case of proposals relating to a community or community special school, by the local authority that maintains the school, and
 - (b) in any other case, by the local authority that maintains the school and the governing body of the school.
- (5) If a school changes category from a community school after proposals have been published under section 72 but before they have been implemented, the proposals (to the extent that they have not been implemented) must be implemented by the local authority that maintains the school (despite subsections (2) and (4)).

76 Further provision as to implementation

- (1) Where a local authority is required by virtue of section 75 to provide a site for a foundation or voluntary controlled school, paragraph 7 of Schedule 3 (provision of site and buildings for foundation or voluntary controlled school) applies as it applies in the circumstances mentioned in sub-paragraph (1) of that paragraph.
- (2) Paragraph 8 of Schedule 3 (grants in respect of certain expenditure relating to voluntary aided schools) applies in relation to the obligation under section 75(2)(b)(ii) as it applies in relation to the obligations referred to in paragraph 8(1)(a) of that Schedule.
- (3) Paragraph 9 of Schedule 3 (assistance from local authority in respect of voluntary aided schools) applies in relation to obligations imposed on the governing body of a voluntary aided school under section 75(2)(b)(ii) as it applies in relation to the obligations referred to in that paragraph 9, and paragraph 11 of that Schedule (duty on local authority to transfer interest in premises provided under paragraph 9 or 10) applies accordingly.

Supplementary

77 Consequential amendments to inspection reports on sixth form education

After section 44 of the Education Act 2005 insert –

*"Sixth forms requiring significant improvement in Wales"***44A Schools with sixth forms**

- (1) Sections 44B to 44D apply to a maintained school in Wales which—
 - (a) provides full-time education suitable to the requirements of pupils over compulsory school age, and
 - (b) provides full-time education suitable to the requirements of pupils of compulsory school age.
- (2) For the purposes of those sections a school requires significant improvement in relation to its sixth form if—
 - (a) the school is failing to give its pupils over compulsory school age an acceptable standard of education, or
 - (b) in relation to its provision for pupils over compulsory school age, the school is performing significantly less well than it might in all the circumstances reasonably be expected to perform.

44B Inspection reports on schools with sixth forms requiring significant improvement

- (1) Where a person inspecting a school under Chapter 3 is of the opinion that the school requires significant improvement in relation to its sixth form, the provisions specified in subsection (2) apply (with the necessary modifications) as they apply where the person is of the opinion that special measures are required to be taken in relation to the school.
- (2) Those provisions are section 34(1) to (6) (registered inspectors) or, as the case requires, section 35(1) of that Act (members of the Inspectorate).

44C Report after area inspection on schools with sixth forms requiring significant improvement

- (1) This section applies if in the course of an area inspection under section 83 of the Learning and Skills Act 2000 the Chief Inspector forms the opinion that a school requires significant improvement in relation to its sixth form.
- (2) The Chief Inspector must make a report about the school stating that opinion.
- (3) The report is to be treated for the purposes of this Part as if it were a report of an inspection of the school under section 28.

44D Copies of report and action plan

- (1) This section applies to a report of an inspection under Chapter 3 which—

- (a) states an opinion that a school requires significant improvement in relation to its sixth form, and
 - (b) is made by a member of the Inspectorate or states that the Chief Inspector agrees with the opinion.
- (2) The person making the report must send a copy (together with a copy of the summary, if there is one) –
 - (a) to the Welsh Ministers, and
 - (b) if the person making the report is a member of the Inspectorate, to the appropriate authority for the school.
- (3) The following provisions apply (with the necessary modifications) in relation to a report to which this paragraph applies –
 - (a) section 38(2) (additional copies),
 - (b) section 38(4) (publication by appropriate authority),
 - (c) section 39 (action plan by appropriate authority), and
 - (d) where the local authority receives a copy of a report about a school the governing body of which have a delegated budget, section 40(2) and (3) (measures by local authority).
- (4) In the application of those provisions –
 - (a) a reference to a report and summary is to be taken as a reference to a report and, if there is one, its summary, and
 - (b) a reference to a summary alone is to be taken, in a case where there is no summary, as a reference to the report.

44E Report on sixth form schools causing concern after area inspection

- (1) This section applies if in the course of an area inspection under section 83 of the Learning and Skills Act 2000 the Chief Inspector forms the opinion that –
 - (a) special measures are required to be taken in relation to a sixth form school, or
 - (b) that a sixth form school requires significant improvement.
- (2) The Chief Inspector must make a report about the school stating that opinion.
- (3) The report is to be treated for the purpose of this Part as if it were a report of an inspection of the school under section 28.
- (4) A “sixth form school” is a maintained school which –
 - (a) provides full-time education suitable to the requirements of pupils over compulsory school age, and
 - (b) does not provide full-time education suitable to the requirements of pupils of compulsory school age.

44F Interpretation of sections 44A to 44E

In sections 44A to 44E –

“the appropriate authority”, in relation to a maintained school, means the school’s governing body or, if the school does not have a delegated budget, the local authority;

“the Chief Inspector” means Her Majesty’s Chief Inspector of Education and Training in Wales;

“maintained school” means a community, foundation or voluntary school or a community special school;

“member of the Inspectorate” means the Chief Inspector, any of Her Majesty’s Inspectors of Education and Training in Wales and any additional inspector appointed under paragraph 2 of Schedule 2.”

CHAPTER 6**MISCELLANEOUS AND SUPPLEMENTAL****78 Federated schools**

Proposals made under this Part to establish a new school may relate to the establishment of the school as a federated school (within the meaning given by section 21(1) of the Education (Wales) Measure 2011).

79 Prohibition on local authorities establishing schools in England

No proposals may be made for the establishment of a school in England which is proposed to be maintained by a local authority in Wales.

80 Notice by governing body to discontinue foundation or voluntary school

- (1) The governing body of a foundation or voluntary school may discontinue the school by giving the Welsh Ministers and the local authority that maintains the school two years’ notice of its intention to do so.
- (2) The Welsh Ministers’ consent is required before giving a notice under this section if expenditure has been incurred on the school premises (otherwise than in connection with repairs) –
 - (a) by the Welsh Ministers, or
 - (b) by any local authority.
- (3) The governing body must consult the Welsh Ministers before giving a notice under this section if discontinuing the school would affect the facilities for full-time education suitable to the requirements of persons over compulsory school age who have not attained the age of 19.
- (4) If, while a notice under this section is in force, the governing body informs the local authority that it is unable or unwilling to carry on the school until the notice expires, the authority –

- (a) may conduct the school for all or part of the unexpired period of the notice as if it were a community school, and
 - (b) is entitled to use the school premises free of charge for that purpose.
- (5) While the school is being so conducted –
 - (a) the authority must keep the school premises in good repair, and
 - (b) any interest in the premises which is held for the purposes of the school is to be treated, for all purposes relating to the condition, occupation or use of the premises, or the making of alterations to them, as vested in the authority.
- (6) Despite subsection (5) the governing body may use the premises, or any part of them, when not required for the purposes of the school to the same extent as if it had continued to carry on the school during the unexpired period of the notice.
- (7) A notice under subsection (1) may not be withdrawn without the consent of the local authority.
- (8) If a foundation or voluntary school is discontinued under this section, the duty of the local authority to maintain the school as a foundation or voluntary school ceases.
- (9) Nothing in section 43 applies in relation to the discontinuance of a foundation or voluntary school under this section.
- (10) Subsection (11) applies where –
 - (a) land occupied by the school is held by any trustees for the purposes of the school,
 - (b) the trustees (being entitled to do so) intend to give notice to the governing body of the school to terminate the school's occupation of that land, and
 - (c) the termination of the school's occupation of that land would have the result that it was not reasonably practicable for the school to continue to be conducted at its existing site.
- (11) The notice given by the trustees to the governing body to terminate the school's occupation of the land must be at least two years; but if, during the first twelve months of that notice period, the governing body gives notice under subsection (1), the trustees' notice does not have the effect of terminating the school's occupation of the land until the expiry of the governing body's notice.
- (12) A copy of the trustees' notice must also be given to the Welsh Ministers and the local authority at the time when the notice is given to the governing body.
- (13) Where trustees give, at the same (or substantially the same) time, notices purporting to terminate a foundation or voluntary school's occupation of two or more pieces of land held by the trustees for the purposes of the school, then for the purpose of determining whether subsection (10)(c) applies in relation to any of those pieces of land, regard may be had to the combined effect of terminating the school's occupation of both or all of them.

- (14) If a question arises as to whether the termination of a school's occupation of any land would have the result mentioned in subsection (10)(c) (including a question as to whether subsection (13) applies in any particular circumstances), it is to be determined by the Welsh Ministers.

81 Direction requiring discontinuance of community special school

- (1) The Welsh Ministers may direct a local authority to discontinue a community special school maintained by it on a specified date, if they consider it expedient to do so in the interests of the health, safety or welfare of pupils at the school.
- (2) A direction under subsection (1) may require the local authority to notify specified persons or a specified class of persons.
- (3) Before giving a direction under subsection (1), the Welsh Ministers must consult –
 - (a) the local authority,
 - (b) any other local authority that would in their opinion be affected by the discontinuance of the school, and
 - (c) any other persons the Welsh Ministers consider appropriate.
- (4) On giving a direction under subsection (1), the Welsh Ministers must give notice in writing of the direction to the governing body of the school and its head teacher.
- (5) A local authority to which a direction is given under subsection (1) must discontinue the school in question on the date specified in the direction.
- (6) Nothing in section 44 applies to the discontinuance of a school under this section.

82 Transitional exemption orders for purposes of Equality Act 2010

- (1) This section applies to proposals for a school to cease to be a single-sex school.
- (2) The making of such proposals under section 59, 68 or 71 is to be treated as an application by the responsible body to the Welsh Ministers for a transitional exemption order under the 2010 Act, and the Welsh Ministers may make such an order accordingly.
- (3) In this section –

“the 2010 Act” (*“Deddf 2010”*) means the Equality Act 2010;

“make” (*“gwneud”*), in relation to a transitional exemption order, includes vary or revoke;

“the responsible body” (*“y corff sy’n gyfrifol”*) has the same meaning as in section 85 of the 2010 Act;

“single-sex school” (*“ysgol un rhyw”*) has the same meaning as in paragraph 1 of Schedule 11 to the 2010 Act;

“transitional exemption order” (*“gorchymyn esemptio trosiannol”*) has the same meaning as in paragraph 3 of Schedule 11 to the 2010 Act.

83 Interpretation of Part 3

- (1) In this Part –

“powers to make proposals to establish, alter or discontinue schools” (“*pwerau i wneud cynigion i sefydlu, newid neu derfynu ysgolion*”) means all or any of the powers of a local authority to make proposals under section 41, 42, 43 or 44;

“powers to make proposals to alter its school” (“*pwerau i wneud cynigion i newid ei ysgol*”), in relation to the governing body of a foundation or voluntary school, means its powers to make proposals under section 42(2).

- (2) A reference in this Part to a school’s category means one of the categories set out in section 20(1) of the School Standards and Framework Act 1998 (and references to a change of category are to be read accordingly).
- (3) A reference in this Part to the discontinuance of a maintained school is a reference to the local authority ceasing to maintain it.

PART 4

WELSH IN EDUCATION STRATEGIC PLANS

84 Preparation of Welsh in education strategic plans

- (1) A Welsh in education strategic plan is a plan which contains –
 - (a) a local authority’s proposals on how it will carry out its education functions to –
 - (i) improve the planning of the provision of education through the medium of Welsh (“Welsh medium education”) in its area;
 - (ii) improve the standards of Welsh medium education and of the teaching of Welsh in its area;
 - (b) the local authority’s targets for improving the planning of the provision of Welsh medium education in its area and for improving the standards of that education and of the teaching of Welsh in its area;
 - (c) a report on the progress made to meet the targets contained in the previous plan or previous revised plan.
- (2) A local authority must prepare a Welsh in education strategic plan for its area.
- (3) A local authority must keep its plan under review, and if necessary, revise it.
- (4) In preparing a Welsh in education strategic plan or revised plan, a local authority must consult –
 - (a) its neighbouring local authorities;
 - (b) the head teacher of each school maintained by it;
 - (c) the governing body of each school maintained by it;
 - (d) each institution within the further education sector in its area;
 - (e) in relation to any foundation or voluntary school in its area –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body;

(f) other prescribed persons.

- (5) If a local authority carries out an assessment of the demand for Welsh medium education in accordance with regulations under section 86, it must take the results of that assessment into account when it next prepares or revises its Welsh in education strategic plan.

85 Approval, publication and implementation of Welsh in education strategic plans

- (1) A local authority which has prepared a Welsh in education strategic plan must submit it to the Welsh Ministers for their approval.
- (2) The Welsh Ministers may –
- (a) approve the plan as submitted,
 - (b) approve the plan with modifications, or
 - (c) reject the plan and prepare another plan which is to be treated as the authority's approved plan.
- (3) If a local authority wishes to amend its plan, it must submit a revised plan to the Welsh Ministers.
- (4) The Welsh Ministers may approve the revised plan, with or without modifications.
- (5) The Welsh Ministers must consult a local authority before –
- (a) they modify its plan under subsection (2)(b),
 - (b) they prepare another plan to replace the authority's plan under subsection (2)(c), or
 - (c) they modify its revised plan under subsection (4).
- (6) A local authority must publish its approved Welsh in education strategic plan (or revised plan).
- (7) A local authority must take all reasonable steps to implement its approved Welsh in education strategic plan (or revised plan).

86 Assessing demand for Welsh medium education

- (1) The Welsh Ministers may require a local authority, in accordance with regulations, to carry out an assessment of the demand among parents in its area for Welsh medium education for their children.
- (2) Regulations under subsection (1) may (among other things) make provision about when and how to make an assessment.

87 Regulations and guidance

- (1) The Welsh Ministers may make regulations about Welsh in education strategic plans.
- (2) The regulations may make further provision about the following matters (among other things) –
- (a) the form and content of a plan;
 - (b) the timing and duration of a plan;
 - (c) keeping a plan under review and its revision;

- (d) consultation during the preparation and revision of a plan;
 - (e) the submission of a plan for approval;
 - (f) when and how to publish a plan.
- (3) The regulations may make provision enabling the preparation of a joint plan by two or more local authorities, and any such regulations may modify any provision of this Part in its application to joint plans.
- (4) A local authority must, in the exercise of its functions under this Part, have regard to any guidance issued by the Welsh Ministers.

PART 5

MISCELLANEOUS SCHOOLS FUNCTIONS

Free breakfasts in primary schools

88 Duty to provide free breakfasts for pupils in primary schools

- (1) A local authority must provide breakfasts on each school day for pupils at a primary school maintained by the authority, if –
- (a) the governing body of the school has asked the authority in writing for breakfasts to be provided, and
 - (b) 90 days have passed, beginning with the day following the day on which the request was received.
- (2) The duty in subsection (1) does not apply (or ceases to apply) in relation to a request from a governing body if either of the following paragraphs applies –
- (a) the governing body has asked the authority in writing to stop providing breakfasts;
 - (b) it would be unreasonable to provide the breakfasts and the local authority has notified the governing body in writing that as a result –
 - (i) it is not going to provide breakfasts, or
 - (ii) it is going to stop providing breakfasts.
- (3) If the duty under subsection (1) applies, the local authority must provide breakfast for each pupil who asks the authority for it; for this purpose, the request may be made by or on behalf of the pupil.
- (4) Breakfasts provided by a local authority under this section –
- (a) may take any form the authority thinks fit, subject to any regulations made under section 4 of the Healthy Eating in Schools (Wales) Measure 2009 (requirements for food and drink provided on school premises);
 - (b) must be provided free of charge;
 - (c) must be available on the school's premises;

- (d) must be available before the start of each school day, except in the case of a community special school where breakfasts may be made available before or at the start of each school day.
- (5) In exercising its functions, a local authority or a governing body of a primary school maintained by a local authority must have regard to any guidance given by the Welsh Ministers about providing breakfasts for pupils.

89 Transitional provision

- (1) Where a local authority that maintains a primary school, or its governing body, is already providing breakfast for pupils of the school at the time section 88 comes into force, that section applies in relation to the school as if –
 - (a) a request had been made under that section for provision of breakfasts by the governing body,
 - (b) 90 days have passed, beginning with the day following the day on which the request was received, and
 - (c) each pupil for whom breakfast is already being provided has made a request to the authority.
- (2) Subsection (3) applies where, before the coming into force of section 88, a request in writing for the provision of breakfasts for pupils has been made by the governing body of the primary school to the local authority that maintains the school, but neither the local authority nor the governing body has been providing breakfast for pupils of the school.
- (3) The request made before the coming into force of section 88 has effect as a request under that section made on the day that the section came into force.

90 Interpretation of sections 88 and 89

In sections 88 and 89 –

“primary school” (*“ysgol gynradd”*) means a school that provides primary education (whether or not it also provides other kinds of education);

“provide” (*“darparu”*) includes arranging provision;

“pupil” (*“disgybl”*) means a child receiving primary education at the school (whether or not the child is a registered pupil).

Power to charge for meals

91 Amendment to power to charge for school meals etc

- (1) Part 9 of the Education Act 1996 (ancillary functions) is amended as set out in subsections (2) and (3).
- (2) In section 512ZA (power to charge for meals etc) –
 - (a) in subsection (1A), omit “in England”;
 - (b) omit subsection (2).
- (3) In section 533 (functions of governing bodies of maintained schools with respect to provision of school meals etc) –

- (a) in subsection (3A), omit “in England”;
- (b) omit subsection (4).

School-based counselling

92 Independent counselling services for school pupils and other children

- (1) A local authority must secure reasonable provision for a service providing counselling in respect of health, emotional and social needs (an “independent counselling service”) for –
 - (a) registered pupils receiving secondary education at –
 - (i) schools maintained by the authority, and
 - (ii) other schools in its area;
 - (b) other persons belonging to the authority’s area who have attained the age of 11 but not the age of 19;
 - (c) registered pupils undertaking their final academic year of primary education at –
 - (i) schools maintained by the authority, and
 - (ii) other schools in its area;
 - (d) such other persons receiving primary education as the Welsh Ministers may specify in regulations.
- (2) In securing provision of an independent counselling service under this section, a local authority must have regard –
 - (a) to the principle that the service is to be independent of –
 - (i) the governing body or other proprietor of a school at which a person to whom the service is provided is receiving education, and
 - (ii) the management of a school at which a person to whom the service is provided is receiving education;
 - (b) to guidance given by the Welsh Ministers.
- (3) A local authority must secure that an independent counselling service is provided on the site of each school maintained by the authority that provides secondary education (whether or not it also provides other kinds of education).
- (4) A local authority may secure the provision of an independent counselling service at other locations.
- (5) The Welsh Ministers may by regulations require the provision of an independent counselling service at other locations.

93 Information about independent counselling services

- (1) A local authority must comply with a direction given by the Welsh Ministers to the authority –
 - (a) to compile information about the independent counselling service it secures under section 92;

- (b) to provide information about that service to the Welsh Ministers.
- (2) A direction under subsection (1) may include instructions to compile or provide information in a way, and at a time, specified in the direction.
- (3) A direction under subsection (1) may not require a local authority –
 - (a) to provide information about an identified individual;
 - (b) to provide information in a way that, either by itself or in combination with any other information, identifies any individual to whom it relates or enables that individual to be identified.
- (4) If the person providing an independent counselling service is not the local authority –
 - (a) the local authority must give the person providing the service a copy of any direction given to the authority under subsection (1), and
 - (b) the person providing the service must compile the information necessary for compliance with the direction, and provide it to the local authority, in a way that does not identify the individuals to whom it relates, or enable them to be identified (either by itself or in combination with other information).
- (5) A direction under this section –
 - (a) must be in writing;
 - (b) may be varied or revoked by a later direction;
 - (c) is enforceable by mandatory order on application by, or on behalf of, the Welsh Ministers.

Parents' meetings

94 Duty of governing body of maintained schools to hold meetings following petition by parents

- (1) The governing body of a maintained school must hold a meeting (“the meeting”) if it receives a petition from parents of registered pupils at the school requesting a meeting and it is satisfied that each of the following four conditions is satisfied.
- (2) The first condition is that the petition contains the signatures of the required minimum number of parents of registered pupils at the school.
- (3) The required minimum number of parents is the lower of the following –
 - (a) the parents of 10% of registered pupils, or
 - (b) the parents of 30 registered pupils.
- (4) For the purpose of subsection (3), the number of registered pupils is to be calculated by reference to the number of registered pupils on the day the petition is received.
- (5) The second condition is that the meeting requested is for the purpose of discussing a matter relating to the school.
- (6) The third condition is that, should a meeting be held, there would be no more than three meetings held under this section during the school year in which the petition is received.

- (7) The fourth condition is that there are enough school days left in the school year for the requirement in subsection (8) to be complied with.
- (8) The meeting must be held before the end of a 25 day period.
- (9) For the purpose of subsection (8), the 25 day period –
 - (a) begins on the first day after the day on which the petition is received (subject to subsection (10)), and
 - (b) does not include any day which is not a school day.
- (10) If another meeting required to be held under this section as a result of a different petition (“the other meeting”) is held on a day during the 25 day period in subsection (9), but before the day on which the meeting is held, the 25 day period begins on the first day after the day on which the other meeting is held.
- (11) The meeting is to be open to –
 - (a) all parents of registered pupils at the school,
 - (b) the head teacher, and
 - (c) other persons invited by the governing body.
- (12) The governing body must, as soon as it reasonably can after receiving a petition that requires a meeting to be held, notify the parents of all registered pupils at the school in writing of the date of the meeting and the matter to be discussed.
- (13) In exercising its functions under this section, the governing body of a maintained school must have regard to guidance given by the Welsh Ministers.

95 Repeal of duty to hold annual parents’ meeting

Section 33 of the Education Act 2002 is repealed.

Code of practice on local authority school relations

96 Repeal of provision for code of practice for local authority school relations

Section 127 of the School Standards and Framework Act 1998 (code of practice for securing effective relationships between local authorities and maintained schools in Wales) is repealed.

PART 6

GENERAL

97 Orders and regulations

- (1) A power of the Welsh Ministers to make an order or regulations under this Act is to be exercised by statutory instrument.
- (2) A power of the Welsh Ministers to make an order or regulations under this Act includes power –

- (a) to make different provision for different cases or classes of case, different areas or different purposes;
 - (b) to make different provision generally or subject to specified exemptions or exceptions or only in relation to specific cases or classes of case;
 - (c) to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Welsh Ministers think fit.
- (3) A statutory instrument containing regulations made under this Act or an order under section 56(2) is subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (4) A statutory instrument containing an order under paragraph 26(1) of Schedule 2 must not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.

98 General interpretation and index of defined expressions

- (1) The provisions of this Act and those of the Education Act 1996 are to be read as if they were all contained in the Education Act 1996.
- (2) But where an expression is given for the purposes of any provision of this Act 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 the Education Act 1996.
- (3) In this Act –
- “appropriate diocesan authority” (*“awdurdod esgobaethol priodol”*) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;
 - “appropriate religious body” (*“corff crefyddol priodol”*) means –
 - (a) in the case of a Church in Wales school or a Roman Catholic Church school, or proposed such school, the appropriate diocesan authority, and
 - (b) in the case of other schools or proposed schools, the body representing the religion or religious denomination stated, or that it is intended to be stated, in relation to the school in an order under section 69(3) of the School Standards and Framework Act 1998;
 - “Church in Wales school” (*“un o ysgolion yr Eglwys yng Nghymru”*) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;
 - “the Code” (*“y Cod”*) in Chapter 2 of Part 3 means the code on school organisation issued under section 38(1);
 - “foundation body” (*“corff sefydledig”*) has the same meaning as in section 21(4)(a) of the School Standards and Framework Act 1998;
 - “foundation governor” (*“llywodraethwr sefydledig”*), in relation to a foundation school or a voluntary school, means a person appointed as a foundation governor in accordance with regulations under section 19 of the Education Act 2002;
 - “local authority” (*“awdurdod lleol”*) (except in section 54(2)(b)) means a county or county borough council in Wales;

“maintained school” (*“ysgol a gynhelir”*) means a school in Wales which is a community, foundation or voluntary school, a community special school or a maintained nursery school;

“objection period” (*“cyfnod gwrthwynebu”*) is defined in section 49(2) for the purposes of Chapter 2 of Part 3;

“powers to make proposals to alter its school” (*“pwerau i wneud cynigion i newid ei ysgol”*) is defined in section 83 for the purposes of Part 3;

“powers to make proposals to establish, alter or discontinue schools” (*“pwerau i wneud cynigion i sefydlu, newid neu derfynu ysgolion”*) is defined in section 83 for the purposes of Part 3;

“prescribed” (*“rhagnodedig”*) means prescribed by regulations;

“primary school” (*“ysgol gynradd”*) is defined in section 90 for the purposes of sections 88 and 89;

“proposer” (*“cynigydd”*) is defined in section 56 for the purposes of Chapter 2 of Part 3;

“provide” (*“darparu”*) is defined in section 90 for the purposes of sections 88 and 89;

“pupil” (*“disgybl”*) is defined in section 90 for the purposes of sections 88 and 89;

“regional provision” (*“darpariaeth ranbarthol”*) is defined in section 64 for the purposes of Chapter 4 of Part 3;

“regulated alteration” (*“newid rheoleiddiedig”*) in Chapter 2 of Part 3 means an alteration described in Schedule 2;

“regulations” (*“rheoliadau”*) means regulations made by the Welsh Ministers;

“Roman Catholic Church school” (*“un o ysgolion yr Eglwys Gatholig Rufeinig”*) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;

“school authority” (*“awdurdod ysgol”*) is defined in section 32 for the purposes of Chapter 3 of Part 2;

“small school” (*“ysgol fach”*) is defined in section 56 for the purposes of Chapter 2 of Part 3;

“special education functions” (*“swyddogaethau addysg arbennig”*) is defined in section 64 for the purposes of Chapter 4 of Part 3.

(4) For references in Part 3 to –

- (a) the discontinuance of a maintained school, see section 83;
- (b) a school’s category, see section 83.

(5) A reference in this Act to a school which has a religious character is to a school which is designated as having such a character by an order under section 69(3) of the School Standards and Framework Act 1998.

99 Minor and consequential amendments

Schedule 5 contains minor and consequential amendments.

100 Commencement

- (1) The following provisions come into force on the day after the day on which this Act receives Royal Assent –
 - section 1;
 - this section;
 - section 101.
- (2) The following provisions come into force on 1 April 2013 –
 - sections 88 to 90;
 - sections 92 and 93.
- (3) The following provisions come into force at the end of the period of two months beginning on the day on which this Act receives Royal Assent –
 - Chapter 3 of Part 2;
 - section 91;
 - sections 94 and 95;
 - paragraphs 31, 33, 34(1) and (3), 35 and 36 of Part 3 of Schedule 5 (and section 99 in so far as relating to those paragraphs).
- (4) The remaining provisions of this Act are to come into force on a day appointed by the Welsh Ministers in an order.

101 Short title and inclusion as one of the Education Acts

- (1) The short title of this Act is the School Standards and Organisation (Wales) Act 2013.
- (2) This Act is to be included in the list of Education Acts set out in section 578 of the Education Act 1996.

SCHEDULE 1

(introduced by section 18)

GOVERNING BODIES CONSISTING OF INTERIM EXECUTIVE MEMBERS

Interpretation of Schedule

1 (1) In this Schedule –

“the appropriate authority” (“*yr awdurdod priodol*”) means –

- (a) where this Schedule applies by virtue of a notice under section 7, the local authority that gave the notice, and
- (b) where this Schedule applies by virtue of a notice under section 14, the Welsh Ministers;

“existing governors” (“*llywodraethwyr presennol*”), in relation to a school in respect of which a notice under section 7 or 14 has been given, means the governors who hold office immediately before the governing body becomes constituted in accordance with this Schedule;

“the interim period” (“*y cyfnod interim*”), in relation to a school in respect of which a notice under section 7 or 14 has been given, means the period during which the governing body is constituted in accordance with this Schedule;

“a normally constituted governing body” (“*corff llywodraethu a gyfansoddwyd yn normal*”) means a governing body constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002 (governing bodies).

- (2) In this Schedule any reference to the discontinuance of a maintained school is a reference to the local authority ceasing to maintain it.

Governing body to consist of members appointed by appropriate authority

- 2 (1) The governing body of the school is to consist of members appointed by the appropriate authority, instead of being constituted in accordance with regulations made by virtue of section 19 of the Education Act 2002.

- (2) In the following provisions of this Schedule –

- (a) the governing body as constituted in accordance with this Schedule is referred to as “the interim executive board”, and
- (b) the members of the governing body as so constituted are referred to as “interim executive members”.

Effect of notice under section 7 or 14

- 3 (1) On the date specified in the notice under section 7 or 14, the existing governors vacate office.
- (2) Sub-paragraph (1) does not prevent the appointment of an existing governor as an interim executive member.

- (3) During the interim period, any reference in any provision contained in, or made under, the Education Acts to a governor or foundation governor of a school has effect, in relation to the school, as a reference to an interim executive member.
- (4) During the interim period, section 83 of the School Standards and Framework Act 1998 (modification of provisions making governors of foundation or voluntary school ex officio trustees) has effect in relation to the school with the substitution for paragraphs (a) to (c) of a reference to the interim executive members.

Number of interim executive members

- 4
- (1) The number of interim executive members must not be less than two.
 - (2) The initial appointment of interim executive members must be made so as to take effect on the date specified in the notice under section 7 or 14.
 - (3) The appropriate authority may appoint further interim executive members at any time during the interim period.

Terms of appointment of interim executive members

- 5
- (1) Every appointment of an interim executive member must be made by an instrument in writing setting out the terms of the appointment.
 - (2) An interim executive member –
 - (a) holds office in accordance with the terms of the appointment and subject to paragraph 16, and
 - (b) may at any time be removed from office by the appropriate authority for incapacity or misbehaviour.
 - (3) The terms of appointment of an interim executive member may provide for the appointment to be terminable by the appropriate authority by notice.

Duty of appropriate authority to inform other persons

- 6
- (1) The appropriate authority must give a copy of the notice under section 7 or 14 and of every instrument of appointment of an interim executive member –
 - (a) to every interim executive member,
 - (b) to every existing governor of the school,
 - (c) where the local authority is the appropriate authority, to the Welsh Ministers,
 - (d) where the Welsh Ministers are the appropriate authority, to the local authority, and
 - (e) in the case of a foundation or voluntary school –
 - (i) to the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, to the appropriate religious body.
 - (2) A failure to comply with sub-paragraph (1) does not invalidate the notice or appointment.

Power to specify duration of interim period

- 7 The appropriate authority may specify the duration of the interim period in the notice under section 7 or 14.

Chair

- 8 The appropriate authority may nominate one of the interim executive members to be chair of the interim executive board.

Remuneration and allowances

- 9 The appropriate authority may pay to any interim executive member such remuneration and allowances as the appropriate authority may determine, subject to any regulations made under paragraph 13(2).

Duty of interim executive board

- 10 (1) During the interim period, the interim executive board must conduct the school so as to secure, so far as is practicable to do so, the provision of a sound basis for future improvement in the conduct of the school.
- (2) Sub-paragraph (1) does not affect the other duties of the interim executive board as governing body.

Proceedings of interim executive board

- 11 (1) The interim executive board may determine its own procedure.
- (2) The interim executive board may make such arrangements as it thinks fit for the discharge of its functions by any other person.
- (3) This paragraph is subject to regulations made under paragraph 13(2).

Effect on suspension of delegated budget

- 12 (1) If immediately before the date specified in a notice under section 7 or 14 the school does not have a delegated budget, the suspension of the governing body's right to a delegated budget is by virtue of this sub-paragraph revoked with effect from that date.
- (2) If a notice under paragraph 1 of Schedule 15 to the School Standards and Framework Act 1998 (suspension of delegated budget for mismanagement etc) has been given to the governing body before the date specified in a notice under section 7 or 14 but has not yet taken effect, the notice ceases to have effect on that date.
- (3) During the interim period, the local authority may not exercise the power conferred by section 8 (power to suspend right to delegated budget).
- (4) Sub-paragraph (1) is to be construed in accordance with section 49(7) of the School Standards and Framework Act 1998.

Exclusion of certain statutory provisions

- 13 (1) Regulations made under section 19(2) or (3) of the Education Act 2002 (governing bodies) do not apply in relation to the interim executive board.
- (2) But regulations made under section 19(3)(f), (g), (i), (j), (k) or (l) of the Education Act 2002 (other than regulations under section 19(3)(l) relating to the constitution of governing bodies) may be applied in relation to the board (with or without modifications) by regulations.
- (3) The instrument of government of the school does not have effect in relation to the interim executive board in so far as it relates to the constitution of the governing body.
- (4) During the interim period –
- (a) the local authority may not exercise any power conferred by section 6 (power to appoint additional governors), and
 - (b) the Welsh Ministers may not exercise any power conferred by section 13 (power to appoint additional governors).

Closure of school

- 14 (1) At any time during the interim period, the interim executive board may, if it thinks fit, make a report to the local authority and the Welsh Ministers recommending that the school be discontinued, and stating the reasons for that recommendation.
- (2) The interim executive board may not –
- (a) publish under section 43 proposals to discontinue the school, or
 - (b) serve notice under section 80.
- (3) Sub-paragraph (4) applies if during the interim period –
- (a) the Welsh Ministers give a direction under section 16 or 81 in relation to the school, or
 - (b) the local authority determine to discontinue the school.
- (4) The interim period is to continue until the discontinuance date, even where it would otherwise end before that date.
- (5) In this paragraph “the discontinuance date” means one of the following (as the case may be) –
- (a) the date on which proposals for discontinuing the school are implemented under Part 1 of Schedule 3;
 - (b) the date on which the school is discontinued under section 80;
 - (c) the date specified in the direction under section 16 or 81(1).

Notice of resumption of government by normally constituted governing body

- 15 (1) The following sub-paragraph applies if –
- (a) the notice under section 7 or 14 does not specify the duration of the interim period, and
 - (b) paragraph 14(4) does not apply.

- (2) The appropriate authority may give notice to the persons mentioned in sub-paragraph (3) specifying a date on which the governing body are to become a normally constituted governing body.
- (3) Those persons are –
 - (a) every interim executive member,
 - (b) where the local authority is the appropriate authority, the Welsh Ministers,
 - (c) where the Welsh Ministers are the appropriate authority, the local authority, and
 - (d) in the case of a foundation or voluntary school –
 - (i) the person who appoints the foundation governors, and
 - (ii) if the school has a religious character, the appropriate religious body.

Time when interim executive members cease to hold office

- 16 (1) The interim executive members are to vacate office –
- (a) in a case where sub-paragraph (4) of paragraph 14 applies, on the discontinuance date within the meaning of that paragraph,
 - (b) in a case where that sub-paragraph does not apply and the notice under section 7 or 14 specified the duration of the interim period, at the end of the specified period, and
 - (c) in any other case, on the date specified under paragraph 15(2).
- (2) Sub-paragraph (1) does not prevent the termination of the appointment of an interim executive member at any earlier time under paragraph 5(2)(b) or in accordance with the terms of the appointment.

Establishment of normally constituted governing body

- 17 (1) Where interim executive members are to vacate office on the date referred to in paragraph 16(1)(b) or (c), the local authority must make arrangements providing for the constitution of the governing body on and after that date.
- (2) The Welsh Ministers may by regulations make provision with respect to the transition from an interim executive board to a normally constituted governing body, and may in connection with that transition –
- (a) modify any provision made under any of sections 19, 20 and 23 of the Education Act 2002 or by Schedule 1 to that Act,
 - (b) apply any such provision with or without modifications, and
 - (c) make provision corresponding to or similar to any such provision.
- (3) The provision that may be made by virtue of sub-paragraph (2) includes, among other things, provision enabling governors to be elected or appointed, and to exercise functions, before the end of the interim period.

SCHEDULE 2
(Introduced by section 40)

REGULATED ALTERATIONS

PART 1

ALL MAINTAINED SCHOOLS

- 1 Paragraphs 2 and 3 describe regulated alterations in relation to community, foundation, voluntary schools, community special schools, and maintained nursery schools.

Site transfers

- 2 The transfer of a school to a new site or sites unless a main entrance of the school on its new site or sites would be within 1.609344 kilometres (one mile) of a main entrance of the school on its current site or sites.

Mixed sex and single-sex schools

- 3 (1) An alteration to a school so that—
- (a) a school which admitted pupils of one sex only admits pupils of both sexes, or
 - (b) a school which admitted pupils of both sexes admits pupils of one sex only.
- (2) For the purposes of this paragraph a school is to be treated as admitting pupils of one sex only if the admission of pupils of the other sex—
- (a) is limited to pupils over compulsory school age; and
 - (b) does not exceed 25% of the number of pupils in the age group in question normally at the school.

PART 2

ALL MAINTAINED SCHOOLS OTHER THAN MAINTAINED NURSERY SCHOOLS

- 4 Paragraphs 5 to 8 describe regulated alterations in relation to community, foundation and voluntary schools, and community special schools.

Age range

- 5 (1) The alteration by a year or more of the lowest age of pupils for whom education is normally provided at the school.
- (2) The alteration by a year or more of the highest age of pupils for whom education is normally provided at a school where the school, both before and after the alteration, provides education suitable to the requirements of pupils of compulsory school age and does not provide full time education suitable to the requirements of pupils over compulsory school age.

Sixth form provision

- 6 (1) The introduction of the provision of full-time education suitable to the requirements of pupils over compulsory school age at a school which provides full time education suitable to the requirements of pupils of compulsory school age.
- (2) The ending of the provision of full time education suitable to the requirements of pupils over compulsory school age at a school which is to continue to provide full time education suitable to the requirements of pupils of compulsory school age.

Language medium – primary education

- 7 (1) This paragraph applies to –
 - (a) primary schools,
 - (b) special schools but only in relation to the provision of primary education to pupils at the schools, and
 - (c) middle schools but only in relation to the provision of primary education to pupils at the schools.
- (2) An alteration comes within this paragraph if the teaching of a class of pupils in an age group (or groups) at a school falls within a description in an entry in column 1 of table 1 below, and it is proposed to alter the teaching of the corresponding class of pupils in that age group (or those age groups) so that it falls within the description in the corresponding entry in column 2.
- (3) In this paragraph –
 - (a) “age group” means –
 - (i) a year group of the foundation phase (within the meaning given by section 102 of the Education Act 2002), or
 - (ii) a year group of the second key stage (within the meaning given by section 103 of the Education Act 2002);
 - (b) a reference to the teaching of a class of pupils does not include a school assembly or other school activities usually conducted with large groups of pupils.

TABLE 1

1	2
At least 20% but no more than 80% of the teaching is conducted through the medium of English	An increase or a decrease of more than 20% in the teaching which is conducted through the medium of Welsh
At least 20% but no more than 80% of the teaching is conducted through the medium of Welsh	An increase or a decrease of more than 20% in the teaching which is conducted through the medium of English
More than 80% of the teaching is conducted through the medium of English, and some teaching is conducted through the medium of Welsh	An increase of more than 10% in the teaching which is conducted through the medium of Welsh
More than 80% of the teaching is conducted through the medium of Welsh, and some teaching is conducted through the medium of English	An increase of more than 10% in the teaching which is conducted through the medium of English
No teaching is conducted through the medium of Welsh	More than 10% of teaching is conducted through the medium of Welsh
No teaching is conducted through the medium of English	More than 10% of teaching is conducted through the medium of English
Some teaching is conducted through the medium of English	No teaching is conducted through the medium of English
Some teaching is conducted through the medium of Welsh	No teaching is conducted through the medium of Welsh

Language medium - secondary education

- 8 (1) This paragraph applies to –
- (a) secondary schools,
 - (b) special schools but only in relation to the provision of secondary education to pupils at the schools, and
 - (c) middle schools but only in relation to the provision of secondary education to pupils at the schools.
- (2) An alteration comes within this paragraph if the teaching of pupils in a year group at a school falls within a description in an entry in column 1 of table 2 below, and it is proposed to alter the teaching of pupils in that year group so that it falls within the description in the corresponding entry in column 2.
- (3) In this paragraph a “relevant subject” is any subject other than English and Welsh which is taught at the school to pupils in the year group concerned.

TABLE 2

1	2
Five or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils	A decrease by four or more of the relevant subjects taught (wholly or mainly) through the medium of Welsh to any pupils
Five or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils	A decrease by four or more of the relevant subjects taught (wholly or mainly) through the medium of English to any pupils
Every relevant subject is taught (wholly or mainly) through the medium of Welsh to all pupils	Three or more relevant subjects are taught (wholly or mainly) through the medium of English to any pupils
Every relevant subject is taught (wholly or mainly) through the medium of English to all pupils	Three or more relevant subjects are taught (wholly or mainly) through the medium of Welsh to any pupils
One or more relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils	No relevant subject is taught (wholly or mainly) through the medium of Welsh to any pupils
One or more relevant subject is taught (wholly or mainly) through the medium of English to any pupils	No relevant subject is taught (wholly or mainly) through the medium of English to any pupils

PART 3

COMMUNITY, FOUNDATION AND VOLUNTARY SCHOOLS

- 9 Paragraphs 10 to 17 describe regulated alterations in relation to community, foundation and voluntary schools.

Alterations to premises

- 10 (1) An enlargement of the premises of the school which would increase the capacity of the school by at least 25% or 200 pupils as compared with the school's capacity on the appropriate date.
- (2) In determining an increase in capacity for the purpose of sub-paragraph (1), all enlargements that have taken place since the appropriate date are to be taken into account together with the proposed enlargement.
- (3) The "appropriate date" is the latest of –
- the date falling five years before the date on which it is planned to implement the proposals to make the enlargement;
 - the date when the school first admitted pupils;

- (c) the date (or latest date) of implementation of proposals to make an alteration to the school consisting of an enlargement of its premises which proposals were published under –
 - (i) section 48, 59, 68 or 72, or
 - (ii) section 28 of the School Standards and Framework Act 1998 or paragraph 5 of Schedule 7 to that Act.
- (4) References in this paragraph to an enlargement do not include a temporary enlargement.
- 11 (1) An enlargement of the premises of the school which would increase the capacity of the school if the date on which it is planned to implement the proposals to make the enlargement falls within the period described in sub-paragraph (2).
- (2) The period is five years beginning with the date (or latest date) of implementation of proposals falling within paragraph 13 (reducing a school's capacity).
- (3) "Enlargement" does not include a temporary enlargement.
- 12 The making permanent of a temporary enlargement which at the time of its making would have fallen within paragraph 10 (but for the fact that it was temporary).
- 13 An alteration of the premises of the school which would reduce the capacity of the school, where the proposed capacity would be lower than the highest number of registered pupils at the school at any time during the two years before the date on which the proposer formed the intention to make the proposed alteration.
- 14 For the purposes of paragraphs 10 to 13 –
 - (a) references to the capacity of a school are to the number of pupils the school can accommodate as determined in accordance with guidance given by the Welsh Ministers, and
 - (b) a "temporary enlargement" is an enlargement of a school's premises which it is anticipated, at the time of its making, will be in place for fewer than three years.

Special educational needs

- 15 (1) The establishment or discontinuance of provision which is recognised by the local authority as reserved for children with special educational needs.
- (2) Where there is provision which is recognised by the local authority as reserved for children with special educational needs, a change in the type of such provision.

Admission arrangements

- 16 The introduction of admission arrangements to which section 101(1) of the School Standards and Framework Act 1998 (pupil banding) applies.

Boarding provision

- 17 (1) The introduction or ending of provision for boarding accommodation.

- (2) The alteration of provision for boarding accommodation so that the number of pupils for whom such provision is made is increased or decreased by 50 pupils or more or by 50% or more.

PART 4

SPECIAL SCHOOLS

- 18 Paragraphs 19 to 21 describe regulated alterations in relation to community special schools.

Increase in pupils

- 19 (1) Except where the school is established in a hospital, an increase in the number of pupils for whom the school makes provision which, when taken with all previous increases since the appropriate date, would increase the number of pupils at least by 10% or by the relevant number as compared with the number of pupils on the appropriate date.
- (2) In this paragraph—
- the “appropriate date” (“*dyddiad priodol*”) is the latest of—
- (a) 19 January 2012;
 - (b) the date when the school first admitted pupils;
 - (c) the date (or latest date) of implementation of proposals to make an alteration to the school to increase the number of pupils for whom the school makes provision which proposals were published under—
 - (i) section 48, 59, 68 or 72, or
 - (ii) section 31 of the School Standards and Framework Act 1998 or paragraph 5 of Schedule 7 to that Act; and
- “relevant number” (“*y nifer perthnasol*”) in relation to the number of pupils at a school, is—
- (a) where the school provides boarding accommodation only, 5, and
 - (b) in any other case, 20.

Boarding provision

- 20 The alteration of the provision of boarding accommodation so that the number of pupils for whom such provision is made is increased or decreased by 5 pupils or more.

Special educational needs provision

- 21 A change in the type of special educational needs for which the school is organised to make provision.

PART 5

MAINTAINED NURSERY SCHOOLS

- 22 Paragraphs 23 to 25 describe regulated alterations in relation to maintained nursery schools.

Teaching space

- 23 (1) An enlargement of the teaching space, other than a temporary enlargement, by 50% or more.
- (2) The making permanent of a temporary enlargement of the teaching space by 50% or more.
- (3) In this paragraph—
- “teaching space” (*“man addysgu”*) means any area used wholly or mainly for the provision of nursery education excluding—
- (a) any area used wholly or mainly for the education of pupils whose educational needs are being assessed under section 323 of the Education Act 1996 and pupils with statements of special educational needs maintained under section 324 of that Act;
 - (b) any area constructed, adapted or equipped so as to be unsuitable for general teaching purposes;
 - (c) any area constructed, adapted or equipped primarily for the storage of apparatus, equipment or materials used in teaching;
 - (d) any part of an area which is required for the movement of pupils through that area and which is used wholly or mainly for that purpose;
- a “temporary enlargement” (*“ehangu dros dro”*) is an enlargement of the teaching space which it is anticipated, at the time of its making, will be in place for fewer than three years.

Special educational needs

- 24 (1) The establishment or discontinuance of provision which is recognised by the local authority as reserved for children with special educational needs.
- (2) Where there is provision which is recognised by the local authority as reserved for children with special educational needs, a change in the type of such provision.

Language medium

- 25 (1) In the case of a school at which a group of pupils is taught wholly or mainly through the medium of Welsh, an alteration to the school so that all pupils would be taught wholly or mainly through the medium of English.
- (2) In the case of a school at which a group of pupils is taught wholly or mainly through the medium of English, an alteration to the school so that all pupils would be taught wholly or mainly through the medium of Welsh.

PART 6

SUPPLEMENTARY

Power to amend

- 26 (1) The Welsh Ministers may by order amend any provision of this Schedule.

- (2) An order under sub-paragraph (1) may make consequential amendments to any provision of Part 3 of this Act.

SCHEDULE 3
(Introduced by section 55)

IMPLEMENTATION OF STATUTORY PROPOSALS

PART 1

RESPONSIBILITY FOR IMPLEMENTATION

Interpretation

1 In this Part of this Schedule –

- (a) “proposals” means proposals falling to be implemented under section 55;
- (b) a reference to a local authority in relation to a school or proposed school is a reference to the local authority that maintains, or that will maintain, that school.

Proposals relating to community or maintained nursery schools

- 2
- (1) This paragraph applies to proposals relating to a community or maintained nursery school or a proposed community or maintained nursery school.
 - (2) Proposals made by a local authority under section 41, 42 or 43 must be implemented by the local authority.

Proposals relating to foundation or voluntary controlled schools

- 3
- (1) This paragraph applies to proposals relating to a foundation or voluntary controlled school or a proposed voluntary controlled school.
 - (2) Proposals made by a local authority under section 41(2) or 43(1)(a) must be implemented by the authority.
 - (3) Proposals made by a local authority under section 42(1)(b) or (c) must be implemented by both the authority and governing body to the extent (if any) that the proposals provide for each of them to do so.
 - (4) Proposals made under section 41(2) (other than by a local authority) must be implemented by the local authority and by the person who made the proposals to the extent (if any) that the proposals provide for each of them to do so.
 - (5) Proposals made by a governing body under section 42(2) must be implemented by the local authority and by the governing body to the extent (if any) that the proposals provide for each of them to do so.
 - (6) Proposals made by a governing body under section 43(2) must be implemented by both the governing body and the local authority.

Proposals relating to voluntary aided schools

- 4
- (1) This paragraph applies to proposals relating to a voluntary aided school or a proposed voluntary aided school.

- (2) Proposals made by a local authority under section 42(1)(b) or (c) must be implemented –
 - (a) so far as relating to the provision of relevant premises for the school, by the local authority, and
 - (b) otherwise by both the authority and the governing body to the extent (if any) that the proposals provide for each of them to do so.
- (3) Proposals made under section 41(2) must be implemented –
 - (a) where the local authority is the proposer, by the local authority, and
 - (b) where the local authority is not the proposer –
 - (i) so far as relating to the provision of relevant premises for the school, by the local authority, and
 - (ii) otherwise by the person who made the proposals.
- (4) Nothing in sub-paragraph (3)(b) requires a local authority to provide relevant premises where –
 - (a) the new voluntary aided school is to be established in place of one or more existing independent, foundation or voluntary schools falling to be discontinued on or before the date of implementation of the proposals, and
 - (b) those premises were part of the premises of any of the existing schools but were not provided by the authority.
- (5) Proposals made by a governing body under section 42(2) must be implemented –
 - (a) so far as relating to the provision of relevant premises for the school, by the local authority, and
 - (b) otherwise by the governing body.
- (6) “Relevant premises” means –
 - (a) playing fields, or
 - (b) buildings which are to form part of the school premises but are not to be school buildings.
- (7) Proposals made by a local authority under section 43(1) must be implemented by the authority.
- (8) Proposals made by the governing body under section 43(2) must be implemented by both the governing body and the local authority.

Proposals relating to community special schools

- 5 (1) This paragraph applies to proposals relating to a community special school or a proposed community special school.
- (2) Proposals made by a local authority under section 44 must be implemented by the authority.

Change of category

- 6 If a school changes category from a community school after proposals have been published under section 48 but before they have been implemented, the proposals (to the extent that they have not been implemented) must be implemented by the local authority (despite paragraphs 3 and 4).

PART 2

PROVISION OF PREMISES AND OTHER ASSISTANCE

Provision of site and buildings for foundation or voluntary controlled school

- 7 (1) This paragraph applies where a local authority is required by virtue of paragraph 3(2), (3), (4) or (5) to provide a site for a foundation or voluntary controlled school or a proposed voluntary controlled school.
- (2) The authority must transfer its interest in the site and in any buildings on the site which are to form part of the school premises –
- (a) to the school's trustees, to be held by them on trust for the purposes of the school, or
 - (b) if the school has no trustees, to the school's foundation body or (in the absence of such a body) to the governing body, to be held by that body for the relevant purposes.
- (3) If any doubt or dispute arises as to the persons to whom the authority is required to make the transfer, it must be made to such persons as the Welsh Ministers think proper.
- (4) The authority must pay to the persons to whom the transfer is made their reasonable costs in connection with the transfer.
- (5) Sub-paragraph (6) applies where –
- (a) a transfer is made under this paragraph, and
 - (b) the transfer is made to persons ("the transferees") who possess, or are or may become entitled to, any sum representing proceeds of the sale of other premises which have been used for the purposes of the school.
- (6) The transferees must notify the local authority that sub-paragraph (5)(b) applies to them and they or their successors must pay to the local authority so much of that sum as, having regard to the value of the interest transferred, may be determined to be just, either by agreement between them and the authority or, in default of agreement, by the Welsh Ministers.
- (7) In sub-paragraph (5)(b) the reference to proceeds of the sale of other premises includes a reference to –
- (a) consideration for the creation or disposition of any kind of interest in other premises, including rent, and
 - (b) interest which has accrued in respect of any such consideration.

- (8) Any sum paid under sub-paragraph (6) is to be treated for the purposes of section 14 of the Schools Sites Act 1841 (which relates to the sale or exchange of land held on trust for the purposes of a school) as a sum applied in the purchase of a site for the school.
- (9) A determination may be made under sub-paragraph (6) in respect of any property subject to a trust which has arisen under section 1 of the Reverter of Sites Act 1987 (right of reverter replaced by trust for sale) if (and only if) –
 - (a) the determination is made by the Welsh Ministers, and
 - (b) they are satisfied that steps have been taken to protect the interests of the beneficiaries under the trust.
- (10) Sub-paragraph (6) applies for the purpose of compensating the authority notified under that sub-paragraph only in relation to such part of the sum mentioned in sub-paragraph (5)(b) (if any) as remains after the application of paragraphs 1 to 3 of Schedule 22 to the School Standards and Framework Act 1998 (disposals of land - foundation, voluntary and foundation special schools) to that sum.
- (11) In this paragraph –
 - “the relevant purposes” (*“y dibenion perthnasol”*) means –
 - (a) in relation to a transfer to a school’s foundation body, the purposes of the schools comprising the group for which that body acts, or
 - (b) in relation to a transfer to a school’s governing body, the purposes of the school;
 - “site” (*“safle”*) does not include playing fields but otherwise includes any site which is to form part of the premises of the school in question.

Grants in respect of certain expenditure relating to existing or proposed voluntary aided school

8 (1) This paragraph applies where –

- (a) the governing body of a voluntary aided school is required by virtue of paragraph 4(5) to implement proposals to make a regulated alteration to the school, or
 - (b) a person is required by virtue of paragraph 4(3)(b) to implement proposals to establish a new voluntary aided school.
- (2) Paragraph 5 of Schedule 3 to the School Standards and Framework Act 1998 (grants to voluntary aided schools in respect of expenditure on premises or equipment) –
- (a) applies in relation to the school mentioned in sub-paragraph (1)(a), and
 - (b) applies in relation to the new school mentioned in sub-paragraph (1)(b) as it applies in relation to an existing voluntary aided school.
- (3) In the application of that paragraph in relation to a new voluntary aided school –

- (a) the references to the governing body, in relation to any time before the governing body is constituted, are to the person who made the proposals under section 41(2), and
- (b) where requirements are imposed in relation to grant paid by virtue of this paragraph to the person who made the proposals, the requirements must be complied with by the governing body, when it is constituted, as well as by that person.

Assistance in respect of maintenance and other obligations relating to voluntary aided school

- 9 A local authority may give to the governing body of a voluntary aided school such assistance as the authority thinks fit in relation to the carrying out by the governing body of any obligation arising by virtue of paragraph 4(5) in relation to proposals made by it under section 42(2).

Assistance in respect of new voluntary aided school

- 10 A local authority may give to persons required by virtue of paragraph 4(3)(b) to implement proposals to establish a voluntary aided school such assistance as it thinks fit in relation to the carrying out by those persons of any obligation arising by virtue of that paragraph.

Duty to transfer interest in premises provided under paragraph 9 or 10

- 11 (1) Where assistance under paragraph 9 or 10 consists of the provision of any premises for use for the purposes of a school, the local authority must transfer its interest in the premises –
- (a) to the trustees of the school to be held on trust for the purposes of the school, or
 - (b) if the school has no trustees, to the school's foundation body, to be held by that body for the purposes of the schools comprising the group for which that body acts.
- (2) If any doubt or dispute arises as to the persons to whom the authority is required to make the transfer it must be made to such persons as the Welsh Ministers think proper.
- (3) The authority must pay to the persons to whom the transfer is made their reasonable costs in connection with the transfer.

PART 3

TRANSITIONAL EXEMPTION ORDERS FOR PURPOSES OF THE EQUALITY ACT 2010

Single-sex schools

- 12 (1) This paragraph applies to proposals to make a regulated alteration described in paragraph 3(1)(a) of Schedule 2 (school to cease to be one which admits pupils of one sex only).

- (2) Sub-paragraph (3) applies where such proposals are made under section 42 or 44 and, in accordance with section 48(4), the proposer sends a copy of the published proposals to the Welsh Ministers.
- (3) The sending of the published proposals to the Welsh Ministers is to be treated as an application by the proposer for a transitional exemption order under the Equality Act 2010, and the Welsh Ministers may make such an order accordingly.
- (4) In this paragraph—
 - “make” (*“gwneud”*), in relation to a transitional exemption order, includes vary or revoke;
 - “transitional exemption order” (*“gorchymyn esemptio trosiannol”*) has the same meaning as in paragraph 3 of Schedule 11 to the Equality Act 2010.

SCHEDULE 4
(Introduced by section 55)

IMPLEMENTATION OF PROPOSALS TO CHANGE CATEGORY OF SCHOOL

PART 1

INTRODUCTORY

Interpretation

1 In this Schedule—

“group” (*“grŵp”*) has the meaning given by section 21(4)(b) of the School Standards and Framework Act 1998;

“the implementation date” (*“y dyddiad gweithredu”*) means the date on which it is proposed that the change of category is to take place;

“publicly funded land” (*“tir wedi ei gyllido’n gyhoeddus”*) means land which was acquired—

- (a) from a local authority under a transfer under section 201(1)(a) of the Education Act 1996,
- (b) wholly by means of any maintenance, special purpose or capital grant (within the meaning of Chapter 6 of Part 3 of the Education Act 1996),
- (c) wholly by means of a grant made under regulations made under paragraph 4 of Schedule 32 to the School Standards and Framework Act 1998,
- (d) wholly by means of expenditure incurred for the purposes of the school and treated by the local authority as expenditure of a capital nature,
- (e) under a transfer under regulations made under paragraph 5 of Schedule 8 to the School Standards and Framework Act 1998,
- (f) wholly by means of financial assistance given under section 14 of the Education Act 2002,
- (g) under a transfer under this Schedule, or
- (h) wholly with the proceeds of disposal of any land acquired as mentioned in any of paragraphs (a) to (g);

“transfer agreement” (*“cytundeb trosglwyddo”*), in relation to a school, means an agreement—

- (a) made between the local authority and the trustees or the foundation body or the governing body of the school, and
- (b) providing for land to be transferred to, and vest in, the local authority on the implementation date (whether or not in consideration of payment by the authority).

Implementation

- 2 On the implementation date the school is to change category in accordance with the proposals.

PART 2

TRANSFER OF STAFF

Change to voluntary aided school

- 3 (1) This paragraph applies where a community or voluntary controlled school changes category to become a voluntary aided school.
(2) The contract of employment between P and the local authority has effect from the implementation date as if originally made between P and the governing body.
(3) All the local authority's rights, powers, duties and liabilities under or in connection with the contract of employment are transferred to the governing body on the implementation date.
(4) Anything done before that date by or in relation to the local authority in connection with that contract or P is to be treated from that date as having been done by or in relation to the governing body.
(5) In this paragraph, "P" is a person who—
 - (a) immediately before the implementation date is employed by the local authority to work solely at the school in question, or
 - (b) before the implementation date, is appointed by the local authority to work at the school as from the implementation date or a later date.
(6) But a reference to "P" does not include—
 - (a) a person whose contract of employment terminates on the day immediately preceding the implementation date, or
 - (b) a person employed by the local authority to work at the school solely in connection with the provision of meals.
(7) This paragraph does not affect any right of an employee to terminate the contract if (apart from the change of employer) a substantial change is made to the employee's detriment in the employee's working conditions.

Change to community or voluntary controlled school

- 4 (1) This paragraph applies where a foundation or voluntary aided school changes category to become a community or voluntary controlled school.
(2) The contract of employment between P and the governing body has effect from the implementation date as if originally made between P and the local authority.
(3) All the governing body's rights, powers, duties and liabilities under or in connection with the contract of employment are transferred to the local authority on the implementation date.

- (4) Anything done before that date by or in relation to the governing body in connection with that contract or P is to be treated from that date as having been done by or in relation to the local authority.
- (5) In this paragraph, “P” is a person who—
 - (a) immediately before the implementation date is employed by the governing body to work at the school in question, or
 - (b) before the implementation date, is appointed by the governing body to work at the school as from the implementation date or a later date.
- (6) But “P” does not include a person whose contract of employment terminates on the day immediately preceding the implementation date.
- (7) This paragraph does not affect any right of an employee to terminate the contract if (apart from the change of employer) a substantial change is made to the employee’s detriment in the employee’s working conditions.

Change to voluntary aided school with a religious character

- 5 (1) This paragraph applies where a voluntary controlled school or a foundation school with a religious character changes category to become a voluntary aided school with a religious character.
- (2) Sub-paragraph (3) applies if, immediately before the implementation date, a teacher at the voluntary controlled school or foundation school enjoys rights conferred by section 59(2) to (4) of the School Standards and Framework Act 1998 by virtue of section 60(2) of that Act.
- (3) That teacher is to continue to enjoy those rights while employed as a teacher at the voluntary aided school.

PART 3

TRANSFER OF LAND

Effect of transfers

- 6 (1) Sub-paragraph (2) applies where—
 - (a) land is transferred to and vests in a body in accordance with this Schedule, and
 - (b) the transferor enjoys or incurs any rights or liabilities immediately before the implementation date in connection with that land.
- (2) Those rights or liabilities are also transferred to, and by virtue of this Schedule, vest in, that body.
- 7 Any reference in this Part of this Schedule, in relation to a school, to land being transferred to, and vesting in, a foundation body is a reference to its being transferred to, and vesting in, that body for the purposes of the schools comprising the group for which that body acts.

- 8 Transfers of land under this Schedule do not affect the rights of the governing body in relation to the land under Schedule 13 to the School Standards and Framework Act 1998.
- 9 In its application to transfers under this Schedule, Schedule 10 to the Education Reform Act 1988 has effect as if references in it to the transfer date were references to the implementation date.

Change from community school to voluntary aided school

- 10 (1) Sub-paragraph (2) applies where –
- (a) proposals for a community school to become a voluntary aided school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will not be a member of the group for which a foundation body acts.
- (2) Any land other than playing fields which, immediately before the implementation date, was held or used by a local authority for the purposes of the community school is, on that date, to be transferred to, and vest in, the trustees of the school, to be held by them on trust for the purposes of the school.
- 11 (1) Sub-paragraph (2) applies where –
- (a) proposals for a community school to become a voluntary aided school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will be a member of the group for which a foundation body acts.
- (2) Any land other than playing fields or land held on trust which, immediately before the implementation date, was held or used by a local authority for the purposes of the community school is, on that date, to be transferred to, and vest in, the foundation body.

Change from community school to voluntary controlled school

- 12 (1) Sub-paragraph (2) applies where –
- (a) proposals for a community school to become a voluntary controlled school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will not be a member of the group for which a foundation body acts.
- (2) Any land other than playing fields which, immediately before the implementation date, was held or used by a local authority for the purposes of the community school is, on that date, to be transferred to, and vest in, the trustees of the school, to be held by them on trust for the purposes of the school.
- 13 (1) Sub-paragraph (2) applies where –
- (a) proposals for a community school to become a voluntary controlled school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will be a member of the group for which a foundation body acts.

- (2) Any land other than playing fields or land held on trust which, immediately before the implementation date, was held or used by a local authority for the purposes of the community school is, on that date, to be transferred to, and vest in, the foundation body.

Change from foundation school to community school

- 14 (1) Sub-paragraphs (2) and (3) apply where proposals for a foundation school which is not a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
 - (2) Any publicly funded land which, immediately before the implementation date, was held by the trustees of the school or the governing body for the purposes of the school is, on that date, to be transferred to, and vest in, the local authority.
 - (3) Any other land which, immediately before that date, was held by the trustees of the school or the governing body for the purposes of the school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.
- 15 (1) Sub-paragraphs (2) and (3) apply where proposals for a foundation school which is a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
 - (2) Any publicly funded land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the foundation school is, on that date, to be transferred to, and vest in, the local authority.
 - (3) Any other land which, immediately before that date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the foundation school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.

Change from foundation school to voluntary aided or voluntary controlled school

- 16 (1) Sub-paragraph (2) applies where –
 - (a) proposals for a foundation school which is not a member of the group for which a foundation body acts to become a voluntary aided or voluntary controlled school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will not be a member of the group.
- (2) Any land, other than land held on trust, which, immediately before the implementation date, was held by the governing body for the purposes of the foundation school is, on that date, to be transferred to, and vest in, the trustees of the school, to be held by them on trust for the purposes of the school.
- 17 (1) Sub-paragraph (2) applies where –
 - (a) proposals for a foundation school which is not a member of the group for which a foundation body acts to become a voluntary aided or voluntary controlled school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will be a member of the group.

- (2) Any land, other than land held on trust, which, immediately before the implementation date, was held by the governing body for the purposes of the foundation school is, on that date, to be transferred to, and vest in, the foundation body.
- 18 (1) Sub-paragraph (2) applies where –
- (a) proposals for a foundation school which is a member of the group for which a foundation body acts to become a voluntary aided or voluntary controlled school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will not be a member of the group.
- (2) Any land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the foundation school is, on that date, to be transferred to, and vest in, the trustees of the school, to be held by them on trust for the purposes of the school.

Change from voluntary aided school to community school

- 19 (1) Sub-paragraphs (2) and (3) apply where proposals for a voluntary aided school which is not a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
- (2) Any publicly funded land which, immediately before the implementation date, was held by the trustees of the school or the governing body for the purposes of the school is, on that date, to be transferred to, and vest in, the local authority.
- (3) Any other land which, immediately before that date, was held by the trustees of the school or the governing body for the purposes of the school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.
- 20 (1) Sub-paragraphs (2) and (3) apply where proposals for a voluntary aided school which is a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
- (2) Any publicly funded land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary aided school is, on that date, to be transferred to, and vest in, the local authority.
- (3) Any other land which, immediately before that date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary aided school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.

Change from voluntary aided or voluntary controlled school to voluntary controlled or voluntary aided school

- 21 (1) Sub-paragraph (2) applies where –

- (a) proposals for a voluntary aided school or a voluntary controlled school which is not a member of the group for which a foundation body acts to become a voluntary controlled school or a voluntary aided school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will be a member of such a group.
 - (2) Any land, other than land held on trust, which, immediately before the implementation date, was held by the governing body for the purposes of the school is, on that date, to be transferred to, and vest in, the foundation body.
- 22 (1) Sub-paragraph (2) applies where—
- (a) proposals for a voluntary aided school or a voluntary controlled school which is a member of the group for which a foundation body acts to become a voluntary controlled school or a voluntary aided school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will not be a member of the group.
 - (2) Any land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the school is, on that date, to be transferred to, and vest in, the trustees of the school to be held by them on trust for the purposes of the school.

Change from foundation, voluntary aided or voluntary controlled school to voluntary controlled or voluntary aided school

- 23 (1) Sub-paragraph (2) applies where—
- (a) proposals for a foundation, voluntary aided or voluntary controlled school which is a member of the group for which a foundation body acts to become a voluntary controlled or voluntary aided school are required to be implemented under section 55(2), and
 - (b) as from the implementation date the school will be a member of the group for which another foundation body acts.
 - (2) Any land which, immediately before the implementation date, was held by the foundation body mentioned in sub-paragraph (1)(a) for the purposes of the schools in the group and used for the purposes of the school is, on that date, to be transferred to, and vest in, the foundation body mentioned in sub-paragraph (1)(b).

Change from voluntary controlled school to community school

- 24 (1) Sub-paragraphs (2) and (3) apply where proposals for a voluntary controlled school which is not a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
- (2) Any publicly funded land which, immediately before the implementation date, was held by the trustees of the school or the governing body for the purposes of the school is, on that date, to be transferred to, and vest in, the local authority.

- (3) Any other land which, immediately before that date, was held by the trustees of the school or the governing body for the purposes of the school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.
- 25 (1) Sub-paragraphs (2) and (3) apply where proposals for a voluntary controlled school which is a member of the group for which a foundation body acts to become a community school are required to be implemented under section 55(2).
- (2) Any publicly funded land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary controlled school is, on that date, to be transferred to, and vest in, the local authority.
- (3) Any other land which, immediately before that date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary controlled school is to be transferred to, and vest in, the local authority in accordance with a transfer agreement.

Outstanding transfers

- 26 (1) Sub-paragraph (2) applies where immediately before the implementation date in relation to any change of category occurring in respect of a school –
 - (a) any land vested in a local authority is by virtue of any statutory provision required to be transferred to the governing body or any trustees of the school, but
 - (b) the land has not yet been so transferred.
- (2) Paragraphs 10 to 25 of this Schedule apply to the school as if the land had been so transferred by that time.

Transfer of right to use land

- 27 (1) Sub-paragraph (2) applies if –
 - (a) paragraph 10, 11, 12 or 13 applies to a school,
 - (b) any land held by a person or body other than a local authority was, immediately before the implementation date, used for the purposes of the school, and
 - (c) the local authority enjoyed or incurred any rights or liabilities immediately before the implementation date in connection with the use of the land.
- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the trustees of the school or, if there are no trustees, the governing body.
- 28 (1) Sub-paragraph (2) applies if –
 - (a) paragraph 14, 15, 19, 20, 24 or 25 applies to a school,
 - (b) any land held by a person or body other than the governing body of the school was, immediately before the implementation date, used for the purposes of the school, and

- (c) the governing body enjoyed or incurred any rights and liabilities immediately before the implementation date in connection with the use of the land.
 - (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the local authority.
- 29 (1) Sub-paragraph (2) applies if –
- (a) paragraph 14, 15, 19, 20, 24 or 25 applies to a school,
 - (b) any land held by a person or body other than any trustees or foundation body who hold any land for the purposes of the school was, immediately before the implementation date, used for the purposes of the school, and
 - (c) the trustees or foundation body enjoyed or incurred any rights or liabilities immediately before the implementation date in connection with the use of the land.
- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the local authority in accordance with a transfer of rights and liabilities agreement.
- (3) A “transfer of rights and liabilities agreement” means an agreement –
- (a) made for the purposes of sub-paragraph (2) between the local authority and the trustees or foundation body, and
 - (b) providing for the rights or liabilities in question to be transferred to, and vest in, the authority on the implementation date, whether or not in consideration of the payment by the authority of such amount as may be agreed between the parties.

Exclusions from transfer

- 30 Nothing in paragraphs 10 to 25 has the effect of transferring to, or vesting in, any body –
- (a) any land, rights or liabilities excluded under paragraph 31 or 32,
 - (b) any rights or liabilities under a contract of employment,
 - (c) any liability of a local authority, governing body or trustees in respect of the principal of, or any interest on, any loan, or
 - (d) any liability in tort.
- 31 (1) Sub-paragraph (2) applies if before the implementation date in relation to any change of category –
- (a) the prospective transferee and transferor have agreed in writing that any land should be excluded from the operation of paragraphs 10 to 25, and
 - (b) the Welsh Ministers have given their written approval of the agreement.
- (2) The land (and any rights or liabilities relating to it) is to be so excluded.
- 32 (1) Sub-paragraph (2) applies if in the absence of agreement under paragraph 31 –

- (a) the prospective transferee or transferor has applied to the Welsh Ministers to exclude any land from the operation of paragraphs 10 to 25, and
 - (b) the Welsh Ministers have directed its exclusion.
- (2) The land (and any rights or liabilities relating to it) is to be excluded.
- 33 (1) An agreement under paragraph 31 may provide for the land to be used or held for the purposes of the school on such terms as may be specified in or determined in accordance with the agreement.
- (2) Directions under paragraph 32—
 - (a) may confer any rights or impose any liabilities that could have been conferred or imposed by an agreement under paragraph 31, and
 - (b) have effect as if contained in such an agreement.
- 34 In paragraphs 31 and 32—
 - “the prospective transferee” (*“y trosglwyddai arfaethedig”*), in relation to any land, means the body to which (apart from paragraphs 31 and 32) the land would fall to be transferred under paragraphs 10 to 25, and
 - “the prospective transferor” (*“y trosglwyddwr arfaethedig”*) is to be construed accordingly.

Restrictions on disposal or use of land

- 35 (1) For the purposes of paragraphs 36 and 37 the procedure for becoming a school of another category is pending in relation to a school when it has been started by the governing body in relation to the school and not terminated.
- (2) That procedure is to be regarded as started in relation to a school on receipt by the local authority of notice of a meeting of the governing body at which a motion for a resolution to consult about proposals to change category is to be considered.
- (3) That procedure is to be regarded as terminated—
 - (a) if the meeting is not held,
 - (b) if the meeting is held but the motion is not moved or, though the motion is moved, the resolution is not passed,
 - (c) if consultation is not carried out in accordance with section 48,
 - (d) if the proposals in respect of which consultation was carried out are not published in accordance with section 48,
 - (e) if the proposals are rejected by the Welsh Ministers under section 50 or by a local authority under section 51 or are withdrawn or if the governing body has determined not to implement them under section 53, or
 - (f) on the date of implementation of the proposals.
- 36 (1) While the procedure for becoming a school of another category is pending in relation to a school, a local authority may not, without the consent of the Welsh Ministers—
 - (a) dispose of any land used wholly or partly for the purposes of the school, or
 - (b) enter into a contract to dispose of such land.

- (2) Sub-paragraph (1) does not apply in relation to a disposal which is made in accordance with a contract entered into, or an option granted, before the procedure for becoming a school of another category was started in relation to the school.
 - (3) Sub-paragraph (4) applies if –
 - (a) proposals for becoming a school of another category are approved or the governing body has determined to implement them, and
 - (b) agreement is required to be reached under paragraph 2(1) of Schedule 10 to the Education Reform Act 1988 (identification of property, etc.) on any matter relating to any land to be transferred.
 - (4) The procedure for becoming a school of another category is not to be treated as terminated for the purposes of this paragraph in relation to that land until the date on which that matter is finally determined.
 - (5) A disposal or contract is not invalid or void by reason only that it has been made or entered into in breach of this paragraph and a person acquiring land, or entering into a contract to acquire land, from a local authority is not to be concerned to enquire whether any consent required by this paragraph has been given.
 - (6) This paragraph has effect despite anything in section 123 of the Local Government Act 1972 (general power to dispose of land) or in any other enactment; and the consent required by this paragraph is in addition to any consent required by subsection (2) of that section or by any other enactment.
 - (7) In this paragraph –
 - (a) references to disposing of land include granting or disposing of any interest in land, and
 - (b) references to entering into a contract to dispose of land include granting an option to acquire land or such an interest.
- 37 (1) While the procedure for becoming a school of another category is pending in relation to a school, a local authority may not, without the consent of the Welsh Ministers, take any action in relation to any land of the authority used or held for the purposes of the school by which the land ceases to any extent to be so used or held.
- (2) Sub-paragraph (3) applies if in the case of any school –
 - (a) proposals that a school become a school of another category are approved or the governing body have determined to implement them, and
 - (b) a local authority has, in relation to any land, taken action in breach of sub-paragraph (1).
 - (3) The transfer of property provisions have effect as if, immediately before the implementation date, the property were used or held by the authority for the purposes for which it was used or held when the procedure for becoming a school of another category was started.
 - (4) In this paragraph –

- (a) “the transfer of property provisions” means this Schedule and section 198 of, and Schedule 10 to, the Education Reform Act 1988, and
- (b) the references to taking action include appropriating property for any purpose.

PART 4

SUPPLEMENTAL

School government

- 38 (1) The Welsh Ministers may by regulations make provision in connection with the implementation of proposals to change a school’s category with respect to the government of the school.
- (2) Those regulations may (amongst other things) make provision—
- (a) about the revision and replacement of the school’s instrument of government,
 - (b) about the reconstitution of its governing body,
 - (c) applying, with or without modifications, provision made by or under Chapter 1 of Part 3 of the Education Act 2002 (government of maintained schools), and
 - (d) about transitional matters.

Transitional provisions - admissions

- 39 (1) Where a community or voluntary controlled school becomes a voluntary aided school anything done before the implementation date by the local authority as admission authority under any provision in Chapter 1 of Part 3 of the School Standards and Framework Act 1998 (admission arrangements) has effect, from the implementation date, as if done by the governing body.
- (2) Where a foundation or voluntary aided school becomes a community or voluntary controlled school anything done before the implementation date by the governing body as admission authority under any provision in Chapter 1 of Part 3 of the School Standards and Framework Act 1998 has effect, from the implementation date, as if done by the local authority.

SCHEDULE 5
(Introduced by section 99)

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1

AMENDMENTS RELATING TO PART 2 (STANDARDS)

Education Reform Act 1988

- 1 (1) Section 219 of the Education Reform Act 1988 (powers of Welsh Ministers and Secretary of State in relation to certain educational institutions) is amended as follows.
 - (2) In subsection (3) after “institution” insert “in England”.
 - (3) After subsection (3) insert—
 - “(3A) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) (intervention in conduct of maintained schools) has effect in relation to an institution in Wales to which this section applies as if—
 - (a) a reference to the governing body of a maintained school included a reference to the governing body of an institution to which this section applies;
 - (b) the only relevant grounds for intervention were grounds 5 and 6 in section 2 of the 2013 Act; and
 - (c) sections 3 to 9 and 12 to 16 of the 2013 Act did not apply.”

Education Act 1996

- 2 (1) The Education Act 1996 is amended as follows.
 - (2) In section 409(4) (complaints and enforcement: maintained schools in Wales) for the words from “section 496” to “duties)” substitute “Chapter 1 or 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in conduct of maintained schools and local authorities)”.
 - (3) In section 484(7) (education standards grants) for “sections 495 to 497” substitute “section 495 or in Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013”.
 - (4) In section 496(2) (power to prevent unreasonable exercise of functions)—
 - (a) in paragraph (a), after “local authority” insert “in England”;
 - (b) in paragraph (b), after “school” in each place it appears insert “in England”.
 - (5) In section 497(2) (general default powers for failure to discharge duty)—
 - (a) in paragraph (a), after “local authority” insert “in England”;
 - (b) in paragraph (b), after “school” in each place it appears insert “in England”.

- (6) In section 497A(1) (power to secure proper performance of functions) for “a local authority’s education functions” substitute “the education functions of a local authority in England”.
- (7) In section 560(6) (work experience in last year of compulsory schooling) after “or 496” insert “or Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013”.
- (8) In paragraph 6(4) of Schedule 1 (pupil referral units) for the words from “section 496” to “powers)” substitute “Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in local authorities)”.

Teaching and Higher Education Act 1998

- 3 In section 19 of the Teaching and Higher Education Act 1998 (requirement to serve induction period) for subsection (12) substitute –
 - “(12) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) (intervention in conduct of maintained schools) has effect in relation to duties imposed and powers conferred by virtue of this section as if –
 - (a) references to functions under the Education Acts included duties imposed and powers conferred by virtue of this section;
 - (b) references to the governing body of a maintained school included –
 - (i) the governing body of a special school not maintained by a local authority,
 - (ii) the governing body (within the meaning given by section 90(1) of the Further and Higher Education Act 1992) of a further education institution, and
 - (iii) an appropriate body for the purposes of subsection (2);
 - (c) the only relevant grounds for intervention were grounds 5 and 6 in section 2 of the 2013 Act; and
 - (d) sections 3 to 9 and 12 to 16 of that Act did not apply.
 - (13) Chapter 2 of Part 2 of the 2013 Act (intervention in local authorities) has effect in relation to duties imposed and powers conferred by virtue of this section as if references to education functions included duties imposed and powers conferred on a local authority by virtue of this section.”

School Standards and Framework Act 1998

- 4 (1) The School Standards and Framework Act 1998 is amended as follows.
- (2) Chapter 4 of Part 1 (intervention in schools in Wales causing concern) is repealed.
- (3) In section 51A (expenditure incurred for community purposes) –
 - (a) omit “section 17 or”;

- (b) after “15” insert “or section 8 of the School Standards and Organisation (Wales) Act 2013”.
- (4) In section 62 (reserve power to prevent breakdown of discipline) –
 - (a) in subsection (1) –
 - (i) after “local authority” insert “in England”;
 - (ii) omit “or (3)”;
 - (b) omit subsection (3).
- (5) In section 89C(2) (further provision about schemes for co-ordinating admission arrangements) for “, sections 496” to the end substitute –
 - “(a) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) (intervention in conduct of maintained schools) is to apply as if any obligations imposed on a governing body under the scheme were duties imposed by the Education Acts.
 - (b) Chapter 2 of Part 2 of the 2013 Act (intervention in local authorities) is to apply as if any obligation imposed on a local authority were an education function.”
- (6) In section 142(4)(b) (general interpretation) omit “of section 16(6) or (8)”.
- (7) In section 143 (index) in the entry for “maintained school”, omit the entry beginning “(in Chapter 4 of Part 1)”.
- (8) Omit Schedule 1A (governing bodies consisting of interim executive members).
- (9) In Schedule 22 (disposal of land), in paragraph 5(1)(b)(i) for “section 19(1)” substitute “section 16 of the School Standards and Organisation (Wales) Act 2013”.

Local Government Act 2000

- 5 (1) Schedule 1 to the Local Government Act 2000 (executive arrangements in Wales) is amended as follows.
- (2) For paragraph 10 substitute –
 - “10 Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in local authorities) applies to the performance of any duty imposed on a local authority by virtue of paragraph 8 or 9 as it applies to the performance by a local authority of a duty that is an education function but as if –
 - (a) the only relevant grounds for intervention were grounds 1 and 2 in section 21 of that Act; and
 - (b) sections 24 to 27 of that Act did not apply.”
- (3) In paragraph 11A for “9” substitute “10”.

Education Act 2002

- 6 (1) The Education Act 2002 is amended as follows.

- (2) In section 34(7) (arrangements for government of new schools) after “State)” insert “and Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in conduct of maintained schools in Wales)”.
- (3) In section 35(7) (staffing of community, voluntary controlled, community special and maintained nursery schools) –
 - (a) omit “section 17 of, or”;
 - (b) after “2006” insert “, or section 8 of the School Standards and Organisation (Wales) Act 2013”.
- (4) In section 36(7) (staffing of foundation, voluntary aided and foundation special schools) –
 - (a) omit “section 17 of, or”;
 - (b) after “2006” insert “, or section 8 of the School Standards and Organisation (Wales) Act 2013”.
- (5) In section 37(11) (payments in respect of dismissal, etc) –
 - (a) omit “section 17 of, or”;
 - (b) after “1998 (c 31)” insert “or section 8 of the School Standards and Organisation (Wales) Act 2013”.
- (6) Omit sections 55 to 59 and section 63 (powers of intervention).
- (7) In section 64 (provisions supplementary to powers to require local authorities to obtain advisory services) –
 - (a) in subsection (1) –
 - (i) omit “or 63”,
 - (ii) omit “or the National Assembly for Wales”,
 - (iii) omit “or it”,
 - (iv) omit “or the Assembly” (in both places);
 - (b) in subsection (2) omit “or 63”;
 - (c) in subsection (7) omit “or 63” and “or 63(2)”.
- (8) Omit Schedules 5 and 6 (amendments relating to schools causing concern and governing bodies consisting of interim executive members).
- (9) In Schedule 21 (minor and consequential amendments) omit paragraphs 92 to 94 and 103.
- (10) See also the amendment made by paragraph 21(11) of this Schedule to paragraph 5(2)(b) (iii) of Schedule 1 (which is in part consequential on Part 2 of this Act).

Children Act 2004

- 7 (1) The Children Act 2004 is amended as follows.
- (2) In section 50 (intervention) –
 - (a) in subsection (1) after “local authority” insert “in England”;

- (b) in subsection (2)(c) omit “or under sections 25, 26 and 29 above (in the case of a local authority in Wales)”;
 - (c) in the heading after “Intervention” insert “- England”.
- (3) After section 50 insert –

“50A Intervention – Wales

- (1) Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in local authorities) applies in relation to the functions of a local authority in Wales which are specified in subsection (2) as it applies in relation to a local authority’s education functions but as if the only relevant ground for intervention were ground 3 in section 21 of that Act.
- (2) The functions of a local authority are –
 - (a) functions conferred on or exercisable by the authority which are social services functions, so far as those functions relate to children;
 - (b) the functions conferred on the authority under sections 23C to 24D of the Children Act 1989 (so far as not falling within paragraph (a)); and
 - (c) the functions conferred on the authority under sections 25, 26 and 29 above.
- (3) In the application of Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 by virtue of this section, section 27 of that Act (power to direct exercise of other education functions) has effect as if the reference to education functions included (for all purposes) the functions of the local authority which are specified in subsection (2).
- (4) In this section –
 - “education functions” has the meaning given by section 579(1) of the Education Act 1996;
 - “social services functions” has the same meaning as in the Local Authority Social Services Act 1970.”

Education Act 2005

- 8 (1) The Education Act 2005 is amended as follows.
- (2) Omit section 45 (power to direct closure of school).
 - (3) In section 114(8) (supply of information about school workforce) –
 - (a) omit “and” at the end of paragraph (a);
 - (b) in paragraph (b) at the beginning insert “in relation to England,”;
 - (c) after paragraph (b) insert –
 - “and

- (c) in relation to Wales, provide that Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in local authorities) is to have effect as if—
 - (i) references to a local authority included a reference to a prescribed person,
 - (ii) duties imposed by virtue of this section were education functions,
 - (iii) the only relevant ground for intervention were ground 1 in section 21, and
 - (iv) sections 24 to 27 did not apply.”
- (4) In Schedule 9 (amendments relating to school inspection) omit paragraphs 14 to 20.
- (5) See also the amendment made by paragraph 22(2)(b) of this Schedule to section 28(4)(c) of the Education Act 2005 (which is in part consequential on Part 2 of this Act).

Education and Inspections Act 2006

- 9 (1) The Education and Inspections Act 2006 is amended as follows.
- (2) In Schedule 7 (amendments relating to schools causing concern) omit paragraphs 3 to 14, 16, 17, 18, 19(b) and 21.
- (3) In Schedule 17 (miscellaneous amendments) omit paragraphs 1, 2 and 6.

Childcare Act 2006

- 10 For section 29 of the Childcare Act 2006 (powers of Welsh Ministers to secure proper performance etc) substitute—

“29 Powers of intervention of Welsh Ministers

- (1) Chapter 2 of Part 2 the School Standards and Organisation (Wales) Act 2013 (intervention in local authorities) applies in relation to a Welsh local authority and the powers conferred or the duties imposed on it by, under or for the purposes of this Part as it applies in relation to the education functions (as defined by section 579(1) of the Education Act 1996) of such an authority.
- (2) In the application of Chapter 2 of Part 2 of the School Standards and Organisation (Wales) Act 2013 by virtue of this section, section 27 of that Act (power to direct exercise of other education functions) has effect as if the reference to education functions included (for all purposes) functions of a Welsh local authority under this Part.”

Equality Act 2010

- 11 (1) Section 87 of the Equality Act 2010 (application of certain powers under Education Act 1996) is amended as follows.
- (2) At the beginning insert—

“(A1) Subsections (1) and (2) do not apply in the case of a school in Wales.”

(3) After subsection (2) insert—

“(3) In the case of a school in Wales—

(a) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (“the 2013 Act”) (intervention in conduct of maintained schools) applies to the performance of a duty under section 85, but as if—

(i) the only relevant grounds for intervention were grounds 5 and 6 in section 2 of that Act, and

(ii) sections 3 to 9 and 12 to 16 of that Act did not apply;

(b) Chapter 2 of Part 2 of the 2013 Act (intervention in local authorities) applies to the performance of a duty under section 85, but as if—

(i) the only relevant grounds for intervention were grounds 1 and 2 in section 21 of that Act, and

(ii) sections 24 to 27 of that Act did not apply.

(4) But neither of Chapters 1 and 2 of Part 2 of the 2013 Act applies to the performance of a duty under section 85 by the proprietor of an independent educational institution (other than a special school).”

Apprenticeships, Skills, Children and Learning Act 2009

12 In the Apprenticeships, Skills, Children and Learning Act 2009 omit section 205 and Schedule 14 (powers in relation to schools causing concern).

Education (Wales) Measure 2011

13 (1) The Education (Wales) Measure 2011 is amended as follows.

(2) Omit section 16 (federation of schools causing concern by direction of the Welsh Ministers).

(3) In section 18(1) (federations: supplementary provisions)—

(a) for paragraph (a) substitute—

“(a) Chapter 1 of Part 2 of the School Standards and Organisation (Wales) Act 2013 (intervention in conduct of maintained schools), or”;

(b) in paragraph (b) for “that Act” substitute “the School Standards and Framework Act 1998”.

PART 2

AMENDMENTS RELATING TO PART 3 (SCHOOL ORGANISATION)

Education Reform Act 1988

- 14 (1) The Education Reform Act 1988 is amended as follows.
- (2) In section 198(1) (transfers under Parts 1 and 2) after paragraph (c) insert –
- “or
- (d) Part 3 of Schedule 4 to the School Standards and Organisation (Wales) Act 2013;”.

Diocesan Boards of Education Measure 1991

- 15 (1) The Diocesan Boards of Education Measure 1991 is amended as follows.
- (2) In section 3 (transactions for which advice or consent of the Board is required) –
- (a) omit subsection (1)(a)(ii), (b)(ii) and (d);
- (b) in subsection (1)(c) for “1998 Act” substitute “School Standards and Framework Act 1998 (“the 1998 Act”)”.
- (3) In section 7 (powers of Board to give directions to governing bodies of voluntary aided church schools) –
- (a) in subsection (1) –
- (i) omit paragraphs (a)(ii), (b)(ii) and (c);
- (ii) in paragraph (b)(i) for “1998 Act” substitute “School Standards and Framework Act 1998”;
- (b) in subsection (1A) omit “or paragraph 2 or 3 of Schedule 8 to the 1998 Act”;
- (c) in subsection (3) –
- (i) in paragraph (a) omit “or section 28(2)(b) of the 1998 Act”;
- (ii) omit paragraph (b);
- (iii) in the words after paragraph (b) omit “the 1998 Act and”.

Further and Higher Education Act 1992

- 16 (1) The Further and Higher Education Act 1992 is amended as follows.
- (2) In section 58 (reorganisation of schools involving establishment of further education corporation) –
- (a) in subsection (3), for paragraph (b) substitute –
- “(b) a relevant alteration has been made to the school,”;
- (b) omit subsection (4);
- (c) at the end insert –
- “(5) In subsection (3)(b) “relevant alteration” means –

- (a) in the case of a school in England, a prescribed alteration within the meaning of section 18 of the Education and Inspections Act 2006, and
- (b) in the case of a school in Wales, a regulated alteration within the meaning of Chapter 2 of Part 3 of the School Standards and Organisation (Wales) Act 2013."

Education Act 1996

- 17 (1) The Education Act 1996 is amended as follows.
- (2) In section 5(3A)(b) (primary schools, secondary schools and middle schools) –
- (a) the words after "Wales," become sub-paragraph (i);
 - (b) after "1998" insert –
 - “, and
 - (ii) section 48, 59 or 68 of the School Standards and Organisation (Wales) Act 2013”.
- (3) In section 394 (determination of cases in which requirement for Christian collective worship is not to apply), omit subsection (9)(b).
- (4) In section 409(2) (complaints and enforcement: maintained schools in Wales), omit “or foundation special”.
- (5) In section 529(2) (power to accept gifts on trust for educational purposes) –
- (a) for “28 and 31 of the School Standards and Framework Act 1998” substitute “41 and 44 of the School Standards and Organisation (Wales) Act 2013”;
 - (b) for the words from “(so that” to “in Wales” substitute “and sections 48 to 55 of, and Schedule 3 to, that Act (school organisation proposals”.
- (6) In section 530(3)(b) (compulsory purchase of land) for the words from “paragraph 18” to the end substitute “paragraph 9 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013 (assistance in respect of maintenance and other obligations relating to voluntary aided schools) (including that paragraph as applied by section 76(3) of that Act)”.

Education Act 1997

- 18 (1) The Education Act 1997 is amended as follows.
- (2) In section 29 (functions of the Welsh Ministers in relation to curriculum and assessment –
- (a) in subsection (5) in the definition of “maintained school”, omit “or foundation”;
 - (b) in subsection (6) omit “or foundation”.
- (3) In section 43(2)(c) (provision of careers education in schools in Wales), omit “or foundation”.

School Standards and Framework Act 1998

- 19 (1) The School Standards and Framework Act 1998 is amended as follows.

- (2) In section 20(2A)(b) (new categories of maintained schools) after “this Act” insert “or sections 45 to 55 of, and Schedule 4 to, the School Standards and Organisation (Wales) Act 2013”.
- (3) In section 21(6) (kinds of foundation and voluntary schools and types of foundations) –
 - (a) in paragraph (a) –
 - (i) omit “in accordance with Schedule 8 or”, and
 - (ii) after “Act 2006” insert “or in accordance with proposals made under section 45 of the School Standards and Organisation (Wales) Act 2013”;
 - (b) in paragraph (f) –
 - (i) in sub-paragraph (i), omit “under paragraph 2 of Schedule 8 or” and after “Act 2006” insert “or under section 48 of the School Standards and Organisation (Wales) Act 2013”,
 - (ii) in sub-paragraph (ii), for “that paragraph or that section” substitute “either of those sections”,
 - (iii) omit sub-paragraph (iii).
- (4) Omit sections 28 and 29 (proposals for establishment, alteration and discontinuance of mainstream schools).
- (5) In section 30 (notice by governing body to discontinue foundation or voluntary school) –
 - (a) in subsection (1) after “voluntary school” insert “in England”;
 - (b) in subsection (3) omit paragraph (b);
 - (c) in subsection (9) omit paragraph (a);
 - (d) in the heading after “voluntary school” insert “in England”.
- (6) Omit sections 31 to 35 (provisions relating to special schools, rationalisation of school places and change of category of schools).
- (7) In section 49(6) (maintained schools to have delegated budgets) –
 - (a) omit “paragraph 14(2) of Schedule 6, paragraph 3(3) of Schedule 7A to the Learning and Skills Act 2000”,
 - (b) after “2002” insert “section 75(2)(b) of, or paragraph 4 of Schedule 3 to, the School Standards and Organisation (Wales) Act 2013”.
- (8) In section 82(1) (modification of trust deeds) for “or the Academies Act 2010” substitute “, the Academies Act 2010 or the School Standards and Organisation (Wales) Act 2013”.
- (9) Omit section 101(3) (permitted selection: pupil banding).
- (10) In section 103(2)(b) (permitted selection: introduction, variation or abandonment of provision for such selection) for “prescribed alteration for the purposes of section 28” substitute “regulated alteration within the meaning of Chapter 2 of Part 3 of the School Standards and Organisation (Wales) Act 2013”.

- (11) In section 143 (index) –
 - (a) omit the entry beginning “alteration”;
 - (b) omit the entry beginning “area”;
 - (c) omit the entry beginning “discontinuing”;
 - (d) omit the entry beginning “promoters”;
 - (e) omit the entry beginning “school opening date”.
- (12) In Schedule 3 (funding of foundation, voluntary and foundation special schools) –
 - (a) in paragraph 2(2)(a)(ii), for the words from “or promoters” to “proposals” substitute “or the person by whom proposals were made is required to provide by virtue of Part 2 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013 (provision of premises and other assistance)”;
 - (b) in paragraph 7 –
 - (i) in sub-paragraph (3)(a) after “28,” insert –
 - “(ia) the implementation of proposals made under section 42 of the School Standards and Organisation (Wales) Act 2013 to make a regulated alteration to a school,”;
 - (ii) in sub-paragraph (5) for “to the promoters” substitute –
 - “(a) in relation to England, to the promoters, and
 - (b) in relation to Wales, to the person who made the proposals under section 41(2) of the School Standards and Organisation (Wales) Act 2013”.
- (13) Omit Schedules 6 to 8 (provisions about procedure and implementation of statutory proposals, rationalisation of school places and changes of category of schools).
- (14) In Schedule 22 (disposals of land) –
 - (a) in paragraph 1, –
 - (i) in sub-paragraph (1) for “, voluntary or foundation special” substitute “or voluntary”;
 - (ii) after sub-paragraph (1)(a) insert –
 - “(aa) any land acquired under paragraph 7 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under that paragraph as applied by section 76(1) of that Act or under Part 3 of Schedule 4 to that Act;”;
 - (b) in paragraph 2, after sub-paragraph (1)(a) insert –
 - “(aa) any land acquired under paragraph 7 or 11 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under either of those paragraphs as applied by section 76(1) or (3) of that Act or under Part 3 of Schedule 4 to that Act;”;
 - (c) in paragraph 2A –
 - (i) in sub-paragraph (1) omit “or foundation special”;

- (ii) after sub-paragraph (1)(a) insert –
 - “(aa) any land acquired under paragraph 7 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under that paragraph as applied by section 76(1) of that Act or under Part 3 of Schedule 4 to that Act;”;
- (iii) in sub-paragraph (1)(b) after “(a)” insert “or (aa)”;
- (iv) in sub-paragraph (1)(c) omit “or foundation special”;
- (v) in sub-paragraph (2)(a)(ii) after “(a)” insert “or (aa)”;
- (vi) in sub-paragraph (2)(b) after “(a)” insert “or (aa)”;
- (vii) in sub-paragraph (6) omit “or foundation special”;
- (viii) in the heading omit “or foundation special school”;
- (d) in paragraph 3 –
 - (i) in sub-paragraph (1) for “, voluntary or foundation special” substitute “or voluntary”;
 - (ii) after sub-paragraph (1)(a) insert –
 - “(aa) any land acquired under paragraph 7 or 11 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under those paragraphs as applied by section 76(1) or (3) of that Act or under Part 3 of Schedule 4 to that Act;”;
 - (iii) in sub-paragraph (3) after “(a),” insert “(aa),”;
 - (iv) in sub-paragraph (4)(c)(ii) after “this Act” insert “or under paragraph 7(6) of Schedule 3 to the School Standards and Organisation (Wales) Act 2013”;
 - (v) in sub-paragraph (8)(b)(i) for “, voluntary or foundation special” substitute “or voluntary”;
 - (vi) in sub-paragraph (8)(b)(ii) for “foundation, voluntary or foundation special” substitute “voluntary”;
 - (vii) in sub-paragraph (12) for “, voluntary or foundation special” substitute “or voluntary”;
 - (viii) in the heading for “, voluntary or foundation special” substitute “or voluntary”;
- (e) in paragraph 4(1)(a)(i) for “, voluntary or foundation special” substitute “or voluntary”;
- (f) in paragraph 5 –
 - (i) in sub-paragraph (1)(b)(i) for “, voluntary or foundation special” substitute “or voluntary”;
 - (ii) omit sub-paragraph (1)(b)(ii);
 - (iii) in sub-paragraph (4)(c) after “alteration” insert “or regulated alteration”;

- (iv) in sub-paragraph (4A) omit “or foundation special” and after “(a),” insert “(aa),”;
- (v) in sub-paragraph (4B)(b)(ii) omit “or foundation special”;
- (vi) in sub-paragraph (4B)(d) after “alteration” insert “or regulated alteration”;
- (vii) in sub-paragraph (6)(a) after “2A(1)(a),” insert “(aa),”;
- (g) in paragraph 6 –
 - (i) in sub-paragraph (1) after “section 30(1)” insert “or section 80 of the School Standards and Organisation (Wales) Act 2013”;
 - (ii) in sub-paragraph (2)(a) after “section 30(2)” insert “or section 80(2) of the School Standards and Organisation (Wales) Act 2013”;
- (h) in paragraph 8 –
 - (i) in sub-paragraph (1) after “section 30(10)” insert “or section 80(11) of the School Standards and Organisation (Wales) Act 2013”;
 - (ii) in sub-paragraph (2) after “section 30(2)(a) to (d)” insert “or section 80(2) of the School Standards and Organisation (Wales) Act 2013”;
- (i) in paragraph 10 after sub-paragraph (1)(e) insert –
 - “(f) “regulated alteration” has the same meaning as in Chapter 2 of Part 3 of the School Standards and Organisation (Wales) Act 2013.”

Learning and Skills Act 2000

- 20 (1) The Learning and Skills Act 2000 is amended as follows.
- (2) In section 33P(3)(b)(i) (application of local curriculum provisions to students who are registered pupils of special schools or who have learning difficulties) omit “or foundation”.
 - (3) After section 83(9) (area inspections) insert –
 - “(9A) For provision on reporting on sixth forms found to be causing concern in an area inspection, see sections 44C and 44E of the Education Act 2005.”
 - (4) Omit sections 113 and 113A.
 - (5) In section 126(3)(b) (educational institutions: information and access) omit “or foundation”.
 - (6) Omit the following provisions –
 - (a) Schedules 7 and 7A;
 - (b) paragraphs 84, 89 and 90 of Schedule 9.

Education Act 2002

- 21 (1) The Education Act 2002 is amended as follows.
- (2) In section 19(2)(e) (governing bodies) omit “, a foundation special school”.

- (3) Omit section 72 (restructuring sixth form education).
- (4) In section 97 (interpretation of Part 7) –
 - (a) in paragraph (b) in the definition of “maintained school” omit “or foundation”;
 - (b) in the definition of “maintained secondary school” omit “or foundation”.
- (5) In section 111(4) (development work and experiments) for “, voluntary aided or foundation special” substitute “or voluntary aided”.
- (6) In section 116N(3)(b) (application of local curriculum provisions to children who are registered pupils of special schools) omit “or foundation”.
- (7) In section 129(6)(b) (transfer of employment) after “1998” insert “or Part 3 of the School Standards and Organisation (Wales) Act 2013”.
- (8) In section 153(4) (powers of local authority in respect of funded nursery education) in the definition of “maintained school” omit “or foundation”.
- (9) Omit section 154 (establishment or alteration of maintained nursery schools).
- (10) Omit sections 191 to 193 (regional provision for special educational needs).
- (11) In paragraph 5(2)(b) of Schedule 1 (incorporation and powers of governing body) for paragraphs (i) to (iii) substitute –
 - “(i) the date on which proposals for discontinuing the school are implemented under Part 3 of the School Standards and Organisation (Wales) Act 2013,
 - (ii) the date on which the school is discontinued under section 80 of the School Standards and Organisation (Wales) Act 2013, or
 - (iii) the date specified in a direction given under section 16(2) or 81(1) of the School Standards and Organisation (Wales) Act 2013”.
- (12) Omit Schedules 9 and 10 (proposals relating to sixth forms and establishment of schools).
- (13) In Schedule 21 (minor and consequential amendments) omit paragraphs 98, 115, 116 and 126.

Education Act 2005

- 22 (1) The Education Act 2005 is amended as follows.
- (2) In section 28 (duty to arrange regular inspections of certain schools) –
 - (a) in subsection (2)(b) omit “and foundation”;
 - (b) in subsection (4) –
 - (i) in paragraph (a) omit “or foundation”;
 - (ii) in paragraph (b) for “section 30 of the School Standards and Framework Act 1998 (c31)” substitute “section 80 of the School Standards and Organisation (Wales) Act 2013”;

- (iii) in paragraph (c) omit “or foundation” and for “section 19 or 32 of that Act” substitute “section 16(2) or 81(1) of the School Standards and Organisation (Wales) Act 2013”;
- (iv) in paragraph (d) omit “or foundation”.
- (3) In section 31(1) (interpretation of Chapter 3) in the definition of “maintained school” omit “or foundation”.
- (4) In section 41(3) (destination of reports: non-maintained schools) omit “or foundation”.
- (5) In section 42(4) (statement to be prepared by proprietor of school) omit “or foundation”.
- (6) In section 43 (interpretation of Chapter 4) in the definition of “maintained school” omit “or foundation”.
- (7) Omit the following provisions –
 - (a) section 46 (sixth forms requiring significant improvement);
 - (b) sections 68, 69, 70, 71 (school organisation).
- (8) In paragraph 1 of Schedule 4 (school inspections in Wales under section 28) in the definition of “appropriate authority” omit “or foundation”.
- (9) Omit the following provisions –
 - (a) Schedule 5 (sixth forms requiring significant improvement);
 - (b) paragraphs 7, 8, 13 and 14 of Schedule 12 (amendments relating to school organisation).

Education and Inspections Act 2006

- 23 (1) The Education and Inspections Act 2006 is amended as follows.
- (2) Omit section 54(1)(e) (pupil banding).
 - (3) In Schedule 3 (amendments relating to school organisation) omit paragraphs 14(b)(ii), 18, 20, 22 to 26, 33 to 36, 46 and 50.
 - (4) In Schedule 14 (minor and consequential amendments) omit paragraphs 61 and 66.

National Health Service (Wales) Act 2006

- 24 (1) The National Health Service (Wales) Act 2006 is amended as follows.
- (2) In paragraph 5(1)(a) and (b) of Schedule 1 (further provision about the Welsh Ministers and services under this Act) for “, voluntary or foundation special” substitute “or voluntary”.

Learner Travel (Wales) Measure 2008

- 25 (1) The Learner Travel (Wales) Measure 2008 is amended as follows.
- (2) In section 24(1) (general interpretation) in the definition of “maintained school” omit “or foundation”.

Learning and Skills (Wales) Measure 2009

- 26 (1) The Learning and Skills (Wales) Measure 2009 is amended as follows.
- (2) In section 44 (learning pathways: interpretation) in the definition of “maintained school” omit “or foundation”.

Healthy Eating in Schools (Wales) Measure 2009

- 27 (1) The Healthy Eating in Schools (Wales) Measure 2009 is amended as follows.
- (2) In section 11 (interpretation) in the definition of “maintained school” omit “or foundation”.

Equality Act 2010

- 28 (1) The Equality Act 2010 is amended as follows.
- (2) In paragraph 4 of Schedule 11 (single-sex schools turning co-educational) –
- (a) in sub-paragraph (2) for the words from “paragraph 22” to “1998” substitute “section 82 of, or Part 3 of Schedule 3 to, the School Standards and Organisation (Wales) Act 2013”;
- (b) omit sub-paragraph (5).

Education (Wales) Measure 2011

- 29 (1) The Education (Wales) Measure 2011 is amended as follows.
- (2) In section 8 (interpretation of Part 1) in the definition of “maintained school” omit “or foundation”.
- (3) In section 13(b) (single governing body for federations) for the words from “Chapter 2” to the end substitute “Part 3 of the School Standards and Organisation (Wales) Act 2013 (school organisation) or in Part 3 of the School Standards and Framework Act 1998 (school admissions)”.
- (4) Omit section 20 (minor and consequential amendments to the Education Act 2005).
- (5) In section 21(1) (interpretation of Chapter 1) in the definition of “maintained school” omit “or foundation”.
- (6) Omit sections 26 to 30 (foundation schools).

Welsh Language (Wales) Measure 2011

- 30 (1) The Welsh Language (Wales) Measure 2011 is amended as follows.
- (2) In paragraph 2 of Schedule 6 in the definition of “governing body of a school” omit “or foundation”.

PART 3

AMENDMENTS RELATING TO PART 5 (MISCELLANEOUS SCHOOLS DUTIES)

Education Act 1996 and orders made under it

- 31 (1) In section 512A(6) of the Education Act 1996 (transfer of functions under section 512 to governing bodies), omit from “and such” to the end.
- (2) In the Education (Transfer of Functions Concerning School Lunches) (Wales) Order 1999 (SI 1999/610), omit article 4.
- (3) In the Education (Transfer of Functions Concerning School Lunches) (Wales) (No. 2) Order 1999 (SI 1999/1779), omit article 4.

Education Act 2002

- 32 In Schedule 21 to the Education Act 2002 (minor and consequential amendments) omit paragraph 110.

Education Act 2005

- 33 In section 103 of the Education Act 2005 (annual parents’ meetings) omit subsection (2) and (3)(a)(ii).

Education and Inspections Act 2006

- 34 (1) The Education and Inspections Act 2006 is amended as follows.
- (2) Omit section 58 (code of practice as to relationships between local authorities and maintained schools).
- (3) In section 87 (power to charge for provision of meals) –
- (a) in subsection (1), omit paragraph (b);
- (b) in subsection (2), omit paragraph (b).

Healthy Eating in Schools (Wales) Measure 2009

- 35 In section 8(2)(b) of the Healthy Eating in Schools (Wales) Measure 2009 (which provides for a new subsection (4A) to be inserted into section 512 of the Education Act 1996), for “7(5)” substitute “4”.

Education Act 2011

- 36 In section 35 of the Education Act 2011 (duties in relation to school meals) –
- (a) in subsection (2) omit paragraph (b);
- (b) in subsection (3) omit paragraph (b).

1. OUR VISION

“Provide education of the best possible quality that will provide the county’s children with the experiences, skills and confidence to develop into bilingual, successful and well-rounded citizens.”

2. OUR AIMS

To achieve the vision, the Working Group has agreed on the following aims:

- Provide the County’s children with the best possible experiences and opportunities by ensuring **classes of appropriate size** and **high quality school leadership**;
- Aim to **promote and strengthen the Welsh language** – as an educational and social medium - by presenting new proposals for primary education within the County;
- Respond **pro-actively and creatively** to the needs and opportunities provided by the current education system through fostering a collaborative, sustainable and practical **long-term plan** ;
- Ensure that children gain the greatest positive from education spending within the county by **fully utilising all available resources** – whether human, technological or financial;
- Improve resources and buildings to **create a learning environment of the best possible quality**.
- Develop our schools into **establishments that are central to community activity**.

3. OUR STRATEGY

- 3.1. The Working Group has already decided that **“change is imperative in some areas for several reasons”**. Implementing this change requires a clear and practical strategy.
- 3.2. The Working Group has also decided that the detailed planning work should be developed within secondary school catchment-areas. *Appendix 1* contains a list of these catchment-areas.
- 3.3. The Vision and Aims realisation strategy will be based on the principles that:
 - The change will be planned on a catchment-area basis, prioritising those catchment-areas where the need for the change is most clearly apparent;
 - The scale, nature and timetable of change will vary from one catchment-area to the next;
 - The change must be planned with local representatives – in some catchment areas there will be scope to discuss several options and there will be an opportunity to consider new ideas which arise from the discussion locally;
 - A clear and fair review framework is put in place for catchment-areas and individual schools - the framework will serve as an important context within which the scale, nature and time table for the change in specific catchment-areas will emerge;
 - Any proposal to alter the local primary education provision maintains and improves the use of Welsh as an educational and community language amongst children.
 - The Council undertakes to keep any savings which result from school reorganisation within the schools system.



4. CONSIDERATIONS FOR THE REVIEW FRAMEWORK

The purpose of the Review Framework is to support the process of identifying and prioritising catchment-areas where the need for change is most clearly apparent. The following considerations will be used in prioritising catchment-areas for review. In addition, they will be used to support the work of determining the scale and nature of the change required in the various catchment-areas.

4.1. Class Sizes

- 4.1.1. Our expectation is that there will be appropriately-sized classes in Gwynedd primary schools so that children within the county acquire the best possible experiences and opportunities.
- 4.1.2. At present, class sizes vary significantly throughout the County, affecting the educational experiences of children. Classes in some catchment-areas are large and can contain more than 30 pupils. The Council believes that very large classes have a negative impact on children's educational experiences, a view supported by recent research (Blatchford et al, Institute of Education, 2008). On the other hand, many of the County's schools have very small classes. In a report to Gwynedd Council (2004) the former Chief Inspector of Education for Wales Roy James noted that "...*(a) small number of pupils in year groups in the smallest schools lead to less academic competition and stimulation, and fewer opportunities to take advantage of a diverse range of curricular and extra-curricular experiences*". The Council will endeavour to reduce larger classes and strengthen the county's smaller classes to ensure that all pupils receive the full range of appropriate experiences and attention.
- 4.1.3. In light of the above, it is our objective to develop schemes which achieve the following in terms of class sizes:
- that pupil numbers of the same age-group in a Key Stage 2 class do not exceed 30;
 - that we will aim, over a period of years, to ensure that there is a maximum of 25 pupils of the same age-group in a primary school class;
 - Ensure that there are on average no more than 20 pupils or fewer than 12 pupils in any mixed age class.
- 4.1.4. *"Class size" will therefore be a key indicator when prioritising catchment-areas for review.*

4.2. Pupil Population and Numbers

- 4.2.1. Our expectation is that planning for the future of education in different catchment-areas needs to reflect trends in terms of population and primary pupil numbers.
- 4.2.2. Research conducted by Gwynedd Schools Service shows that there has been a reduction of 21% in pupil numbers across the County since 1975. A minimum reduction of 11% has occurred in every catchment-area. The reduction has varied from area to area, with a 15% reduction in Arfon, 27% in Dwyfor and 28% in Meirionnydd. There are currently over 2,000 fewer children in the County's schools (5-10 years of age) than in 1975.
- 4.2.3. The substantial reduction in pupil numbers means that the County has high levels of surplus places in its Primary schools. In January 2008, 55% of primary schools in Gwynedd operated with a surplus capacity in excess of 25%. The reduction in numbers has also led of course to an increase in the number of primary schools within the county with 39 pupils or fewer (schools within the "safety net"). There are currently 30 schools within this category.
- 4.2.4. It is however equally true that pupil numbers have grown in some communities since 1975. Some schools within these communities face substantial difficulties in trying to cope with the local growth in child population, and experience difficulties in keeping class sizes under 30.

- 4.2.5. Future population projections must be considered although this is not an exact science. The County's schools present three year projections to the LEA every September. Based on figures for individual schools in September 2008, there will be a further reduction of approximately 4% over the next 3 years. If this is realised, there will have been a reduction of almost 10% in the number of primary school pupils attending the county's primary schools between 2006-2011.
- 4.2.6. Projections up to 2016 vary, depending on the methodology used. In Appendix 2, the Council's Research Unit presents a paper that provides information on population projections for Gwynedd.
- 4.2.7. *In terms of the Review Framework, the scale of the reduction in pupil numbers since 1975 within the catchment-area is a key indicator when prioritizing catchments for further consideration.. This ensures that any substantial reduction in numbers is taken into account in future planning of primary education in various catchment-areas.*

4.3. The Child's Learning Environment

- 4.3.1. Our expectation is that the "learning environment" for the County's children and teachers – in other words the condition of the school, the classroom, staffroom, play provision – meet 21st century teaching and learning requirements.
- 4.3.2. There is real concern about the condition and suitability of the County's primary schools. The buildings require substantial investment so as to address health and safety matters and achieve appropriate standards. A number of schools are in poor condition. The Council's Assets Management Plan estimates Gwynedd school maintenance accumulated costs of £12.6million. In addition, there is concern about the condition of temporary buildings in schools which may mean expenditure requirements of approximately £11million. The cost of upgrading and adapting the county schools buildings to meet new curriculum requirements and expected standards are even more substantial.
- 4.3.3. According to the 2007 Estyn report (Evaluation of schools performance prior to and after moving into new buildings or substantially renovated property) *"old school buildings which are in poor condition cannot meet modern teaching and learning requirements. Inadequate buildings make it more challenging to make improvements in standards of achievement... Improvements in quality of buildings have a very beneficial impact on quality of teaching and staff morale that has a positive impact on pupils' performance"*.
- 4.3.4. In light of the above, we aim to ensure that our plans achieve the following with regard to the child's learning environment:
- To consider the findings and implications of the Council's Assets Management Plan and the cost of repairing, renovating and adapting school buildings;
 - The opportunities to attract capital from various sources to build new schools or substantially renovate some current schools;
 - To aim to provide quality primary education buildings within the County through structured planning, providing headteachers and teachers with appropriate rooms and access to playing fields and an appropriate hall for children. Buildings will also need to comply with Foundation Phase and Curriculum 2008 requirements.
- 4.3.5. *In terms of the Review Framework, information on the condition and suitability of primary schools will be a key consideration when prioritizing catchment-areas for review.*

4.4. Leadership

- 4.4.1. Our expectation is that headteachers will have a fair opportunity to provide professional leadership and management for their schools.

- 4.4.2. There is no doubt that the Headteacher's excellent leadership qualities are a key factor in creating a successful school. Enabling the County's headteachers to place an emphasis on the following factors – identified by the Welsh Assembly Government's Revised National Standards for Headteachers in Wales guidance document - would be a major contributor towards achieving our educational aims:
- The ability to create a strategy direction;
 - Provide leadership on Learning and Teaching;
 - Develop and Work With Others;
 - Manage the School;
 - Ensure Accountability;
 - Strengthen the Community based Focus.
- 4.4.3. However, one of the main threats that we face are the difficulties in recruiting new Headteachers. The Schools Service has a record of these difficulties. There is clear evidence that several schools have to re-advertise posts and consequently, several of our primary schools have an acting headteacher.
- 4.4.4. In addition, over 50% of current headteachers are or will be eligible to retire over the next 5 years. There is therefore a possibility that the situation will seriously deteriorate.
- 4.4.5. The Working Group is very concerned about this situation, mainly due to the possible impact on quality of school leadership. This matter therefore requires continued prioritisation, and steps are required to ensure an increase in the number of candidates in Gwynedd who apply for the NPQH course to prepare teachers for headteacher posts.
- 4.4.6. In terms of the Review Framework, *if difficulties in appointing headteachers have or are about to impact schools within the catchment-area, this will be a key indicator in the prioritisation of a catchment-area where the need lies for the most apparent and clear change.*

4.5. The Community

- 4.5.1. Our expectation is that the County's Primary Schools serve as a focal point for community-based activities, enriching pupils' experiences and opportunities.
- 4.5.2. As a Working Group, we would like to see the community making full use of the school, mostly after school hours, in compliance with the Assembly's programme to develop "community focused schools". There is no doubt that schools have opportunities to provide additional services or activities, e.g. play groups, sports clubs and voluntary establishments, which will in turn involve parents, members of the community and local groups.
- 4.5.3. The LEA has information on the community use of the County's schools, e.g.:
- Area regeneration officers have held a review of community facilities and there is evidence of the use made of educational establishments as well as other establishments within the community;
 - The Schools' Service held a review of the use of schools by the community in 2007 in an attempt to gauge the suitability of school buildings to host community-based activities.
- 4.5.4. We also wish to further foster and develop the links between schools and the local community, so that pupils appreciate the history, culture and development of these communities.
- 4.5.5. However, a key factor in achieving this is that the school represents and serves its community. The Working Group's concern is that over 20% of primary school pupils currently attend schools outside the catchment-area. Whilst parents have a legal right to select their child's school, the significant percentage that opts for schools from outside the catchment-area is an increasing concern in terms of strategic planning and the aim of developing community schools.

4.5.6. The Working Group is of the view that information should be gathered on the number of schools who have a substantial number of pupils from outside the catchment-area or who lose pupils to other schools/catchment-areas.

4.5.7. We wish to consider such movements within our Review Framework. The Working Group feel that *the situation should be reviewed if schools within the catchment area gain or lose more than 20% of its pupils due to the impact on the neighbouring community and the catchment-area. This will therefore be a key indicator when prioritizing catchment-areas for review.*

4.6. Financial Resources

4.6.1. Our expectation is that Gwynedd will make the best possible use of all financial resources available for the County's primary education.

4.6.2. Gwynedd already stands among the highest quartile on expenditure on education in Wales, and on devolving funding to schools. According to Estyn (2007), the Council had allocated net teaching budget per pupils (including funding which isn't devolved to schools such e.g. integration budget) for 2006-07 of £4,322 compared to an average of £4,094 for the whole of Wales (composite budgets). However, a substantial percentage of this budget goes on maintaining poor buildings, a high number of school sites across the County and on surplus places.

4.6.3. In addition, the schools service – as all other services across the Council – faces regular cuts over the next five years. Any reorganisation proposals must therefore take full account of this context and respond appropriately. However, the Council will endeavour, where appropriate, to keep any savings which result from the reorganisation of schools within the schools system.

4.6.4. There is a significant difference between expenditure per pupil in one catchment area compared with another, as well as between schools within the same catchment-area.

4.6.5. In addition, a large number of the county's schools were designed to cater for many more pupils than have attended the school for several years. Although the cost of empty places should not drive any new proposals, the impact and implications of substantial expenditure on schools which have a high percentage of empty places has to be taken into account – especially the impact and implications on the budget and on other schools.

4.6.6. At present 30 schools which have 39 pupils or fewer receive additional revenue worth £477,000 between them through the "safety net" which enables them to employ a Headteacher and a teacher. Although circumstances in these schools can vary significantly, this factor must be considered when focussing on use of resources.

4.6.7. *The Working Group has identified the following as key indicators when prioritizing catchment-areas for review:*

- *Surplus places across the catchment-area;*
- *Per capita expenditure per school greater than 10% above or below the county average*

4.7. Specific request for consideration or an exceptional situation

4.7.1. Whilst there is a desire to review school organization strategically and at a catchment-area level, individual schools have written to the Council asking the authority to review specific situations. The Council must be willing to consider and respond positively to such requests.

4.7.2. Relevant professional information should also be considered so as to draw attention to urgent situations within the County that directly impact quality of pupils' education and experiences. (e.g. very low pupil numbers within a school, very poor condition of a school building, difficulties in headteacher recruitment).

- 4.7.3. *Situations of serious and immediate concern as evidenced by relevant professional specialist information and including specific requests from individual schools will be a key consideration when prioritizing catchment-areas for review.*

4.8 The Welsh language

- 4.8.1 Our expectation is that all the county's pupils will have developed age-relevant bilingual skills which allows them to become fully participating members of the bilingual society in which they live.
- 4.8.2 A language impact study was completed on the possible language impact of the October 2007 draft plan (available on the council's website), and this information is a basis for considering educational developments in the use of Welsh outside the classroom.
- 4.8.3 Any new proposals to change the organisation of local schools must take full consideration of the possible language impact.
- 4.8.4 Supporting and improving the use of Welsh as an educational and social language among children will therefore be a key consideration in drafting proposals within individual catchment areas.

4.9. Geographical Factors

- 4.9.1. Our expectation is that every child will be entitled to have access to quality education within reasonable distance of home.
- 4.9.2. There is recognition that Gwynedd is a very rural county with considerable travelling distance between some communities. When presenting any specific proposals in a county such as Gwynedd, the distance between sites and travel time for the child will be key.
- 4.9.3. A national policy notes that up to 45 minutes of one way travel is appropriate. It is the Working Group's view that the aim should be to limit home-school travel to a maximum one-way journey of 30 minutes.
- 4.9.4. *The above will therefore be a key consideration when preparing proposals within individual catchment-areas.*

5. THE MATRIX

- 5.1. A Matrix is presented in *Appendix 3* which draws together the various considerations.
- 5.2. Those catchment-areas which score highest against the key indicators will be prioritized for review. To all intents and purposes, these indicators serve as "trigger points" for review.
- 5.3. Data packs for each catchment-area will be prepared and published. We will invite comments on these packs. This is the information that will be used to complete the matrix.
- 5.4. On the basis of the assessment carried out using the Review Framework, 3 catchment areas have been identified as areas which will be subject to the initial round of the review, namely the Tywyn, Berwyn and Gader catchment areas.
- 5.5. The Review Framework will be reviewed in January 2010 as the work programme for 2010-11 is developed.

6. THE COUNTY CONSULTATIVE PANEL

- 6.1. County Consultative Panel will be established by the Schools' Portfolio Leader to support her in developing proposals for each catchment in turn. In addition, the County Consultative Panel will maintain a county-wide overview.

- 6.2. The Consultative Panel's membership will include the present members of the Primary Schools Reorganisation Improvement Working Group and will meet as required and at the invitation of the Schools' Portfolio Leader.

7. THE CATCHMENT-AREA REVIEW PROCESS

- 7.1. Following the completion of the catchment-area prioritization process, careful consideration will need to be given to the current provision and various options in catchment-areas of greatest concern.
- 7.2. To achieve this in an inclusive and open manner, we aim to establish a Catchment-area Review Panel. The Panel will be able to co-opt a limited number of people to support its work. While there is concern that groups which are too large could limit open discussion, it is accepted that schools will have an interest in being represented on the Panel. It is therefore proposed that the membership should be limited to a size which allows for constructive communication side by side with fair representation, but that this will be dependent on the agreement of school representatives at the first meeting within the catchment area. It is anticipated that the Catchment Area Review Panel's membership will include:
- all local elected Members;
 - the Schools Portfolio Leader (or her representative);
 - representation from among Working Group members;
 - The headteacher of the local secondary school;
 - At least one headteacher and one chair of governors drawn from the catchment area's primary schools, or the headteacher and the chair of governors (or another governor representative) of each school if that is the wish expressed locally ;
 - Denominational representative where relevant;
 - Any further members the Catchment Area Review Panel wishes to invite;
 - The work will be supported by the appropriate Council officers.
- 7.3. In essence, the role and scope of the Panel will be to collect local evidence (on a catchment area basis) and to present various ideas and options to the Schools' Portfolio Leader.
- 7.4. In establishing the Catchment Area Review Panel, a meeting will be held for the Headteachers and Chairs of Governors of each schools along with Catchment Area representatives outlines in 7.2 above. The meeting will:
- share information and check data, providing an opportunity to discuss and to challenge the evidence presented. The Panel will not move ahead to develop alternative models until any reasonable doubts on the veracity of the data has been assuaged;
 - explain the process;
 - nominate the optional members of the Catchment Area Review Panel;
 - seek comments/ideas to be discussed at the first official meeting of the Catchment Area Review Panel.
- 7.5. It is envisaged that the Catchment Area Review Panel will meet on 3/4 occasions over a 3 month period. The Panel Members will play a key role supporting the Portfolio Leader in developing proposals for each catchment area.
- 7.6. The first meeting of the Catchment Area Review Panel will agree Terms of Reference. This will include an outline of the following:

- A detailed and clear project plan including firm milestones;
- Communication and dissemination strategies for the purpose of sharing information with relevant individuals and groups.

Particular attention will be paid during the first meeting of the Catchment Area Review Panel to situations facing individual schools – and the results of the Review Framework will provide a context for these considerations. There will also be an opportunity to collect preliminary ideas put forward by members of the Catchment Area Review Panel on the basis of the discussions at the meeting noted in 7.2 above.

- 7.7. The second meeting will provide an opportunity to respond to any ideas presented and to seek consensus. This will involve the discussion of any models developed during the communication process within the catchment area in addition to the Council's preliminary ideas.
- 7.8. The County Consultative Panel will be given an opportunity to discuss and consider any proposals which have been put to the Catchment Area Review Panel.
- 7.9. The third meeting of the Catchment Area Review Panel will provide an opportunity to present the Schools' Portfolio Leader/County Consultative Panel's comments on the basis of the discussion and the factual information considered and to present final draft options
- 7.10. There will be an opportunity to examine creative models, including the development of area schools. In addition, models which engender formal co-operation will need to be considered within the catchment-area, whether co-operation between local primary schools, between the primary and secondary sectors, or with other agencies and establishments. A thorough understanding of the schools within the catchment area is key, and there will be scope to arrange visits to schools within the catchment area at the request of the Catchment Area Review Panel.
- 7.11. In presenting options, the Catchment Area Review Panel will collect the views of children and young people, parents and other local residents, local community councils and other local authorities, and local schools and nursery groups.
- 7.12. Following the contribution of the Catchment Area Review Panel and the County Consultative Panel, the Portfolio Leader will present proposals to the relevant Council committees before moving to a formal consultation. The Catchment Area Review Panel is seen as a vital link between the Portfolio Leader and community representatives.
- 7.13. The aim will be to complete the task of putting proposals in place in 3 catchment-areas between April 2009 and April 2010. We will endeavor to complete proposals for three catchment areas annually from that point on. It is essential that adequate resources are provided to the Schools Service to administer the plans.

8. WELSH ASSEMBLY GOVERNMENT REQUIREMENTS

- 8.1. Any proposals which emerge from the catchment area discussions must give full and proper consideration to the requirements of the Welsh Assembly Government. The key considerations outlined in *School Organisation Proposals (Circular 23/02)* are listed below:
 - the effect on the standard of education to be provided in the area;
 - the cost-effectiveness of proposals and whether adequate financial resources are available to implement them;
 - the effect on accessibility to schools, particularly in rural areas and on journey times to school;
 - the views of those most directly affected, such as parents and other schools or providers in the area;

- the need for the particular type of provision that is proposed, for example the level of parental demand for Welsh medium education;
- any effect on the proportion of places in faith schools in the area;
- the need for LEAs to comply with their duties under the Sex Discrimination Act 1975, including those provisions relating to single-sex schools;
- the extent to which proposals would foster collaborative arrangements between providers for students aged 16+;
- any new requirements included in the revision to Circular 23/02 following a recent consultation exercise, specifically any further emphasis on ensuring that new proposals contribute to the aims of *Iaith Pawb*, *the Foundation Stage*, *Curriculum 2008*, *14-19 Learning Pathways* and any other new requirements.

9. COMMUNICATION ARRANGEMENTS

- 9.1. In developing this Strategy, the Working Group has given consideration to means of communicating. Naturally, the Council is keen to listen to local opinion, to seek agreement on the way ahead with the aim that change arises from cooperation with the local community. Put simply, the intention is that all parties work collaboratively through the changes in those catchment areas which will require attention.
- 9.2. The Improvement Working Group believes that communication is required on two levels – county and catchment area. The messages – on a county and catchment area basis – must be clear and consistent, and the process must be open.
- 9.3. In terms of county-wide communication, our intention during the first part of the process will be to disseminate information among elected members and others in order to explain WHY change is needed including a synopsis of all evidence presented to the working group.
- 9.4. A conference will be held for all Council members, headteachers and governing body chairs or their representatives in order to present this information.
- 9.5. The Working Group will also ensure that Council members, headteachers, teachers, school governors, pupils, non-teaching members of staff and the public receive regular information briefings. A bespoke section of the Council website will be developed which will summarise all evidence presented to the Working Group and other relevant information.
- 9.6. In terms of communication on a catchment area basis, the Review Panel (see paragraph 6) will have a key role in facilitating mature and responsible discussions on the way ahead in each locality. Clear and consistent message will be presented on a catchment basis to explain WHY change is needed, alongside a discussion on HOW the reorganisation will happen. .
- 9.7. **After completing the above process, clear proposals will be drafted for the catchment area under review, doing so in line with the Vision, Aims and Principles presented in this Strategy.**

ADOLYGU DARPARIAETH ADDYSG
Ysgol Nebo
EDUCATION PROVISION REVIEW



Sefyllfa Ysgolion Cynradd yn **Ardal Dyffryn Nantlle** Blwyddyn Academaidd 2025-26
*Situation of Primary Schools in the **Dyffryn Nantlle Area** Academic Year 2025-26*

Crynodeb Ystadegau'r Ysgolion

		Nebo		Llanllyfni		Baladeulyn		Bro Llifon		Brynaerau		Bro Lleu		Talysarn	
Lleoliad yr Ysgol		Caernarfon LL54 6EE		Caernarfon LL54 6SH		Caernarfon LL54 6BT		Caernarfon LL54 7DT		Caernarfon LL54 5EU		Caernarfon LL54 6RL		Caernarfon LL54 6HR	
Ystod Oedran		3-11		3-11		3-11		3-11		3-11		3-11		3-11	
Categori'r Ysgol: Ysgol Gymuned [CS] / Gwirfoddol dan Gymorth [CWN] / Gwirfoddol dan Reolaeth [CWR]		CS		CS		CS		CS		CS		CS		CS	
Categori Cyfrwng Iaith		Cyfrwng Cymraeg		Cyfrwng Cymraeg		Cyfrwng Cymraeg		Cyfrwng Cymraeg		Cyfrwng Cymraeg		Cyfrwng Cymraeg		Cyfrwng Cymraeg	
Niferoedd disgyblion ar y gofrestr – Medi 2025	Meithrin	1		13		2		15		6		25		17	
	Derbyn-BL.6	11		59		6		134		53		167		84	
	Cyfanswm	12		72		8		149		59		192		101	
Nifer o ddisgyblion ar y gofrestr am y pum mlynedd blaenorol / <i>Number of pupils on the register in the last 5 years</i>		Meithrin / <i>Nursery</i>	Derbyn–BL.6 / <i>R- Yr.6</i>	Meithrin / <i>Nursery</i>	Derbyn–BL.6 / <i>R- Yr.6</i>	Meithrin/ <i>Nursery</i>	Derbyn–BL.6/ <i>R- Yr.6</i>	Meithrin/ <i>Nursery</i>	Derbyn–BL.6 / <i>R- Yr.6</i>	Meithrin/ <i>Nursery</i>	Derbyn–BL.6/ <i>R-Yr.6</i>	Meithrin/ <i>Nursery</i>	Derbyn–BL.6/ <i>R-Yr.6</i>	Meithrin/ <i>Nursery</i>	Derbyn– <i>BL.6 / R-Yr.6</i>
	Medi 2020	0	15	7	67	1	21	20	142	6	55	22	174	15	89
	Medi 2021	2	15	6	64	0	17	14	143	7	54	21	178	16	87
	Medi 2022	0	11	10	62	2	18	21	141	9	53	24	167	14	96
	Medi 2023	3	12	13	57	2	15	16	133	8	56	25	175	10	88
	Medi 2024	0	8	11	65	0	13	22	126	4	57	21	171	10	86
Capasiti / <i>Capacity</i>	Meithrin	7		14		7		24		10		*27		13	
	Derbyn – BL.6	51		103		55		172		71		*180		91	
	Cyfanswm	58		117		62		196		81		*207		104	
Llefydd Gweigion (<i>Derbyn – BL.6</i>) Medi 2025		40		44		49		38		18		13		7	
Rhamcanion Disgyblion		Meithrin	Derbyn–BL.6	Meithrin	Derbyn–BL.6	Meithrin	Derbyn–BL.6	Meithrin	Derbyn–BL.6	Meithrin	Derbyn–BL.6	Meithrin	Derbyn–BL.6	Meithrin	Derbyn– BL.6
	Medi 2026	2	12	12	63	1	8	9	126	6	48	24	169	10	90
	Medi 2027	2	11	12	66	1	8	6	115	6	45	24	173	11	89
	Medi 2028	2	10	11	72	1	7	6	102	6	48	24	170	11	85
	Medi 2029	2	11	12	78	1	8	7	94	6	45	24	170	11	81
	Medi 2030	2	12	12	82	1	8	6	85	6	42	24	166	11	83
Data perfformiad Ysgolion (Estyn)		5x Da (2017)		3x Da (2017)		5x Da (2017)		5x Da (2018)		5x Rhagorol (2019)		Fframwaith Arolygu newydd (2023)		1x Rhagorol 2x Da (2017)	
Categori Cyflwr Adeiladau (Criteria'r Cyngor)		B		B		B		A		B		B		B	
Dyranriad Cyllidol 2025-26		£206,936		£402,831		£194,391		£729,967		£372,811		£962,593		£521,659	
Cost y dysgwr 2025-26		£25,867		£5,768		£14,953		£5,380		£6,345		£5,341		£5,771	

Summary of Schools' Statistics

		Nebo		Llanllfni		Baladeulyn		Bro Llifon		Brynaerau		Bro Lleu		Talysarn	
Location of the School		Caernarfon LL54 6EE		Caernarfon LL54 6SH		Caernarfon LL54 6BT		Caernarfon LL54 7DT		Caernarfon LL54 5EU		Caernarfon LL54 6RL		Caernarfon LL54 6HR	
Age Range		3-11		3-11		3-11		3-11		3-11		3-11		3-11	
School's Category: Community School [CS] / Voluntary Aided[VA] / Voluntary Controlled [VC]		CS		CS		CS		CS		CS		CS		CS	
Language Medium Category		Welsh medium		Welsh medium		Welsh medium		Welsh medium		Welsh medium		Welsh medium		Welsh medium	
Number of Pupils on the register- September 2025	Nursery	1		13		2		15		6		25		17	
	Reception- Yr.6	11		59		6		134		53		167		84	
	Total	12		72		8		149		59		192		101	
Number of pupils on the register in the last 5 years		Nursery	Reception- Yr.6	Nursery	Reception - Yr.6	Nursery	Reception- Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6
	September 2020	0	15	7	67	1	21	20	142	6	55	22	174	15	89
	September 2021	2	15	6	64	0	17	14	143	7	54	21	178	16	87
	September 2022	0	11	10	62	2	18	21	141	9	53	24	167	14	96
	September 2023	3	12	13	57	2	15	16	133	8	56	25	175	10	88
	September 2024	0	8	11	65	0	13	22	126	4	57	21	171	10	86
Capacity	Nursery	7		14		7		24		10		*27		13	
	Reception – Yr.6	51		103		55		172		71		*180		91	
	Total	58		117		62		196		81		*207		104	
Surplus Places (R-Yr.6) September 2025		40		44		49		38		18		13		7	
Pupil Projections		Nursery	Reception - Yr.6	Nursery	Reception- Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6	Nursery	Reception - Yr.6
	September 2026	2	12	12	63	1	8	9	126	6	48	24	169	10	90
	September 2027	2	11	12	66	1	8	6	115	6	45	24	173	11	89
	September 2028	2	10	11	72	1	7	6	102	6	48	24	170	11	85
	September 2029	2	11	12	78	1	8	7	94	6	45	24	170	11	81
	September 2030	2	12	12	82	1	8	6	85	6	42	24	166	11	83
School Performance Data (Estyn)		5x Good (2017)		3x Good (2017)		5x Good (2017)		5x Good (2018)		5x Excellent (2019)		New Inspection Framework (2023)		1x Excellent 2x Good (2017)	
Category Condition of buildings (Council's criteria)		B		B		B		A		B		B		B	
2025-26 Finance Allocation		£206,936		£402,831		£194,391		£729,967		£372,811		£962,593		£521,659	
2025-26 Cost per pupil		£25,867		£5,768		£14,953		£5,380		£6,345		£5,341		£5,771	

Niferoedd, Capasiti a Llefydd Gweigion (D-BI.6)
Numbers, Capacity and Surplus Places (R-Yr.6)

Ysgol	Nifer ar y gofrestr Medi 2025 (D – BI6) Number on roll September 2025 (R – Yr 6)	Capasiti Llawn (D – BI6) Full Capacity (R – Yr6)	Nifer o Lefydd Gwag 2025 (D – BI6) Number of Surplus Places 2025 (R – Yr6)	% o Lefydd Gwag 2025 (D – BI6) % of Surplus Places 2025 (R – Yr6)
Nebo	11	51	40	78%
Brynaerau	53	71	18	25%
Bro Lleu	167	*180	13	7%
Baladeulyn	6	55	49	89%
Llanllyfni	59	103	44	43%
Talysarn	84	91	7	8%
Bro Llifon	134	172	38	22%

**Dyma'r capasiti diwygiedig ers Medi 2024 - nid yw'n swyddogol ar y pwynt yma, ond bydd yn cael ei gadarnhau'n fuan /*
**This is the revised capacity from September 2024 - it is not official at this point, but will be confirmed soon.*

Niferoedd, Capasiti a Llefydd Gweigion (M-BL6)

Numbers, Capacity and Surplus Places (N-Yr.6)

Ysgol	Nifer ar y gofrestr Medi 2025 (M – Bl6) Number on roll September 2025 (N – Yr6)	Capasiti Llawn (M – Bl6) Full Capacity (N – Yr6)	Nifer o Lefydd Gwag 2025 (M – Bl6) Number of Surplus Places 2025 (N – Yr6)	% o Lefydd Gwag 2025 (M – Bl6) % of Surplus Places 2025 (N – Yr6)
Nebo	12	58	46	79%
Brynaerau	59	81	22	27%
Bro Lleu	192	*207	15	7%
Baladeulyn	8	62	54	87%
Llanllyfni	72	117	45	38%
Talysarn	101	104	3	3%
Bro Llifon	149	196	47	24%

**Dyma'r capasiti diwygiedig ers Medi 2024 - nid yw'n swyddogol ar y pwynt yma, ond bydd yn cael ei gadarnhau'n fuan /*

**This is the revised capacity from September 2024 - it is not official at this point, but will be confirmed soon.*

Ffynhonnell : Cyfrifiad Medi 2025

Source: Census September 2025

Rhagamcanion 3 Mlynedd / 3 Year Projections

	RHAGAMCAN MEDI 2026 SEPTEMBER PROJECTION								
Ysgol / School	M / N	0	1	2	3	4	5	6	Cyfanswm / Total
Nebo	2	1	1	2	1	1	3	3	14
Brynaerau	6	6	4	8	9	9	3	9	54
Bro Lleu	24	25	18	27	28	24	27	20	193
Baladeulyn	1	2	0	2	1	0	2	1	9
Llanllyfni	12	13	12	10	8	5	6	9	75
Talysarn	10	17	11	10	11	15	15	11	100
Bro Llifon	9	15	24	15	19	14	19	20	135
	RHAGAMCAN MEDI 2027 SEPTEMBER PROJECTION								
Ysgol / School	M / N	0	1	2	3	4	5	6	Cyfanswm / Total
Nebo	2	2	1	1	2	1	1	3	13
Brynaerau	6	6	6	4	8	9	9	3	51
Bro Lleu	24	24	25	18	27	28	24	27	197
Baladeulyn	1	1	2	0	2	1	0	2	9
Llanllyfni	12	12	13	12	10	8	5	6	78
Talysarn	11	10	17	11	10	11	15	15	100
Bro Llifon	6	9	15	24	15	19	14	19	121
	RHAGAMCAN MEDI 2028 SEPTEMBER PROJECTION								
Ysgol / School	M / N	0	1	2	3	4	5	6	Cyfanswm / Total
Nebo	2	2	2	1	1	2	1	1	12
Brynaerau	6	6	6	6	4	8	9	9	54
Bro Lleu	24	24	24	25	18	27	28	24	194
Baladeulyn	1	1	1	2	0	2	1	0	8
Llanllyfni	11	12	12	13	12	10	8	5	83
Talysarn	11	11	10	17	11	10	11	15	96
Bro Llifon	6	6	9	15	24	15	19	14	108

Ffynhonnell: Cyfrifiad Medi 2025
Source: Census September 2025

Maint dosbarthiadau 2025-2026 / Class sizes 2025-26

Ysgol School	Meithrin Nursery	Derbyn Reception	Bl 1 Yr 1	Bl 2 Yr 2	Bl 3 Yr 3	Bl 4 Yr 4	Bl 5 Yr 5	Bl 6 Yr 6	Cyfansw m Total	Nifer y dosbar- thiadau No. of Classes	Dosbarth mwyaf Largest Class	Dosbarth lleiaf Smallest Class	Maint dosbarth ar gyfartaledd Average Class Size
Nebo	1	1	2	1	1	3	3	0	12	2	6	6	6
Brynaerau	6	4	8	9	9	3	9	11	59	3	27	12	19
Bro Lleu	25	18	27	28	24	27	20	23	192	8	28	18	23
Baladeulyn AM	2	0	1	1	0	2	1	0	8	2	8	3	5
Baladeulyn PM			1	1	0	2	1	0	6	2	4	2	3
Llanllyfni	13	12	10	8	5	6	9	9	72	4	22	13	17
Talysarn	17	11	5	11	15	15	11	11	101	5	30	16	23
Bro Llifon	15	24	6	19	14	12	20	23	149	6	30	15	22

Ffynhonnell: Cyfrifiad Medi 2025

Source: Census September 2025

Proffil leithyddol / Language Profile

Ysgol School	Siarad Cymraeg yn rhugl gartref	Ddim yn siarad Cymraeg gartref ond yn rhugl	Siarad Cymraeg gartref ond nid yn rhugl	Ddim yn siarad Cymraeg gartref a nid yn rhugl	Ddim yn gallu siarad Cymraeg o gwbl
	Speak Welsh fluently at home	Do not speak Welsh at home but are fluent	Speak Welsh at home but not fluent	Do not speak Welsh at home and are not fluent	Do not speak Welsh at all
Nebo	50%	25%	12.5%	12.5%	0%
Brynaerau	63%	2%	8%	10%	17%
Bro Lleu	73%	2%	3%	6%	16%
Baladeulyn	55%	0%	27%	18%	0%
Llanllyfni	80%	1%	8%	4%	7%
Talysarn	37%	4%	16%	19%	24%
Bro Llifon	83%	1%	3%	3%	10%
	Cymraeg Rhugl Fluent Welsh		Ychydig o Gymraeg Some Welsh		Dim Cymraeg No Welsh

Ffynhonnell / Source: CYBLD (Canran o nifer yr ymatebwyr Ionawr 2025) / PLASC
(Percentage of the number of respondents) January 2025

Arolygon Estyn / Estyn Inspections

Ysgol School	Blwyddyn yr arolwg Year of Inspection	Safonau Standards	Lles ac agweddau at ddysgu Wellbeing and attitude towards learning	Addysgu a phrofiadau dysgu Education and learning experiences	Gofal, cymorth ac arweiniad Support ,Care and guidance	Arweinyddiaeth a rheolaeth Leadership and management
Nebo	2017	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>
Baladeulyn	2017	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>
Brynaerau	2019	Rhagorol <i>Excellent</i>	Rhagorol <i>Excellent</i>	Rhagorol <i>Excellent</i>	Rhagorol <i>Excellent</i>	Rhagorol <i>Excellent</i>
Bro Llifon	2018	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>
Bro Lleu	2023	Fframwaith arolygu newydd / <i>New inspection framework</i>				

Estyn				
Ysgol	Blwyddyn yr arolwg Year of Inspection	Pa mor dda yw'r deilliannau? How good are outcomes?	Pa mor dda yw'r ddarpariaeth? How good is provision?	Pa mor dda yw'r arweinyddiaeth a'r rheolaeth? How good are leadership and management?
Talysarn	2017	Da <i>Good</i>	Da <i>Good</i>	Rhagorol <i>Excellent</i>
Llanllyfni	2017	Da <i>Good</i>	Da <i>Good</i>	Da <i>Good</i>

Ffynhonnell / Source: Gwefan Estyn Website

Arweinyddiaeth a rheolaeth / *Leadership and management*

Ysgol / School	Ymrwymïadau Addysgu'r Pennaeth/ Head Teachers' Teaching Commitments
Nebo	90%
Baladeulyn	100%
Brynaerau	0%
Bro Llifon	10%
Bro Lleu	0%
Talysarn	0%
Llanllyfni	50%

Ffynhonnell: Cyfrifiad Medi 2025
Source: Census September 2025

Dyraniad Ysgolion 2025-26 / Schools Allocation 2025-26

Ysgol <i>School</i>	CYFRAN O'R GYLLIDEB / <i>SHARE OF BUDGET</i>		Gwarchodaeth Lleiafswm Staffio* <i>Minimum Staffing Protection*</i>
	Cyfanswm Cyllideb <i>Total budget</i>	Cyfartaledd y Dysgwr <i>Average per learner</i>	
Nebo	£207,000	£25,867	£70,694
Baladeulyn	£194,000	£14,953	£56,781
Brynaerau	£373,000	£6,345	-
Bro Llifon	£730,000	£5,380	-
Bro Lleu	£963,000	£5,341	-
Talysarn	£522,000	£5,771	-
Llanllyfni	£403,000	£5,768	-
Cyfartaledd Ysgolion Cynradd y Dalgylch <i>Catchment Area Average Primary</i>	£484,571	£9,917	-
Cyfartaledd Ysgolion Cynradd y Sir <i>County Average Primary</i>		£5,780	-

*Mae'r polisi gwarchodaeth yn sicrhau o leiaf pennaeth ac athro/athrawes ym mhob Ysgol sydd gyda mwy na 15 dysgwr llawn amser, a pennaeth a cymhorthydd dosbarth mewn ysgolion sydd gyda llai na 15 disgybl llawn amser.

**The minimum staffing protection policy ensures a minimum of headteacher and teacher at every school which has more than 15 full-time learners, and a headteacher and a classroom assistant in a school with fewer than 15 full-time pupils.*

**ASSESSMENT OF THE LIKELY IMPACT ON THE QUALITY
AND STANDARDS OF EDUCATION –
YSGOL NEBO**

December 2025

1. INTRODUCTION

Ysgol Nebo is a community school located in the village of Nebo, which is about three miles from Penygroes, and which provides education for learners between the ages of 3-11. There has been a significant reduction in the numbers of learners at Ysgol Nebo over the past few years, from 27 pupils in 2014 to 11 pupils today, which causes uncertainty about the future of the school.

At its meeting on 11 February 2025, Cyngor Gwynedd's Cabinet gave permission to the Education Department *"Initiate formal discussions with the governing body and other relevant stakeholders of Ysgol Nebo due to concerns about the school's numbers, to enable the formulation of a range of possible options relating to the school's future."*

In accordance with the decision of the Cabinet (11 February 2025), the Nebo School Review Panel (SRP) was established by inviting the Governing Body, parents and staff and the Local Member to join the panel and take part in the discussion. Three SRP meetings were held between March 2025 and July 2025 to discuss a range of options to try to respond to the main challenges facing the school.

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

In accordance with the requirements of the School Organisation Code 011/2018, which includes a 'Presumption against the closure of rural schools', an assessment needs to be made on the likely impact on the quality and standards of education on any reasonable option that can resolve the main challenges the school is facing. For the purpose of the Code, Ysgol Nebo is designated as a 'Rural School'.

Cyngor Gwynedd is committed to providing education of the best possible quality which will give the children of the County the experiences, skills and confidence to develop into bilingual, successful and complete citizens.

It remains a high priority to provide the best possible learning experiences - for all learners within the County, ensuring an exciting and broad curriculum, as well as extracurricular activities that stimulate them to learn and understand, which will lead to improving standards.

2. SUMMARY

Ysgol Nebo was last inspected by Estyn in 2017 where it was concluded that the school's current performance was 'Good'. Below is a summary of the latest inspection of Ysgol Nebo, the neighbouring schools, or schools that are subject to any of the options under consideration for the future of Ysgol Nebo.

School	Inspection year	Standards	Well-being and attitudes to learning	Teaching and learning experiences	Care, support and guidance	Leadership and management
Nebo	2017	Good	Good	Good	Good	Good
Baladeulyn	2017	Good	Good	Good	Good	Good
Brynaerau	2019	Excellent	Excellent	Excellent	Excellent	Excellent
Bro Llifon	2018	Good	Good	Good	Good	Good
Bro Lleu	2023	New inspection framework				

School	Inspection year	How good are outcomes?	How good is provision?	How good are leadership and management?
Talysarn	2017	Good	Good	Excellent
Llanllyfni	2017	Good	Good	Good

3. THE OPTIONS UNDER CONSIDERATION

- *Do nothing - continue with the school's current structure.*

Note that although the case for change has been established, the 'Do nothing' model has been included in the assessment for comparison purposes.

- *Federating with a neighbouring school*

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a head or heads and one governing body. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with neighbouring schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

- *Federating with a neighbouring school adding a specialist unit for children with additional learning needs at Ysgol Nebo*

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a head or heads and one governing body. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with neighbouring schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

In addition to federalisation, this option would also mean adding a location for a ALN unit at Ysgol Nebo.

- *Closing Ysgol Nebo and offering the learners a place in a nearby school (Ysgol Llanllyfni)*

This option would mean closing Ysgol Nebo and offering a place to learners from the catchment area at Ysgol Llanllyfni.

- *Ysgol Nebo developing into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)*

This option would mean that Ysgol Nebo would continue and develop into a specialist location for some individual subjects.

- *Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs, where mainstream education is challenging for them.*

This option would mean adding an area for an ALN unit on the school site in order to offer provision to the children who would need additional support.

- *Ysgol Nebo to offer a language unit for the Dyffryn Nantlle catchment area*

This option would mean adding a language immersion unit on the school site in order to offer an immersion service in Welsh to new speakers.

- *Establishing a school on more than one site - Multi-site School*

This option would mean merging a number of local schools, by closing the schools and establishing one multi-site school which would include the Nebo school site. The option would enable the possibility of sharing resources, buildings, and expertise.

This model would ensure continuity in the presence of a school site in the village of Nebo by establishing a multi-site school, led by a headteacher and one governing body.

4. ASSESSMENT OF THE LIKELY IMPACT ON EDUCATION STANDARDS AND QUALITY

We have used Estyn's latest inspections on the relevant schools for assessing the different options for the future of education for Ysgol Nebo's catchment area.

OPTION 1: DO NOTHING - CONTINUE WITH THE CURRENT SITUATION

This option would mean no change and Ysgol Nebo will continue as it is.

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	No change.	Neutral
Well-being and attitudes to learning	No change.	Neutral
Learning and teaching experiences	No change.	Neutral
Care, support and guidance	No change.	Neutral
Leadership and management	No change.	Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	No change.	Neutral
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	No change.	Neutral

OPTION 2: FEDERATE WITH A NEARBY SCHOOL

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	A negative impact on these criteria is not foreseen through federating with a neighbouring school. The result of the latest Estyn inspection for the indicators of Ysgol Nebo's standards was 'Good'. In addition, it was noted in the main findings of Ysgol Llanllyfni's latest Estyn inspection report that standards are 'Good'. The latest Estyn inspection of Ysgol Bro Lleu stated that 'standards of teaching are sound across the school' As a result, it is concluded that the effect on standards resulting from federating Ysgol Nebo with a neighbouring school such as Ysgol Llanllyfni or Ysgol Bro Lleu would be neutral.	Neutral
Well-being and attitudes to learning	The result of Ysgol Nebo's latest Estyn inspection for the inspection area 'Well-being and attitudes to learning' was 'Good'. In addition, it was noted in the main findings of Ysgol Llanllyfni's latest Estyn inspection report that 'Well-being and attitudes to learning' is 'Good'. Ysgol Bro Lleu's latest Estyn survey stated that "Pupils praise the positive relationship between themselves and the school staff. As a result, nearly all pupils has firm trust in the school's inclusive ethos." As a result, it is concluded that the effect on well-being and attitudes to learning resulting from federating Ysgol Nebo with a nearby school such as Ysgol Llanllyfni or Ysgol Bro Lleu would be neutral.	Neutral
Learning and teaching experiences	The result of the indicator 'Learning experiences'/'Teaching and learning experiences' for Ysgol Nebo and Ysgol Llanllyfni in their last inspections in 2017 was 'Good'. The latest Estyn inspection of Ysgol Bro Lleu stated that the school "provides learning experiences that inspire pupils and this has a positive effect on the pupils' attitudes to learning" As a result, it is anticipated that the implementation of this option would have a neutral effect on learning and teaching experiences.	Neutral
Care, support and guidance	The result of the 'Care, support and guidance' indicator for Ysgol Nebo and Ysgol Llanllyfni was 'Good' in their last inspections in 2017. Ysgol Bro Lleu's latest Estyn inspection stated that the school "is an inclusive and homely community. Staff promote the importance of good behaviour, courtesy and respect successfully." As a result, it is anticipated that the implementation of this option would have a neutral effect on care, support and guidance.	Neutral
Leadership and management	Ysgol Llanllyfni, like Ysgol Nebo, has been assessed as 'Good' in the latest Estyn inspection. In addition, Ysgol Bro Lleu's most recent Estyn survey stated that the "headteacher's strong, intelligent and effective leadership sets a clear strategic direction for the school" Based on the findings of these surveys, and as the federating model with neighbouring school/schools would offer opportunities to strengthen Ysgol Nebo's leadership position, it is concluded that leadership and management would have a positive or at least neutral effect from implementing the federating option.	Positive/Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	Support is provided to vulnerable groups including children with additional learning needs in accordance with the Authority's policy, and the requirements of the Additional Learning Needs (Wales) Act 2018 in all schools in Gwynedd. As a result, it is predicted that the effect of this option on this criterion would be neutral.	Neutral
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	It is anticipated that the impact would be neutral as Ysgol Nebo would continue. In addition, the Estyn inspection result for Ysgol Nebo's 'Standards' was 'Good', as was the result of Ysgol Llanllyfni's inspection. Based on this information, no impact on learners' standards is anticipated from implementing this option.	Neutral

OPTION 3: FEDERALISE WITH A NEARBY SCHOOL ADDING A SPECIALIST UNIT FOR CHILDREN WITH ADDITIONAL LEARNING NEEDS AT YSGOL NEBO

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	No negative impact is anticipated on this criteria through federating with Ysgol Llanllyfni. The result of the latest Estyn inspection for the indicators of Ysgol Nebo's standards was 'Good'. In addition, it was noted in the main findings of Ysgol Llanllyfni's latest Estyn inspection report that standards are 'Good'. The latest Estyn inspection of Ysgol Bro Lleu stated that 'standards of teaching are sound across the school' As a result, it is concluded that the effect of implementing this option would be neutral.	Neutral
Well-being and attitudes to learning	The result of Ysgol Nebo's latest Estyn inspection for the inspection area 'Well-being and attitudes to learning' was 'Good'. In addition, it was noted in the main findings of Ysgol Llanllyfni's latest Estyn inspection report that 'Well-being and attitudes to learning' is 'Good'. Ysgol Bro Lleu's latest Estyn survey stated that "Pupils praise the positive relationship between themselves and the school staff. As a result, nearly all pupils has firm trust in the school's inclusive ethos." As a result, it is concluded that the effect on well-being and attitudes to learning from implementing this option would be neutral.	Neutral
Learning and teaching experiences	The result of the indicator 'Learning experiences'/'Teaching and learning experiences' for Ysgol Nebo and Ysgol Llanllyfni in their last inspections in 2017 was 'Good'. The latest Estyn inspection of Ysgol Bro Lleu stated that the school "provides learning experiences that inspire pupils and this has a positive effect on the pupils' attitudes to learning" As a result, it is predicted that the implementation of this option would have a neutral effect on learning and teaching experiences.	Neutral
Care, support and guidance	The result of the 'Care, support and guidance' indicator for Ysgol Nebo and Ysgol Llanllyfni was 'Good' in their last inspections in 2017. Ysgol Bro Lleu's latest Estyn inspection stated that the school "is an inclusive and homely community. Staff promote the importance of good behaviour, courtesy and respect successfully." As a result, it is anticipated that the implementation of this option would have a neutral effect on care, support and guidance.	Neutral
Leadership and management	No change is anticipated, as Ysgol Llanllyfni, like Ysgol Nebo, has been assessed as 'Good' in the latest Estyn inspection. In addition, Ysgol Bro Lleu's most recent Estyn survey stated that the "headteacher's strong, intelligent and effective leadership sets a clear strategic direction for the school" Based on the findings of these surveys, and as the federating model with neighbouring school/schools would offer opportunities to strengthen Ysgol Nebo's leadership position, it is concluded that leadership and management would have a positive or at least neutral effect from implementing this option.	Positive
Vulnerable groups, including children with Additional Learning Needs (ALN)	Support is provided to vulnerable groups including children with additional learning needs in accordance with the Authority's policy, and the requirements of the Additional Learning Needs Act (Wales) 2018 in all schools in Gwynedd. It is anticipated that the option would have a positive effect on this criteria as it would extend ALN provision in the area.	Positive
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	It is anticipated that the impact would be neutral as Ysgol Nebo would continue. In addition, the Estyn inspection result for Ysgol Nebo's 'Standards' was 'Good', as was the result of Ysgol Llanllyfni's inspection. Based on this information, no impact on learners' standards is anticipated from implementing this option. In addition, it is anticipated that the option would have a positive effect on this criteria as it would extend the ALN provision in the area.	Neutral

OPTION 4: CLOSE YSGOL NEBO AND OFFER THE LEARNERS A PLACE IN A NEARBY SCHOOL (YSGOL LLANLLYFNI)

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	The result of the latest Estyn inspection for the Ysgol Nebo standards indicators was 'Good', while the result of the latest Estyn inspection for Ysgol Llanllyfni was also 'Good'. Based on this, it is concluded that there would be a neutral effect on this criteria by educating the learners at Ysgol Llanllyfni.	Neutral
Well-being and attitudes to learning	The result of the latest Estyn inspection for Wellbeing at Ysgol Nebo and at Ysgol Llanllyfni was 'Good' in their last inspections in 2017. Based on the findings of these inspections, it is concluded that there would be a neutral effect on this criteria by educating the learners at Ysgol Llanllyfni.	Neutral
Learning and teaching experiences	The result of the 'Learning experiences' indicator for Ysgol Nebo and Ysgol Llanllyfni in their last inspections in 2017 was 'Good'. However, as there are more learners at Ysgol Llanllyfni it is anticipated that there will be an opportunity to teach children in larger groups and with age-related peers to expand on their experiences. Based on this, it is concluded that there would be a positive impact on teaching and learning experiences from teaching learners in the Nebo catchment area at Ysgol Llanllyfni.	Positive
Care, support and guidance	The result of the 'Care, support and guidance' indicator at Ysgol Nebo and Llanllyfni in their last inspection in 2017 was 'Good'. As a result, it is considered that this option would have a neutral effect.	Neutral
Leadership and management	It was noted in the last Estyn report that the leadership and management of Ysgol Nebo and Ysgol Llanllyfni were 'Good'. Based on the findings of these inspections, it is concluded that there would be a neutral effect on leadership and management from teaching learners from the Nebo catchment area at Ysgol Llanllyfni.	Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	Support is provided to groups vulnerable to disadvantage, including children with additional learning needs, in accordance with the Authority's policy and the requirements of the Additional Learning Needs (Wales) Act 2018 in every school in Gwynedd. When planning staffing (e.g., the role of the ALNCo) and the provision map, the requirements on schools are challenging, and this becomes more apparent when considering the requirements on smaller schools. In larger schools, the conditions for the additional learning needs coordinator are better, and meeting the statutory requirement is easier as a result. In addition, responding to the learners' needs is also easier in larger schools, as they may be able to maintain an intervention group to target specific needs. The provision map is broader in larger schools to respond to the requirement. As a result, since learners would be offered a place in a school with a higher number of learners, it is expected that the impact of this option on this criterion would be positive.	Positive
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	The result of Estyn's inspection for Ysgol Nebo's 'Standards' was 'Good', as was the result of Ysgol Llanllyfni's inspection. Based on the information from these inspections, no impact on learners' standards is anticipated from teaching learners from the catchment area of Ysgol Nebo at Ysgol Llanllyfni. As a result, it is anticipated that the provision in the alternative school would be equivalent to what is currently available to the learners at Ysgol Nebo.	Neutral

**OPTION 5: YSGOL NEBO DEVELOPING INTO A SPECIALIST LOCATION FOR SOME INDIVIDUAL SUBJECTS
(UNIQUE OPPORTUNITIES TO CARRY OUT FIELD WORK)**

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Well-being and attitudes to learning	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Learning and teaching experiences	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Care, support and guidance	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Leadership and management	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	As Ysgol Nebo would continue to provide statutory primary education, as it currently does at present, no impact on this criterion is anticipated.	Neutral

OPTION 6: YSGOL NEBO TO OFFER A SPECIALIST UNIT FOR SUPPORTING CHILDREN WITH ADDITIONAL LEARNING NEEDS, WHERE MAINSTREAM EDUCATION IS CHALLENGING FOR THEM

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Well-being and attitudes to learning	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Learning and teaching experiences	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Care, support and guidance	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Leadership and management	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is anticipated from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral. However, although it is not anticipated that the specialist unit would affect the school, it is anticipated that the new resource could have a positive impact on the provision available to ALN learners in the area.	Positive
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	As the specialist unit would operate independently from Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen from the implementation of this option. As a result, it is anticipated that the impact on this criterion would be neutral. However, although it is not anticipated that the specialist unit would affect the school, it is anticipated that the new resource could have a positive impact on the provision available to ALN learners in the area.	Positive

OPTION 7: YSGOL NEBO TO OFFER A LANGUAGE UNIT FOR DYFFRYN NANTLLE CATCHMENT AREA

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Well-being and attitudes to learning	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Learning and teaching experiences	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Care, support and guidance	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Leadership and management	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Vulnerable groups, including children with Additional Learning Needs (ALN)	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	As the language unit would operate independently of Ysgol Nebo, no change to the current operation of Ysgol Nebo is foreseen by implementing this option. As a result, it is anticipated that the impact on this criterion would be neutral.	Neutral

OPTION 8: ESTABLISH A MULTI-SITE SCHOOL

Impact Criteria	Description	Status of the impact and the work
Standards and general progress of specific groups and in terms of skills	The result of the latest Estyn inspection for the Ysgol Nebo standards indicators was 'Good', while the result of the latest Estyn inspection for other nearby primary schools (Dyffryn Nantlle catchment area primary schools) was 'Good' with Ysgol Brynaerau being 'Excellent'. Based on this, it is concluded that there would be a neutral effect on this criterion as Estyn's assessment is consistent for most of the schools, with one school (out of 7 in the catchment area) surpassing the rest. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criterion. Opportunities are anticipated to share good practices between the school's sites and possibilities of making better use of resources.	Neutral/Positive
Well-being and attitudes to learning	The result of the latest Estyn survey for the indicators of well-being and attitudes to learning at Ysgol Nebo was 'Good', while the result of the latest Estyn survey for the neighbouring schools (Dyffryn Nantlle catchment area) was also 'Good' with Ysgol Brynaerau and Ysgol Talysarn being 'Excellent'. Based on this, it is concluded that there would be a neutral effect on this criterion as Estyn's assessment is consistent for the majority of the schools, with two schools (out of 7 in the catchment area) surpassing the rest. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criterion. Opportunities are anticipated to share good practices between the school sites and possibilities of making better use of resources.	Neutral/Positive
Learning and teaching experiences	The result of the latest Estyn inspection for the indicators of Ysgol Nebo's teaching and learning experiences was 'Good', while the result of the latest Estyn inspection for the neighbouring schools (Dyffryn Nantlle catchment area) was also 'Good' with Ysgol Brynaerau being 'Excellent'. Based on this, it is concluded that there would be a neutral effect on this criteria as Estyn's assessment is consistent for the majority of the schools, with one school (out of 7 in the catchment area) surpassing the rest. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criteria. Opportunities are anticipated to share good practices between the school's sites and possibilities of making better use of resources.	Neutral/Positive
Care, support and guidance	The result of the latest Estyn inspection for the guidance and care support indicators of Ysgol Nebo was 'Good', while the result of the latest Estyn inspection for neighbouring schools (Dyffryn Nantlle catchment area) was also 'Good' with Ysgol Brynaerau and Ysgol Talysarn being 'Excellent'. Based on this, it is concluded that there would be a neutral effect on this criteria as Estyn's assessment is consistent for the majority of the schools, with two schools (out of 7 in the catchment area) surpassing the rest. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criterion. Opportunities are anticipated to share good practices between the school's sites and possibilities of making better use of resources.	Neutral/Positive
Leadership and management	The result of the latest Estyn inspection for the leadership and management indicators of Ysgol Nebo was 'Good', while the result of the latest Estyn inspection for neighbouring schools (Dyffryn Nantlle Catchment Area) was also 'Good' with Ysgol Brynaerau and Ysgol Talysarn being 'Excellent'. Based on this, it is concluded that there would be a neutral effect on this criteria as the Estyn assessment is consistent for the majority of the schools, with two of the schools (out of 7 in the catchment area) surpassing the rest. The multi-site school model could offer a	Neutral/Positive

	more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criterion. Opportunities are anticipated to share good practices between the school's sites and possibilities of making better use of resources.	
Vulnerable groups, including children with Additional Learning Needs (ALN)	Support is provided for vulnerable groups including children with additional learning needs in accordance with the Authority's policy, and the requirements of the Additional Learning Needs Act (Wales) 2018 as in all schools in Gwynedd. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve the provision in relation to this criterion. Opportunities are anticipated to share good practices, expertise and experiences between the school's sites and possibilities of making better use of resources.	Neutral/Positive
Provision that is at least equivalent to what is available to the learners at the time (including those with ALN)	The result of the Estyn inspection for Ysgol Nebo's 'Standards' was 'Good', and the result of the inspections of the neighbouring schools in the Dyffryn Nantlle Catchment Area was either 'Good' or 'Excellent'. Based on the information from these inspections, no impact on learners' standards is anticipated from the implementation of this option. The multi-site school model could offer a more effective context for leaders, thereby offering an opportunity to improve provision in relation to this criterion. Opportunities are anticipated to share good practices between the school's sites and possibilities of making better use of resources.	Neutral/Positive

4. CONCLUSION

This assessment of the likely impact on the quality and standards of education concludes that introducing the option to close Ysgol Nebo and transfer the learners to Ysgol Llanllyfni would likely have a positive impact, or at least a neutral impact.

In addition, the assessment notes that a neutral/partially positive effect is predicted on the quality and standards of education from implementing other options such as federalisation, establishing a multi-site school, locating a language center or specialist unit at Ysgol Nebo. Opportunities are identified to share good practices between the sites of the multi-site school, and schools that would form part of the federation, and possibilities of making better use of resources.

Based on the result of the above assessments and comparing Estyn's reports, it is concluded that the standard of education provided at Ysgol Llanllyfni is equivalent to the standard of education provided at Ysgol Nebo. As there are more learners at Ysgol Llanllyfni, it is anticipated that there will be an opportunity to teach children in larger groups, with age-related peers to broaden their experiences. Based on this, it is concluded that there would be a positive impact on teaching and learning experiences from teaching learners in the Nebo catchment area at Ysgol Llanllyfni.

As a result, it is predicted that the likely effect of implementing the proposed proposal to close Ysgol Nebo and offer the learners a place at Ysgol Llanllyfni would be neutral/partially positive.

**ASSESSMENT OF THE LIKELY IMPACT ON TRAVEL
ARRANGEMENTS –
YSGOL NEBO**

December 2025

1. INTRODUCTION

1.1 Background

Ysgol Nebo is a community school located in the village of Nebo, about three miles from Penygroes, providing education for learners aged 3-11. There has been a decline in the number of learners at Ysgol Nebo over recent years. By September 2025, there were 11 learners from Reception to Year 6 and 1 nursery pupil attending the school.

At their meeting on 11 February 2025, the Cabinet supported a recommendation to begin formal discussions with stakeholders of Ysgol Nebo to consider options for the future. Between March and July 2025, three local meetings were held with Ysgol Nebo School where a number of options were proposed and discussed.

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

1.2 Cyngor Gwynedd Transport Policy

The '*Excellent Primary Education for the Children of Gwynedd*' Strategy aims to limit travel from home to school to a one-way journey that is no longer than 30 minutes.

Cyngor Gwynedd provides free transport for learners who live two or more miles from the school in their catchment area, or the nearest school (not including nursery pupils). Learners who receive primary education are expected (with the exception of learners with additional learning needs or disabilities), to walk up to two miles to meet any modes of transport provided by Cyngor Gwynedd. The transport policy can be seen in the parents' handbook: [Information for parents](#)

2. ASSESSMENT OF THE POTENTIAL IMPACT OF ALL OPTIONS ON TRAVEL ARRANGEMENTS

2.1 The potential impact of each option on travel arrangements is set out below:

- No change - continue with the current situation

This model would mean no change to the existing provision in the Ysgol Nebo catchment area.

This option would not have any impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo. No learner in the Nebo catchment area would need to travel an unreasonable distance to school.

- Federalisation with a nearby school

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a head or head teachers and one governing body. The governing bodies of the individual schools would be dissolved, and a (new) federal governing body would be formed.

The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

This option would not have any impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo, and the learners' travel arrangements would continue in the same way. No learner in the Nebo catchment area would need to travel an unreasonable distance to school.

- Federalisation with a nearby school adding a specialist unit for children with additional learning needs at Ysgol Nebo.

This option would ensure the continuation of the school's presence in the village of Nebo through a collaborative arrangement with a neighbouring school or schools, under the leadership of a headteacher or headteachers and a single governing body. The governing bodies of the individual schools would be dissolved, and a (new) federal governing body would be formed. The identity of the school in question (including its name, ethos, and school uniform) would continue, and it would allow the possibility of sharing staff, resources, buildings, and expertise.

In addition to federalisation, this option would also mean adding a location for an ALN unit at Ysgol Nebo.

This option would not have any impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo, and the learners' travel arrangements would continue as they are. No learner in the Nebo catchment area will need to travel an unreasonable distance to school. The authority would need to provide transport for the ALN unit learners.

- Close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)

This option would mean closing Ysgol Nebo and offering the learners a place at Ysgol Llanllyfni.

Ysgol Llanllyfni is located 1.6 miles from Ysgol Nebo. This is the geographically closest school to Ysgol Nebo.

This option would have an impact on travel arrangements, as the learners would be educated at Ysgol Llanllyfni. It would be necessary to provide transport for learners from the catchment area of Ysgol Nebo to Ysgol Llanllyfni, in accordance with Cyngor Gwynedd's transport policy. Additional transport costs are anticipated - estimated cost, approximately between £17,000-£30,000 per year. Some learners will travel further to school than they would currently. No learner in the Nebo catchment area would need to travel an unreasonable distance to school

- Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)

This option would not have an impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo. No learner in the Nebo catchment area would need to travel an unreasonable distance to school.

- Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs, where mainstream education is challenging for them.

This option would mean continuing with Ysgol Nebo and adding an area for an ALN unit on the school site to offer provision for children who would need additional support. There would be no change to the school element.

This option would not have an impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo. The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way. The authority would need to provide transport for the ALN unit learners. No learner in the Nebo catchment area would need to travel an unreasonable distance to school.

- *Ysgol Nebo to offer a language unit for the Dyffryn Nantlle catchment area*

This option would mean adding a language unit on the school site in order to offer the children an immersion service in the Welsh language that is needed before joining their chosen school full time. There would be no change to the school element.

This option would not have any impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at Ysgol Nebo. The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way. No learner in the Nebo catchment area would need to travel an unreasonable distance to school. The local authority would need to provide transport for the learners of the language unit.

- *Establishing a School on more than one site (Multi-site School)*

This option would mean merging a number of local schools, by closing the schools and establishing one multi-site school which would include the Ysgol Nebo site.

This option would not have an impact on the current travel arrangements of Ysgol Nebo learners, as the learners would continue to be educated at the Ysgol Nebo school site. The learners would continue to be taught at the Ysgol Nebo site and the learners' travel arrangements would continue in the same way. No learner in the Nebo catchment area would need to travel an unreasonable distance to school. Depending on the structure of the new school, there is a possibility that it would be necessary to organise transport between school sites.

2.2 Free transport options

In accordance with Cyngor Gwynedd's transport policy, learners receiving primary education (excluding learners with additional learning needs or disabilities) are expected to walk up to 2 miles to meet any transport provided by Cyngor Gwynedd along the shortest route.

The shortest route available is the one that the Council does not consider particularly dangerous, after assessing the other routes that could be used, and these routes would be assessed in accordance with Cyngor Gwynedd's transport policy.

It is noted that a number of school buses run in the area. None of the primary school buses run between Nebo and Llanllyfni to be able to take advantage of one of these.

2.3. Summary of the likely impact on travel arrangements

Below is a summary of the impact on travel arrangements of the options under consideration:

Options	The likely impact on travel arrangements for learners	The likely annual financial impact on travel arrangements for the Authority
No change - Continue with the current situation	<p>Neutral – No change</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p>	£0
Federating with a nearby school (Ysgol Llanllyfni)	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p>	£0
Federating with a nearby school and adding a specialist unit for children with additional learning needs at Ysgol Nebo.	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p> <p>The authority would need to provide transport for the ALN unit learners.</p>	<p>£0</p> <p>The authority would need to provide transport for the learners of the ALN unit.</p>
Close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)	<p>Negative</p> <p>Ysgol Llanllyfni is located 1.6 miles from Ysgol Nebo, the authority would need to provide transport for learners in the current catchment area of Ysgol Nebo who attend Ysgol Llanllyfni and live more than 2 miles from the school, in accordance with the Authority's Transport Policy.</p> <p>Having considered current numbers (September 2025), it is anticipated that an 8-seater bus would need to be arranged to transport learners of the catchment area of Ysgol Nebo (that would be eligible for transport in accordance with Cyngor Gwynedd's transport policy) to Ysgol Llanllyfni. It is anticipated that this would be at a cost of up to £17,000 per year.</p> <p>If there was an increase in the numbers of learners in the catchment area in the future, then it may mean that it would be necessary to provide a school bus in order to transport the learners of the current catchment area of Ysgol Nebo which would be eligible for transport (in accordance with Cyngor Gwynedd's transport policy). It is anticipated that this would be at a cost of up to £30,000 per year.</p> <p>Some learners will travel further to school than they would at the moment.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p>	£17,000 - £30,000
Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p>	£0

Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs, where mainstream education is challenging for them.	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>The authority would need to provide transport for the ALN unit learners. No learner in the Nebo catchment area would need to travel an unreasonable distance to school</p>	<p>£0</p> <p>The authority would need to provide transport for the learners of the ALN unit.</p>
Ysgol Nebo offers a language unit for the Dyffryn Nantlle catchment area	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p> <p>The authority would need to provide transport for the learners of the language unit.</p>	<p>£0</p> <p>The authority would need to provide transport for the learners of the Language unit.</p>
Establishing a School on more than one site	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo site and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area would need to travel an unreasonable distance to school.</p> <p>Depending on the structure of the new school, there is a possibility that it would be necessary to arrange transport between school sites.</p>	<p>£0</p>

3. CONCLUSION

It is not anticipated that there would be a negative impact on the travel arrangements of Ysgol Nebo learners resulting from the implementation of any of the options listed above (section 2), with the exception of the option to close Ysgol Nebo and offer the learners a place at Ysgol Llanllyfni.

Should the option of closing Ysgol Nebo and offering education to the pupils at Ysgol Llanllyfni be implemented, then it is anticipated that there would be an impact on travel arrangements for the children. However, it is not anticipated that any learner in the Nebo catchment area would need to travel an unreasonable distance to school.

When considering the latest numbers data, namely September 2025, it is anticipated that 8 seat transport would need to be arranged in order to transport learners from the current catchment area of Ysgol Nebo who would be eligible for transport (in accordance with Cyngor Gwynedd's transport policy) to Ysgol Llanllyfni. The transport costs are estimated to be around £17,000 per year.

If there was an increase in the number of learners in the catchment area in the future, then it may mean that it would be necessary to provide a school bus in order to transport learners from the current catchment area of Ysgol Nebo who would be eligible for transport (in accordance with Cyngor Gwynedd transport policy). These transport costs are estimated to be around £30,000 per year.

As a result, it is anticipated that the option to close Ysgol Nebo and transfer learners to Ysgol Llanllyfni would lead to additional transport costs for the Authority. These costs are estimated to be around £17,000-£30,000 per year to provide transport should all the learners in the Ysgol Nebo catchment area chose to attend Ysgol Llanllyfni.

ASSESSMENT OF THE LIKELY IMPACT ON THE COMMUNITY –

YSGOL NEBO

December 2025

1. INTRODUCTION

When developing proposals for the organisation of schools, the Authority is required to assess the likely impact on the community, in accordance with the School Organisation Code (011/2018).

Background

Ysgol Nebo is a community school located in the village of Nebo, which is about three miles from Penygroes, and which provides education for learners between the ages of 3-11. There has been a reduction in the numbers of learners at Ysgol Nebo over the past few years. By now, September 2025, only 11 Reception to Year 6 learners and 1 Nursery learner attend the school.

At their meeting on 11 February 2025, the Cabinet supported a recommendation to begin formal discussions with Ysgol Nebo stakeholders to consider options for the future. Between March and July 2025, 3 local meetings were held with Ysgol Nebo's stakeholders where several options were proposed and discussed.

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

2. THE OPTIONS

The Authority considered and discussed several options for the future of Ysgol Nebo, including:

- Do nothing - continue with the school's current structure
- Federate with a neighbouring school

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a headteacher or headteachers and one governing body. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with neighbouring schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

- *Federating with another school adding a specialist unit for children with additional learning at Ysgol Nebo.*

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a headteacher or headteachers and one governing body. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with neighbouring schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

In addition to federating, this option would also include adding a location for a ALN unit on the school site.

- *Close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)*

This option would mean that Ysgol Nebo would close, and that learners from the current catchment area of Ysgol Nebo would be offered a place at Ysgol Llanllyfni (the alternative school).

- *Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)*

This option would mean that Ysgol Nebo would continue and develop into a specialist location for some individual subjects.

- *Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs, where mainstream education is challenging for them.*

This option would mean adding an area for an ALN unit on the school site to offer provision for children with ALN.

- *Ysgol Nebo to offer a language unit for the Dyffryn Nantlle catchment area*

This option would mean adding a language immersion unit on the school site in order to offer an immersion service in Welsh to new speakers

- *Establishing a school on more than one site - Multi-site School*

This option would mean merging a number of local schools, by closing the schools and establishing one multi-site school which would include the Ysgol Nebo site. The option would enable the possibility of sharing resources, buildings, and expertise.

This model would ensure continuity in the presence of a school site in the village of Nebo by establishing a multi-site school, led by a headteacher and one governing body.

3. SUMMARY OF THE CATCHMENT AREA

3.1 The Area

Ysgol Nebo is located in the rural village of Nebo, which is about three miles from Penygroes in Gwynedd within Clynog Ward. According to the 2021 census, 1,300 people live in Clynog ward. The catchment area of Ysgol Nebo includes part of the Clynog ward as well as part of the Llanllyfni ward.

3.2 The Economy

According to the 2021 census, there are 55.1% of people aged between 16 and 74 within the Clynog ward are economically active, and 1.1% of these are unemployed. There are 43.4% of people in the same age group are economically inactive with 3.4% of these ill or disabled for a long period.

According to the 2021 census, there are 52.8% of people aged between 16 and 74 within the Llanllyfni ward are economically active, and 3.8% of these are unemployed. There are 43.4% of people in the same age group are economically inactive with 3.4% of these ill or disabled for a long period.

The type of industry in which the population is active is varied in the area, with the highest rate (16.5%) working in the health and social work field. (2021 Census)

According to data from the 'Index of Multiple Deprivation Wales (2019)' the employment rate of Llanllyfni and Clynog ward compared to other wards in Wales gives a rank of 1149 out of 1909 wards. Therefore, Llanllyfni and Clynog ward is within the 30-50% most deprived in Wales.

3.3 Deprivation

Llanllyfni and Chlynog Ward is ranked within the most deprived 30%-50% in Wales (rank 748 out of 1909 wards).

A number of areas make up this overall index, including income, employment, health, education, access to services, community safety, physical environment, and housing.

It is noted that Llanllyfni and Chlynog ward is within the 10% most deprived areas in Wales in the 'Housing' field. The indicators in this area are the proportion of people living in overcrowded homes (use of bedrooms), and the proportion of people living in homes without central heating.

In addition, the ward of Llanllyfni and Chlynog is within the 10% of the most deprived areas in Wales in the area of 'access to services', i.e. deprivation because people are unable to access a variety of services that are considered essential for day-to-day living. The indicators include average public and private travel times to a number of services such as food

shops, doctor's surgery, primary and secondary schools, post office, public library, pharmacy, leisure centre and private travel time to a petrol station.

Below is a summary of how the Llanllyfni and Clynnog area is situated in the context of other areas in Wales according to the Welsh Index of Multiple Deprivation (2019):

Area	Rank in Wales, out of 1909 areas. (1 = most deprived and 1909 = least deprived)	Most deprived % in Wales
Employment	1149	
Income	860	
Health	1267	
Education	1238	
Housing	67	Within the most deprived 10%
Physical environment	1251	
Access to services	100	Within the most deprived 10%
Community safety	922	

3.4 The Community

There is no community center in the village of Nebo. The residents of Nebo and Nasareth regularly make use of the 'community room' located at Ysgol Nebo to hold community events and occasions. Here are some of the social events and occasions held in the community room at Ysgol Nebo:

- Monthly meetings of the Nebo and Nasareth Area Committee
- Local Clubs (Monday Club, Knitting and Crochet Club, Social Evenings, Gardening Club)
- First Aid with St John Ambulance: Training on CPR and the use of defibrillators at the School and Nasareth Chapel
- Welsh lessons for learners
- Refreshments after local trips and the Craig Goch Mountain Race
- Remembrance Sunday service
- Protecting the environment: Organising litter-picking sessions and taking action to prevent dog fouling

4. YSGOL NEBO AND NEARBY SCHOOLS

4.1 The context of the schools according to the Estyn Inspection Reports

As part of Estyn's reports, the schools are placed in context, and their community relations are detailed. This is the context given to Ysgol Nebo, Ysgol Llanllyfni and Ysgol Bro Lleu by Estyn inspectors.

Ysgol Nebo

"Ysgol Nebo is about three miles from Penygroes in Gwynedd. Welsh is the main medium and life of the school."

Source: Estyn Report, November 2017

Ysgol Llanllyfni

"Ysgol Gynradd Llanllyfni is in a small village on the outskirts of Caernarfon. Around 76% of the pupils come from homes where Welsh is spoken."

Source: Estyn Report, March 2017

Ysgol Bro Lleu

"Ysgol Bro Lleu is a happy, friendly and inclusive school that places a strong emphasis on respecting every member of the community. Its vision of giving every pupil the best opportunity permeates all the school's activities. As a result, the pupils' attitudes to their learning are firm and their behaviour is excellent."

Source: Estyn Report, April 2023

4.2 Statistical information

The table below shows the numbers of Ysgol Nebo and the other schools within the catchment area of Ysgol Dyffryn Nantlle. This table also shows the school's capacity and number on the roll in September 2025. All schools teach through the medium of Welsh.

School	Full Capacity (N – Bl6)	Number on the register September 2025 (N – Bl6)	Legal Category	Language Category
Baladeulyn	62	8	Community School	Welsh Medium, Category 3
Talysarn	104	101	Community School	Welsh Medium, Category 3
Bro Lleu	207	190	Community School	Welsh Medium, Category 3
Llanllyfni	117	72	Community School	Welsh Medium, Category 3
Nebo	58	12	Community School	Welsh Medium, Category 3
Brynaerau	81	59	Community School	Welsh Medium, Category 3
Bro Llifon	196	149	Community School	Welsh Medium, Category 3

Source: September 2025 Census

4.3 Catchment information and learners' choice of schools

Each school has a specific catchment area which it serves, and which is important in terms of the Council's access and transport policy. Learners do not have to attend their catchment area school; the choice is up to parents (in accordance with the admission policy).

The latest data (November 2025 data) shows that 78% of children who live in Ysgol Nebo's catchment area attend schools outside the catchment area. The table below indicates the proportion of learners (Nursery – Yr. 6) who live in the catchment area and attend the catchment area school, and the proportion of learners from outside the catchment area who attend the school.

School	Proportion of catchment area learners who attend the catchment area school	Proportion of the school's learners who live within the school catchment area	Proportion of learners from outside the catchment area who attend the school
Nebo	22%	17%	83%
Llanllyfni	56%	74%	26%

Source: September 2025 Census + November 2025 GIS Data

4.4 Summary of the various facilities in the community of Nebo and Llanllyfni (September 2025)

	Nebo	Llanllyfni
Village Hall / Community Centre		
Chapel/Church		✓
Public Transport	✓	✓
Shop		
Café/Pub		
Post Office		
Pharmacy		
Library		
Children's Playing Field		
Bank		
Residential Home for the Elderly		
Leisure Centre		
Garage		
Tourism Attraction	✓	
Cylch Ti a Fi + Cylch Meithrin		✓

4.5 A summary of the schools' use outside the school's core hours:

A summary of community or extra-curricular use of the local school buildings is seen below:

	Nebo	Llanllyfni	Baladeulyn	Bro Lleu	Bro Llifon	Brynaerau	Talysarn
Playgroups (School Holidays)							
Aelwyd yr Urdd		✓					
Plays							
Voluntary Groups	✓	✓					
Morning/Evening Coffee	✓	✓	✓			✓	✓
Community Auction							
Choir Practice							
Welsh for Adults							
Town/Community Council Meeting							
Nursery School		✓					
Club/Sports Activity		✓			✓		
After School Club		✓		✓	✓	✓	✓
Local Interest Club	✓						

As there is no community center in the village of Nebo, the residents of Nebo and Nasareth make regular use of Ysgol Nebo's 'community room' for community occasions and events (as noted in 3.4 above).

A Cylch Meithrin is located on the site of Ysgol Llanllyfni, providing early years care and education through the medium of Welsh for pre-school children. The collaboration with Ysgol Llanllyfni ensures a smooth transition for children from the Cylch to the nursery class. The Cylch provides places for children aged 2 to 4, and offers 'Dechrau'n Deg' provisions, the 10-hour Early Years Education (Foundation Learning) program, along with wraparound care for nursery-aged children of Ysgol Llanllyfni and nearby schools. The Cylch Meithrin is also part of the Childcare Scheme, a program offering up to 30 hours per week of free early years childcare. Children can take advantage of the Childcare Offer from the start of the term following their third birthday until September after they turn 4.

There are no early years provisions at Ysgol Nebo, except for the school's nursery class.

4.6 Summary of activities or groups that the schools are regularly involved with:

	Nebo	Llanllyfni
Cylch Meithrin/Ti a Fi		✓
Eisteddfodau (Local/County/National)	✓	✓
Urdd Adrannau	✓	
Other activities (sports/clubs)		✓

4.7 If buildings, rooms, facilities or services are provided by a school on behalf of the community, where would they be provided if the school is closed?

School	Where will facilities be provided if it closes
Nebo	A number of community events are held in the Ysgol Nebo building. If the Cabinet decided to proceed with the proposal to close Ysgol Nebo, options for the post-use of the school building would have to be considered, taking into account the community activities that are currently being held at the school.

4.8 Information about distance and travel time to other schools in the catchment area

The table below indicates the distance and travel time between schools in the area. We see that Ysgol Llanllyfni is the closest to Ysgol Nebo. The journey times below consider the nature of the lanes and the effect this can have on journey times in a rural area.

Ysgol		Nebo
Llanllyfni	Miles	1.6
	Minutes	5
Bro Lleu	Miles	2.6
	Minutes	9
Talysarn	Miles	3.8
	Minutes	11
Baladeulyn	Miles	5.8
	Minutes	14
Brynaerau	Miles	5.3
	Minutes	14
Bro Llifon	Miles	5.5
	Minutes	11

Source: Google Maps 2025

5. ASSESSMENT OF THE LIKELY IMPACT ON THE COMMUNITY

In order to assess the community impact of the possible models, it was decided to create criteria in accordance with the recommendations of the community assessment considerations of the School Organisation Code 011/2018.

OPTION 1: NO CHANGE – CONTINUE WITH THE CURRENT STRUCTURE

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	There would be no change to the current provision – as a result no impact is anticipated on health and well-being.	Neutral
The implications of the change on public transport provisions	As there would be no change to the current provision no impact on public transport provision is anticipated. Any transport required to Ysgol Nebo for eligible catchment area learners would continue in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	There would be no change to the provision, therefore no impact on the current use of the school is anticipated.	Neutral
Impact on wider community safety	There would be no change to the provision, therefore no impact is anticipated on wider community safety.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	There would be no change to the provision. As a result, it is not expected that the option would encourage families with school-age children to leave the community, or that young families are less likely to move into the community.	Neutral
Impact on other services provided locally	There would be no change to what is currently provided, therefore no impact on other local services is anticipated.	Neutral
Adverse effect on the wider economy of the community	There would be no change to what is currently being provided therefore no adverse impact on the wider economy of the community is anticipated.	Neutral
General impact on the local community	There would be no change to what is currently provided therefore no impact on the local community is anticipated.	Neutral

OPTION 2: FEDERATING WITH A NEARBY SCHOOL

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	As federation would mean that Ysgol Nebo would remain open there would be no change to the current provision, as a result, no impact on health and well-being is anticipated.	Neutral
The implications of the change on public transport provisions	As federation would mean that Ysgol Nebo would remain open, no impact on the provision of public transport is anticipated. Any transport required to Ysgol Nebo for eligible catchment area learners would continue in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	As federation would mean that Ysgol Nebo would remain open, no change to the current use of the school is foreseen.	Neutral
Impact on wider community safety	As federation would mean that Ysgol Nebo would remain open no change is anticipated to impact on wider community safety.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	As federation would mean that Ysgol Nebo would remain open, no impact is foreseen on how parents choose a school for their children or affect the choice of living in the catchment area or not. A high proportion of children in the catchment area already attend schools outside the catchment area (78%). As a result, it is not expected that the option would encourage families with school-age children to leave the community, or that young families are less likely to move into the community.	Neutral
Impact on other services provided locally	As federation would mean that Ysgol Nebo would remain open, no impact is foreseen to what is currently being provided, therefore no impact on other local services is foreseen.	Neutral
Adverse effect on the wider economy of the community	As federation would mean that Ysgol Nebo would remain open, no impact is foreseen on what is currently being provided, therefore no adverse effect on the wider economy of the community is anticipated.	Neutral
General impact on the local community	As federation would mean that Ysgol Nebo would remain open, no impact is foreseen to what is currently being provided, as a result no impact on the local community is anticipated. However, opportunities are identified for the community of Nebo and the communities of the schools that would be part of the federation to come together.	Neutral

OPTION 3: FEDERATING WITH A NEARBY SCHOOL ADDING A SPECIALIST UNIT FOR CHILDREN WITH ADDITIONAL LEARNING NEEDS AT YSGOL NEBO

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	It is not anticipated that this option would have an impact on health and well-being, as Ysgol Nebo School would continue, but as part of a federation with a neighbouring school, with an additional learning needs unit also being located on the site.	Neutral
The implications of the change on public transport provisions	This option is not expected to effect public transport provision as Ysgol Nebo would continue, but as part of a federation with a neighbouring school, with a unit for additional learning needs also located on the site. Any transport required to Ysgol Nebo for eligible catchment area learners will continue in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	As federating would mean that Ysgol Nebo would remain open, there would be no change to the current provision, therefore no impact on this criterion is anticipated.	Neutral
Impact on wider community safety	It is not anticipated that this option would have an impact on wider community safety as Ysgol Nebo would continue, with provision for an additional learning needs unit also being located on the site.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	It is not anticipated that this option would encourage families and school-aged children to leave the community, or that young families are less likely to move into the community, as Ysgol Nebo would continue, with an ALN unit also located on site. A high proportion of catchment area children already attend out-of-catchment schools (78%).	Neutral
Impact on other services provided locally	It is not anticipated that this option would have an impact on other services provided locally, as Ysgol Nebo would continue, with an additional learning needs unit also located on the site.	Neutral
Adverse effect on the wider economy of the community	It is not anticipated that this option would have an impact on the wider community economy, as Ysgol Nebo would continue, with an additional learning needs unit also being located on the site.	Neutral
General impact on the local community	It is not expected that this option would have an impact on the community, as Ysgol Nebo would continue, with an additional learning needs unit also being located on site. However, opportunities are noted for the Nebo community and the Ysgol Llanllyfni school community to come together.	Neutral

OPTION 4: CLOSE YSGOL NEBO AND OFFER THE LEARNERS A PLACE IN A NEARBY SCHOOL (YSGOL LLANLIFYNI)

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	<p>As the alternative school is located about a mile and a half from Ysgol Nebo, and further from the homes of learners in the catchment area, we do not anticipate that Ysgol Nebo learners would be likely to walk to the alternative school.</p> <p>It is anticipated that being in a larger school such as Ysgol Llanllyfni would offer more opportunities to play and participate in team sports and therefore contribute positively towards the health and well-being of learners.</p>	Neutral
The implications of the change on public transport provisions	It is not anticipated that there will be any impact on public transport provision as any transport to an alternative school as a result of any change will be arranged specifically for learners in the catchment area who are eligible in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	<p>The community makes regular use of the Ysgol Nebo building in order to host community events.</p> <p>If the school were to close, these provisions would have to be considered when discussing the subsequent use of the school building.</p>	Negative
Impact on wider community safety	No impact is anticipated to impact on wider community safety.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	As a high proportion of children in the catchment area already attend out-of-catchment schools (78%), with 44% primary school-aged children in the Ysgol Nebo catchment already attending Ysgol Llanllyfni, it is not anticipated that families and young children would leave the community if the school were to close. In addition, as an alternative school is located 1.6 miles from Ysgol Nebo. As a result, it is not expected that the option would encourage families with school-age children to leave the community, or that young families are less likely to move into the community.	Neutral
Impact on other services provided locally	As a high proportion of children in the catchment area already attend schools outside the catchment area, it cannot be concluded that closing the school would have an impact on other services provided locally.	Neutral
Adverse effect on the wider economy of the community	As the majority of children in the catchment area attend schools outside the catchment area, it is not anticipated that the closure of Ysgol Nebo would have an impact on the wider economy of the community.	Neutral
General impact on the local community	<p>During the local discussions, the stakeholders noted the importance of the school to the community in the village of Nebo, noting the regular use made of the school building by the community.</p> <p>If Ysgol Nebo were to close, the local school would be further away from homes within the current catchment area of Ysgol Nebo, and from a deprivation point of view - it means that one of the indicators of 'access to services' would move further from the residents of the area. As a result, it is anticipated that there would be some negative impact on the local community if the school were to close.</p> <p>However, it should be noted that a high percentage of children in the catchment area already attend schools outside the catchment area (78%).</p> <p>To mitigate the impact on the community, opportunities are identified to ensure that the Nebo community is aware of the alternative school's activity, and community collaboration between Ysgol Llanllyfni and the Nebo community is encouraged, where appropriate.</p>	Negative

OPTION 5: YSGOL NEBO TO DEVELOP INTO A SPECIALIST LOCATION FOR SOME INDIVIDUAL SUBJECTS (UNIQUE OPPORTUNITIES TO CARRY OUT FIELD WORK)

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	As the provision on the Ysgol Nebo site would continue, it is not anticipated that this option would have a negative impact on health and well-being.	Neutral
The implications of the change on public transport provisions	As the provision on the Ysgol Nebo site would continue, no impact on public transport provision is anticipated if this option were to be implemented. Any transport required to Ysgol Nebo for eligible catchment area learners would continue in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	As the provision on the Ysgol Nebo site would continue, it is not anticipated that this option would affect this criteria.	Neutral
Impact on wider community safety	It is not anticipated that this option would have an impact on wider community safety as Ysgol Nebo would continue.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	It is not anticipated that this option would encourage families and school aged children to leave the community, or that young families are less likely to move into the community, as Ysgol Nebo would continue.	Neutral
Impact on other services provided locally	It is not anticipated that this option would have an impact on other services provided locally, as Ysgol Nebo would continue.	Neutral
Adverse effect on the wider economy of the community	It is not anticipated that this option would have an impact on the wider economy of the community, as Ysgol Nebo would continue.	Neutral
General impact on the local community	It is not anticipated that this option would have an impact on the community, as Ysgol Nebo would continue.	Neutral

OPTION 6: YSGOL NEBO TO OFFER A SPECIALIST UNIT FOR SUPPORTING CHILDREN WITH ADDITIONAL LEARNING NEEDS, WHERE MAINSTREAM EDUCATION IS CHALLENGING

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	It is not anticipated that this option would have an impact on health and well-being as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on the site.	Neutral
The implications of the change on public transport provisions	It is not anticipated that this option would have an impact on public transport provision as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on site.	Neutral
Impact on other facilities / services provided at the school	It is not anticipated that this option would have an impact on this criteria as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on the site.	Neutral
Impact on wider community safety	It is not anticipated that this option would have an impact on wider community safety as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on site.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	It is not anticipated that this option would encourage families and school aged children to leave the community, or that young families are less likely to move into the community, as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on the site.	Neutral
Impact on other services provided locally	It is not anticipated that this option would have an impact on other services provided locally, as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on site.	Neutral
Adverse effect on the wider economy of the community	It is not anticipated that this option would have an impact on the wider economy of the community, as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on site.	Neutral
General impact on the local community	It is not anticipated that this option would have an impact on the community, as Ysgol Nebo would continue, with a specialist unit for supporting children with additional learning needs also located on the site.	Neutral

OPTION 7: YSGOL NEBO TO OFFER A LANGUAGE UNIT FOR DYFFRYN NANTLLE CATCHMENT AREA

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	It is not anticipated that this option would have an impact on health and well-being as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
The implications of the change on public transport provisions	It is not anticipated that this option would have an impact on the provision of public transport as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
Impact on other facilities / services provided at the school	It is not anticipated that this option would have an impact on this criterion as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
Impact on wider community safety	It is not anticipated that this option would have an impact on wider community safety as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	It is not anticipated that this option would encourage families and school aged children to leave the community, or that young families are less likely to move into the community, as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
Impact on other services provided locally	It is not anticipated that this option would have an impact on other services provided locally, as Ysgol Nebo would continue, with the provision of a language unit also located on site.	Neutral
Adverse effect on the wider economy of the community	It is not anticipated that this option would have an impact on the wider economy of the community, as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral
General impact on the local community	It is not anticipated that this option would have an impact on the community, as Ysgol Nebo would continue, with the provision of a language unit also located on the site.	Neutral

OPTION 8: ESTABLISH A SCHOOL ON MORE THAN ONE SITE – A MULTI-SITE SCHOOL

Impact Criteria	Description	Status of the impact and the work
Impact on Health and well-being	As the provision on the Ysgol Nebo site would continue, it is not anticipated that this option would have a negative impact on health and well-being.	Neutral
The implications of the change on public transport provisions	As the provision on the Ysgol Nebo site would continue, no impact on public transport provision is anticipated if this option were to be implemented. Any transport required to the Ysgol Nebo school site for eligible catchment area learners would continue in accordance with the County's Transport Policy.	Neutral
Impact on other facilities / services provided at the school	As the Ysgol Nebo site would continue as part of the multi-site school, it is not anticipated that the implementation of this option would have an impact on other facilities/services provided at the school.	Neutral
Impact on wider community safety	No impact on wider community safety is anticipated, as education provision would continue on the Ysgol Nebo site.	Neutral
Would the option encourage families and school age children to leave the community, or that young families are less likely to move into the community	No impact is foreseen on these criteria, as education provision would continue on the Ysgol Nebo site.	Neutral
Impact on other services provided locally	As the Ysgol Nebo site would continue as part of the multi-site school, no impact on other local services is anticipated.	Neutral
Adverse effect on the wider economy of the community	It is not anticipated that this option would affect what is currently provided so no adverse impact on the wider economy of the community is anticipated.	Neutral
General impact on the local community	As the Ysgol Nebo site would continue, it is anticipated that the general impact on the local community would be neutral if this option were to be implemented.	Neutral

6. CONCLUSION

This assessment shows that the impact on the community would be neutral if the options listed below are implemented:

- Do nothing - continue with the school's current structure.
- Federating with a neighbouring school
- Federating with a neighbouring school adding a specialist unit for children with additional learning needs at Nebo School
- Ysgol Nebo developing into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)
- Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs
- Ysgol Nebo to offer a language unit for the Dyffryn Nantlle catchment area
- Establishing a school on more than one site – a multi-site school

Although some of the options would involve locating a language unit or ALN provision on the Ysgol Nebo site, and as a result, additional services would be provided on the school site, it is not anticipated that this would have an impact on the community.

The assessment shows that some negative impact on the community is anticipated if the option to close Ysgol Nebo is implemented. It is recognised that the closure of Ysgol Nebo would lead to the loss of a school in the Nebo community, however the assessment stated that a large proportion of the children who live within the school's catchment area already attend other schools (78%), including Ysgol Llanllyfni (44%), and therefore it is concluded that a link between Ysgol Llanllyfni and the Ysgol Nebo community already exists.

If the proposal to close Ysgol Nebo were to be implemented, every effort will be made to mitigate the impact on the community by encouraging links between the communities and Ysgol Llanllyfni. To mitigate the impact on the community, opportunities are identified to ensure that the Nebo community is aware of the alternative school's activity, and community collaboration between Ysgol Llanllyfni and the Nebo community is encouraged, where appropriate.

If the proposal to close Ysgol Nebo were to be implemented, it will be essential as part of the process to encourage discussions between the alternative school (Ysgol Llanllyfni) and the parents of Ysgol Nebo learners so that parents and learners can take advantage of their facilities and any after school activities.

In addition, should the Cabinet decide to proceed with the proposal to close Ysgol Nebo, options for the post-use of the school building would have to be considered, taking into account the community activities that are currently being held at the school.

LANGUAGE IMPACT ASSESSMENT – YSGOL NEBO

December 2025

1. INTRODUCTION

Supporting and developing Gwynedd's children's ability to learn and use their language skills is essentially important to the education strategies of the County.

Ysgol Nebo is a community school, Welsh-medium, Category 3, located in the village of Nebo, about three miles from Penygroes, and provides education for learners aged 3-11. There has been a decline in learner numbers at Ysgol Nebo over the past few years. By September 2025, there were only 11 learners from Reception to Year 6 and 1 Nursery learner attending the school.

At their meeting on 11 February 2025, the Cabinet supported a recommendation to start formal discussions with Ysgol Nebo School stakeholders to consider options for the future. Between March and July 2025, three local meetings were held with Ysgol Nebo stakeholders where several options were proposed and discussed.

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

1.1 The situation in Gwynedd

Figures in the 2021 Census indicate that 66% of people over the age of three can speak, read or write in Welsh. The 2021 census also states that 64% speak Welsh which is a decrease since the previous census, when the figure was 65%.

In Gwynedd, as in many other Local Authorities in Wales, there is a considerable variation in the percentage of Welsh speakers across different wards. In wards where Welsh is less commonly spoken, such as Aberdyfi, Tywyn, and central Bangor, between 26% and 44% of the population speak Welsh, while as many as 86% speak Welsh in the most Welsh-speaking areas e.g Hendre and Llanrug.

1.2 Welsh in Education Strategic Plan (WESP)

The Welsh in Education Strategic Plan is the Local Authority's statutory document and accompanies the Welsh Government's priorities for the development of Welsh-medium education (in line with the targets of *Cymraeg 2050*).

There are 7 outcomes that local authorities are expected to implement to achieve the outcomes, namely:

1. More nursery children/ three-year-olds receive their education through the medium of Welsh
2. More reception class children/ five-year-olds receive their education through the medium of Welsh
3. More children continue to improve their Welsh-language skills when transferring from one stage of their statutory education to another
4. More learners study for assessed qualifications in Welsh (as a subject) and subjects through the medium of Welsh
5. More opportunities for learners to use Welsh in different contexts in school
6. An increase in the provision of Welsh-medium education for pupils with additional learning needs (ALN) in accordance with the duties imposed by the Additional Learning Needs and Education Tribunal (Wales) Act 2018
7. Increase the number of teaching staff able to teach Welsh (as a subject) and teach through the medium of Welsh

1.3 Language Policy

Primary

The aim of the language policy across all primary schools in the county is the same, which is to develop the ability of all pupils to be proficient in both languages by the end of KS2. Welsh is the official language of assessment at the school at the end of a foundation phase. In Key Stage 2, efforts continue to develop pupils' grasp of Welsh while focusing on enhancing their skills in both languages.

Secondary

In the secondary, it is expected for all pupils who have reached the required level, Level 3+ at the end of the KS2, to follow Welsh first language in KS3 to ensure appropriate progression and continuity. The hope is that these pupils can study Welsh and English as subjects up to the end of year 11.

The secondary schools build on the foundation established in the primary by ensuring that all pupils continue to develop skills in both English and Welsh. The county does not define secondary schools according to linguistic categories as there is the same expectation in relation to the Language Policy, which is to give all pupils in the county the opportunity to be bilingually proficient.

1.4 One million speakers by 2050

Cymraeg 2050 is the latest Welsh Government strategy for the Welsh language and covers the next three decades. This document sets out specific targets for increasing the numbers that speak the language as well as the Welsh use.

The aims of *Cymraeg 2050* include:

	Aim	Target
1.	Increase the number of Welsh speakers	1 million speakers by 2050
2.	Increase the use of the Welsh language	Daily users of Welsh increasing from 10% to 20%

The *Cymraeg 2050: A million Welsh Speakers* document emphasises the importance of increasing the numbers of Welsh speakers but it is also emphasised that increasing the daily use of the Welsh language is just as important.

‘Moving towards the position where we have a million speakers is one aspect of our vision for a thriving Welsh language. However, a thriving Welsh language is a language that is used. We want the use of Welsh to be a routine part of everyday life, so that speakers at all levels feel confident in its use in formal and informal situations.....The Welsh Language Use Survey 2013–15 (Welsh Government and Welsh Language Commissioner 2015) shows that there is a clear link between fluency and frequency of Welsh language use – 84 per cent of fluent Welsh speakers speak Welsh daily’.

Source: Cymraeg 2050: A million Welsh speakers (2017)

1.5 Welsh Language Strategy 2022-2032

The Welsh Language Standards imposed on Cyngor Gwynedd by the Welsh Language (Wales) Measure 2011 impose an expectation on the Council to produce a 5 year strategy which will demonstrate how it is intended to promote the Welsh language and facilitate the use of Welsh across the county. Cyngor Gwynedd’s latest strategy for the Welsh language is the Gwynedd Language Strategy 2023-2033. This document sets out specific targets for increasing the numbers speaking the language:

	How will we increase the number of speakers?	How will we measure at a local level, and during the strategy period?
1.	Provide opportunities for children and young people who are not yet Welsh speakers (e.g newcomers, children who do not receive mainstream education), to learn and become confident Welsh speakers.	The number of children receiving Welsh medium education. The number of children who are supported through the Education Department's immersion regime.
2.	Providing opportunities for adults to become new speakers through the authority's learners support schemes and partners community provision.	The number of council workers receiving Welsh learning lessons. Provision of community Welsh learning courses.

The strategy also contains a commitment to increase the use of Welsh in the following areas of work:

- Language of the early years
- Language of learning
- Language of Work and Service
- Language of the Community
- Technology and Research

2. LINGUISTIC PROFILE OF THE NEBO CATCHMENT AREA

2.1 Gwynedd Language Profile Background

64.4% of the county's population aged over three are Welsh speakers — significantly higher than the figure for Wales as a whole, which is 17.8%. In Gwynedd, the ability to speak Welsh is highest in the Hendre ward (86% speak Welsh), and lowest in the Bangor Central area (25.6%).

2.2 Wards

Ysgol Nebo is located in the Clynnog ward, and the school's catchment area includes part of the Clynnog ward and part of the Llanllyfni ward. Ysgol Llanllyfni is located in the Llanllyfni ward, and the school's catchment area includes part of the Llanllyfni ward and part of the Clynnog ward. The linguistic profile of the wards of these schools is summarised in the table below:

	Clynnog	Llanllyfni	Gwynedd	Cymru
Welsh identity only	783 (60.2%)	1,316 (67.1%)	69,560 (59.3%)	1,715,975 (55.2%)
No Welsh identity	36%	28.2%	36.3%	36.7%
3+ year old population	1,275	1,876	114,308 (100%)	3,018,172 (100%)
Can speak Welsh	864 (67.8%)	1,373 (73.2%)	73,560 (64.4%)	538,296 (17.8%)
No Welsh skills	307 (24.1%)	315 (16.8%)	29,977 (26.2%)	2,259,017 (74.8%)
Able to understand only verbal Welsh	71 (5.6%)	137 (7.3%)	8,166 (7.1%)	156,762 (5.2%)

Able to speak Welsh but can't read or write Welsh	47 (3.7%)	124 (6.6%)	6,142 (5.4%)	68,391 (2.3%)
Able to speak and read Welsh but can't write Welsh	37 (2.9%)	56 (3%)	3,170 (2.8%)	33,971 (1.1%)
Able to speak, read and write Welsh	774 (60.7%)	1,157 (61.7%)	63,256 (55.3%)	429,313 (14.2%)
Able to write Welsh but can't speak or read Welsh	7 (0.5%)	8 (0.4%)	387 (0.3%)	4,970 (0.2%)
Able to read and write Welsh but can't speak Welsh	9 (0.7%)	14 (0.7%)	1004 (0.9%)	17,560 (0.6%)
Another combination of Welsh language skills	6 (0.5)	36 (1.9%)	993 (0.9%)	6,621 (0.2%)

Source: Census 2021, Office for National Statistics

2.3 Ysgol Nebo

Ysgol Nebo is a Category 3, Welsh medium school.

The table below shows that most Ysgol Nebo learners speak Welsh fluently.

School	Speaks Welsh fluently at home	Speaks Welsh at home but not fluent	Doesn't speak Welsh at home but fluent	Doesn't speak Welsh at home and not fluent	Doesn't speak Welsh at all
Nebo	50%	12.5%	25%	12.5%	0%

Source: Percentage of the number of respondents January 2025

2.4 Nearby schools

Llanllyfni, Baladeulyn, Brynaerau, Bro Llew, Talysarn and Bro Llifon schools are Category 3, Welsh medium schools.

Linguistic data for the nearby schools can be found below:

School	Speaks Welsh fluently at home	Speaks Welsh at home but not fluent	Doesn't speak Welsh at home but fluent	Doesn't speak Welsh at home and not fluent	Doesn't speak Welsh at all
Baladeulyn	55%	27%	0%	18%	0%
Brynaerau	63%	8%	2	10%	17%
Llanllyfni	80%	8%	1%	4%	7%

Bro Lleu	73%	3%	2%	6%	16%
Talysarn	37%	16%	4%	19%	24%
Bro Llifon	83%	3%	1%	3%	10%

Source: Percentage of the number of respondents January 2025

2.5 After school activities

Here is a summary of what Ysgol Nebo and the other schools in Dyffryn Nantlle's secondary catchment area offer on the school sites.

	Baladeulyn	Talysarn	Bro Lleu	Llanllyfni	Brynaerau	Bro Llifon	Nebo
Playgroups (school holidays)			✓				
Aelwyd yr Urdd				✓		✓	✓
Morning/Evening Coffee	✓	✓		✓	✓	✓	
Cylch/Nursery			✓	✓		✓	
Club/After school club/Sports Activity		✓	✓	✓	✓	✓	✓

It can be seen in the table above that a number of schools in the area, including Ysgol Nebo offer clubs with the Urdd after school. This means that the pupils could continue to take advantage of these activities as an additional opportunity to use and develop the Welsh language.

2.6 Community Activities

As there is no community centre/building in Nebo, residents of Nebo and Nasareth make regular use of the school's 'community room' for community occasions and events. These are some of the occasions and social events that take place in the School's Community Room:

- Monthly meetings of the Nebo and Nasareth Area Committee
- Local Clubs (Monday Club, Knitting and Crochet Club, Social Evenings, Gardening Club)
- First Aid with St John Ambulance: Training on CPR and the use of defibrillators at the School and Nasareth Chapel
- Welsh lessons for learners
- Refreshments after local trips and the Craig Goch Mountain Race
- Remembrance Sunday service
- Protecting the environment: Organising litter-picking sessions and taking action to prevent dog fouling

2.7 Additional Evidence

Ysgol Nebo

Estyn's 2017 report says:

“Welsh is the main medium of the school’s life and work. Approximately 58% of pupils come from Welsh-speaking homes and there are no pupils from ethnic minority backgrounds.”

[Ysgol Nebo Estyn inspection report October 2017](#)

Ysgol Llanllyfni

Estyn's 2017 report says:

“Approximately 76% of pupils come from Welsh-speaking homes. This has declined since the last inspection, when 95% of pupils spoke Welsh at home.”

[Ysgol Llanllyfni Estyn inspection report 2017](#)

3. Assessment of the impact on the Welsh language

3.1 The Options

- *Do nothing – continue with the current situation*

Continuing with the current situation would mean that Ysgol Nebo continues in the same way, with the same staffing structure.

Although the case for change has been established, the Do nothing model has been included in the assessment for comparison purposes.

- *Federate with a nearby school*

This option would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a school, or nearby schools, led by a head or heads, and one governing body. These schools would share one governing body, but at the same time retain their legal status as separate entities, their financial allocation, name and school uniform, and continue to have their own Estyn inspection.

It is not anticipated that forming a federation would have an impact on the Welsh language as Ysgol Nebo would continue, with opportunities for the school to strengthen the leadership position, and collaborate.

- *Federalise with a nearby school adding a specialist unit for children with additional learning needs at Ysgol Nebo*

This option would mean federalising with a nearby school and adding a ALN unit on the Ysgol Nebo school site in order to offer provision for children who would need additional support. There would be no change to the school element.

It is not anticipated this option would have an impact on the Welsh language as Ysgol Nebo would continue, with opportunities for the school to strengthen the leadership position, and collaborate.

- *Close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)*

This option would mean that Ysgol Nebo would close, and that learners from the current catchment area of Ysgol Nebo would be offered a place at Ysgol Llanllyfni (the alternative school).

The table in section 3.2 contains an assessment of the impact of closing Ysgol Nebo and teaching the learner at Ysgol Llanllyfni, on the Welsh language compared to the current situation. The table also outlines the additional opportunities for strengthening the Welsh language, and methods of mitigating any negative impact that may arise from the proposal.

- *Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)*

Continuing the current situation would mean that Ysgol Nebo would continue in the same way, with the same staffing structure.

It is not anticipated that this option would have an impact on the Welsh language as Ysgol Nebo would continue.

- *Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs, where mainstream education is challenging for them.*

This option would mean continuing with Ysgol Nebo and adding an ALN Unit on the school site to offer provision for children with additional learning needs.

It is not anticipated that this option would have an impact on the Welsh language as Ysgol Nebo would continue.

- *Ysgol Nebo to offer a language unit for the Dyffryn Nantlle catchment area*

This option would mean continuing with Ysgol Nebo and locating a language unit on the school site.

It is not anticipated that this option would have an impact on the Welsh language in the school as there would be no change to the education provision provided by Ysgol Nebo. However, it is likely that it would have a positive effect on the Welsh language of the learners who would attend the language unit.

- *Establishing a School on more than one site*

This option would mean closing local schools, including Ysgol Nebo, and establishing a new school across several sites, including the current site of Ysgol Nebo.

It is not anticipated that this option would have a negative impact on the Welsh language. Depending on the structure of the multi-site school, there may be opportunities for learners to have access to a wider range of suitable resources, a higher supply in terms of staffing, and they could be part of a larger group of peers.

3.2 Assessment of the impact on the Welsh Language

Assessment of the impact on the Welsh language – Proposal to close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)

Part 1				
Impact Criteria	Description	Status of the impact and work	Have any measures been identified to mitigate any negative impact or to create more positive opportunities	Final impact (following mitigation measures)
School language (formal)	Ysgol Nebo is a Welsh-medium school. As Ysgol Llanllyfni is also a Welsh-medium school, it is concluded that the proposal would not have an impact on the children's language of education.	Neutral	Irrelevant	Irrelevant
School language (informal)	PLASC January 2025 statistics show that 50% of Ysgol Nebo learners speak Welsh fluently at home and 80% of Ysgol Llanllyfni learners. As the learners would be taught in larger classes with more children of the same age group, the proposal could strengthen the opportunity for learners to socialise in Welsh with their peers. On that basis, if the proposal is realised, it is anticipated that there would be more opportunities for learners in the Nebo catchment area to use Welsh informally with their peers inside and outside the classroom, and that the level of vitality of the Welsh language and the informal use of the language would be stronger.	Positive	Irrelevant	Irrelevant
Access to Welsh medium education	Ysgol Llanllyfni is a Welsh-medium school, like Ysgol Nebo. It is therefore not anticipated that the proposal would affect this criterion.	Neutral	Irrelevant	Irrelevant
Non-statutory provision	Learners would have access to a higher supply in terms of staffing and would be part of a larger group of peers of the same age.	Positive	The local authority and the Governing Body of Ysgol Llanllyfni could discuss methods to ensure that pupils can participate in extracurricular activities.	Positive
Activities before/after school	Ysgol Llanllyfni is a larger school in terms of numbers of learners so the peer groups will be larger. Ysgol Llanllyfni also offers after school clubs and activities which offer opportunities to use Welsh before/after school.	Positive	The Local Authority and Ysgol Llanllyfni Governing Body could consider any additional opportunities for arranging activities after school, ensuring that arrangements are in place to include learners in the Nebo catchment area.	Positive
Use of the Welsh Language in	If the proposal to close Nebo School was to be realised, then it is anticipated that some elements of community events will be affected. It is anticipated that there may be some negative impact arising from the realisation of the proposal, as	Negative	The Local Authority and the Governing Body of Ysgol Llanllyfni can consider methods of promoting the use of	Neutral

<p>the community</p>	<p>parents/guardians/families would not meet daily in the Nebo community when dropping off/collecting children from school.</p> <p>As there is no community building/centre in the village of Nebo, the residents of Nebo and Nasareth regularly use the school's 'community room' for community occasions and events, including Welsh lessons for learners. Therefore, if the proposal to close Ysgol Nebo were implemented, it is anticipated that some aspects of community events would be affected.</p> <p>Impact on the local economy: Although the proposal is not expected to have a substantial negative impact on the local economy in Nebo, it is acknowledged that, if Ysgol Nebo were to close, it would lead to a reduction in Welsh-medium employment opportunities in the village of Nebo.</p>		<p>the Welsh language by including the Nebo community in the school's community activities.</p> <p>Should the proposal be implemented, the Authority will need to consider options for the post-use of the school building, taking into account the community activities currently held at the school.</p>	
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Part 2 - How will the proposal affect/contribute towards/comply with the Welsh Language Standards, language policies, strategies and other relevant guidelines regarding the Welsh language

<p>Gwynedd Welsh Language Strategy 2023</p>	<p>Early years language:</p> <p>As the Cylch Meithrin is located on the site of Llanllyfni School (the alternative school), it is anticipated that the proposal would have a positive effect on early years language.</p> <p>Learning Language:</p> <p>Ysgol Nebo is a Welsh-medium school, Category 3. As Ysgol Llanllyfni is also a Welsh-medium school (Category 3), it is concluded that the proposal would not have an effect on the language of the children's education.</p> <p>Work and Service Language:</p> <p>It is acknowledged that, if the proposal is implemented, there would be some negative impact on the language due to the loss of a Category 3 Welsh-medium school presence in the village of Nebo serving the area, and it would lead to redundancies among school staff/workforce.</p> <p>However, it is noted that the alternative school (Ysgol Llanllyfni) that would serve the Nebo area if the proposal is implemented is also a Welsh-medium school (Category 3). It is not anticipated that the proposal would affect the language of work and service provided at the alternative school.</p>
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	<p>Community Language:</p> <p>If the proposal to close Ysgol Nebo were to be implemented, it is anticipated that certain elements of community events would be affected. It is foreseen that there may be some negative impact resulting from the implementation of the proposal, for example, as parents/guardians/families will no longer meet daily in the Nebo community when dropping off/picking up children from the school.</p> <p>Since there is no community building/center in the village of Nebo, the residents of Nebo and Nasareth regularly make use of the school's 'community room' for community occasions and events, including Welsh lessons for learners. If the proposal to close Nebo School were to be implemented, it is anticipated that certain elements of community events would be affected.</p> <p>In order to mitigate any negative effects, the Local Authority and the Llanllyfni School Governing Body could consider ways to promote the use of the Welsh language by including the Nebo community in the school's community activities. In addition, if the proposal is implemented, the Authority will have to consider options for the future use of the school building, taking into account the community activities currently held at the school.</p>
<p>Cymraeg 2050, Welsh Government</p>	<p>Any discussions regarding reorganization should acknowledge the Welsh Government's efforts to achieve the target of one million Welsh speakers by 2050.</p> <p>Ysgol Nebo and Ysgol Llanllyfni are Welsh-medium primary schools, Category 3. As a result, if the proposal to close Ysgol Nebo and transfer learners to Ysgol Llanllyfni is implemented, learners would continue to be educated in a Welsh-medium, Category 3 school.</p> <p>It is not anticipated that the proposal would have a negative impact on the Welsh language, primarily because:</p> <ul style="list-style-type: none"> - January 2025 PLASC statistics show that 50% of learners at Ysgol Nebo speak Welsh fluently at home, and 80% of learner at Ysgol Llanllyfni do so. - The proposal to close Ysgol Nebo and offer places to its learners at a nearby school (Ysgol Llanllyfni) would mean that Nebo catchment learners would continue to be educated in a Welsh-medium school, category 3. - Learners would be taught in larger classes with more children of the same age group, and it is anticipated that the proposal would strengthen opportunities for learners to socialise in Welsh with more of their peers. <p>On this basis, if the proposal is implemented, it is anticipated that there would be more opportunities for Nebo learners to use Welsh informally with their peers both inside and outside the classroom, and that the level of Welsh vitality and informal use of the language would be stronger.</p>

<p>To what extent the proposal would support the targets in the Welsh in Education Strategic Plan approved (Welsh in Education Strategic Plan (2022-2032))</p>	<p>Ysgol Nebo and Ysgol Llanllyfni are Welsh-medium primary schools, category 3.</p> <p>Ysgol Nebo and Ysgol Llanllyfni operate the objectives of Cyngor Gwynedd’s Welsh in Education Strategic Plan 2022-2032 (WESP). This includes:</p> <ul style="list-style-type: none"> • That all pupils in the county have appropriate language skills in Welsh and English, and that this expectation is consistent across all schools. • That there is appropriate provision to enable every pupil to develop bilingual proficiency. In this context, schools are expected to continue nurturing the skills of those pupils who are Welsh speakers, and to introduce Welsh to those who are learners. • That all educational institutions in the county reflect and reinforce the Language Policy in their administration, social life, and routine management, as well as in their curriculum provision. <p>As a result, if the proposal to close Ysgol Nebo and transfer learners to Ysgol Llanllyfni is implemented, learners would continue to be taught in a Welsh-medium school, Category 3, which operates objectives and supports the targets of the WESP.</p> <p>On the basis of the above, it is not anticipated that implementing the proposal would have a negative impact on the achievement of Outcomes 1, 2, 3, 5, and 6 of the Cyngor Gwynedd Welsh in Education Strategic Plan 2022-2032, namely:</p> <p>Outcome 1: More nursery/3-year-old children receiving Welsh-medium education.</p> <p>Outcome 2: More reception/5-year-old children receiving Welsh-medium education.</p> <p>Outcome 3: More children continuing to improve their Welsh skills when transferring from one stage of their statutory education to another.</p> <p>Outcome 5: More opportunities for learners to use Welsh in different contexts within the school.</p> <p>Outcome 6: Increase in Welsh-medium education provision for pupils with additional learning needs (ALN) (in accordance with the duties set out by the Additional Learning Needs and Education Tribunal (Wales) Act 2018).</p> <p>As a result, it is concluded that implementing the proposal would align with the objectives of the Welsh in Education Strategic Plan 2022-32, and the targets approved in the Welsh Strategic Plan.</p>
<p>How the proposal would expand or reduce Welsh-language provision, and in cases where it would reduce provision, explain why the provision would be reduced</p>	<p>The proposal would mean that a Welsh-medium school, Category 3 (Ysgol Nebo), would close. However, if the proposal is implemented, learners would be offered a place in an alternative school, which is also a Welsh-medium, Category 3 school, namely Ysgol Llanllyfni. Ysgol Llanllyfni has enough capacity for learners from both schools.</p>

5. CONCLUSION

Our expectations are that all learners in the County can attain balanced, age-relevant bilingualism so that they can be complete members of the bilingual society they are part of. The proposals for reorganisation will need to take full account of all the linguistic impacts. Maintaining and improving the use of Welsh as an educational and social language among children will be a key consideration when drawing up proposals within the area.

It is not anticipated that any of the options set out in section 3 above would have a negative impact on the Welsh language.

In terms of the proposal to close Ysgol Nebo and transfer learners to Ysgol Llanllyfni, it is not anticipated that the proposal would have a negative impact on the Welsh language, primarily because:

- January 2025 PLASC statistics show that 50% of learners at Ysgol Nebo speak Welsh fluently at home, and 80% of learner at Ysgol Llanllyfni do so.
- The proposal to close Ysgol Nebo and offer places to its learners at a nearby school (Ysgol Llanllyfni) would mean that Nebo catchment learners would continue to be educated in a Welsh-medium school, category 3.
- Learners would be taught in larger classes with more children of the same age group, and it is anticipated that the proposal would strengthen opportunities for learners to socialise in Welsh with more of their peers.

On this basis, if the proposal is implemented, it is anticipated that there would be more opportunities for Nebo catchment area learners to use Welsh informally with their peers both inside and outside the classroom, and that the level of vitality and informal use of the Welsh language would be stronger.

**WELL-BEING AND FUTURE GENERATIONS ACT
IMPACT ASSESSMENT -
YSGOL NEBO**

December 2025

1. INTRODUCTION

We as a Council are committed to the principles within the Well-being of Future Generations Act (2015) to improve the economic, social, environmental, and cultural well-being of Gwynedd's communities.

The Council's vision is:

Our vision as a Council is to support all the people of Gwynedd to flourish and to live a complete life in their community in a county that is one of the best counties to live in.

The Council has adopted well-being objectives which complement the national well-being goals ensuring that the residents of Gwynedd are:

- Giving our children and young people the best possible start in life
- Strengthening the economy and supporting the people of Gwynedd to earn a decent salary
- Supporting Gwynedd residents to live in suitable and affordable homes in their communities
- Supporting the residents of Gwynedd to live full and safe lives in our communities
- Ensuring that we give our residents every possible opportunity to use the Welsh language in the community
- Protecting the county's natural beauty, and responding positively to the climate change crisis
- Putting the residents of Gwynedd first and treating them fairly and ensuring that the Council performs effectively and efficiently

The table below outlines the link between our well-being objectives and the national well-being goals.

	Prosperous	Resilient	Healthier	Equal	Cohesive Communities	A vibrant culture and thriving Welsh language	Globally responsible
TOMORROW'S GWYNEDD Giving our children and young people the best possible start in life							
A PROSPEROUS GWYNEDD Strengthening the economy and supporting the people of Gwynedd to earn a decent salary							
A HOMELY GWYNEDD Supporting Gwynedd residents to live in suitable and affordable homes in their communities							
A CARING GWYNEDD Supporting the residents of Gwynedd to live full and safe lives in our communities							
A WELSH GWYNEDD Ensuring that we give our residents every possible opportunity to use the Welsh language in the community							
A GREEN GWYNEDD Protecting the county's natural beauty, and responding positively to the climate change crisis							
AN EFFICIENT GWYNEDD Putting the residents of Gwynedd first and treating them fairly and ensuring that the Council performs effectively and efficiently							

The Education Department has a role to promote the well-being goals of the Act among learners through their activities and projects. The Act places a duty on public bodies in Wales to improve economic, social, environmental, and cultural well-being. As part of the duty the Council has published well-being objectives which outline how it will improve in the "Gwynedd Plan 2023-2028"

2. HOW DOES THE PROPOSAL MEET CYNGOR GWYNEDD'S WELL-BEING OBJECTIVES?

The proposal:

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

Objectives	Details:
Giving our children and young people the best possible start in life	The proposal will ensure that children in the area foster experiences by socialising with a wider range of age-related peers and receiving a quality education in a school that can offer a learning environment and experiences to a wider range of learners.
Strengthening the economy and supporting the people of Gwynedd to earn a decent salary	It is anticipated that the implementation of this option would lead to staff redundancies. A detailed staffing policy was developed by Cyngor Gwynedd in collaboration with Trade Unions and head teachers. The policy will form the basis of any change to staff employment resulting from any proposal. Clear and open communication will be central to the successful implementation of any proposals.
Supporting Gwynedd residents to live in suitable and affordable homes in their communities	No effect.
Supporting the residents of Gwynedd to live full and safe lives in our communities	Ensuring that the learners receive a first class education will be at the core of the proposal, ensuring that they will receive an education of the same quality and standard in the alternative school.
Ensuring that we give our residents every possible opportunity to use the Welsh language in the community	Ysgol Nebo's learners live in a Welsh-medium society and are educated in a Welsh-medium school, like the alternative school. It is likely that the proposal will have a positive impact on the Welsh language as Ysgol Nebo learners benefit from more opportunities to use the Welsh language with a wider range of peers in the classroom and socially. Ysgol Llanllyfni serves an area that is a stronghold of the Welsh language with a high number of the population able to speak Welsh.
Protecting the county's natural beauty, and responding positively to the climate change crisis	No effect.
Putting the residents of Gwynedd first and treating them fairly and ensuring that the Council performs effectively and efficiently	No effect.

3. DOES THE PROPOSAL MEET THE WELL-BEING AIMS OF THE ACT?

Aim	Does the proposal contribute to this aim?	Measures to mitigate negative effects on this aim:
A prosperous Wales An innovative society that uses resources prudently, educated people, that create wealth and work.	<p>The implementation of the proposal to close Ysgol Nebo and teach the children in a nearby alternative school would mean that the learners build experiences by socialising with a wider range of peers, age-related and receiving a quality education in a school that can offer a learning environment and experiences to a wider range of learners.</p> <p>Introducing this proposal could lead to staff losing their jobs.</p>	<p>Staff and Union representatives will be consulted specifically as part of the statutory consultation period.</p> <p>Cyngor Gwynedd has developed a detailed staffing policy, jointly with Trade Unions and headteachers. Any redundancies as a result of this proposal will have to be in line with that policy. Clear and open communication will play a key role in implementing any proposals.</p>
A resilient Wales A nation that maintains and enhances biodiversity and healthy ecosystems that support resilience and adaptability to change (for example climate change).	<p>It is not anticipated that the proposal would be likely to have an impact on this aim.</p>	<p>No effect</p>
A healthier Wales A society where people's physical and mental well-being is as good as possible, and people understand what affects their health.	<p>It is not anticipated that the proposal would be likely to have an impact on this aim.</p>	<p>No effect</p>
A more equal Wales A society that enables people to achieve their potential regardless of their background or circumstances (including their socio-economic background and circumstances).	<p>The proposal would improve the Authority's ability to <i>"offer education of the highest possible quality which will give the County's children the experiences, skills and confidence and enable them to develop into bilingual, successful citizens and complete"</i> in accordance with the vision of the Excellent Primary Education for Children in Gwynedd Strategy.</p>	<p>The Equality Assessment stated that it is not anticipated that the proposal would have a negative impact on equality. In addition, it was noted that there are solid policies and arrangements in place that would ensure that the proposal considers and is compatible with equal rights. It is noted that measures are already in place to ensure that there will be no illegal discrimination or harassment.</p>
A Wales of cohesive communities Attractive, viable and safe communities that are well connected.	<p>Nebo community is strong and hard-working, and it is recognised that closing the school would have some negative impact on the community.</p>	<p>The assessment of the likely impact on the community states that the proposal may lead to some negative impact on the community. However, it is noted that a number of the learners in Ysgol Nebo's catchment area already choose to attend Ysgol Llanllyfni. It is therefore believed that a link already exists between the school and the wider area.</p> <p>Should the proposal be implemented, there would be an opportunity to build on the links between the community in Nebo and Ysgol Llanllyfni by holding discussions that would promote the inclusion of the Nebo community in the school's community activity.</p>

Wales and a vibrant culture where the Welsh language flourishes An association that promotes and protects culture, heritage and the Welsh language and encourages people to participate in the arts, sports and leisure activities.	No impact is anticipated on this aim as the implementation of the proposal would mean that Ysgol Nebo learners would continue to be educated in a Welsh-medium school.	
Wales responsible at a global level A nation that, as it does anything to improve the economic, social, environmental, and cultural well-being of Wales, considers whether doing such a thing could contribute positively to global well-being.	It is not anticipated that the proposal would be likely to have an impact on this aim.	No effect.

4. PRINCIPLES OF SUSTAINABLE DEVELOPMENT

Principles of Sustainable Development	Does the proposal consider the principle?
Long Term Balancing short-term needs with long-term ones and planning for the future.	The pattern of decreasing learner numbers has been consistent for a number of years, with projections showing that Ysgol Nebo learner numbers will continue to be vulnerable over the next few years and therefore shows that the current challenges facing the school will be long-term ones, and therefore the case for change is clear.
Prevent Allocate resources for preventing problems from occurring or getting worse. We will address problems by preventing and intervening early rather than by reacting.	Should the Cabinet decide to take further action, the needs of the learners will be a priority during every stage of any process.
Integration Have a positive impact on people, the economy, the environment, and culture.	The authority decided to start the process of looking at the future of Ysgol Nebo due to a critical situation facing the school.
Cooperation Work with other partners to provide services.	Collaboration with other relevant departments and the alternative school will be an important part of achieving the objectives for the benefit of the school and the children of the catchment area.
Content (Communication and Engagement) Involve the people of Gwynedd in trying to complete our plan and ensure that those people reflect the diversity of the area.	The proposal will be subject to public consultation, and consultation for children. The process to date has included local review meetings to engage with the relevant stakeholders of the school. These meetings have involved the Governing Body, staff, and parents of Ysgol Nebo.

5. CONCLUSION

Following consideration and assessment in accordance with the requirements of the well-being act, the 7 aims of the well-being act and the Council's well-being objectives were considered, and it is concluded that the proposal meets the requirements.

It is recognised that, this proposal would lead to the loss of a school in the Nebo community, however many of the children who live within the school's catchment area already attend the nearby alternative schools, and therefore there is already a link between the school and the Nebo community. Every effort will be made to mitigate the impact on the community by encouraging links between the communities. Should the proposal be approved, discussions will be held to discuss the possibility that the alternative school community activity includes the Nebo community where appropriate.

The proposal will ensure that the children of the area are educated on a site that is suitable and in a natural Welsh language society, increasing opportunities to socialise and collaborate with others and give them a fair chance to flourish among their peers.

Assessment of the Impact on the People of Gwynedd

This document assesses what impact the policy, procedure, plan, etc. will have on the county's population and operates based on a number of legislations.

- **Equality Act 2010.** It places a duty on public organisations to give due attention to the impact of any new policy, procedure or plan, etc. (or as they are adapted) on persons with protected characteristics. We are required to
 - eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Act.
 - advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.

In Wales, the specific duty notes the need to undertake an impact assessment following specific guidelines to consider the impact that any changes in any policy or procedure (or the creation of a new policy or procedure), will have on persons with protected equality characteristics. A timely assessment should be made before any decision is taken on any relevant change (i.e. that affects people with protected equality characteristics).

- **Socio-economic Duty.** Wales has implemented this further duty, which is part of the Equality Act 2010, and places a duty to address socio-economic disadvantages in strategic decisions.
- **Welsh Language Standards (Section 44 Welsh Language Measure (Wales) 2011).** The Council is required to consider the impact that any change in any policy or procedure (or the creation of a new policy or procedure), will have on opportunities for people to use the Welsh language and to ensure that the Welsh language is not treated less favourably than English. This document therefore ensures that these decisions safeguard and promote the use made of the Welsh language.
- **Well-being of Future Generations Act 2015.** The Council has a duty to put the five ways of working in place and to respond to the seven national well-being goals.
- **Armed Forces Act 2021.** Councils must give due attention to the impact of this proposal on those who serve or who have served in the Armed Forces, as well as their families.

Ysgol Nebo

Author: Gwern ap Rhisiart

Date: December 2025

Version: 2

STEP 1 - Main Aims and Objectives of the Policy or Practice

1. What kind of document or procedure is being assessed?

- New and revised policies, practices or procedures (which modify service delivery or employment practices)

2. What are the overall aims, objectives and intended outcomes of the policy or practice?

On 14 October 2025, the Cyngor Gwynedd Cabinet decided to undertake a statutory consultation process on a proposal to close Ysgol Nebo on 31 December 2026, and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards, in accordance with the requirements of Section 48 of the School Standards and Organisation (Wales) Act 2013.

Ysgol Nebo has been prioritised for a review of the educational provision as the school is facing a number of challenges. Pupil numbers at the school have fallen consistently in recent years and have been fragile for some time. Consequently, it is likely that the school is facing increasing challenges, including:

- **Number of learners** – In the September 2025 census, there were only 11 full-time pupils attending the school, and 1 pupil in the Nursery Class. The school has capacity for 51 learners from Reception to Year 6 (+7 in the Nursery Class).
- **Children are going out of catchment** – The November 2025 data shows that only 22% of Ysgol Nebo catchment area learners choose to attend the school. 78% of the catchment area learners choose to attend schools out of the catchment area.
- **Projected numbers** - Projected numbers suggest that numbers will continue to be fragile for the future: September 2026 = 12; September 2027 = 11; September 2028 = 10
- **High percentage of surplus places** - Based on the figures for September 2025, there were approximately 79% surplus places at the school (a total of 46)
- **Small class sizes** - There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception - Year 3) and 1 nursery learner in one class, and 6 learners (year 4 to year 6) are in the second class.
- **Broad age ranges within classes** - An age range of up to 5 years is in one class and 3 years in the second class.
- **Additional funding to the usual allocation** – Ysgol Nebo receives an additional amount to the usual allocation through the Staffing Minimum Policy (which guarantees at least a headteacher and a teacher in each school, and a headteacher and assistant in schools with less than 15 full -time learners). The total additional amount during the financial year 2025-26 (based on September 2024) was £ 70,694.

- **Cost per learner** - An average cost per learner at Ysgol Nebo in 2025-26 is £ 25,876 compared to the county average of £ 5,780.

3. Who are the main consultative groups (stakeholders)?

- Staff, Governors and Parents/Guardians of Ysgol Nebo
- A statutory consultation will be held on the proposal, all consultees specified in the School Organization Code will be consulted.
- Education Department and Officers from other Cyngor Gwynedd departments.

STEP 2 - Engagement Data and Assessing the Impact

4. Has any effort been made to comply with the duty to engage in accordance with what is described above and has enough information been gathered to move forward?

Yes

The engagement details. Note any consultation or engagement you have conducted or intend to conduct.

Action	Dates	Information
Ysgol Nebo Review Panel 1	18 March 2025	The Ysgol Nebo School Review Panel (SRP) was established in March 2025 and a series of meetings were held between March and July 2025, with the last of these held on 14 July 2025. The SRP members included the school's headteacher and staff, governors, the Local Member, parents and guardians. During the meetings, a number of options were considered for primary education in the Ysgol Nebo catchment area to ensure a sustainable provision for the future and respond specifically to the small numbers of learners.
Ysgol Nebo Review Panel 2	12 May 2025	
Ysgol Nebo Review Panel 3	14 July 2025	
Statutory Consultation	December 2025 – January 2026	A statutory consultation will be held on the proposal, in accordance with the School Organisation Code.

5. What information is available about the impact on each of the following characteristics and subjects?

Evidence, Information and Relevant Data		Potential Positive and/or Negative Impact
Race	<p>Gwynedd schools have relevant policies in place to protect individuals from any discrimination based on race, such as Equality, Inclusion and Anti-bullying Policies. The Anti-bullying Policy provided by Cyngor Gwynedd states anti-bullying guidelines and procedures based on factors such as race in the school. Also, it is states in the Equality policy that is implemented by Gwynedd primary schools that schools</p> <p><i>"... are opposed to all types of prejudice and discrimination and acknowledge that pupils have different needs, requirements and objectives."</i></p> <p>Therefore, it is not anticipated that this proposal would have a negative impact on this characteristic.</p>	None
Disability	<p>It is not anticipated that the change would have a negative impact on this characteristic. An accessibility assessment of any relevant alternative schools would be held, and we will ensure that any transport required is suitable for the needs of the individual. The needs of any disabled child would be considered in accordance with the Education Department's Accessibility and Equality policies.</p>	None
Sex	<p>Implementing the proposal would not have an impact on this characteristic. Implementing the proposal will mean that everyone will be treated according to their need, whatever their gender. Every school implements an Equality Policy stating that the school:</p> <p><i>"... is opposed to all types of prejudice and discrimination and acknowledges that pupils have different needs, requirements and objectives."</i></p>	None

Age	<p>Should the proposal be implemented, it is anticipated that the children of Ysgol Nebo would benefit from having more age-related peers in their class as there are more learners at Ysgol Llanllyfni, which will be a way to ensure age-appropriate educational and extra-curricular experiences, as well as access to additional extra-curricular activities.</p> <p>We believe that learners will receive more age-appropriate experiences at the nearby alternative school since the learners will have learning experiences in collective groups, smaller groups, partner work and individually within their specific age range, along with lessons that have been appropriately differentiated for the age range in question.</p> <p>It is anticipated that implementing the proposal would mean that people of any age would be treated fairly and according to their need. Ysgol Nebo and Ysgol Llanllyfni implement an equality policy stating that the schools:</p> <p><i>"... are opposed to all types of prejudice and discrimination and acknowledge that pupils have different needs, requirements and objectives."</i></p>	Positive
Religion and Belief	<p>Ysgol Nebo and the alternative school noted in the proposal (Ysgol Llanllyfni) are community schools.</p> <p>Every school has an Inclusion Policy that would deal with any discriminatory incident that may occur at the school, which is associated with religion or belief.</p> <p>Therefore, it is not anticipated that this proposal would have an impact on this characteristic.</p>	None
Sexual Orientation	<p>Relationships and sexuality education (RSE) is a statutory requirement in the Curriculum for Wales framework that was published under section 71 of the Curriculum and Assessment (Wales) Act 2021 and is mandatory for all learners aged between 3 and 16. RSE has a positive and empowering role to play in learners' education and it is essential to form and maintain a range of relationships, that are all based on respect and trust on both sides, which is core to relationships and sexuality education. These relationships are crucial to developing emotional well-being, resilience and empathy. An understanding of sexuality with an emphasis on rights, health, equality and fairness empowers the learners to understand themselves, to take responsibility for their own decisions and behaviours and to form relationships. We believe that learners will receive more opportunities to develop relationships and learn collaboratively as part of a larger class in an alternative school.</p> <p>It is not anticipated that the proposal would have an impact on people on the grounds of sexual orientation. Ysgol Nebo and Ysgol Llanllyfni, the proposed alternative school, implement an equality policy stating that the school:</p> <p><i>"... is opposed to all types of prejudice and discrimination and acknowledges that pupils have different needs, requirements and objectives."</i></p>	None
Gender reassignment	<p>It is not anticipated that implementing the proposal would have an impact on people on the grounds of gender reassignment. It is stated in the Equality policy that is implemented by Gwynedd primary schools including Ysgol Nebo and Ysgol Llanllyfni that the schools</p>	None

	<i>"... are opposed to all types of prejudice and discrimination and acknowledge that pupils have different needs, requirements and objectives."</i>	
Marriage and Civil Partnership	It is not anticipated that the proposal would have an impact on anyone who is married or in a civil partnership, as both schools who are a part of the proposal implement the same policies.	None
Pregnancy and Maternity	It is not anticipated that the proposal would have an impact on anyone who is pregnant, whether staff or parents, as both schools which are a part of the proposal implement the same policies.	None
The Welsh Language	<p>The Gwynedd Education Language Policy has the same aim for all the county's primary schools. This means that the learners of Ysgol Nebo will be able to continue to receive their education through the medium of Welsh and bilingually in accordance with the Education Language Policy at Ysgol Llanllyfni, should the proposal be implemented.</p> <p>It is not anticipated that there would be a negative impact should the proposal be implemented, and it is possible that the proposal could have a positive impact on the Welsh language as Ysgol Nebo learners benefit from additional opportunities to use Welsh with a broader range of peers in the classroom and socially. The nearby alternative school, Ysgol Llanllyfni, serves areas which are a stronghold for the Welsh language.</p> <p>However, should the proposal to close Ysgol Nebo be implemented, it is anticipated that some elements of community events would be affected, and as a result, the use of Welsh in the community. It is anticipated that there may be some negative impact from the implementation of the proposal, as parents/guardians/families will not meet daily in the community when dropping off/collecting children from school.</p>	Negative/Positive
Socio-economic Considerations	It is envisaged that the proposal would reduce social disadvantage by ensuring more experiences and diversity of learning, more resources and access to more services and activities.	Positive
Those Who Serve or Who Have Served in the Armed Forces, As Well As Their Families	It is not anticipated that the proposal would have an impact on those who serve or who have served in the armed forces, as well as their families. Children from military or ex-military families will get the same fair play whichever school they attend.	None
Human Rights	It is not anticipated that implementing the proposal would have an impact on human rights.	None
Other	-	-

6. Are there any data or information gaps, and if so, what are they and how do you intend to address them?

We will update all assessments after considering the responses to the statutory consultation.

7. When considering other key decisions that affect these groups, is there an increasing impact (cumulative impact)?

We are not aware of any proposed policies that would impact on the children and young people of the area.

8. What does the proposal include to demonstrate you have given due regard to the Public Sector Equality Duty (to promote equality of opportunity; help to eliminate unlawful discrimination, harassment, or victimisation and foster good relations and wider community cohesion) as covered by the three aims of the General Duty in the Equality Act 2010?

It is not anticipated that the proposal would have an impact on the school's statutory duty to protect learners from any discrimination, harassment or victimisation.

The aim is to promote equal opportunities and encourage the alternative school to continue to follow equality policies and procedures. Should the proposal be realised, it is anticipated that learners would receive more equal opportunities when placed in Ysgol Llanllyfni since the learners would have learning experiences that are based on national learning principles, with a range of methods, including working in collective groups, smaller groups, partner work and individually within their specific age range, along with lessons that have been appropriately differentiated for the age range in question.

As a number of the learners living in the catchment area of Ysgol Nebo already attend Ysgol Llanllyfni, therefore a link between the school and the community already exists. Nevertheless, should the proposal be implemented, opportunities for the school to build on its existing links with the catchment area of Ysgol Nebo will be promoted.

Relationships and sexuality education (RSE) is a statutory requirement in the Curriculum for Wales framework that was published under section 71 of the Curriculum and Assessment (Wales) Act 2021 and is mandatory for all learners aged between 3 and 16. RSE has a positive and empowering role to play in learners' education and it is essential to form and maintain a range of relationships, that are all based on respect and trust on both sides, which is core to relationships and sexuality education. These relationships are crucial to developing emotional well-being, resilience and empathy. An understanding of sexuality with an emphasis on rights, health, equality and fairness empowers the learners to understand themselves, to take responsibility for their own decisions and behaviours and to form relationships. By implementing the proposal, it is anticipated that learners would receive more opportunities to develop relationships and learn collaboratively as part of a larger class.

9. How does the proposal show that due regard has been given to the need to address inequality due to socio-economic disadvantage? (Note that this relates to closing the inequality gap, rather than just improving outcomes for everyone.)

It is envisaged that implementing the proposal would reduce socio-economic inequality by ensuring that the learners have more experiences and access to more services and activities in the alternative school. It is anticipated that learners would receive more equal opportunities since the learners would have learning experiences that are based on national learning principles, with a range of methods, including working in collective groups, smaller groups, partner work and individually within their specific age range, along with lessons that have been appropriately differentiated for the age range in question.

By implementing the proposal, the learners of Ysgol Nebo would have a better learning environment at a school with more learners of the same age, and it would ensure that they make the most of their education. It is anticipated that learners would benefit from having more age-related peers at a school with more learners, which will be a way to ensure suitable educational and extra-curricular experiences for them, as well as access to additional extra-curricular activities.

10. How does the proposal show implementation in line with the requirements of the Welsh Language Standards (Welsh Language Measure (Wales) 2011), to ensure that the Welsh language is not treated less favourably than the English language, and to ensure opportunities for people to use the Welsh language? Also, how does the proposal operate in accordance with the requirements of the Council's Welsh Language Strategy to take advantage of every opportunity to promote the Welsh language (beyond providing bilingual services) and increase opportunities to use and learn the language in the community?

Our expectations are that all of the County's learners have ability-relevant and well-balanced bilingual skills to enable them to be full members of the bilingual society of which they are part. Proposals to change local arrangements would have to take full consideration of all linguistic impacts. Supporting and improving the use of the Welsh language as an educational and social language among learners will be a key consideration when drawing up an option.

The Gwynedd Education Language Policy has the same aim for all of the county's primary schools, and every primary school (except for one) falls into category 3 in accordance with the Welsh Government's Guidance on school categories according to Welsh-medium provision. This means that the learners of Ysgol Nebo will be able to continue to receive their education through the medium of Welsh and bilingually in accordance with the Education Language Policy at Ysgol Llanllyfni, should the proposal be implemented.

It is not anticipated that there would be a negative impact should the proposal be implemented, and it is possible that the proposal could have a positive impact on the Welsh language as Ysgol Nebo learners benefit from additional opportunities to use Welsh with a broader range of peers in the classroom and socially.

As can be seen in the table below, a high percentage of learners from both schools speak Welsh at home:

School	Speaking Welsh fluently at home	Don't speak Welsh at home but fluent	Speak Welsh at home but not fluent	Don't speak Welsh at home and not fluent	Can't speak Welsh at all
Nebo	50%	25%	12.5%	12.5%	0%
Llanllyfni	80%	2%	8%	5%	6%
	Fluent Welsh		A Little Welsh		No Welsh

Should the proposal be implemented, we are confident that Ysgol Llanllyfni would have sufficient capacity for any learners from the Nebo catchment area in the future.

The assessment anticipates some negative impact on the community if the option to close Ysgol Nebo were to be implemented. It is acknowledged that closing Ysgol Nebo would lead to the loss of a school in the Nebo community, however the assessment noted that a large proportion of children living within the school's catchment area already attended other schools, including Ysgol Llanllyfni, and so it is concluded that a link between Ysgol Llanllyfni and the Nebo Community already exists.

Should the proposal to close Ysgol Nebo be implemented, every effort will be made to mitigate the impact on the community by encouraging links between the community and Ysgol Llanllyfni. To mitigate the impact on the community, opportunities to ensure that the Nebo community is aware of the activity of the alternative school, and community collaboration is encouraged between Ysgol Llanllyfni and the Nebo community, where appropriate. In addition, the Local Authority and Governing Body of Ysgol Llanllyfni can consider methods of promoting the use of the Welsh language by including the Nebo community in the school's community activities.

11. How does this proposal meet the requirements of the Well-being of Future Generations Act by implementing the five ways of working, and respond to the seven national well-being goals, including creating a More Equal Wales?

Following consideration and assessment in accordance with the requirements of the well-being act, the 7 well-being act goals and the Council's well-being objectives were considered, and it is concluded that the proposal meets the requirements.

It is acknowledged that should the Cabinet decide to proceed with this proposal, it may result in the closure of a school in the community, however a large number of the children living within the school's catchment area already attend other schools, including Ysgol Llanllyfni, and therefore there is already a link between the schools and the community of that school. Every effort will be made to mitigate any negative impact on the community by encouraging links between the communities and Ysgol Llanllyfni. Should the proposal be approved, discussions will take place to discuss the possibility that Ysgol Llanllyfni community activity includes the community, where appropriate.

The proposal would ensure that the children of the area are educated on a site that is suitable and in a naturally Welsh-speaking society, thus increasing the opportunities to socialise and collaborate with others, and to give them a fair opportunity to thrive among their peers.

STEP 3 - Procurement and Partnerships

12. Will this policy or practice be carried out wholly or partly by contractors or in partnership with another organisation(s)?

No

STEP 4 - Dealing with Negative or Unlawful Impact and Strengthening the Policy or Practice

13. When considering proportionality, does the policy or practice have a significantly positive or negative impact or create unequal outcomes?

Significantly Positive Impact:

Should the proposal be implemented, it is anticipated that learners would receive more equal opportunities when placed in an alternative school since the learners will have learning experiences that are based on national learning principles, with a range of methods, including working in collective groups, smaller groups, partner work and individually within their specific age range, along with lessons that have been appropriately differentiated for the age range in question.

By implementing the proposal, the learners of Ysgol Nebo would have a better learning environment at a school with more learners of the same age, and it would ensure that they make the most of their education and allow access to more activities that are appropriate for their ability level. The learners would benefit from having more age-related peers at a school with more learners, which will be a way to ensure suitable educational and extra-curricular experiences for them, as well as access to additional extra-curricular activities.

Significant Negative Impact:

It is recognised that the options proposed may have an impact on organisations within the community and on community cohesion, and it is anticipated that this will need to be mitigated by fostering links between the school and the community.

The school (and its Governing Body) is responsible for implementing its equality policy, and the Authority, through its routine support and monitoring procedures, will ensure compliance.

14. Explain any intentional negative impact and why it is believed that there is justification for operating in this way (for example, on the grounds of improving equal opportunities or developing good relationships between those who share a protected characteristic and those who do not or due to objective justification or positive action)

No

15. Will any of the negative impacts identified count as unlawful discrimination but they are unavoidable (e.g. budget cuts)?

Not applicable.

Note the reason for stating this and the justification for proceeding

Not applicable.

16. What other measures or changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to equal opportunity; help to eliminate unlawful discrimination, harassment, or victimisation; and foster good relations and wider community cohesion; as covered by the improvement aim of the General Duty in the Equality Act 2010?

We will monitor the response of the consultation to see whether there are any other changes that could potentially be included so as to strengthen or amend the policy.

17. What measures or other changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to the need to reduce inequalities of outcome as a result of socio-economic disadvantage?

It is envisaged that the proposal would reduce socio-economic disadvantage by ensuring that the learners have more experiences and access to more services and activities in the alternative school. Learners would receive more equal opportunities since the learners would have learning experiences that are based on national learning principles, with a range of methods, including working in collective groups, smaller groups, partner work and individually within their specific age range, along with lessons that have been appropriately differentiated for the age range in question.

By implementing the proposal, the learners of Ysgol Nebo would have a better learning environment at a school with more learners of the same age, and it would ensure that they make the most of their education. The learners would benefit from having more age-related peers at a school with more learners, which will be a way to ensure suitable educational and extra-curricular experiences for them, as well as access to additional extra-curricular activities.

18. What other measures or changes could be included to strengthen or change the policy/practice to demonstrate that due regard has been given to the need to increase opportunities for people to use the Welsh language and in treating the Welsh language no less favourably than the English language as set out in the Welsh Language (Wales) Measure 2011 and to reduce or prevent any adverse effects that the policy/practice may have on the Welsh language?

It is anticipated that the proposal would have a positive impact on the Welsh language as learners from Ysgol Nebo would benefit from more opportunities to use the Welsh language with a broader range of peers in the classroom and socially.

Should the school close, the Local Authority and Governing Body of the alternative schools could consider methods to promote use of the Welsh language socially by means of extra-curricular and community activities.

19. Is there enough information to make a balanced judgement and to proceed?

Yes

STEP 5 - Decision to Proceed

20. Given the information gathered in Steps 1–4 above, is it possible to move forward with the policy or practice or not, and if so, on what basis?
Choice of:

Continue with policy or practice in its current form.

STEP 6 - Actions and Arrangements for Monitoring Outcomes and Reviewing Data

The EqIA process is an ongoing one that doesn't end when the policy/practice and EqIA is agreed and implemented. There is a specific legal duty to monitor the impact of policies/practices on equality on an ongoing basis to identify if the outcomes have changed since you introduced or amended this new policy or practice. If you do not hold relevant data, then you should be taking steps to rectify this in your action plan. To review the EHRC guidance on data collection you can review their [Measurement Framework](#)

21. What actions noted in Steps 1-5 or any additional data collection work would help to monitor the policy/practice when implemented:

Action	Dates	Timetable	Lead Responsibility	Add to the Service Plan
Statutory consultation on the proposal	December 2025 – January 2025	At least 42 days	Education Department	No

22. What arrangements to monitor and review the ongoing impact of this policy or practice will be implemented, including timeframes for when it should be formally reviewed:

Monitoring and Review Arrangements (including where outcomes will be recorded)	Timeframe and Frequency	Lead Responsibility	Add to the Service Plan

Should the proposal be realised, we will monitor the impact of the closure of the school and endeavour to assist with any negative impact that may derive from the policy.	Continuous	Education Department	No
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Background Documents

Ysgol Nebo

Content	
1	Local Meeting 1 – 18 March 2025
	Introduction
	Meeting minutes
2	Local Meeting 2 – 12 May 2025
	Introduction
	Meeting minutes
3	Local Meeting 3 – 14 July 2025
	Introduction
	Meeting minutes
4	Summary of the input following Local Meetings

PANEL ADOLYGU YSGOL GYNRADD NEBO YSGOL GYNRADD NEBO REVIEW MEETING

18 Mawrth 2025
18 March 2025



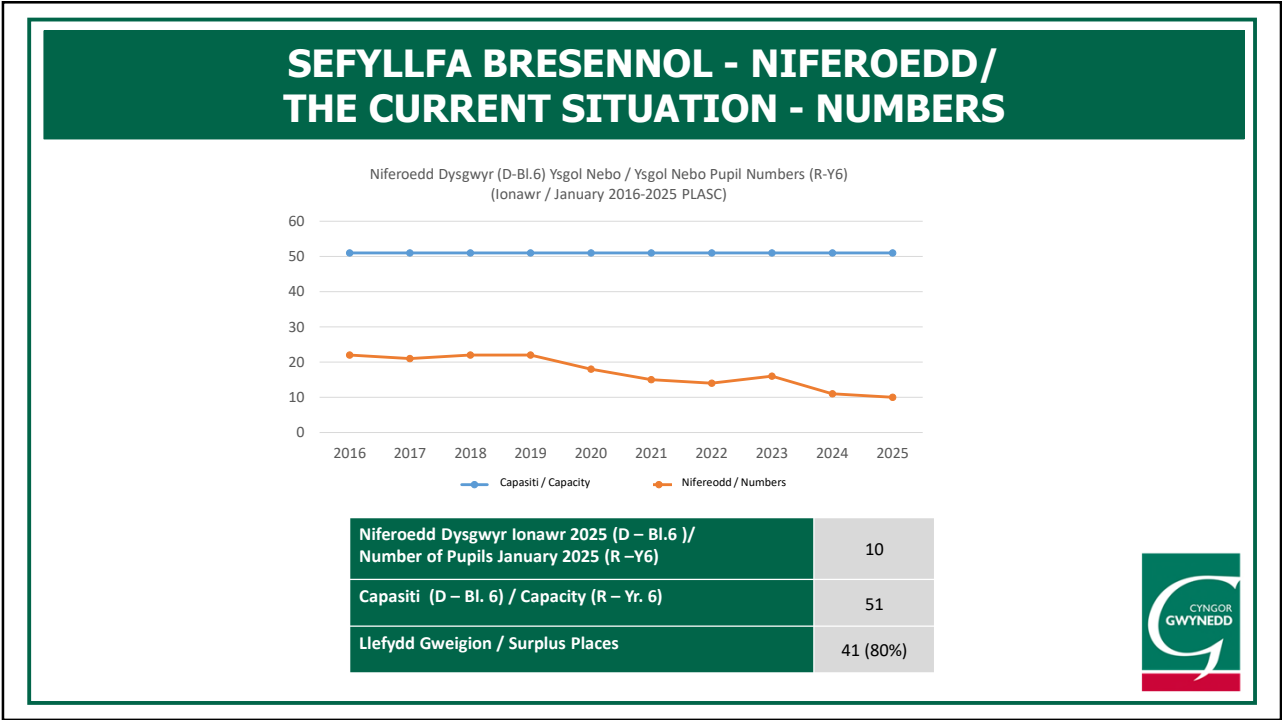
1

AGENDA

- | | |
|-------------------------|---------------------------------|
| 1. Croeso | 1. <i>Welcome</i> |
| 2. Y Sefyllfa Bresennol | 2. <i>The Current Situation</i> |
| 3. Opsiynau Posib | 3. <i>Possible Options</i> |
| 4. Camau Nesaf | 4. <i>Next Steps</i> |
| 5. Cloi | 5. <i>Close</i> |



2



SEFYLLFA BRESENNOL – RHAGAMCANION/ THE CURRENT SITUATION – PROJECTIONS

	Blwyddyn / Year								Cyfanswm / Total	
	M / N	0	1	2	3	4	5	6	Meithrin / Nursery	Derbyn-BI.6 / Reception – Y6
Ionawr / January 2025	0	2	0	2	3	3	0	0	0	10
Rhagamcanion Medi 2025 Projection for September 2025	2	0	2	0	2	3	3	0	2	10
Rhagamcanion Medi 2026 Projection for September 2026	2	2	0	2	0	2	3	3	2	12
Rhagamcanion Medi 2027 Projection for September 2027	2	2	2	0	2	0	2	3	2	11



5

SEFYLLFA BRESENNOL – DYSGWYR Y DALGYLCH THE CURRENT SITUATION – CATCHMENT PUPILS

Disgyblion dalgylch Nebo (Ionawr 2025) Nebo catchment pupils (January 2025)									
	Bro Lleu	Brynerau	Llanllyfni	Nebo	Talysarn	Baladeulyn	Bro Lliffon	Arall	Cyfanswm Ysgol (M – BI.6) / School Total (N- Y.6)
Mynychu Ysgol / School Attending (Ionawr / January 2025)									
Bro Lleu				1					
Brynerau				0					
Llanllyfni				3*					
Nebo	0	0	7	2	1	0	0	0	10
Talysarn				0					
Baladeulyn				0					
Bro Lliffon				1					
Arall / Other				1					
Cyfanswm Total				8					

Meddalwedd GIS y Cyngor (System Gwybodaeth Ddaearyddol), yn nodi mai dim ond 8 dysgwr oed cynradd sydd yn byw yn nalgylch Ysgol Nebo (sydd yn cynnwys 1 dysgwr oed Meithrin). Er hyn, dim ond 2 sydd yn dewis mynychu'r ysgol, gyda 5 o'r dysgwyr yn mynychu ysgolion cynradd eraill yn nalgylch Dyffryn Nantlle ac 1 yn mynd all-dalgylch.

The Council's GIS software (Geographical Information System) shows that only 8 primary age learners live in the catchment area of Ysgol Nebo (which includes 1 Nursery age learner). Despite this, only 2 choose to attend the school, with 5 of the learners attending other primary schools in the Dyffryn Nantlle catchment area, and 1 going outside the catchment area.



6

SEFYLLFA BRESENNOL – CYLLIDEB YR YSGOL (2024/25)/ THE CURRENT SITUATION – SCHOOL BUDGET (2024/25)

	Ysgol Nebo	Cyfartaledd Sirol County Average
Dyranïad Craidd 2024-2025 Allocation 2024-2025	£148,493	-
Gwarchodaeth Lleiafswm Staffio* Minimum Staffing Protection*	£49,404	-
Cyfanswm Dyranïad Total Allocation	£197,897	-
Cyfartaledd y Disgybl Average per Pupil	£14,857	£5,223

**Mae'r polisi gwarchodaeth yn sicrhau o leiaf pennaeth ac athro/athrawes ym mhob ysgol gyda mwy na 15 disgybl, a pennaeth a chymhorthydd dosbarth mewn ysgolion gyda llai na 15 disgybl.

**The minimum staffing protection policy ensures a minimum of headteacher and teacher at every school which has more than 15 pupils, and a headteacher and a classroom assistant in a school with fewer than 15 pupils.



7

SEFYLLFA BRESENNOL – STRWYTHUR STAFFIO THE CURRENT SITUATION – STAFF STRUCTURE

Trwy Polisi Gwarchodaeth Cyngor Gwynedd, gwarantir isafswm lefel staffio o bennaeth a chymhorthydd mewn ysgolion sydd â llai na 15 o ddysgwyr. Mae strwythur staffio presennol Ysgol Gynradd Nebo yn cynnwys pennaeth (cyfwerth â llawn amser) a 45 awr o amser cymorthyddion dysgu.

Through Cyngor Gwynedd Protection Policy, a minimum staffing level of a headteacher and assistant is available in schools with less than 15 learners. The current staffing structure of Ysgol Nebo includes a Headteacher (equivalent to full time) and 45 hours of teaching assistants.



8

CRYNHOI PRIF HERIAU'R SEFYLLFA BRESENNOL / SUMMARY OF THE MAIN CHALLENGES OF THE CURRENT SITUATION

1	Nifer disgyblion yr ysgol yr isaf yn y sir <i>The number of pupils at the school is the lowest in the county</i>
2	Rhagamcanion yn parhau yn isel <i>Projections remain low</i>
3	Nifer uchel o lefydd gweigion <i>High number of surplus places</i>
4	Maint dosbarthiadau bychain <i>Small class sizes</i>
5	Amrediad ystod oed eang o fewn dosbarthiadau <i>Broad age range within classes</i>
6	Cost y disgybl ymysg yr uchaf yn y sir a sylweddol uwch na'r cyfartaledd sirol <i>Cost per pupil amongst the highest in the county and significantly higher than the county average</i>
7	Ysgol yn derbyn swm ychwanegol o £49,404 (Med 2024) trwy'r gwarchodaeth staffio <i>School receives an additional £49,404 (September 2024) through the minimum staffing protection</i>



9

YSTYRIAETHAU CONSIDERATIONS

Wrth lunio a chymharu opsiynau, byddwn yn rhoi ystyriaeth i sawl ffactor, gan gynnwys:
In formulating and comparing options, we will consider several factors, including:

1	Maint dosbarthiadau / <i>Class sizes</i>
2	Niferoedd disgyblion / <i>Pupil numbers</i>
3	Arweinyddiaeth a Staffio / <i>Leadership and Staffing</i>
4	Y Gymuned / <i>The Community</i>
5	Adnoddau ariannol / <i>Financial resources</i>
6	Yr iaith Gymraeg / <i>The Welsh language</i>
7	Ansawdd addysg / <i>Quality of education</i>
8	Cyflwr ac addasrwydd adeiladau / <i>Condition and suitability of the building</i>
9	Daearyddol a teithio / <i>Geographical and travel</i>



10

OPSIYNAU POSIB / POSSIBLE OPTIONS

1	Status Quo – Parhau hefo’r sefyllfa bresennol. <i>Status Quo – Continue with the current situation.</i>
2	Ffedereiddio gydag ysgol gyfagos/arall. <i>Federation with neighboring / other school.</i>
3	Cau Ysgol Gynradd Nebo a chynnig lle i’r disgyblion mewn ysgol amgen. <i>Close Ysgol Gynradd Nebo and offer pupils a place at an alternative school.</i>



11

CAMAU NESAF/ NEXT STEPS

Camau Nesaf / <i>Next Steps</i>	Dyddiad / <i>Date</i>
Dyddiad cau ar gyfer derbyn unrhyw opsiynau / sylwadau pellach <i>Closing date for receiving any further options / comments</i>	01/04/2025
Cyfarfod Panel Adolygu 2 <i>Review Panel Meeting 2</i>	Ebrill 2025 / <i>April 2025</i>



12

REVIEW PANEL YSGOL GYNRADD NEBO

Addysg

Meeting:	Review Panel Ysgol Nebo	Date/Time/Location: 18 March 2025, 18:00, Ysgol Nebo
Present:	<p><u>Elected Members:</u> Cllr. Dewi Jones (Education Cabinet Member).</p> <p><u>Education Department:</u> Gwern ap Rhisiart (Head of Education), Rhian Eifiona Hughes (Modernising Education Officer), Hana Llyn Roberts (Education Project Officer).</p> <p><u>Ysgol Nebo Staff and Governors:</u> 8 Member</p> <p><u>Parents / Guardians:</u> 3 Member</p>	
Apologies:		

Item No	Item / Subject	Actions	By
6	Next Steps	Stakeholders to share options with the Headteacher of Ysgol Nebo and she can share them with Modernising Education by Tuesday, April 1.	01/04/25

Minutes of Meeting		
	Item / Subject	Record / Actions
1	Welcome	<ul style="list-style-type: none"> Gwern ap Rhisiart, Head of Education, welcomed everyone to the meeting. The purpose of the meeting is to provide an overview of the situation at Ysgol Nebo, considering and discussing possible options in an effort to respond to the challenges the school is facing.
2	Current Situation	<ul style="list-style-type: none"> We went through the presentation which highlights the current situation by addressing: <ul style="list-style-type: none"> learner numbers age range of classes projections number of learners living within the catchment area the school's budget staffing structure challenges of the current situation considerations and possible options going forward There were 10 learners attending Ysgol Nebo in January (PLASC January 2025). With a capacity of 51, the school has a large number of surplus places—space for 41 learners, 80% surplus places. The School Organisation Code states that if there are more than 10% surplus places in an area generally, local authorities have a duty to review the provision. It was noted that only 8 primary-aged learners live within Ysgol Nebo's catchment area. However, only 2 choose to attend the school, with 5 attending other primary schools within the Dyffryn Nantlle catchment and 1 attending a school outside the catchment (Slide 6 of the presentation). The average cost per pupil at Ysgol Nebo is £14,857, which is significantly higher than the county average of £5,223.



		<ul style="list-style-type: none"> The current staffing structure at Ysgol Nebo includes a headteacher (equivalent to full-time) and 45 hours of teaching assistant time. Ysgol Nebo receives an additional amount of £49,404 through staffing protection.
3	Possible Options	<p>1) Status Quo – Continue with the current situation.</p> <p>2) Federation with a nearby/another school. Ysgol Nebo is defined as a rural school in the School Organisation Code, so the option of federating with a nearby school must be explored.</p> <p>3) Close Ysgol Gynradd Nebo and offer places to the pupils at an alternative school.</p> <ul style="list-style-type: none"> As part of the next steps in considering possible options going forward, an impact assessment will be prepared for the options in order to examine aspects such as transport, equality, wellbeing, quality of education, language, and community.
4	Next Steps	<ul style="list-style-type: none"> The next step is to receive comments/options from Ysgol Nebo stakeholders. The deadline for receiving options is Tuesday, April 1st. It was agreed that everyone would send comments/options to the Headteacher of Ysgol Nebo, and then the school would pass them on to Rhian Hughes, Modernising Education Officer. A second Review Panel Meeting will be held in April/May to go through all the options.
5	Questions/ Comments	<p>An opportunity was given for everyone to ask questions:</p> <p>a) Would the authority consider keeping the school open for children who are unhappy in a larger school due to subtle bullying as a result of some of their needs? Children can feel more comfortable in a small school. <i>GapRh noted that every school has a policy to deal with bullying, and every school should be able to address bullying issues and ensure fairness for every child. However, it was acknowledged that tackling bullying can be more challenging in larger schools. It was suggested that this could be an option for stakeholders to propose, and the Authority could evaluate the advantages and disadvantages of the option.</i></p> <p>b) The area has a lot to offer in terms of health and wellbeing. A special location for doing work outdoors with nature and cross-curricular activities. Weekly nature walks around the village. There is no similar location for doing this elsewhere. The school's qualities make the place very special.</p> <p>c) It is necessary to ask why parents are sending their children out of the catchment area. <i>GapRh noted that the Admissions Policy allows parents to send their children to any school. The result of this is that some schools gain pupils while others lose them. Nursery schools also play a big part where learners make connections and want to go to the same school as their friends. Birth rates are low in Gwynedd, which is a major challenge for the Education Department.</i></p> <p>d) The lack of affordable housing in the area has affected the number of people living in the catchment. The Council did not allow housing development in Nebo. Does this still exist, and would the Council consider building affordable housing in Nebo?</p>



Councillor Dewi Jones (Cabinet Member for Education) noted that he acknowledges building affordable housing in the area could lead to attracting more families, and ultimately increase the number of pupils attending the school. He noted that he would raise the matter with the Housing Department. Due to the housing formula, a large number of houses would need to be built in Nebo to increase the school numbers; it would require building 15 houses to gain 1 child at the school.

e) What would happen if Ysgol Nebo closes and nearby schools are full?

If option number 3 is implemented, places in the nearby schools would need to be considered, prioritising learners who live within the catchment area.

f) What would happen if the school closes and the child does not want to go to any other school and refuses to attend?

GapRh noted that it is the parents' duty to ensure that children attend school, no matter how difficult this can be. Attendance Officer and a Wellbeing Officer are available to provide advice and support. If you strongly feel that an alternative school is not an option, then home education for your child is also an option.

g) What would happen to the staff if the school closes?

It was noted that if option 3 is implemented, the Council would be available to provide support to the staff who would be affected, and Human Resources would be available to advise each individual.

h) If option 3 is chosen, that is closing Ysgol Nebo, what is the timeline?

- *The full process can take approximately eighteen months.*
- *Once all options have been evaluated, these will be presented to the Cabinet, and depending on the outcome, permission will be sought to hold a consultation, where people will have the opportunity to express their views.*
- *If a consultation period is held, a report on the consultation outcome will need to be presented back to the Cabinet, who will decide whether to proceed to publish a statutory notice and hold an objection period on the proposal or not. If the Cabinet decides to proceed with publishing a statutory notice on the proposal, following the objection period, the Cabinet will consider any objections received before making a final decision.*
- *Therefore, it is a lengthy process with many steps to ensure that we follow the School Organisation Code when reviewing a school.*

i) A member of the Governing Body noted the importance of the school to the village and how much of a loss closing the school would be to the community. It would be difficult for the community to run the building due to maintenance costs. There would be nothing in the village if the school closed. A number of activities that bridge generations are held at the school:

- **Senior Citizens' Club (over 50s) meeting every fortnight**
- **Welsh lessons**
- **Sewing club**
- **Cawl a Chan**
- **Orchard in the park**

It was noted that the post-use policy allows the community the first option where it is possible to turn the building into a community resource if there is interest from the community. An impact assessment on the Community will also be created for each option.



		<p>j) Would it be possible to keep the school under the care of the Education Department by redefining it as an Outdoor Centre for all the children in the County?</p> <p><i>GapRh noted that if the school were to close, it is unlikely that the Education Department would be able to fund this, but it could be an option for the community to realise, in line with the post-use policy. It was noted that the village of Abersoch is in the process of turning an old school building into a multipurpose community centre, with a café and business units.</i></p> <p>k) Would the community/children be able to send comments/offer options?</p> <p><i>It was noted that if the Cabinet decides to proceed with a statutory consultation, there would be an opportunity during the consultation period to hold a specific session with the children, and their comments would be included in the report just like everyone else's comments.</i></p>
6	Close	<ul style="list-style-type: none"> • The next step is to share alternative options with Modernising Education by Tuesday, April 1st. • A second Review Panel meeting will be held in April/May to discuss all the options.



PANEL ADOLYGU YSGOL GYNRADD NEBO YSGOL GYNRADD NEBO REVIEW MEETING

12 MAI 2025
12 MAY 2025



1

AGENDA

- | | |
|------------------------|--------------------------------------|
| 1. Croeso | 1. <i>Welcome</i> |
| 2. Crynhoi Prif Heriau | 2. <i>Summary of Main Challenges</i> |
| 3. Opsiynau Posib | 3. <i>Possible Options</i> |
| 4. Dadansoddiad SWOT | 4. <i>SWOT Analysis</i> |
| 5. Camau Nesaf | 5. <i>Next Steps</i> |



2

CRYNHOI PRIF HERIAU'R SEFYLLFA BRESENNOL / SUMMARY OF THE MAIN CHALLENGES OF THE CURRENT SITUATION

1	Nifer disgyblion yr ysgol yr isaf yn y sir <i>The number of pupils at the school is the lowest in the county</i>
2	Rhagamcanion yn parhau yn isel <i>Projections remain low</i>
3	Nifer uchel o lefydd gweigion <i>High number of surplus places</i>
4	Maint dosbarthiadau bychain <i>Small class sizes</i>
5	Amrediad ystod oed eang o fewn dosbarthiadau <i>Broad age range within classes</i>
6	Cost y disgybl ymysg yr uchaf yn y sir a sylweddol uwch na'r cyfartaledd sirol <i>Cost per pupil amongst the highest in the county and significantly higher than the county average</i>
7	Ysgol yn derbyn swm ychwanegol o £49,404 (Medi 2024) trwy'r gwarchodaeth staffio <i>School receives an additional £49,404 (September 2024) through the minimum staffing protection</i>



3

RHESTR O OPSIYNAU / LIST OF OPTIONS

1	Parhau gyda'r sefyllfa bresennol / <i>Continue with the current situation.</i>
2	Ffederaleiddio gyda ysgol gyfagos / <i>Federate with a neighboring school.</i>
3	Ffederaleiddio gyda ysgol gyfagos gan ychwanegu uned arbenigol ar gyfer plant gyda anghenion dysgu ychwanegol yn Ysgol Nebo, lle mae addysg prif lif yn heriol iddynt / <i>Federation with neighboring school while adding a specialist unit for children with additional learning needs at Ysgol Nebo, where mainstream education is challenging for them.</i>
4	Cau Ysgol Nebo a chynnig lle i'r dysgwyr mewn ysgol cyfagos / <i>Close Ysgol Nebo and offer places to the learners in a neighboring school.</i>
5	Ysgol Nebo yn datblygu yn leoliad arbenigol ar gyfer rhai pynciau unigol (cyfleon unigryw i gyflawni gwaith maes) / <i>Ysgol Nebo to be developed as a specialist location for certain individual subjects (unique opportunities to carry out fieldwork).</i>
6	Ysgol Nebo yn cynnig uned arbenigol ar gyfer cefnogi plant sydd gyda anghenion dysgu ychwanegol, lle mae addysg prif lif yn heriol iddynt / <i>Ysgol Nebo to offer a specialist unit to support children with additional learning needs, where mainstream education is challenging for them.</i>
7	Ysgol Nebo yn cynnig Uned Iaith ar gyfer dalgylch Dyffryn Nantlle / <i>Establish a Language Unit for the Dyffryn Nantlle catchment area at Ysgol Nebo.</i>

4

OPSIYNAU / OPTIONS

- Rydym wedi ymchwilio i'r 7 opsiwn yma.
 - Mae pob opsiwn wedi ei ddadansoddi ar ffurf 'SWOT Analysis'.
- We have researched these 7 options.*
 - Each option has been analysed by means of a 'SWOT Analysis'*

**Sylwer bod y sylwadau a rannwyd yn ystod y cyfarfod wedi'u hychwanegu mewn coch o dan bob opsiwn.*

**Please note that the comments shared during the meeting have been added in red under each options.*



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1. Parhau gyda'r sefyllfa bresennol

CRYFDERAU	GWENDIDAU
Cadw ysgol ac adnodd cymunedol yn Nebo.	Niferoedd dysgwyr yn parhau yn isel.
Ysgol o fewn pellter rhesymol i gartref dysgwyr y dalgylch.	Cost y disgybl yn parhau'n uchel.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Amrediad oedran eang o fewn dosbarthiadau.
Swyddi staff yr ysgol yn parhau (yn ddibynnol ar y dyraniad).	Maint dosbarthiadau bychain.
<i>Cymhareb staff i ddysgwyr yn gweithio'n dda yn Ysgol Nebo.</i>	Niferoedd dysgwyr ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
<i>Ymagwedd gynhwysol gadarn yn Ysgol Nebo.</i>	Canran uchel o lefydd gweigion yn yr ysgol yn parhau.
<i>Iechyd a lles dysgwyr Ysgol Nebo yn ganolog i bopeth.</i>	
CYFLEON	BYGYTHIADAU
<i>Dosbarthiadau bychain</i>	Rhagamcanion niferoedd yn parhau yn isel.
<i>Ystod oedran eang yn gyfle i weithio gyda'u cyfoedion (helpu eu gilydd).</i>	Posiblrwydd o ddiffyg yn y gyllideb.
<i>Gweithgareddau cymunedol rhwng yr ysgol â'r gymuned.</i>	Costau cynnal a chadw'r adeilad yn parhau.
	Canran uchel o blant dalgylch Nebo yn mynychu ysgolion all dalgylch.
	Ansicrwydd yn parhau ynglŷn â chynnaladwyedd hir dymor yr ysgol.

6

1. Continue with the current situation

STRENGTHS	WEAKNESSES
School and community resource to remain in Nebo.	Number of learners remain low.
School within reasonable distance of the homes of learners in the catchment area.	Cost per learner remains high.
Learners receiving Category 3 Welsh-medium education.	Wide age range within classes.
School staff positions will continue (subject to the allocation).	Small classes.
Staff to learner ratio working well at Ysgol Nebo.	Numbers of learners not enough to allow non-teaching time for the Headteacher.
A robust inclusive approach at Ysgol Nebo.	A high percentage of surplus places at the school remains.
The health and well-being of Ysgol Nebo learners is central to everything.	
OPPORTUNITIES	THREATS
Small classes.	Projected learner numbers remain low.
Wide age range is an opportunity to work with their peers (help each other).	Possibility of a budget deficit.
Community activities between the school and the community.	Building maintenance costs continue.
	A high percentage of children from the Nebo catchment area attend schools outside the catchment area.
	Uncertainty continues regarding the long-term sustainability of the school.

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2. Ffedereiddio gyda ysgol gyfagos

CRYFDERAU	GWENDIDAU
Cadw ysgol ac adnodd cymunedol yn Nebo.	Amrediad oedran eang o fewn dosbarthiadau
Ysgol o fewn pellter rhesymol i gartref dysgwyr y dalgylch.	Maint dosbarthiadau bychain.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Niferoedd dysgwyr yn parhau yn isel.
Cymhareb staff i ddysgwr yn gweithio'n dda yn Ysgol Nebo.	Niferoedd ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
Ymagwedd gynhwysol gadarn yn Ysgol Nebo.	Llefydd gweigion yn parhau. Dim yn debygol o arwain at gynnydd yn nifer dysgwyr Ysgol Nebo.
Iechyd a lles dysgwyr Ysgol Nebo yn ganolog i bopeth.	Cost y dysgwr yn parhau yn uchel.
CYFLEON	BYGYTHIADAU
Un Corff Llywodraethol.	Posiblirwydd o ddiffyg yn y gyllideb.
Rhannu adnoddau ac arbenigeddau.	Costau cynnal a chadw'r adeiladau yn parhau.
Ysgolion yn cefnogi eu gilydd.	Rhagamcanion niferoedd yn parhau yn isel.
Gall model ffurfiol roi strwythur pendant.	Canran uchel o blant dalgylch Nebo yn mynychu ysgolion all dalgylch.
Gweithgareddau cymunedol rhwng yr ysgol â'r gymuned.	Ffederasiwn yn fodel sydd yn ddibynol ar barodrwydd ysgolion eraill i ymuno â' trefniant i gyd-weithio.

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2. Federation with neighboring school

STRENGTHS	WEAKNESSES
School and community resource to remain in Nebo.	Wide age range within classes.
School within reasonable distance of the homes of learners in the catchment area.	Small classes.
Learners receiving Category 3 Welsh-medium education.	Numbers of learners remain low.
Staff to learner ratio working well at Ysgol Nebo.	Numbers of learners not enough to allow non-teaching time for the Headteacher.
A robust inclusive approach at Ysgol Nebo.	High percentage of surplus places in the school. Not likely to lead to an increase in the number of learners at Ysgol Nebo.
The health and well-being of Ysgol Nebo learners is central to everything.	Cost per pupil remains high.
OPPORTUNITIES	THREATS
One Governing Body.	Possibility of a budget deficit.
Sharing resources and expertise.	Building maintenance costs continue.
Schools supporting each other.	Projected learner numbers remain low.
A formal model can provide a clear structure.	A high percentage of children from the Nebo catchment area attend schools outside the catchment area.
Community activities between the school and the community.	Federation is a model which is dependent on the willingness of other schools to join an arrangement to work together.

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3. Ffederaleiddio gyda ysgol gyfagos gan ychwanegu uned arbenigol ar gyfer plant gyda anghenion dysgu ychwanegol yn Ysgol Nebo, lle mae addysg prif lif yn heriol iddynt.

CRYFDERAU	GWENDIDAU
Cadw ysgol ac adnodd cymunedol yn Nebo.	Amrediad oedran eang o fewn dosbarthiadau
Ysgol o fewn pellter rhesymol i gartref dysgwyr y dalgylch.	Maint dosbarthiadau bychain.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Niferoedd dysgwyr yn parhau yn isel, gan nad yw ffederaleiddio na lleoli uned ADY ar safle ysgol yn arferol yn denu dysgwyr ychwanegol i'r ysgol.
Cymhareb staff i ddysgwr yn gweithio'n dda yn Ysgol Nebo.	Niferoedd ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
Ymagwedd gynhwysol gadarn yn Ysgol Nebo.	Llefydd gweigion yn parhau. Dim yn debygol o arwain at gynydd yn nifer dysgwyr Ysgol Nebo.
Iechyd a lles dysgwyr Ysgol Nebo yn ganolog i bopeth.	Cost y dysgwr yn parhau yn uchel.
CYFLEON	BYGYTHIADAU
Un Corff Llywodraethol.	Gwasanaeth ADY a Chynhwysiad yn gweithio efo ysgolion i sicrhau bod disgyblion gydag anawsterau penodol yn cael eu cynnwys yn y cwricwlwm, gan sicrhau ethos gynhwysol ysgol gyfan, gyda disgyblion ag ADY yn cael eu cefnogi i gymryd rhan lawn yng nghymuned yr ysgol.
Rhannu adnoddau ac arbenigeddau.	Posiblirwydd o ddiffyg yn y gyllideb.
Ysgolion yn cefnogi eu gilydd.	Costau cynnal a chadw'r adeiladau yn parhau.
Gall model ffurfiol roi strwythur pendant.	Rhagamcanion niferoedd yn parhau yn isel.
Gwell defnydd o'r adeilad drwy leoli uned ADY ar y safle.	Canran uchel o blant dalgylch Nebo yn mynychu ysgolion all dalgylch.
Grantiau ychwanegol i gyfarch gwelliannau ar gyfer dysgwyr gyda ADY.	Ffederasiwn yn fodel sydd yn ddiabyddol ar barodrwydd ysgolion eraill i ymuno â trefniant i gyd-weithio.
Gweithgareddau cymunedol rhwng yr ysgol â'r gymuned.	

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3. Federation with neighboring school while adding a specialist unit for children with additional learning needs at Ysgol Nebo, where mainstream education is challenging for them.

STRENGTHS	WEAKNESSES
School and community resource to remain in Nebo.	Wide age range within classes.
School within reasonable distance of the homes of learners in the catchment area.	Small classes.
Learners receiving Category 3 Welsh-medium education.	Numbers of learners remain low, as federating or locating an ALN unit on a school site does not normally attract additional learners to the school.
Staff to learner ratio working well at Ysgol Nebo.	Numbers of learners not enough to allow non-teaching time for the Headteacher.
A robust inclusive approach at Ysgol Nebo.	High percentage of surplus places in the school. Not likely to lead to an increase in the number of learners at Ysgol Nebo.
The health and well-being of Ysgol Nebo learners is central to everything.	Cost per pupil remains high.
OPPORTUNITIES	THREATS
One Governing Body.	The ALN and Inclusion Service works with schools to ensure that learners with specific needs are included in the curriculum, ensuring the inclusive ethos of the whole school, with learners with ALN being supported to participate fully in the school community.
Sharing resources and expertise.	Possibility of a budget deficit.
Schools supporting each other.	Building maintenance costs continue.
A formal model can provide a clear structure.	Projected learner numbers remain low.
Increased use of building by locating a ALN unit on the site.	A high percentage of children from the Nebo catchment area attend schools outside the catchment area.
Additional grants to address improvements for learners with ALN.	Federation is a model which is dependent on the willingness of other schools to join an arrangement to work together.
Community activities between the school and the community.	

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4. Cau Ysgol Gynradd Nebo a chynnig lle i'r disgyblion mewn ysgol gyfagos.

CRYFDERAU	GWENDIDAU
Dysgwyr i gael eu haddysgu mewn dosbarthiadau o faint mwy hyfyw / addas.	Colli presenoldeb ysgol yn Nebo.
Lleihad yng nghanran y llefydd gweigion.	Pellter teithio pellach o gartref dysgwyr dalgylch Nebo.
Llawer o blant dalgylch Nebo eisoes yn mynychu ysgolion cyfagos.	Costau cludiant i gludo dysgwyr i ysgol amgen.
Lleihad yng nghost y disgybl.	Dysgwyr i gael eu haddysgu mewn dosbarthiadau o faint mwy.
Gwarchodaeth lleiafswm staffio yn lleihau.	Colli'r ymagwedd gynhwysol gadarn mae Ysgol Nebo yn gynnig i gefnogi iechyd a lles.
Ni fyddai rhaid i ddysgwyr deithio pellter afresymol i ysgol gyfagos.	Effaith negyddol ar les y dysgwyr presennol sydd yn Ysgol Nebo.
Ysgolion cyfagos yn cynnig addysg cyfrwng Cymraeg Categori 3.	
Ansawdd addysg holl ysgolion cyfagos o leiaf gystal â Ysgol Nebo (Arolygon Estyn)	
CYFLEON	BYGYTHIADAU
Cyfle i ddysgwyr gymysgu yn ddyddiol gyda mwy o ddysgwyr o'r un oedran.	Diswyddo Staff.
Cymuned ehangach ble gall y plant a'r rhieni elwa ar greu cysylltiadau cryfach rhwng cymunedau.	Posiblirwydd o golli adnodd cymunedol yn y pentref.
Arbed ar gostau cynnal a chadw adeilad.	

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4. Close Ysgol Gynradd Nebo and offer pupils a place at a neighboring school.

STRENGTHS	WEAKNESSES
Learners to be taught in classes of a more viable / suitable size.	Loss of school presence in Nebo.
A reduction in the percentage of surplus places.	Greater travelling distance from the homes of learners living in the Nebo catchment area.
Many children from the Nebo catchment area already attends nearby schools.	Transport costs to transport learners to an alternative school.
Reduction in the cost per pupil.	Learners to be taught in larger class sizes.
Minimum staffing protection reduced.	Losing the robust inclusive approach that Ysgol Nebo offers to support health and well-being.
Learners would not have to travel an unreasonable distance to a neighboring school.	A negative impact on the well-being of the current learners at Ysgol Nebo.
Nearby schools offering Category 3 Welsh-medium education.	
The quality of education at all neighboring schools is at least as good as Ysgol Nebo (Estyn Reports).	
OPPORTUNITIES	THREATS
Opportunity for learners to mix daily with other learners of the same age.	Staff Redundancy.
A wider community where children and parents can benefit from stronger connections between communities.	Possibility of losing a community resource in the village.
Savings on building maintenance costs.	

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5. Ysgol Nebo yn datblygu yn leoliad arbenigol ar gyfer rhai pynciau unigol (cyfleon unigryw i gyflawni gwaith maes)

CRYFDERAU	GWENDIDAU
Cadw presenoldeb safle ysgol ac adnodd cymunedol yn Nebo.	Niferoedd dysgwyr yn parhau yn isel.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Cost y disgybl yn uchel.
Cymhareb staff i ddysgwyr yn gweithio'n dda yn Ysgol Nebo.	Amrediad oedran eang o fewn dosbarthiadau.
Ymagwedd gynhwysol gadarn yn Ysgol Nebo.	Maint dosbarthiadau bychain.
Iechyd a lles dysgwyr Ysgol Nebo yn ganolog i bopeth.	Niferoedd dysgwyr ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
	Canran uchel o lefydd gweigion yn yr ysgol.
CYFLEON	BYGYTHIADAU
Dosbarthiadau bychain	Costau cynnal a chadw'r adeilad yn parhau.
Model unigryw sydd yn gyfle i ddysgu mewn amgylchedd awyr agored.	Canran uchel o blant dalgylch Nebo yn debygol o barhau i fynychu ysgolion all dalgylch.
Cyfrannu'n gadarnhaol at les meddyliol ac emosiynol y dysgwyr.	Yn ddibynol ar yr union fodel, posib y byddai angen gweithredu proses i gau'r ysgol bresennol ac ail agor fel ysgol arbenigol. Gallai hynny arwain at ddiswyddiadau staff.

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5. Ysgol Nebo to be developed as a specialist location for certain individual subjects (unique opportunities to carry out fieldwork).

STRENGTHS	WEAKNESSES
School site and community resource to remain in Nebo.	Learner numbers remain low.
Learners receiving Category 3 Welsh-medium education.	Cost per learner remains high.
Staff to learner ratio working well at Ysgol Nebo.	Wide age range within classes.
A robust inclusive approach at Ysgol Nebo.	Small classes.
The health and well-being of Ysgol Nebo learners is central to everything.	Numbers of learners not enough to allow non-teaching time for the Headteacher.
	High percentage of surplus places in the school.
OPPORTUNITIES	THREATS
Small classes.	Building maintenance costs continue.
A unique model that offers an opportunity to learn in an outdoor environment.	A high percentage of children from the Nebo catchment area are likely to continue attending schools outside the catchment area.
Contribute positively to the mental and emotional well-being of the learners.	Depending on the exact model, it may be necessary to implement a process to close the current school and reopen as a specialist school. That could lead to staff redundancies.

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6. Ysgol Nebo yn cynnig uned arbenigol ar gyfer cefnogi plant sydd gyda anghenion dysgu ychwanegol, lle mae addysg prif lif yn heriol iddynt.

CRYFDERAU	GWENDIDAU
Cadw ysgol ac adnodd cymunedol yn Nebo.	Niferoedd dysgwyr yn parhau yn isel, gan nad yw lleoli uned ADY ar safle ysgol yn arferol yn denu dysgwyr ychwanegol i'r ysgol.
Ysgol o fewn pellter rhesymol i gartref dysgwyr y dalgylch.	Cost y dysgwr yn parhau yn uchel.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Amrediad oedran eang o fewn dosbarthiadau.
Cymhareb staff i ddysgwyr yn gweithio'n dda yn Ysgol Nebo.	Maint dosbarthiadau bychain.
Ymagwedd gynhwysol gadarn yn Ysgol Nebo.	Niferoedd dysgwyr ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
Iechyd a lles dysgwyr Ysgol Nebo yn ganolog i bopeth.	Costau cludiant uwch i gludo dysgwyr i'r Uned ADY.
CYFLEON	BYGYTHIADAU
Gwell defnydd o'r adeilad drwy leoli uned ADY ar y safle.	Gwasanaeth ADY a Chynhwysiad yn gweithio efo ysgolion i sicrhau bod disgyblion gydag anawsterau penodol yn cael eu cynnwys yn y cwricwlwm, gan sicrhau ethos gynhwysol ysgol gyfan, gyda disgyblion ag ADY yn cael eu cefnogi i gymryd rhan lawn yng nghymuned yr ysgol.
Dosbarthiadau bychain.	Diffyg cyllideb cyfalaf i wneud addasiadau i'r safle.
Cyfrannu'n gadarnhaol at les meddyliol ac emosiynol y dysgwyr.	Costau cynnal a chadw'r adeilad yn parhau.
Gweithgareddau cymunedol rhwng yr ysgol â'r gymuned.	Angen hyfforddiant / recriwtio staff arbenigol.
Uwch-sgilio staff presennol Ysgol Nebo.	Canolfannau arbenigol eisoes wedi'u sefydlu ar gyfer plant gyda anghenion dwys
	Aberthu gofod dysgu ar gyfer yr Uned ADY ar y safle.
	Canran uchel o blant dalgylch Nebo yn debygol o barhau i fynychu ysgolion all dalgylch.

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6. Ysgol Nebo to offer a specialist unit to support children with additional learning needs, where mainstream education is challenging for them.

STRENGTHS	WEAKNESSES
School and community resource to remain in Nebo.	Learner numbers remain low, as locating an ALN unit on a school site does not usually attract additional learners to the school.
School within reasonable distance of the homes of learners in the catchment area.	Cost per learner remains high.
Learners receiving Category 3 Welsh-medium education.	Wide age range within classes.
Staff to learner ratio working well at Ysgol Nebo.	Small classes.
A robust inclusive approach at Ysgol Nebo.	Numbers of learners not enough to allow non-teaching time for the Headteacher.
The health and well-being of Ysgol Nebo learners is central to everything.	Higher transport costs to transport learners to the ALN Unit.
OPPORTUNITIES	THREATS
Increased use of building.	The ALN and Inclusion Service works with schools to ensure that learners with specific needs are included in the curriculum, ensuring the inclusive ethos of the whole school, with learners with ALN being supported to participate fully in the school community.
Small classes.	Lack of capital funding to adapt / modify the site.
Contribute positively to the mental and emotional well-being of the learners.	Building maintenance costs continue.
Community activities between the school and the community.	It would be necessary to recruit specialist staff.
Upskilling the current staff of Ysgol Nebo.	Specialist centres have already been established.
	Sacrifice learning space for the ALN Unit on site.
	A high percentage of children from the Nebo catchment area are likely to continue attending schools outside the catchment area.

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7. Ysgol Nebo yn cynnig Uned Iaith ar gyfer dalgylch Dyffryn Nantlle

CRYFDERAU	GWENDIDAU
Cadw ysgol ac adnodd cymunedol yn Nebo.	Niferoedd dysgwyr yn parhau yn isel, gan nad yw lleoli uned iaith ar safle ysgol yn arferol yn denu dysgwyr ychwanegol i'r ysgol.
Ysgol o fewn pellter rhesymol i gartref dysgwyr y dalgylch.	Cost y dysgwr yn parhau yn uchel.
Dysgwyr yn derbyn addysg cyfrwng Cymraeg Categori 3.	Amrediad oedran eang o fewn dosbarthiadau.
Maint dosbarthiadau bychain.	Maint dosbarthiadau bychain.
	Niferoedd dysgwyr ddim yn ddigon i ganiatáu amser digyswllt i'r Pennaeth.
	Costau cludiant uwch i gludo dysgwyr i'r Uned Iaith.
CYFLEON	BYGYTHIADAU
Uned iaith penodol i ddalgylch Dyffryn Nantlle.	Dim arian cyfalaf i ddatblygu Ysgol Nebo. Buddsoddiad o dros £2 miliwn (Grant Llywodraeth Cymru) wedi galluogi Cyngor Gwynedd wireddu'r weledigaeth newydd ar gyfer Cyfundrefn Addysg Drochi yng Ngwynedd tuag at 2032 a thu hwnt (Cabinet Gorffennaf 2021).
Gwell defnydd o'r adeilad.	Canolfannau iaith Uwchradd a Chynradd yn gwasanaethu ym mhob ardal yng Ngwynedd (Arfon, Dwyfor a Meirionnydd).
Gweithgareddau cymunedol rhwng yr ysgol â'r gymuned.	Costau i addasu'r safle a chostau rhedeg ychwanegol i'r Gyfundrefn Drochi i gynnal Uned Iaith.
	Costau cynnal a chadw'r adeilad yn parhau
	Aberthu gofod dysgu ar gyfer yr Uned Iaith.
	Canran uchel o blant dalgylch Nebo yn debygol o barhau i fynychu ysgolion all dalgylch.

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7. Ysgol Nebo offers a Language Unit for the Dyffryn Nantlle catchment area

STRENGTHS	WEAKNESSES
School and community resource to remain in Nebo.	Learner numbers remain low, as locating an ALN unit on a school site does not usually attract additional learners to the school.
School is within a reasonable distance of the homes of the learners living in the catchment area.	Cost per learner remains high.
Learners receiving Category 3 Welsh-medium education.	Wide age range within classes.
Dosbarthiadau bychain.	Small classes.
	Numbers of learners not enough to allow non-teaching time for the Headteacher.
	Higher transport costs to transport learners to the language Unit.
OPPORTUNITIES	THREATS
Specific Language Unit for Dyffryn Nantlle catchment area.	No capital funding to develop Ysgol Nebo. An investment of over £2 million (Welsh Government Grant) has enabled Cyngor Gwynedd to fulfil the new vision for an Immersion Education System in Gwynedd towards 2032 and beyond (Cabinet July 2021).
Increased use of building.	Secondary and Primary language centres serving all areas in Gwynedd (Arfon, Dwyfor and Meirionnydd).
Community activities between the school and the community.	Costs to adapt the site and additional running costs for the Welsh Language Immersion Education System to maintain a Language Unit.
	Building maintenance costs continue.
	Sacrifice learning space for the Language Unit on site.
	A high percentage of children from the Nebo catchment area are likely to continue attending schools outside the catchment area.

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CAMAU NESAF/ NEXT STEPS

Camau Nesaf / <i>Next Steps</i>	Dyddiad / <i>Date</i>
Dyddiad cau ar gyfer derbyn unrhyw gywiriadau / sylwadau <i>Closing date for receiving any corrections / comments</i>	23/05/2025
Cyfarfod Panel Adolygu 3 / <i>Review Panel Meeting 3</i>	Gorffennaf 2025 / <i>July 2025</i>
Adrodd yn ôl i Gabinet ar ganlyniad y trafodaethau / <i>Report back to Cabinet on the outcome of the discussions</i>	Medi 2025 / <i>September 2025</i>



20

REVIEW PANEL YSGOL GYNRADD NEBO

Addysg

Meeting:	Review Panel Ysgol Nebo	Date/Time/Location: 12 May 2025, 18:00, Ysgol Nebo
Present:	<p><u>Elected Members:</u> Cllr. Dewi Jones (Education Cabinet Member).</p> <p><u>Education Department:</u> Gwern ap Rhisiart (Head of Education), Rhian Eifiona Hughes (Modernising Education Officer), Hana Llyn Roberts (Education Project Officer).</p> <p><u>Ysgol Nebo Staff and Governors:</u> 10 Member</p> <p><u>Parents / Guardians:</u> 2 Member</p> <p><u>Nebo and Nasareth Committee:</u> 1 Member</p>	

Minutes of Meeting

	Item / Subject	Record / Actions
1	Welcome	<ul style="list-style-type: none"> Gwern ap Rhisiart, Head of Education, welcomed everyone to the meeting.
2	Current Situation	<ul style="list-style-type: none"> We went through the presentation which highlights the current situation and addressed the main challenges which are: <ul style="list-style-type: none"> The school has the lowest number of pupils in the county. Projections remain low A high number of surplus places Small class sizes A wide-age range within classes The cost per pupil among the highest in the county and significantly higher than the county average School receives an additional sum of £49,404 (September 2024) through the staffing protection. GapRh noted that there has been no change to the challenges since the last meeting and the projections remain low. He explained that the Authority has a duty in accordance with the School Organisation Code to review the provision if there is a high percentage of surplus places.
3	Possible Options	<ul style="list-style-type: none"> It was noted that 7 options came to our attention. 3 options have been offered by the Education Department and an additional 4 has been presented by you as stakeholders. It was noted that the Education Department carried out a SWOT analysis on the 7 options in relation to the challenges the school faces. Stakeholders were asked to let the Department of Education know if something is factually incorrect and it was explained that the meeting tonight was an opportunity to receive stakeholder input. <p>Option 1: Status Quo- Continue with the current situation.</p> <ul style="list-style-type: none"> We went through the strengths, weaknesses, opportunities and threats of the option. One parent noted the lack of flexible arrangements for children in schools and identified it as a weakness that the Council does not have a policy permitting flexi-



		<p>schooling regarding the number of days children educated at home attend school. The parent suggested that if such a policy were introduced, school numbers would increase.</p> <ul style="list-style-type: none"> • GapRh recognises the challenge and understands that a percentage of parents want to homeschool part-time. If we change the policy this would have an impact on all schools not just Ysgol Nebo. • GapRh agrees to look at the flexible arrangement element and report back. • One parent noted that some parents choose to take their children outside the catchment area because there is no Cylch Meithrin or after-school club available. GapRh acknowledged that maintaining a Cylch Meithrin would be challenging given the low number of children in the catchment area—only 8 primary-aged pupils currently live within the Nebo catchment. • A comment was made that the Council is not promoting small class sizes as a positive feature. It was felt that small classes were being portrayed as a weakness, when in fact they should be recognised as a strength in the SWOT analysis. It was noted that research has shown school ethos and pupil wellbeing tend to be stronger in smaller schools. Reference was also made to private schools, where class sizes typically do not exceed 15 pupils, raising the question of why larger class sizes (e.g., 30 pupils) are considered more desirable. • GapRh acknowledged the point, agreeing that classes of 30 can be challenging, but noted that Ysgol Nebo is dealing with class sizes with single figures. • A further comment questioned why a wide age range in classes is seen as a weakness, when it can also be considered a strength. • It was agreed that both small class sizes and a wide age range should be added to the SWOT analysis as strengths identified by stakeholders <p>Option 2: Federation with a nearby school.</p> <ul style="list-style-type: none"> • It was explained that federation is a formal process in which two schools come together under the leadership of a single headteacher. While federation with a nearby school could offer certain advantages—such as maintaining a community resource and removing the need for transport to an alternative school—it was noted that many of the current challenges would likely remain. • It was added that federation is a model that depends on the willingness of other schools to enter into such an arrangement and collaborate. • It was noted that discussions with neighbouring schools will take place as part of the process. <p>Option 3: Federation with neighboring school while adding a specialist unit for children with additional learning needs at Ysgol Nebo, where mainstream education is challenging for them.</p> <ul style="list-style-type: none"> • GapRh went through the strengths, weaknesses, opportunities and threats. • GapRh noted that there is a growing demand for ALN (Additional Learning Needs) support, and this is currently being reviewed. He explained that the Education Department's ALN and Inclusion Strategy focuses on inclusive education within mainstream schools, rather than moving pupils to external provisions. • The Local Member mentioned the possibility of accessing grants to improve ALN provision. GapRh confirmed that ALN grants are available to all schools. However, if
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		<p>Ysgol Nebo were to be transformed into a dedicated ALN unit, it would require significant investment.</p> <ul style="list-style-type: none"> • A comment was made that small schools often provide better inclusion due to the increased level of individual support. It was also noted that the demand for ALN support is rising. • Stakeholders highlighted that while the option focuses on ALN, it should also consider the needs of children who experience anxiety or difficulties coping in larger school environments—even if they do not meet the criteria for ALN. Early intervention in these cases could lead to long-term savings. • GapRh agreed and confirmed that these considerations can be included under the ALN-focused option. • A further comment emphasised the need to expand on the strengths regarding community impact. GapRh responded that these aspects will be addressed in the Community Impact Assessment, which will be presented to the Cabinet. • The Headteacher noted that several pupils from outside the catchment area choose to attend Ysgol Nebo. • A question was raised about how catchment areas are determined, and whether it would be possible to expand Nebo's catchment area. • GapRh explained that catchment areas are historic and long-established, and expanding Nebo's catchment area would reduce the catchment areas of neighbouring schools. He also noted that under the Access Policy, parents are currently free to choose which school their children attend. <p>Option 4: Close Ysgol Nebo and offer the learners a place in a nearby school.</p> <ul style="list-style-type: none"> • GapRh went through the strengths, weaknesses, opportunities and threats. • The Authority acknowledged that this option would result in the loss of a community resource. However, it was noted that the Council has a Post-use Policy, which ensures that the community is given the first opportunity to take over and make use of the building. • A comment was raised expressing concern over the potential negative impact on learners' well-being if this option were implemented. It was emphasised that children's welfare should be identified as a weakness under this option in the SWOT analysis. • Concern was expressed by parents that if Ysgol Nebo and a neighbouring school were to close, there would be no other small school option within the catchment area. It was noted that Ysgol Nebo is a valuable resource for children experiencing severe anxiety who are unable to cope in a larger school setting. <p>Option 5: Ysgol Nebo to be developed as a specialist location for certain individual subjects (unique opportunities to carry out fieldwork).</p> <ul style="list-style-type: none"> • It was noted that this option was raised at the last meeting. We went through the strengths, weaknesses, opportunities and threats that arise from the option. • It was explained that if this option were to be implemented, we would have to implement a process to close the current school, and re-open as a specialist school as the provision is changing, and that could lead to staff redundancies. <p>Option 6: Ysgol Nebo to offer a specialist unit to support children with additional learning needs, where mainstream education is challenging for them.</p>
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		<ul style="list-style-type: none"> • It was noted that this option had been raised at the previous meeting. • GapRh presented an overview of the strengths, weaknesses, opportunities, and threats related to this option. • One stakeholder pointed out that, similar to Option 3, this option not only addresses ALN but also provides a setting for children experiencing anxiety and those unable to cope in a larger school environment—even if they do not fall under the formal ALN category. • It was noted that this option presents a unique opportunity for the Council to pilot an alternative model of provision in Nebo—something innovative and different from current practice. • A strength was identified in the potential to upskill current staff rather than having to recruit new staff. • It was noted that the school’s current capacity figure does not fairly reflect the situation on the ground. GapRh acknowledged this point and expressed willingness to review the school’s admission number and capacity. However, he noted that this does not alter the current challenges facing the school. <p>Option 7: Establish a Language Unit for the Dyffryn Nantlle catchment area at Ysgol Nebo.</p> <ul style="list-style-type: none"> • It was noted that this option had been highlighted at the previous meeting. • It was explained that adapting the school to include a Language Unit could bring certain benefits—for example, retaining the building as a community resource and establishing a dedicated language unit within Dyffryn Nantlle. However, it was also noted that all existing challenges would remain, and significant investment would be required to adapt the school and create appropriate facilities. • It was further explained that investment has already been made to implement the Immersion Education System in Gwynedd, and as a result, there is currently no additional demand for new language centres in the county.
4	General Comments on the SWOT Analysis	<ul style="list-style-type: none"> • One individual expressed concern that there appeared to be more strengths listed under Option 4, which led her to question whether the process was pre-assuming the process. • It was emphasised that the purpose of the session was to gather input from stakeholders on the various options, and that the Council is being fully transparent about the challenges facing the school. • It was confirmed that no option is currently being favoured, and that a more detailed evaluation will be undertaken for all options before any decisions are made.
5	Next Steps	<ul style="list-style-type: none"> • Stakeholders were asked to submit any corrections or comments by 23 May. If additional time is needed, the Headteacher is welcome to contact the Modernising Education Team to make arrangements. • It was noted that the presentation will be circulated and to include the input received during tonight’s meeting. • Reference was made to a third meeting, where an evaluation of the 7 options will be presented before the summer holidays (July). • It was noted that there is an intention to report back to the Cabinet in September, with a recommendation following the completion of all relevant assessments. It was explained that, should the Cabinet decide to proceed with a formal proposal, there would be a public consultation period, during which the community would have the opportunity to provide feedback.



		<ul style="list-style-type: none"> The Headteacher shared that staff have expressed concern about their employment situation. It was proposed to arrange a follow-up session with the school to discuss any concerns, and that Human Resources could be present, if deemed appropriate at this stage.
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YSGOL NEBO

14 Gorffennaf 2025
14 July 2025



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1

AGENDA

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| 1. Croeso | 1. Welcome |
| 2. Trafodaethau blaenorol | 2. Previous discussions |
| 3. Gwerthusiad Opsiynau | 3. Options Appraisal |
| 4. Camau Nesaf ac Amserlen Amlinellol | 4. Next Steps and the Outline Timetable |
| 5. Cloi | 5. Close |



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2

TRAFODAETHAU BLAENOROL / PREVIOUS DISCUSSIONS

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3

PRIF HERIAU'R SEFYLLFA BRESENNOL / MAIN CHALLENGES OF THE PRESENT SITUATION

1	Nifer disgyblion yr ysgol yr isaf yn y sir <i>The number of pupils at the school is the lowest in the county</i>
2	Rhagamcanion yn parhau yn isel <i>Projections remain low</i>
3	Nifer uchel o lefydd gweigion <i>High number of surplus places</i>
4	Maint dosbarthiadau bychain <i>Small class sizes</i>
5	Amrediad ystod oedran eang o fewn dosbarthiadau <i>Broad age range within classes</i>
6	Cost y disgybl ymysg yr uchaf yn y sir a sylweddol uwch na'r cyfartaledd sirol <i>Cost per pupil amongst the highest in the county and significantly higher than the county average</i>
7	Ysgol yn derbyn swm ychwanegol o £49,404 (Medi 2024) trwy'r gwarchodaeth staffio <i>School receives an additional £49,404 (September 2024) through the minimum staffing protection</i>

4

RHESTR HIR OPSIYNAU / LONG LIST OF OPTIONS

Yn sgîl y mewnbwn a dderbyniwyd yn ystod, ac yn dilyn y cyfarfod cyntaf, cynhyrchwyd rhestr o opsiynau i'w hystyried. Er bod yr achos dros newid wedi ei sefydlu, mae'r opsiwn 'Gwneud Dim' wedi ei gynnwys at ddiben cymharu.

As a result of the input received during, and following the first meeting, a list of options was produced for consideration. Although the case for change has been established, the 'Do Nothing' option is included for comparison purposes.

1	Dim newid - parhau gyda'r sefyllfa bresennol	1	No change – continue with the current situation
2	Ffederaleiddio gydag ysgol gyfagos	2	Federation with a neighboring school
3	Ffederaleiddio gydag ysgol gyfagos gan ychwanegu uned arbenigol ar gyfer plant ag anghenion dysgu ychwanegol yn Ysgol Nebo	3	Federation with a neighboring school while adding a specialist unit for children with additional learning needs at Ysgol Nebo
4	Cau Ysgol Nebo a chynnig lle i'r dysgwyr mewn ysgol gyfagos	4	Close Ysgol Nebo and offer places to the learners in a neighboring school.
5	Ysgol Nebo yn datblygu yn leoliad arbenigol ar gyfer rhai pynciau unigol (cyfleon unigryw i gyflawni gwaith maes)	5	Ysgol Nebo to be developed as a specialist location for certain individual subjects (unique opportunities to carry out fieldwork).
6	Ysgol Nebo yn cynnig uned arbenigol ar gyfer cefnogi plant sydd gyda anghenion dysgu ychwanegol, lle mae addysg prif lif yn heriol iddynt	6	Ysgol Nebo to offer a specialist unit to support children with additional learning needs, where mainstream education is challenging for them.
7	Ysgol Nebo yn cynnig Uned Iaith ar gyfer dalgylch Dyffryn Nantlle	7	Establish a Language Unit for the Dyffryn Nantlle catchment area at Ysgol Nebo.

5

GWERTHUSIAD OPSIYNAU / OPTIONS APPRAISAL

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OPSIYNAU I'W GWERTHUSO / OPTIONS TO APPRAISE

1	Dim newid - parhau gyda'r sefyllfa bresennol
2	Ffederaleiddio gydag ysgol gyfagos
3	Ffederaleiddio gydag ysgol gyfagos gan ychwanegu uned arbenigol ar gyfer plant ag anghenion dysgu ychwanegol yn Ysgol Nebo
4	Cau Ysgol Nebo a chynnig lle i'r dysgwyr mewn ysgol cyfagos
5	Ysgol Nebo yn datblygu yn leoliad arbenigol ar gyfer rhai pynciau unigol (cyfleon unigryw i gyflawni gwaith maes)
6	Ysgol Nebo yn cynnig uned arbenigol ar gyfer cefnogi plant sydd gyda anghenion dysgu ychwanegol, lle mae addysg prif lif yn heriol iddynt
7	Ysgol Nebo yn cynnig Uned Iaith ar gyfer dalgylch Dyffryn Nantlle

1	No change – continue with the current situation
2	Federation with a nearby school
3	Federation with neighboring school while adding a specialist unit for children with additional learning needs at Ysgol Nebo
4	Close Ysgol Nebo and offer places to the learners in a neighboring school.
5	Ysgol Nebo to be developed as a specialist location for certain individual subjects (unique opportunities to carry out fieldwork).
6	Ysgol Nebo to offer a specialist unit to support children with additional learning needs, where mainstream education is challenging for them.
7	Establish a Language Unit for the Dyffryn Nantlle catchment area at Ysgol Nebo.

7

YSTYRIAETHAU / CONSIDERATIONS

Wrth gymharu opsiynau, byddwn yn rhoi ystyriaeth i sawl ffactor, gan gynnwys:
In comparing options, we will consider several factors, including:

1	Niferoedd dysgwyr a llefydd gweigion/ <i>Pupil numbers and surplus places</i>
2	Maint dosbarthiadau ac amrediad oedran/ <i>Class sizes and age range</i>
3	Adnoddau ariannol / <i>Financial resources</i>
4	Arweinyddiaeth a Staffio / <i>Leadership and Staffing</i>
5	Ffactorau daearyddol a teithio / <i>Geographical and travel factors</i>
6	Y Gymuned / <i>The Community</i>
7	Yr iaith Gymraeg / <i>The Welsh language</i>
8	Ansawdd addysg / <i>Quality of education</i>
9	Cyflwr ac addasrwydd adeiladau / <i>Condition and suitability of the buildings</i>



8

ESIAMPL GWERTHUSIAD OPSIYNAU / OPTIONS APPRAISAL EXAMPLE

Allwedd
Glas – Manteision
Coch – Anfanteision
Du – Ffeithiau / Sylwadau

Key:
Blue – Advantages
Red – Disadvantages
Black – Facts / Comments

1	2 (a)	2 (b)	3	4	5	6	7	8 (a)	8 (b)
Status Quo	Newid ystod oed Ysgol Aberoch o 3-8 oed i 3-13 oed	Newid ystod oed Ysgol Aberoch o 3-8 oed i 13-9 oed	Ffederaleiddio gyfng ysgol yngol	Ffederaleiddio gyfng ysgol yngol	Ffederaleiddio gyfng ysgol yngol	Ffederaleiddio gyfng ysgol yngol	Cau Ysgol Aberoch a Chwynnau i'r dyddigau mewn ysgol anghyng	Ueddi canolion luth ar safle Ysgol Aberoch	Safonau cych mewn ysgol Aberoch
Maint dysguddiaid ac amrediad oedran	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.	Maint dysguddiaid Ysgol Aberoch yn parhau yn fychan o ddisbarth 5 (C3) a ddisbarth 6 (C4) (Madd 2019). Amrediad oedran hyd at 4 mlynedd yn parhau yn y disbarth C3.
Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.	Ystod ystod oed ysgol yn ymestyn y amrediad oed o frown y ddisbarth C2 o 3 i fwyd y ysgol i 4.
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CAMAU NESAF / NEXT STEPS

Camau / Steps	Amserlen Amlinellol / Outline Timetable
Cwblhau gwerthusiad opsiynau <i>Complete the options appraisal</i>	Gorffennaf – Awst 2025 <i>July – August 2025</i>
Cynnal Asesiadau Effaith (e.e. Ieithyddol, Cymunedol, Cydraddoldeb + Asesiad yn erbyn y Ddeddf Llesiant) ar opsiynau rhestr fer <i>Undertake Impact Assessments (e.g. Language, Community, Equality + Assessment against the Wellbeing Act) on the short list of options</i>	Awst - Medi 2025 <i>August - September 2025</i>
Cyfarfod Cabinet Cyngor Gwynedd <i>Cyngor Gwynedd Cabinet Meeting</i>	14 Hydref 2025 <i>14 October 2025</i>

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YSGOL NEBO REVIEW PANEL

Addysg

Meeting:	Ysgol Nebo Review Panel	Date/Time/Location: 14 July 2025, 18:00, Ysgol Nebo
Present:	<u>Education Department Officers:</u> Gwern ap Rhisiart (Head of Education Department), Gwenno Haf Jones (Senior Modernising Education Officer), Hana Llyn Roberts (Education Project Officer). <u>Staff, Governors and Parents/Guardians of Ysgol Nebo:</u> 9	

	Item/Subject	Minutes
1	Welcome	<ul style="list-style-type: none"> Gwern ap Rhisiart, Head of Education welcomed everyone to the meeting.
2	Previous discussions	<ul style="list-style-type: none"> It was noted that the purpose of the meeting was to provide an update on the process, explain what the next steps were and give stakeholders the opportunity to ask questions. GapRh went through the main challenges of the current situation that had already been presented in the previous meetings; <ol style="list-style-type: none"> Number of school pupils at the lowest in the county Projections remained low High number of surplus places Small class sizes Broad age ranges within classes Cost per learner among the highest in the county and substantially higher than the county average The school received an additional amount of £49,404 (September 2024) via the staffing protection policy It was recognised that some may consider that some of the main challenges that had been identified above could also be seen as strengths.
3	Options Appraisal	<ul style="list-style-type: none"> It was explained that the Education Department would proceed to carry out an options appraisal, measuring each of the options against the considerations. The 7 options were addressed; <ol style="list-style-type: none"> No change - continue with the current situation Federalisation with a nearby school Federalisation with a nearby school adding a specialist unit for children with additional learning needs at Ysgol Nebo Close Ysgol Nebo and offer a place for the learners in a nearby school Ysgol Nebo developed as a specialist location for some individual subjects (unique opportunities to carry out field work) Ysgol Nebo offering a specialist unit to support children with additional learning needs, where mainstream education is a challenge for them Ysgol Nebo offering a Language Unit for the Dyffryn Nantlle catchment area It was explained that several factors would be taken into account when formulating the options appraisal, including; <ol style="list-style-type: none"> Pupil numbers and surplus places Class sizes and age ranges Financial resources Leadership and Staffing Geographical factors and transport The community The Welsh language Quality of education Condition and suitability of buildings



		<ul style="list-style-type: none"> It was added that we would consider the content of the SWOT assessment and comments received during the local discussions when formulating the options appraisal. Following the appraisal of options, it was explained that we would short-list the long-list and then carry out impact assessments on the short-list. An example from a previous project showing how the appraisal would look was presented, with options listed along the top and considerations down on the left side.
4	Next Steps and Outline Timetable	<ul style="list-style-type: none"> It was noted that the next steps were for Education Department officers to complete an options appraisal and conduct impact assessments. This would enable us to reach a decision on the short-list, and on the preferred option that would best respond to the considerations. It was added that the Education Department would then submit a report to the Cabinet on 14 October. It was noted that the Education Department would share the contents of the report with school representatives before the report went public. There would also be a request for comments from the local member. It was noted that the Cabinet will decide on the way forward, and it could involve a consultation period on a preferred option, depending on their decision. It was explained that if there was a decision to consult, then that period would be a 6-week period, and there would be an opportunity for anyone to submit comments. It was explained that any statutory process would be conducted in accordance with the School Organisation Code.
5	Questions and Observations	<ul style="list-style-type: none"> One of the stakeholders asked whether the Council was the proposer, noting that it did not seem appropriate that the officers were short-listing, and questioned whether it should be the responsibility of the Cabinet to short-list. It was challenged whether this was in line with the requirements of the Schools Organisation Code. It was noted that the Governors had worked hard on the options and that it would be unfair to disregard them. GapRh noted that we would weigh up every option and carry out further work on them. It was emphasised that Cabinet members would be able to see all the options considered. The draft report will be shared with school representatives before reporting to the Cabinet, but the report would not be finalised until it would be submitted to the Cabinet; it is possible that the report will be revised before the final version is published. It was asked whether the Cabinet would be open to the public to attend on the day. It was noted that Cabinet meetings were open to the public to attend but there were clear rules in terms of contributing. It was noted that the public were welcome to attend but there was no opportunity for the public to speak during the meeting. It was noted that there would be an opportunity for the Local Member to speak on behalf of local stakeholders. It was explained that the Cabinet meeting would also be broadcast live on-line. One observation was raised regarding options not meeting the requirements of the Schools Organisation Code. It was highlighted, in the code, when referring to rural schools, that it noted <i>"Among the options to be considered rather than closing a school could be whether there is room for the school to be better integrated into a wider process within the local authority for asset management and community planning. This could include, for example, creating effective links with local strategies to regenerate communities."</i> It was felt that this had not been included in the list of options and that it had been missed as an option to consider. GapRh noted that he accepted the observation, and we would ensure that all aspects of the School Organisation Code will be addressed as the Education Department prepared the report/documentation for the Cabinet. We would also examine community aspects in the preparation of the report and impact assessments. The accuracy and basis of the figure noted as the County average Cost per pupil (£5,233) was challenged, and the need for the data to be transparent was emphasised. It was also felt that it was unfair to compare a small school with the rest of the County, smaller schools could not compete, it would look less favourable. It was noted that all the data needed to be shared. GapRh noted that we would verify the accuracy of figures when moving forward.



		<ul style="list-style-type: none"> • It was confirmed that integrated hours were not included in the cost per learner figures and that figures were calculated by the Education Department's accountants. • In response to a question about what would happen to the school building if the school were to close, it was noted that the Council had an after-use policy for such cases, which allowed the first proposal to go to the community. In cases where schools closed, if there was no community interest in the school building, then the building would be transferred to the Council. • Should the school building be transferred to the community, it was asked whether it would be possible for the community to maintain this educational provision with the Council's support. Should there be a decision to close the school, GapRh noted that it would not be anticipated that the Council would fund the provision. • It was asked who owned the school building. GapRh noted that he would make enquiries with the estates department to find out who owned the building. • An observation was made regarding the community use. It was highlighted that the School Organisation Code stated, "<i>whether the possibility of making fuller use of the existing buildings as a community or educational resource could be explored; (Local authorities should consider whether it would be feasible and economical to co-locate local services within the school to counter the school's maintenance costs);</i>" It was asked whether this should be considered at this point? GapRh noted that we would address all aspects of the Code when preparing the report to the Cabinet. • It was questioned how the specialist unit could be funded and whether grants were available. GapRh noted that capital grants were available, but a revenue budget was challenging to sustain. • Another member of the panel noted that it was not necessarily additional provision and, therefore, no additional cost to the Council if the provision was already there. • Another comment made was the need for a unit for children who did not necessarily have special needs, but found it difficult to attend a larger school. By undertaking school visits, there was clearly a concern to include children who did not necessarily have intense needs. An excellent opportunity to think creatively and save a rural school. • GapRh noted that he recognised the need, but also recognised that parents needed children to integrate with local communities; resources and funding are also a factor. • Another observation made was that the reduced number of pupils was not necessarily the result of reduced birth rates but due to more parents choosing to home-school; and that there is a need to consider a flexi-schooling policy.
	Conclusion	<ul style="list-style-type: none"> • GapRh noted that he welcomed all observations raised this evening and that this was an engagement session. Should the Cabinet resolve to proceed to consultation on any option, there would be an opportunity to offer further observations at that time. It was noted that we would proceed to consider the enquiries raised this evening and get back to you with responses as soon as possible.



Input following Ysgol Nebo Panel Review Meetings

Following the local meetings, below is a summary of the comments received:

PAY Nebo meeting 1 – 18 March 2025

Six letters were received from Ysgol Nebo stakeholders following the first local meeting. Here is a summary of the main comments made in the correspondence:

- Several letters indicated support for Ysgol Nebo and opposed the option to close the school, stating the negative impact closing the school would have on the community.
- It was stated that Ysgol Nebo is a community hub.
- The importance of Ysgol Nebo and the advantages of small rural schools, such as small class sizes.
- An option was offered to develop Ysgol Nebo as a school for alternative education provision to support children who experience challenges in larger schools.
- The Cabinet is asked to invest in rural schools such as Ysgol Nebo and develop it into a unique site that would cater for emotional, behavioural or academic difficulties.
- Options were offered for consideration. It was noted that these options were included in the options evaluation.
- Concerns were raised about the effect of closing Ysgol Nebo on the Welsh language in Nebo and Nasareth.

PAY Nebo meeting 2 – 12 May 2025

Two letters were received from Ysgol Nebo stakeholders following the second local meeting. Here is a summary of the main comments made in the correspondence:

- Identify further comments and case studies to be considered in relation to the option "Ysgol Nebo to offer the site as provision to support and nurture children with social and emotional needs, where mainstream education is challenging for them, including pupils with IDP for social, emotional and behavioural needs and other young people with mental health needs including anxiety and neurodiversity".
- Identify support for the option offered by the Governing Body together with the option to develop Nebo as a specialist center e.g. for fieldwork

CABINET CYNGOR GWYNEDD



Cyngor Gwynedd Cabinet Meeting Report

Date of Meeting:	11 February 2025
Cabinet Member:	Councillor Dewi Jones
Title of Item:	Ysgol Gynradd Nebo and Ysgol Baladeulyn
Relevant Officer:	Gwern ap Rhisiart, Head of Education

THE DECISION SOUGHT

1.1 We request permission from the Cabinet to:

- a. begin formal discussions with the Governing Body and relevant stakeholders of **Ysgol Gynradd Nebo** and discussing possible options regarding the future of the school in response to the low numbers of learners and concerns about the sustainability of the school.
- b. begin formal discussions with the Governing Body and relevant stakeholders of **Ysgol Baladeulyn** and discussing possible options regarding the future of the school in response to the low numbers of learners and concerns about the sustainability of the school.

Part A – Ysgol Gynradd Nebo

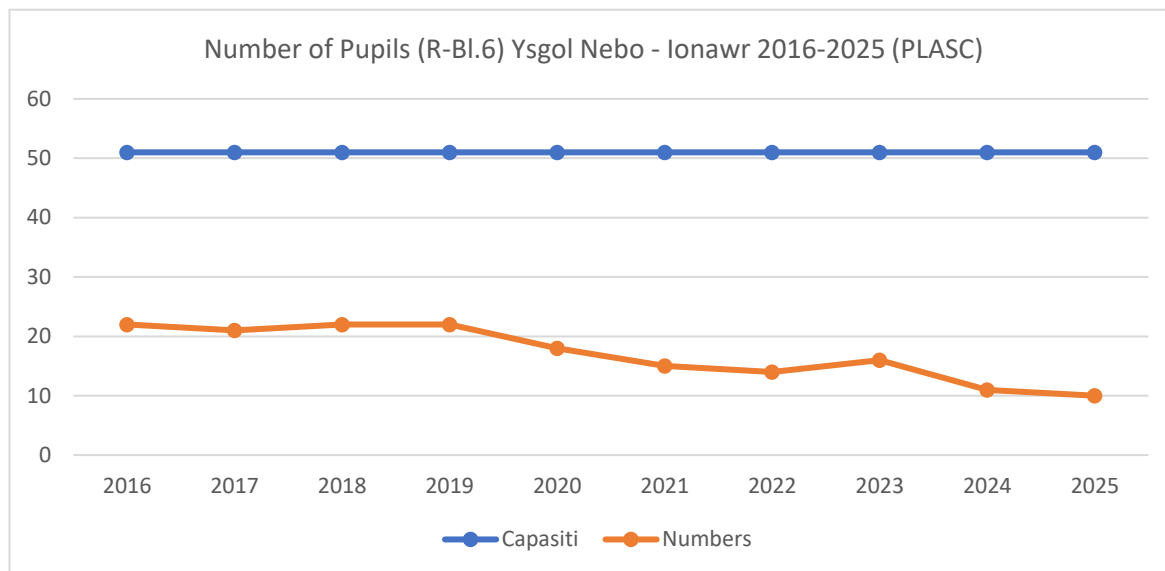
2. BACKGROUND

- 2.1. Ysgol Gynradd Nebo is a community primary school located in the village of Nebo, which is around three miles from Penygroes, and provides education for learners aged 3 to 11. Ysgol Gynradd Nebo is a Category 3 Welsh medium school and Welsh is the main language of the school.
- 2.2. According to the January 2025 numbers, there are **10 full-time learners** attending the school with no children in the Nursery Class. The school has a capacity for 51 Reception to Year 6 learners (7 in the Nursery Class).

3. RATIONALE AND JUSTIFICATION FOR RECOMMENDING THE DECISION

3.1. Low Numbers and Surplus Places

- 3.1.1. The number of learners at Ysgol Gynradd Nebo have been vulnerable for many years. See the graph below which is based on the January census over the last 10 years:



3.1.2. The School Organisation Code 011/2018 states:

‘Where there are more than 10% surplus places in an area overall, local authorities should review their provision and should consider whether to make proposals for their removal if this will improve the effectiveness and efficiency of provision. A significant level of surplus provision is defined as 25% or more of a school’s capacity (as defined in circular 21/2011) and at least 30 unfilled places.’

With a capacity of 51, based on the January numbers there is a high percentage of surplus places in the school, which is 80% (place for 41 full-time learners).

- 3.1.3. In addition to the low number of learners, another challenge is the lack of children living within the catchment area. The Council's GIS software (Geographical Information System) shows that 8 primary age learners live in the catchment area of Ysgol Gynradd Nebo (which includes 1 Nursery age learner). 2 learners choose to attend the school, with 5 attending other primary schools in the Dyffryn Nantlle catchment area, and 1 travelling outside the catchment area. Note that the GIS data above is based on January 2025 numbers.

3.2. Age Range of Classes

The current learners are taught in two small multi-age classes, with 4 learners (Foundation Stage) being taught in one class, and 6 learners in another class (Key Stage 2). It is possible that this could create a challenge when providing a curriculum for a wide range of ages within the same class, together with the fact that there are some years with no learners, as the table below shows:

	Year								Total
	N	0	1	2	3	4	5	6	
Ysgol Gynradd Nebo	0	2	0	2	3	3	0	0	10
Classes	Class				Class				

3.3. Learner Projections

The latest projections, based on January 2025 numbers, show that Ysgol Gynradd Nebo numbers will remain vulnerable in the future, as the table below shows:

	Year								Total	
	N	0	1	2	3	4	5	6	Nursery	Reception-Yr.6
January 2025	0	2	0	2	3	3	0	0	0	10
September 2025 Projections	2	0	2	0	2	3	3	0	2	12
September 2026 Projections	2	2	0	2	0	2	3	3	2	14
September 2027 Projections	2	2	2	0	2	0	2	3	2	13

3.4. Financial Situation

3.4.1. As a result of the low number of learners, the allocation based on the learners is not sufficient to be able to maintain an appropriate staffing level in the school. As a result, the Council's Protection Policy ensures a minimum staffing level for our smaller schools by giving them an additional financial allocation above the core allocation. This means, for 2024-25, that Ysgol Gynradd Nebo has received a financial allocation of £197,897:

Core Allocation	Additional Financial Allocation (Protection)	Total
£148,493	£49,404	£197,897

3.4.2. This means a cost per learner of £14,857 which is £9,634 higher than the County average:

	Ysgol Gynradd Nebo 2024-25	County Average 2024-2025
Cost Per Learner	£14,857	£5,223

3.4.3. As a result of the current low numbers, Ysgol Gynradd Nebo is in a vulnerable position and under increasing financial pressure. Since September 2022, the school is in minimum teaching staff protection of 1.5 due to fewer than 15 learners on the school register.

3.5. Staffing Structure

Through Cyngor Gwynedd's Protection Policy, a minimum staffing level of headteacher and teacher is guaranteed in each school, with a headteacher and an assistant guaranteed in schools with fewer than 15 learners. The current staffing structure of Ysgol Gynradd Nebo includes a Headteacher (equivalent to full time) and 45 hours of teaching assistants.

3.6. Quality of Education

The school received a positive Estyn report back in 2017 where it was stated:

"The quality of teaching is good... Lesson presentations are lively, and activities flow well. Teachers explain new ideas in a meaningful and relevant way and extend learning through practical

experiences. Tasks are planned carefully for the range of ages and abilities in the classes. Teachers ask probing questions in order to broaden pupils' understanding and encourage them to use their thinking skills throughout the lesson."

Estyn Report, October 2017

However, it was noted that there was a need to further develop the external area for the foundation phase, and the need to improve opportunities for learners to develop their writing skills across the curriculum.

4. RELEVANT CONSIDERATIONS

4.1 School Organisation Code

Any process will be conducted in accordance with Welsh Government guidelines (*School Organisation Code 011/2018*).

Ysgol Gynradd Nebo has been designated as a 'rural school' by the Welsh Government, and a definition of a rural school can be found in the [School Organisation Code](#).

5. NEXT STEPS AND TIMETABLE

5.1. Subject to the decision of the Cabinet, the Education Department will hold formal discussions with Ysgol Gynradd Nebo to discuss the situation and establishing a School Review Panel to discuss possible options. All members of the Governing Body, parents and school staff as well as the Local Member will be invited to join the panel and take part in the discussions.

5.2. Following this, a report will be prepared for the Cabinet to report back following the local discussions held during the School Review Panel requesting permission to proceed to conduct any statutory process as necessary, in accordance with the guidelines of the School Organisation Code (011/2018).

5.3. The outline timetable for the next steps is as follows:

Next Steps	Date
Subject to the decision of the Cabinet, hold formal meetings with the Governing Body and relevant stakeholders of Ysgol Gynradd Nebo to form and consider possible options.	March - April 2025
Report back to the Cabinet following these discussions and, depending on the outcome of the discussions, request permission to proceed to implement the recommendation and conduct any statutory process as necessary, in accordance with the guidelines of the School Organisation Code (011/ 2018).	June 2025

Part B – Ysgol Baladeulyn

6. BACKGROUND

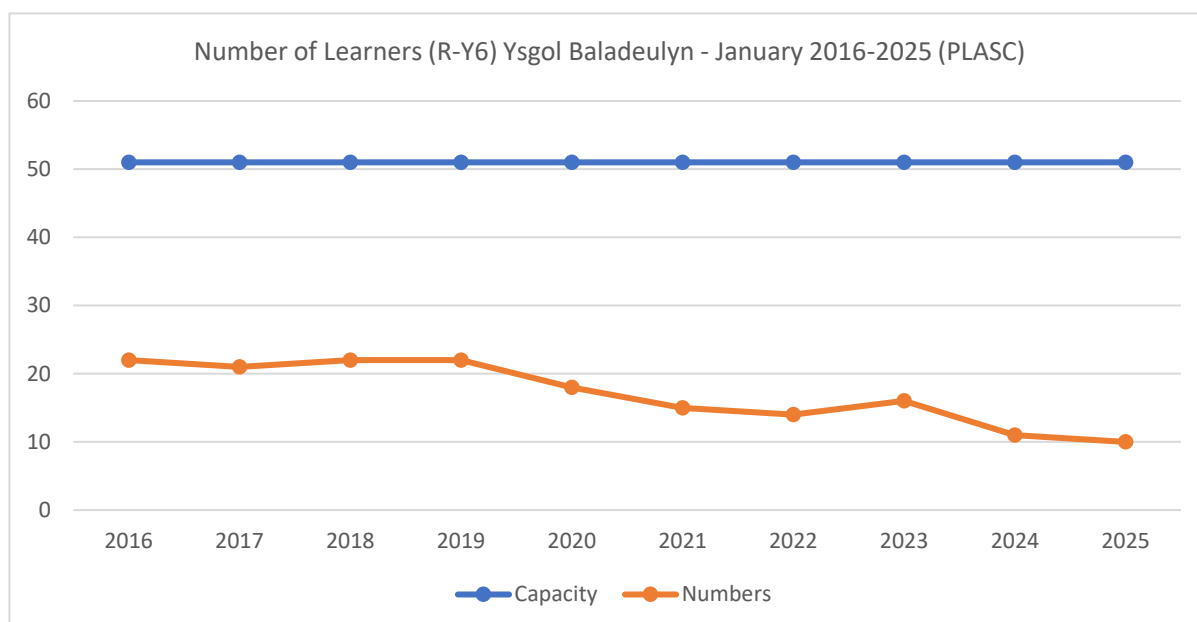
6.1. Ysgol Baladeulyn is a community school located in the village of Nantlle and provides education for learners between the ages of 3-11. Ysgol Baladeulyn is a Category 3 Welsh medium school and Welsh is the main language of the school.

6.2. According to the January 2025 census (CYBLD / PLASC), there are **13 full-time learners** (Reception - Year 6) in the school with no children in the Nursery Class. The school has a capacity for 55 learners from Reception to Year 6 (7 in the Nursery Class).

7. RATIONALE AND JUSTIFICATION FOR RECOMMENDING THE DECISION

7.1. Low Numbers and Empty Places

7.1.1. Ysgol Baladeulyn's learner numbers have decreased over recent years. The graph below shows that there has been a significant drop in learner numbers from 27 in 2017 to 13 in January 2025.



7.1.2. The School Organisation Code 011/2018 states:

‘Where there are more than 10% surplus places in an area overall, local authorities should review their provision and should consider whether to make proposals for their removal if this will improve the effectiveness and efficiency of provision. A significant level of surplus provision is defined as 25% or more of a school’s capacity (as defined in Circular 21/2011) and at least 30 unfilled places.’

With a capacity of 55, based on January numbers there is a high percentage of empty places at Ysgol Baladeulyn, which is 76% (places for 42 full-time learners).

7.1.3. In addition to the low numbers attending the school, another challenge is the lack of children living in the catchment area. The Council's GIS software (Geographical Information System) shows that 14 primary age learners live in the Ysgol Baladeulyn catchment area (which

includes 1 Nursery age learner). 5 learners choose to attend Ysgol Baladeulyn, with 8 attending other primary schools in the Dyffryn Nantlle catchment area and 1 travelling outside the catchment area. Note that the GIS data above is based on January 2025 information.

7.2. Age Range of Classes

The current learners are taught in two small multi-age classes, with 3 pupils (Foundation Stage) being taught in one class, and 10 pupils in the other class (Key Stage 2). It is possible that this could create a challenge for the teachers when providing a curriculum for a wide range of ages within the same class, together with the fact that there are some years with no learners, as the table below shows:

	Year								Total
	N	0	1	2	3	4	5	6	
Ysgol Baladeulyn	0	2	1	0	2	3	1	4	13
Classes	Class				Class				

7.3. Learner Projections

The latest projections, based on January 2025 numbers, show that Ysgol Baladeulyn's numbers will remain vulnerable into the future, and are likely to fall further to below 10 learners (Reception – Year 6) from September 2025, as the table shows below:

	Year								Total	
	N	0	1	2	3	4	5	6	Nursery	Reception-Yr.6
January 2025	0	2	1	0	2	3	1	4	0	13
September 2025 Projections	2	0	2	1	0	2	3	1	2	9
September 2026 Projections	1	2	0	2	1	0	2	3	1	10
September 2027 Projections	1	1	2	0	2	1	0	2	1	8

7.4. Financial Situation

- 7.4.1. Due to the low number of learners at Ysgol Baladeulyn, the allocation based on the learners is not sufficient to be able to maintain the school. Because of this the Council's Protection Policy ensures a minimum staffing level for our smaller schools by giving them an additional financial allocation above the core allocation. This means that, for 2024-25, Ysgol Baladeulyn has received a financial allocation of £237,914:

Core allocation	Additional financial allocation (protection)	Reduction to the protection due to level of balances	Total
£175,744	£77,659	-£15,489	£237,914

In accordance with the policy, the protection has been reduced by £15,489 due to the school having balances of over 5% of the allocation.

7.4.2. This means a cost per learner of £14,982 which is £9,759 higher than the county average:

	Ysgol Baladeulyn 2024-2025	County Average 2024-2025
Cost per learner	£14,982	£5,223

7.4.3. As a result of the current low numbers, Ysgol Baladeulyn is in a vulnerable position and under increasing financial pressure. As there was less than 15 learners on the register in September 2024, this will have a significant impact on the school's budget from April 2025 onwards. As things stand at present, the school will need to reduce the school's staffing levels by September 2025 with the minimum teaching staff protection reducing from 2.0 to 1.5 from April 2025.

7.5. Staffing Structure

Through Cyngor Gwynedd's Protection Policy, at least a headteacher and a teacher are guaranteed in every school, with a headteacher and an assistant guaranteed in schools with fewer than 15 learners. Ysgol Baladeulyn's current staffing structure includes, a full-time headteacher, 2 part-time teachers (3 days each) and the equivalent of 55 hours of teaching assistants.

7.6. Quality of Education

Following Estyn's latest inspection in 2017, it was noted:

"The quality of teaching is good. Teachers provide interesting and stimulating learning opportunities for pupils. Staff establish a particularly good working relationship with pupils, which fosters a successful learning environment. There is a very strong Welsh ethos and provision that encourages pupils to make full use of the Welsh language in all aspects of school life."

Estyn Report November 2017

In addition to this positive overview from Estyn, the recommendations for the school following the inspection were:

- *Raising extended writing standards in both languages across the curriculum.*
- *Improving opportunities for the school's older pupils to develop the full range of information and communication technology (ICT) skills.*
- *Ensuring that pupils are more aware of what they need to do to improve their own work.*

8. RELEVANT CONSIDERATIONS

8.1 School Organisation Code

Any action will be implemented in accordance with Welsh Government guidelines (*School Organisation Code 011/2018*).

Ysgol Baladeulyn is designated as a 'rural school' by the Welsh Government, and a definition of a rural school can be found in the [School Organisation Code](#).

9. NEXT STEPS AND SCHEDULE

9.1 Subject to the decision of the Cabinet, the Education Department will hold formal discussions with Ysgol Baladeulyn to discuss the situation and establishing a School Review Panel to discuss possible options. All members of the Governing Body, parents and school staff as well as the Local Member will be invited to join the panel and take part in the discussions.

9.2 A report will be prepared for the Cabinet to report back following the local discussions held during the School Review Panel requesting permission to proceed to conduct any statutory process as necessary, in accordance with the guidelines of the School Organisation Code (011/2018).

9.3 The timetable for the next steps is outlined as follows:

Next Steps	Timetable
Subject to the decision of the Cabinet, hold formal discussions with the Governing Body and relevant stakeholders of Ysgol Baladeulyn to form and consider possible options.	March - April 2025
Report back to the Cabinet following these discussions and, depending on the outcome of the discussions, request permission to proceed to implement the recommendation and conduct any statutory process as necessary, in accordance with the guidelines of the School Organisation Code (011/ 2018).	June 2025

OPINION OF THE STATUTORY OFFICERS

The Monitoring Officer:

It is explained in the report that the intent is to identify possible steps to address the challenges facing the schools. It is also acknowledged that there are a range of matters which need to be considered in trying to identify possible answers and actions. It is also noted that the provisions of the Schools Organisation Code 11/2018 will have a central role in the considerations and that options on the way ahead will be the subject of further consideration by the Cabinet when the work is concluded. From a propriety perspective, what is proposed is appropriate.

The Head of Finance:

The decision sought does not create a new financial commitment. However, there are financial matters which are evident in the report that will need to be considered when reaching a decision.

Local Member for Llanllyfni Ward (Ysgol Baladeulyn)

This school is very close to the hearts of the people of Nantlle, whether they are young or old, still in the village, or have left by now.

Many have had a great education at this small school over the decades and it is extremely disappointing to see that the numbers attending the school have dropped significantly in recent years.

As you know the quality of the school's education according to Estyn is good and the teachers provide interesting learning opportunities for the pupils. In my opinion the current staff are fantastic at their work and they need to be applauded for their commitment to the children and the school.

I have read the report from the education department and understand the additional financial costs there are because of the current low numbers at Ysgol Baladeulyn and realise that the situation is very vulnerable at present.

In a perfect world the numbers attending the school would increase in the coming years but projections do not look good.

The welfare of the children who are currently at the school is the priority as well as their parents and the wonderful teachers who teach there.

I am confident that Ysgol Baladeulyn's governing body and relevant stakeholders will have every opportunity to form and consider the options that are possible with the education department.

I am more than willing to take part in these discussions with the hope of reaching a positive result for Ysgol Baladeulyn and the residents of Nantlle.

**CYNGOR GWYNEDD
CABINET DECISION NOTICE**

Date of Cabinet Meeting:	11 February 2025
Date decision will come into force and implemented, unless the decision is called in, in accordance with section 7.25 of the Cyngor Gwynedd Constitution.	26 February 2025

SUBJECT

Item 8: YSGOL GYNRADD NEBO AND YSGOL BALADEULYN

DECISION

It was agreed to commence formal discussions with the Governing Body and relevant stakeholders of Ysgol Gynradd Nebo, discussing the potential options relating to the school's future as a result of a low number of learners and the concerns about the school's sustainability.

It was agreed to commence formal discussions with the Governing Body and relevant stakeholders of Ysgol Baladeulyn, discussing the potential options relating to the school's future as a result of a low number of learners and the concerns about the school's sustainability.

REASONS FOR THE DECISION

The number of learners at Ysgol Gynradd Nebo had been vulnerable for some time. In addition to the low numbers, another challenge the school faces was the lack of children living in the catchment area.

The number of learners at Ysgol Baladeulyn had reduced over the past few years, with a substantial reduction in the number of learners from 27 in 2017 to 13 in January 2025. In addition to the low numbers attending the school, another challenge the school faces was the lack of children living in the catchment area.

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

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers were consulted to seek their views, which were included in the report.

CYNGOR GWYNEDD CABINET



Date of meeting: 14 October 2025
Cabinet Member: Councillor Dewi Jones
Relevant Officer: Gwern ap Rhisiart – Head of Education
Title of item: Ysgol Nebo – Proposal Paper

Report for Cyngor Gwynedd Cabinet meeting

1. THE DECISION SOUGHT

- 1.1 The permission of the Cyngor Gwynedd Cabinet is sought to hold a period of statutory consultation, in accordance with the requirements of section 48 of the School Standards and Organisation (Wales) Act 2013, on the proposed proposal to close Ysgol Nebo on 31 December 2026 and provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards.

2 THE REASON FOR THE NEED FOR A DECISION

- 2.1 The reason for seeking permission to hold a statutory consultation on the proposed proposal set out in 1.1 is the need to address the vulnerable position of Ysgol Nebo. Ysgol Nebo's learner numbers have been low for some time. According to September 2025 numbers, only 11 Reception to Year 6 learners attend the school and 1 Nursery learner, with projections indicating that the numbers will remain low with projections of 10 Reception to Year 6 learners and 2 Nursery learners on the register by September 2028.

3 INTRODUCTION

- 3.1 At their meeting on 11 February 2025, the Cabinet decided to support the recommendation to start formal discussions with the Governing Body and relevant stakeholders of Ysgol Nebo discussing possible options relating to the future of the school due to low numbers of learners and the concerns about the sustainability of the school.
- 3.2 The purpose of this report is to report back on the outcome of the local discussions, and seek permission to hold a statutory consultation on the proposed proposal to close Ysgol Nebo on 31 December 2026 and provide a place for learners in the catchment area in Ysgol Llanllyfni from 1 January 2027 onwards.

4. BACKGROUND

- 4.1 Ysgol Nebo is a community primary school located in the village of Nebo. The school provides education for learners between the ages of 3 and 11 and is a Welsh-medium school, Category 3. Learners are admitted to the school part-time in the September following their third birthday, and as full-time learners in the September following their fourth birthday.

- 4.2 With 11 Reception to Year 6 learners on the school's register, and a capacity of 51, there are 40 surplus places in the school, equivalent to 78% of the school's capacity. The school has capacity for 7 learners in the Nursery class as well, with 1 nursery learner on the roll, there are also 6 surplus places in the nursery.

Strategic Context

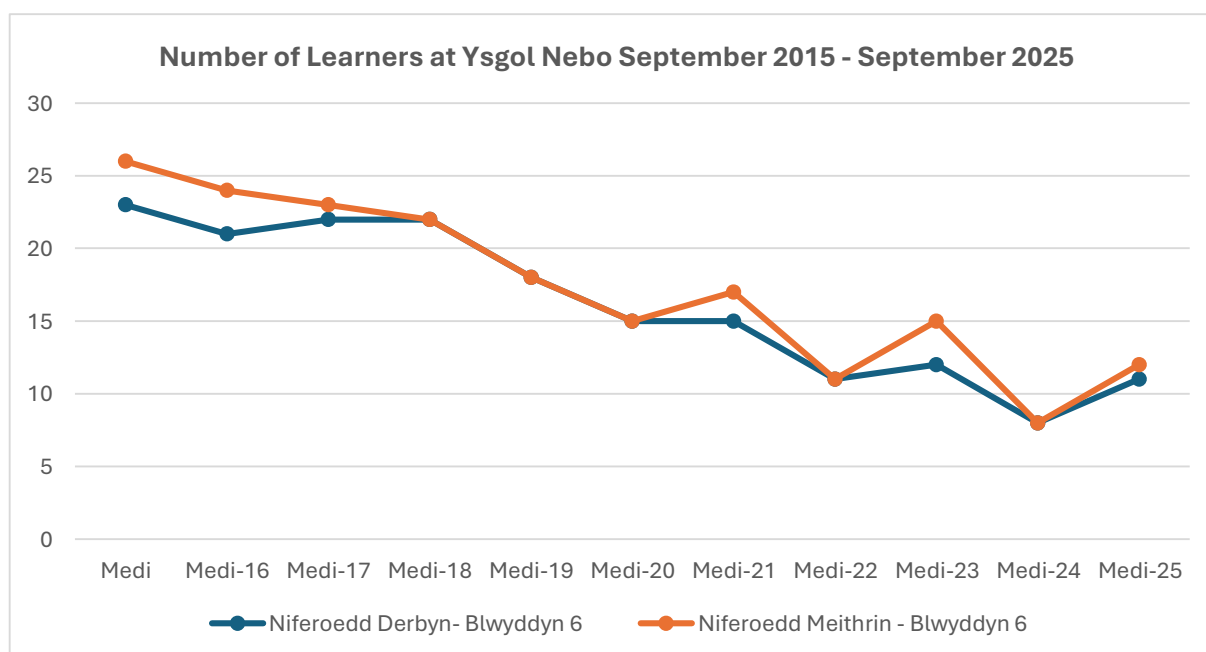
- 4.3 The Council has implemented the "Excellent Primary Education for the Children of Gwynedd" Strategy since it was adopted by the Full Council in April 2009.
- 4.4 At its meeting on 18 December 2018, the Cabinet approved the principles of "Fit for Purpose Education" which is now the basis for realising the Education Department's vision and developing a system to ensure high quality education for the children and young people of Gwynedd for the twenty-first century. These principles work towards rationalising the age range within primary classes and ensuring sufficient non-contact time for headteachers to focus on leadership matters in the primary schools.

Presumption against the closure of rural schools

- 4.5 The School Organisation Code (The Code) includes a special procedure in relation to rural schools, establishing a procedural presumption against closure.
- 4.6 It is stated in the Code *"This does not mean that a rural school will never close, but the case for its closure must be strong, and that all viable alternatives must have been conscientiously considered by the proposer, including federation."*
- 4.7 Ysgol Nebo is designated as a 'rural school' for the purpose of the Code. As a result, particular consideration has been given to the additional procedural requirements in relation to formulating proposals for rural schools in drawing up this proposal paper.

5. THE CURRENT SITUATION AT YSGOL NEBO

- 5.1 As can be seen from the graph below, there has been a significant and consistent reduction in the numbers of learners at Ysgol Nebo. Since September 2015, there has been a 52% reduction in the number of Reception to Year 6 learners at the school, and a 54% reduction in the numbers of Nursery to Year 6 learners at the school.



- 5.2 As a result of the current low numbers, the school is in a vulnerable position and faces many increasing challenges, including:

- **Low numbers of learners** - In January 2025, 10 Reception - Year 6 learners and 0 nursery learners attended Ysgol Nebo. Although the numbers have increased slightly since then, the numbers remain low with 11 Reception - Year 6 learners and 1 nursery learner on the register in September 2025.
- **A high percentage of surplus places** – With 11 Reception to Year 6 learners on the school's register, and a capacity of 51, there are 40 surplus places the school, which is equivalent to 78% of the school's capacity. The school has capacity for 7 learners in the Nursery class as well, so with 1 nursery learner on the roll, there are also 6 surplus places in the nursery.
- **Small class sizes and a broad age range** - There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class.
- **Number projections** – September 2025 projections suggest that numbers will remain low over the next three years.
- **Learners in the catchment area** - September 2025 data shows that only 29% of Ysgol Nebo's catchment area learners choose to attend the school. 71% of learners in the catchment area choose to attend schools outside the catchment area.
- **Ysgol Nebo receives an additional amount to the core financial allocation** – Ysgol Nebo receives an additional amount to the usual allocation via the minimum staffing policy (which guarantees at least a headteacher and a teacher in each school, and a headteacher and an assistant in schools with less than 15 full-time learners). The total additional amount during the 2025-26 financial year (based on September 2024 numbers) was £70,694.
- **Average cost per learner** – The average cost per learner at Ysgol Nebo in 2025-26 is £25,876 compared to the county average of £5,780.

6. LOCAL DISCUSSIONS

- 6.1 In the Autumn term 2024, officers from the Department of Education met with the Governing Body of Ysgol Nebo to discuss the vulnerable situation of the school. During the meeting, the intention was noted to seek Cabinet permission to move the discussion forward by holding formal meetings with the Governing Body and the relevant stakeholder to discuss the challenges and options for the future.
- 6.2 In accordance with the Cabinet's decision on 11 February 2025, Ysgol Nebo School Review Panel (SRP) was established. All members of the Governing Body, parents and staff of the school as well as the Local Member were invited to join the panel and participate in the discussion.
- 6.3 On 18 March 2025, the first of three SRP meetings was held where the challenges facing the school were outlined and an initial discussion held to identify options that would respond to these challenges (as detailed in paragraph 5.2 above). Examples of options were put forward at the meeting, and some of the school's stakeholders put forward alternative options for consideration.
- 6.4 The second SRP meeting was held on 12 May 2025. During the meeting a SWOT evaluation was presented in order to identify the strengths, opportunities, weaknesses and threats of all the options. Further comments were received from the stakeholders for consideration, and were added to the evaluation.
- 6.5 Following receiving the input of the SRP members, a third meeting was held on 14 July 2025 in order to note the challenges facing the school, the long list of options agreed to be evaluated and to explain the factors that would be considered when carrying out an evaluation of options on the long list. The intention to carry out impact assessments on the options before reporting back to the Cabinet in October was noted.

7. IDENTIFYING OPTIONS

7.1 With input from SRP members during the local meetings, a long list of options was drawn up for consideration regarding the future of the school. These included options submitted by the stakeholders of Ysgol Nebo. These options were:

- No change – continue with the current situation
- Federation with a nearby school
- Federation with a nearby School and adding a specialist unit for children with additional learning needs at Ysgol Nebo
- Close Ysgol Nebo and offer the learners a place in a nearby school
- Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)
- Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs
- Ysgol Nebo to offer a Language Unit for the Dyffryn Nantlle catchment area
- Establishing a School on more than one site (multi-site School)

Other options

7.2 A wide range of options have been identified during the local meetings and we have also given consideration to what the School Organisation Code 011/2018 notes as examples of possible options that could be worth considering when drawing up the proposal for a rural school, and the following examples were considered in addition to the options in section 7 of this report. Those options are seen below with comments added to them:

- Clustering, collaboration with other schools - the option of federating with a nearby school has been included in the options appraisal.
- Using the school as a community centre to maintain and support a range of community services - following consideration of the option to use the school as a community centre, it was concluded that this option would not offer a sustainable solution for the school, as it would not respond to the challenges facing the school (as stated in section 5.2). If this option were to be realised, it is anticipated that the challenges identified in section 5.2 of the report, e.g. low numbers of pupils, small class sizes continue, and as a result the financial challenges facing the school would continue.
- Co-location of local services within the school to offset maintenance costs - this option is further considered in the options appraisal through the following options: (i) Ysgol Nebo offers a specialist unit for supporting children with additional learning needs (ii) Ysgol Nebo offers a Language Unit for the Dyffryn Nantlle catchment area.
- Consider establishing schools on more than one site in order to preserve buildings - this option, namely the establishment of a multi-site school, was added to the list of options to be considered following the third local meeting and is therefore considered in the options appraisal.

8. OPTIONS APPRAISAL

8.1 In accordance with the strategy *"Excellent Primary Education for Children in Gwynedd"* a number of factors were considered when appraising the options for the situation, namely:

- | | |
|---|-----------------------------|
| • Number of learners and surplus places | • Class sizes and age range |
| | • Leadership and staffing |

- The Community
- Financial resources
- The Welsh language
- Geographical factors

8.2 A further comparison of all the options against the strategy's factors can be seen in **Appendix 1** (Options Appraisal Table) and the conclusion of the evaluation of the individual options can be seen below.

8.3 No change - continue with the current situation

This option would mean that there would be no change to the current provision in the Ysgol Nebo catchment area.

Having weighed up the school's latest situation against the relevant factors, it is concluded that this option does not address the current challenges facing the school, which are set out in section 5.2, including:

- Numbers of learners and surplus places – The numbers of learners would remain low (11 Reception - Year 6 and 1 Nursery) and significant surplus places (78%) remain at Ysgol Nebo. Number projections suggest that this will continue.
- Small class sizes and a broad age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class. As no increase in numbers is anticipated, class sizes would remain small with a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo received a significant additional protection allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As it is not anticipated that the option would affect the numbers of learners at the school, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. The option to do nothing would not respond to this challenge.

8.4 Federation with a nearby school

The Code states that federation brings particular benefits to rural schools and states that a proposer must therefore demonstrate how federation has been considered as an option. It has been demonstrated that federating can offer advantages to rural schools in certain situations, specifically from the point of view of strengthening leadership and collaboration opportunities.

This model would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a head or heads and one governing body. The governing bodies of the individual schools would be dissolved, and a (new) federal governing body would be formed. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with nearby schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

When considering this model, it must be assessed what any impact would be on how all the schools that would be part of the federation would operate. Noting the challenges facing Ysgol Nebo, it would have to be ensured that such an arrangement would benefit all the children and young people of the federating schools by improving the educational provision.

As Ysgol Nebo's numbers have reached a critical situation with 11 learners (Reception - Year 6) and 1 Nursery learner on the register, it was predicted that there were no clear benefits for other schools from federating with Ysgol Nebo.

There is no clear evidence that forming a federation would lead to an increase in numbers.

Following weighing up the advantages and disadvantages of federating, it was concluded that this option did not respond to the main challenges the school is facing, as stated in section 5.2 above, including:

- Numbers of learners and surplus places – There is no clear evidence that forming a federation would lead to an increase in numbers. As a result, it is anticipated that federating would mean that the challenge of low learner numbers and significant surplus places (78%) at Ysgol Nebo would continue.
- Small class sizes and a broad age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. So there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that forming a federation would lead to an increase in numbers, it is anticipated that federating would not respond to the challenge of small classes and a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo received a significant additional protection allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As it is not anticipated that federating would lead to an increase in the numbers of learners, it is not anticipated that the option would affect the financial allocation of Ysgol Nebo, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. As the Ysgol Nebo building would continue, federating would not respond to this challenge.

8.5 Federation with a nearby school adding a specialist unit for children with additional learning needs at Ysgol Nebo

The Code states that federation brings particular benefits to rural schools and states that a proposer must therefore demonstrate how federation has been considered as an option. It has been demonstrated that federalisation can offer advantages to rural schools in certain situations, specifically from the point of view of strengthening leadership and collaboration opportunities.

This model would ensure continuity in the school's presence in the village of Nebo through a collaborative arrangement with a nearby school or schools, led by a head or heads and one governing body. The governing bodies of the individual schools would be dissolved, and a (new) federal governing body would be formed. The identity of the school in question (including name, ethos, and school uniform) would continue, and it would enable the possibility of sharing staff, resources, buildings, and expertise.

The possibility of federating with nearby schools was considered, specifically Ysgol Llanllyfni and Ysgol Bro Lleu.

When considering this model, it must be assessed what any impact would be on how all the schools that would be part of the federation would operate. Noting the challenges facing Ysgol Nebo, it would have to be ensured that such an arrangement would benefit all the children and young people of the federating schools by improving the educational provision.

As Ysgol Nebo's numbers have reached a critical situation with 11 learners (Reception - Year 6) and 1 part-time learner (Nursery) on the register, it is anticipated that there would be no clear advantages for other schools from federating with Ysgol Nebo and adding an ALN unit on Ysgol Nebo's site.

There is no clear evidence that forming a federation would lead to an increase in numbers.

In addition to forming a federation, this option would also mean adding a location for a ALN unit. Note that the addition of an ALN unit would not affect Ysgol Nebo's numbers, as the learners of the ALN unit would continue to register as learners at their original school. As the ALN unit would be located within the Ysgol Nebo building, it is anticipated that the option would lead to a reduction in the school's capacity, and as a result, a reduction in the number of surplus places at Ysgol Nebo.

Following weighing up the advantages and disadvantages of federating and locating an ALN unit on the Nebo School site, it was concluded that this option would not adequately respond to the main challenges the school is facing, as stated in section 5.2 above, including:

- Numbers of learners and surplus places - Although there would be a reduction in the school's capacity and surplus places as a result of locating the ALN unit within the Ysgol Nebo building, as there is no clear evidence that federating would lead to an increase in numbers, it is anticipated that the challenge of low learner numbers at Ysgol Nebo would continue if this option were to be implemented. As the learners of the ALN unit would continue to register as learners in their original school, it is not anticipated that the inclusion of an ALN unit on a school site would affect the numbers. As a result, it is predicted that numbers would remain low.
- Small class sizes and a broad age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that the option would lead to an increase in numbers, it is anticipated that this option would not respond to the challenge of small classes and a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo has received a significant additional protection allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As it is not anticipated that this option would lead to an increase in the number of learners, it is not anticipated that this option would affect Ysgol Nebo's financial allocation. It is anticipated that locating an ALN unit on the site may offset some of the maintenance costs of the school building, However, from the perspective of the schools core allocation, if Ysgol Nebo were to form a federation with a nearby school as well as locating an ALN Unit on the site, as it is not anticipated that the option would affect the numbers of the school's learners, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. Locating an ALN Unit within the Ysgol Nebo building may partly offset the school's maintenance costs. However, as Ysgol Nebo would continue, this option would not adequately respond to this challenge.

8.6 Close Ysgol Nebo and offer the learners a place in a nearby School (Ysgol Llanllyfni)

This option would mean closing Ysgol Nebo and offering a place to learners from the catchment area at Ysgol Llanllyfni.

Ysgol Llanllyfni is considered the 'nearby school' as it is the geographically closest school to Ysgol Nebo. The school is located approximately 1.6 miles from the site of Ysgol Llanllyfni.

Ysgol Llanllyfni also offers itself as the obvious option for the alternative school as 43% of primary age children in Ysgol Nebo's catchment area already attend Ysgol Llanllyfni and there is sufficient capacity there to receive learners from Ysgol Nebo's catchment area.

Following this, it is proposed to extend the catchment area of Ysgol Llanllyfni to include the catchment area of Ysgol Nebo for the future.

The rationale behind recommending this proposal as the preferred option for consultation is further detailed in Section 10. The preferred option.

8.7 Ysgol Nebo to develop into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)

This option would mean that Ysgol Nebo would continue and develop into a specialist location for some individual subjects.

Ysgol Nebo's numbers have reached a critical situation with 11 learners (Reception - Year 6) and 1 part-time learner (Nursery) on the roll. It is not anticipated that this option would lead to an increase in the numbers of Ysgol Nebo learners.

Having weighed up the school's latest situation against the relevant factors, it is concluded that this option does not respond to the main challenges the school is facing, as stated in section 5.2 above, including:

- Numbers of learners and surplus places - Numbers of learners would remain low (11 Reception - Year 6 and 1 Nursery) and significant surplus places (78%) would remain at Ysgol Nebo. Number projections suggest that this will continue.
- Small class sizes and broad age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that the option would lead to an increase in numbers, class sizes would remain small with a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo has received a significant additional care allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As the option would not affect the numbers of learners at the school, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. This option would not respond to this challenge.

8.8 Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs

This option was proposed during the local discussions. Specifically, the Governing Body put forwards the following option:

"Ysgol Nebo to offer a site as a provision to support and nurture children with social and emotional needs, where mainstream education is challenging for them, including pupils with IDP for social, emotional and behavioural needs and other young people with mental health needs including anxiety and neuro-diversity."

This option was interpreted as that Ysgol Nebo would continue, but it would also mean adding an area for an ALN unit on the school site in order to offer special education to the children who needed additional support.

As the school building would need to be modified to provide a location for the specialist unit, the school's capacity would likely be reduced and therefore it is anticipated that the option would lead to a reduction in surplus places

However, Ysgol Nebo's numbers have reached a critical situation with 11 (Reception - Year 6) learners and 1 part-time learner (Nursery) on the register. As the learners of the ALN unit would continue to register as learners in their original school, it is not anticipated that the inclusion of an ALN unit on a school site would affect the numbers. As a result, it is anticipated that Ysgol Nebo's numbers would remain low, and it is not anticipated that it would respond to the challenges the school is facing, as stated in section 5.2 (above).

Following weighing up the advantages and disadvantages of this option for Ysgol Nebo, it is concluded that this option does not adequately respond to the main challenges the school faces, as stated in section 5.2 above, including:

- Numbers of learners and surplus places – Although there would be a reduction in the school's capacity and surplus places as a result of locating the ALN unit within the Ysgol Nebo building, as the learners of the ALN unit would continue to register as learners at their original school, it is not anticipated that the inclusion of an ALN unit on the school site would affect Ysgol Nebo's numbers. As a result, it is predicted that the numbers would remain low.

- Class sizes and age range - There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that the option would lead to an increase in numbers, class sizes would remain small with a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo has received a significant additional protection allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As it is not anticipated that the option would affect the numbers of learners at the school, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. This option would not respond to this challenge.

8.9 Ysgol Nebo to offer a Language Unit for the Dyffryn Nantlle catchment area

This option would mean that Ysgol Nebo would continue, but it would also mean adding a language immersion unit on the school site to offer an immersion service in Welsh to new speakers.

As the school building would need to be modified to provide a location for the language unit/centre, the school's capacity would likely be reduced and therefore it is anticipated that the option would lead to a reduction in surplus places.

However, Ysgol Nebo's numbers have reached a critical situation with 11 learners (Reception - Year 6) and 1 part-time learner (Nursery) on the register. As the learners of the language unit/centre would continue to register as learners in their original school, it is not anticipated that the inclusion of a language centre on the school site would affect the Ysgol Nebo numbers. As a result, it is anticipated that Ysgol Nebo's numbers would remain low, and it is not anticipated that it would respond to the challenges the school is facing, as stated in section 5.2 (above).

Following weighing up the advantages and disadvantages of this option for Ysgol Nebo, it is concluded that this option does not adequately respond to the main challenges the school faces, as stated in section 5.2 above, including:

- Numbers of learners and surplus places - Although there would be a reduction in the school's capacity and surplus places as a result of locating the language unit/centre within the Ysgol Nebo building, as the learners of the language unit would continue to register as learners in their original school, it is not anticipated that the inclusion of a language unit on the school site would affect the numbers. As a result, it is predicted that numbers would remain low.
- Class sizes and age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that the option would lead to an increase in numbers, class sizes would remain small with a broad age range.
- Financial resources – In 2025-26 Ysgol Nebo has received a significant additional protection allocation (£70,694) and the average cost per learner (£25,876) is significantly higher than the county average (£5,780). As it is not anticipated that the option would affect the numbers of learners at the school, it is anticipated that this financial challenge would continue.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. This option would not respond to this challenge.

8.10 Establish a multi-site school, continuing with Ysgol Nebo site

This option would mean uniting a number of local schools, by closing the schools and establishing one multi-site school which would include Ysgol Nebo site. The option would enable the possibility of sharing resources, buildings and expertise.

This model would ensure continuity in the presence of a school site in the village of Nebo by establishing a multi-site school, led by a headteacher and one governing body. The governing bodies of the individual schools would be dissolved and a (new) governing body would be formed for the multi-site school.

Under this model, there would be staffing implications that can lead to uncertainty and redundancies. The positions of all members of staff in each of the schools that would form part of the multi-site school would come to an end. The new appointments would be made by the shadow governing body of the new multi-site school.

Ysgol Nebo's numbers have reached a critical situation with 11 learners (Reception - Year 6) and 1 part-time learner (nursery) on the roll. It is not anticipated that this option would lead to an increase in the numbers of learners on Ysgol Nebo site.

After weighing up the advantages and disadvantages, it is concluded that this option does not respond to the main challenges the school is facing, as stated in section 5.2 above, including:

- Numbers of learners and surplus places - It is anticipated that the numbers of learners on Ysgol Nebo site would remain low (11 Reception - Year 6 and 1 Nursery) together with significant surplus places (78%).
- Class sizes and age range – There are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception – Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class. As it is not anticipated that the option would lead to an increase in the numbers of learners at Ysgol Nebo site, it is likely that small classes would continue at the Nebo site with a broad age range within the classes.
- Financial resources – Establishing a multi-site school would mean establishing one multi-site school, with one allocation for all the sites. It is anticipated that Ysgol Nebo site would continue to receive an additional amount to the core allocation through the minimum staffing protection policy as the numbers of learners at Ysgol Nebo site would remain low.
- Condition and suitability of buildings - £95,000 worth of necessary repair and maintenance work has been identified for Ysgol Nebo building. As the Ysgol Nebo site would continue, it is not anticipated that the option would respond to this challenge.

9. **IMPACT ASSESSMENTS - PRESUMPTION AGAINST THE CLOSURE RURAL SCHOOLS**

In addition to the factors that are relevant when developing any proposal, it is also required to carry out specific assessments in relation to a proposed proposal of this type. A number of assessments were carried out in accordance with the requirements of the Code of the options under consideration. The full assessments can be found in **Appendix 2**, and a summary of these assessments can be found in the table below:

Option	Assessment of the likely impact on the quality and standards of education	Assessment of the likely impact on different travel arrangements	Assessment of the likely impact on the community
No change - continue with the current situation	Neutral – No change	Neutral – No change No learner in the Nebo catchment area will need to travel an unreasonable distance to school.	Neutral – No change Keeping a school and its potential to be a community resource in the village of Nebo.

Federation with a nearby school	<p>Neutral/Partially positive No impact on the provision at Ysgol Nebo</p> <p>An opportunity to share good practices between the two schools and possibilities of making better use of resources.</p>	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p>	<p>Neutral</p> <p>Possibility of community collaboration between the 2 schools.</p> <p>Keeping a school and its potential to be a community resource in the village of Nebo.</p>
Federation with a nearby school adding a specialist unit for children with additional learning needs in Ysgol Nebo	<p>Neutral/Partially positive – No impact on the provision at Ysgol Nebo</p> <p>An opportunity to share good practices between the two schools and possibilities of making better use of resources.</p> <p>An opportunity to develop an additional resource to support learners with ALN. It is anticipated that it would have a positive impact on the criteria of 'Vulnerable groups, including children with Additional Learning Needs'</p>	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p> <p>The authority would need to provide transport for the ALN unit learners.</p>	<p>Neutral</p> <p>Possibility of community collaboration between the 2 schools.</p> <p>Keeping a school and its potential to be a community resource in the village of Nebo.</p>
Close Ysgol Nebo and offer the learners a place in a nearby school	<p>Partially Positive</p> <p>The assessment notes that the standard of education provided at Ysgol Llanllyfni corresponds to the standard of education provided at Ysgol Nebo.</p> <p>As there are more learners at Ysgol Llanllyfni, it is anticipated that there will be opportunities to teach children in larger groups, with age-appropriate peers to broaden their experiences. Based on this, it is concluded that there would be a positive impact on teaching and learning experiences from teaching Nebo catchment area learners at Ysgol Llanllyfni.</p>	<p>Negative</p> <p>It would be necessary to provide transport for learners from the catchment area of Ysgol Nebo to Ysgol Llanllyfni, in accordance with Cyngor Gwynedd's transport policy.</p> <p>Additional transport costs are anticipated - estimated cost, approximately £17,000-£30,000 per year.</p> <p>Some learners would travel further to school than they do at the moment.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p>	<p>Neutral/Partially Negative</p> <p>Lead to the loss of a school and community resource in the village of Nebo. Extensive community use of the Ysgol Nebo building by the community.</p> <p>To mitigate the impact on the community, opportunities are identified to ensure that the Nebo community is aware of the alternative school's activity, and community collaboration between Ysgol Llanllyfni and the Nebo community is encouraged, where appropriate.</p> <p>It is noted that a large proportion of the children who live within the school's catchment area already attend other schools,</p>

			including Ysgol Llanllyfni, and therefore it is concluded that a link between Ysgol Llanllyfni and the Ysgol Nebo community already exists.
Ysgol Nebo developing into a specialist location for some individual subjects (unique opportunities to carry out fieldwork)	<p>Neutral</p> <p>It is anticipated that the standard of education at Ysgol Nebo would continue, but as no similar model exists in primary school in terms of specialist location for some individual subjects, it is not possible to assess its impact against the quality of education, so the impact is neutral.</p>	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p> <p>There would be wider travel considerations if Ysgol Nebo site was a specialist location for certain subjects.</p>	<p>Neutral</p> <p>Keeping a school and its potential to be a community resource in the village of Nebo.</p>
Ysgol Nebo to offer a specialist unit for supporting children with additional learning needs	<p>Neutral/Partially positive</p> <p>No impact on the provision at Ysgol Nebo</p> <p>An opportunity to develop an additional resource to support learners with ALN. It is anticipated that it would have a positive impact on the criteria of 'Vulnerable groups, including children with Additional Learning Needs'.</p>	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>The authority would need to provide transport for the learners of the ALN unit.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p>	<p>Neutral – No change to the provision at Ysgol Nebo</p> <p>Keeping a school and its potential to be a community resource in the village of Nebo.</p>
Ysgol Nebo to offer a Language Unit/Centre for the Dyffryn Nantlle catchment area	<p>Neutral - No impact on the provision at Ysgol Nebo</p> <p>An opportunity to develop an additional resource to provide a specific service for latecomers in a Language Centre on the school site.</p>	<p>Neutral</p> <p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p> <p>The authority would need to provide transport for the learners of the language unit.</p>	<p>Neutral –</p> <p>Keeping a school and its potential to be a community resource in the village of Nebo.</p>

A multi-site school - continuing with Ysgol Nebo site	Neutral / Partially positive – No impact on the provision at Ysgol Nebo	Neutral	Neutral – No change to the provision at Ysgol Nebo
	An opportunity to share good practices between the school sites and possibilities of making better use of resources.	<p>The learners would continue to be taught at Ysgol Nebo and the learners' travel arrangements would continue in the same way.</p> <p>No learner in the Nebo catchment area will need to travel an unreasonable distance to school.</p> <p>Depending on the structure of the new school, there is a possibility that it will be necessary to organise transport between schools.</p>	Keeping a school and its potential to be a community resource in the village of Nebo.

10. THE PREFERRED OPTION

10.1 Of the options considered, the preferred option for further consultation is the option to close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni)

10.2 This option is preferred for the following reasons:

10.3 Numbers of learners and surplus places

10.3.1 In September 2025 there were 11 Reception - Year 6 learners and 1 Nursery aged learner attending Ysgol Nebo. As a result, Ysgol Nebo has 40 (78%) surplus places in the school (Reception - Year 6). When including the school's Nursery capacity and numbers, Ysgol Nebo has 46 (79%) surplus places.

10.3.2 The numbers of learners at the school have decreased significantly in recent years from 23 Reception to Year 6 learners, and 3 Nursery learners in September 2015 to 11 Reception - Year 6 learners and 1 Nursery learner in September 2025, which is a reduction of approximately 54%.

10.3.3 According to the projections created in September 2025, it is anticipated that the numbers will remain low over the next three years. Seen below are the numbers for September 2025 and Ysgol Nebo's number projections for September 2026-28.

	N	R	1	2	3	4	5	6	Total R-Yr.6
September 2025 numbers	1	1	2	1	1	3	3	0	11
Projections September 2026	2	1	1	2	1	1	3	3	12
Projections September 2027	2	2	1	1	2	1	1	3	11
Projections September 2028	2	2	2	1	1	2	1	1	10

10.3.4 In September 2025 there were 59 learners (Reception - Year 6) and 13 Nursery age learners attending Ysgol Llanllyfni. According to the September 2025 projections, it is anticipated that there will be 72 Reception to Year 6 learners and 11 Nursery learners at Ysgol Llanllyfni in September 2028.

10.3.5 Ysgol Llanllyfni has a capacity of 103 (Reception - Year 6), which means that Ysgol Llanllyfni has 44 surplus places. When including the school's Nursery capacity and numbers, there are 45 surplus places at Ysgol Llanllyfni.

10.3.6 The Welsh Government's School Organisation Code (2018) states that "excessive numbers of unused places that could be removed mean that resources are tied up unproductively....A significant level of surplus provision is defined as 25% or more of a school's capacity". As a result of the low numbers, there are 78% (40 in number) of surplus places (R-Yr.6) at Ysgol Nebo.

10.3.7 When considering the joint capacity of Ysgol Nebo and Ysgol Llanllyfni (which is a capacity of 154 Reception to Year 6 and 175 Nursery - Year 6), it is anticipated that the implementation of the proposal to close Ysgol Nebo and transfer the learners of the catchment area to Ysgol Llanllyfni would reduce the total number of places in the catchment area of Ysgol Nebo and the catchment area of Ysgol Llanllyfni from 84 (55%) to 33 (32%) (Reception – Yr.6), and from 91 (52%) to 33 (28%) when considering the numbers and capacity of the Nursery.

10.4 **Class sizes and age range**

As can be seen from the table below, there are 2 classes at Ysgol Nebo (September 2025) with 5 learners (Reception - Year 3) and 1 Nursery learner in one class. There are 6 learners (Year 4 to Year 6) in the second class. As a result, there is an age range of up to 5 years in one class and up to 3 years in the second class.

	Year								
School	Nursery	0	1	2	3	4	5	6	Average class size
Nebo	1	1	2	1	1	3	3	0	6
Classes	6					6			
Llanllyfni	13	12	10	8	5	6	9	9	18
Classes	13	22		19			18		

As can be seen from the table above there are 4 classes at Ysgol Llanllyfni (September 2025). The average class size at Ysgol Llanllyfni is 18.

As a result, it is anticipated that the transfer of learners to Ysgol Llanllyfni would mean that the children are taught in more appropriately sized classes, and with more children of the same age group.

10.5 **Geographical factors and travel**

10.5.1 It is stated in the "Excellent Primary Education for the Children of Gwynedd" Strategy that efforts should be made to try to limit travel to a maximum of 30 minutes of one-way travel between home and school. If the proposed proposal were to be implemented, it is anticipated that all current learners in the catchment area would be within reasonable reach (less than 30 minutes of travel) to the alternative school, namely Ysgol Llanllyfni.

10.5.2 If the proposed proposal were to be implemented, pupils who live within the current catchment area of Ysgol Nebo would be offered transport to Ysgol Llanllyfni in accordance with the County's Schools Transport Policy. It is anticipated that the cost of transport would be approximately £17,000-£30,000 per annum.

10.6 Financial Resources

10.6.1 Due to low numbers of learners at Ysgol Nebo, the allocation based on the learners is not sufficient to be able to maintain the school. As a result, Ysgol Nebo receives an additional amount to the core allocation through the minimum staffing protection policy (which guarantees at least a headteacher and a teacher in every school, and a headteacher and an assistant in schools with less than 15 full-time learners). Ysgol Nebo was allocated additional funding of £70,694 this year (2025-26) through the Minimum Staffing Protection Policy.

10.6.2 The allocation of Ysgol Nebo and Ysgol Llanllyfni for the year 2025-26, have been based on the numbers of September 2024 and the amounts that the 2 schools receive can be seen below:

School	Basis of allocation (September 2024 Numbers)			Core allocation	Additional financial allocation (Minimum Staffing Protection Policy)	Total	£ per learner
	N	FS	KS2				
Nebo	0	4	4	£136,242	£70,694	£206,936	£25,867
Llanllyfni	11	28	37	£402,831	-	£402,831	£5,768
Total	11	32	41	£539,073	£70,694	£609,767	-

10.6.3 The cost per learner at Ysgol Nebo is £25,867 and the cost per learner at Ysgol Llanllyfni is £5,768 (2025-26 budget, based on September 2024 numbers). The County Average cost per primary learner for the same period is £5,780. This means that the cost per learner at Ysgol Nebo is £20,087 higher than the county average for the same period.

10.6.4 A total of £609,797 was allocated to the two schools in the financial year 2025-26. Ysgol Llanllyfni does not receive an additional amount through the minimum staffing protection policy. The school's current learner numbers attract a sufficient budget to maintain appropriate staffing levels.

10.6.5 In terms of revenue costs, if the proposal is implemented, and if all the learners at Ysgol Nebo transferred to Ysgol Llanllyfni, based on the 2025-26 budget (which is based on September 2024 learner numbers):

- it is anticipated that the proposal would create an annual saving of £146,000, less the estimated costs of additional transport needs (up to £30,000) - a total of approximately £116,000 per year.
- it is predicted that Ysgol Llanllyfni's core allocation budget would increase to £457,000, and the cost per learner would be £5,874.

10.6.6 If the proposal is implemented, and if all the learners of Ysgol Nebo transferred to Ysgol Llanllyfni, based on an estimate of the 2026-27 budget, which is the year of implementation of the proposal (which is based on the projections of learner numbers provided by the head teachers of the schools in September 2024):

- it is anticipated that the proposed proposal would create an annual saving of £143,000, less the costs of additional transport needs (up to £30,000) - a total of approximately £113,000 per year.
- it is predicted that Ysgol Llanllyfni's core allocation budget would increase to £468,000 and the cost per learner would be £5,798.

10.6.7 Any savings in revenue costs will be retained in the Gwynedd Schools area.

10.6.8 Note that there are no capital costs attached to the proposal.

10.7 Leadership and Staffing

- 10.7.1 The current staffing structure of Ysgol Nebo includes a part-time strategic head (equivalent to 0.2 full-time), head teacher in charge 0.8, teacher 0.2, 2 assistants, a lunchtime supervisor and a governors' clerk. The headteacher has a learning commitment equivalent to 4.5 days.
- 10.7.2 At Ysgol Llanllyfni, there is 1 headteacher, 2 full-time teachers, 1 part-time teacher, 3 assistants, a part-time clerical officer, and a part-time lunchtime supervisor. The headteacher has a teaching commitment of 50% of the time (2.5 days) and receives 2.5 non-contact days for managerial and leadership matters.

10.8 The Community

- 10.8.1 The Welsh Government guidelines (School Organisation Code 011/2018) state that a community impact assessment needs to be carried out as part of any proposal to reorganise schools. A community impact assessment was completed on the list of options set out in paragraph 6.3. **See the full report in Appendix 2.**
- 10.8.2 The assessment shows that some negative impact on the community is anticipated if the option to close Ysgol Nebo is implemented. It is recognised that the closure of Ysgol Nebo would lead to the loss of a school in the Nebo community, however the assessment stated that a large proportion of the children who live within the school's catchment area already attend other schools, including Ysgol Llanllyfni, and therefore it is concluded that a link between Ysgol Llanllyfni and the Ysgol Nebo community already exists.
- 10.8.3 Should the proposal to close Ysgol Nebo be realised, every effort will be made to mitigate the impact on the community by encouraging links between the communities and Ysgol Llanllyfni. To mitigate the impact on the community, opportunities are identified to ensure that the Nebo community is aware of the alternative school's activity, and community collaboration between Ysgol Llanllyfni and the Nebo community is encouraged, where appropriate.
- 10.8.4 If the proposed proposal to close Ysgol Nebo is implemented, it will be essential as part of the process to encourage discussions between the alternative school (Ysgol Llanllyfni) and the learners of Ysgol Nebo so that parents and learners can make use of their facilities and any after-school activities.
- 10.8.5 In addition, if the Cabinet were to decide to proceed with the proposed plan to close Ysgol Nebo, options for the post use of the school building would need to be considered, taking into account the community activities currently held at the school.

10.9 The Welsh Language

- 10.9.1 Welsh Government's guidelines (School Organisation Code 011/2018) state that an impact assessment on the Welsh Language needs to be carried out as part of any proposal to reorganise schools. See the full report in Appendix 2.
- 10.9.2 The impact assessment does not anticipate a negative impact on the Welsh language from the proposed proposal, mainly because:
- the January 2025 PLASC statistics show that 54% of Ysgol Nebo learners speak Welsh fluently at home and 80% of Ysgol Llanllyfni learners
 - the proposed proposal to close Ysgol Nebo and offer the learners a place in a nearby school (Ysgol Llanllyfni) would mean that learners in the Nebo catchment area would continue to be educated in a Welsh-medium school.
 - the learners would be taught in larger classes and with more children of the same age group, it is anticipated that the proposed proposal will strengthen the opportunities for learners to socialise in Welsh with more of their peers.

Based on the above, if the proposed proposal is implemented, it is anticipated that there would be more opportunities for pupils in the Nebo catchment area to use Welsh informally with their peers inside and outside

the classroom, and that the level of vitality of the Welsh language and the informal use of the language would be stronger.

10.10 Quality and standards of education

10.10.1 An assessment of the likely impact on the quality and standards of education was carried out on all the options set out in section 7 (above). **See the full report in Appendix 2.**

10.10.2 According to Estyn's latest reports, Ysgol Llanllyfni offers education of a quality and standard that is equivalent to Ysgol Nebo.

10.10.3 Ysgol Nebo was last inspected by Estyn in 2017, where it was concluded that the school's current performance was 'Good'. Ysgol Llanllyfni was last inspected by Estyn in 2017, where it was concluded that the school's current performance against the 3 criteria is 'Good'.

10.10.4 As there are more learners at Ysgol Llanllyfni, it is anticipated that there will be an opportunity to teach children in larger groups, with age-related peers to broaden their experiences if the proposed proposal is implemented. Based on this, it is concluded that there would be a positive impact on teaching and learning experiences from teaching learners in the Nebo catchment area at Ysgol Llanllyfni.

10.10.5 As a result, it is anticipated that the likely impact in terms of quality and standards of education for learners resulting from the proposed proposal to close Ysgol Nebo and offer a place for the learners at Ysgol Llanllyfni would be partially positive.

10.11 Condition and suitability of buildings

10.11.1 The Authority's latest condition assessment stated that the condition of Ysgol Nebo and Ysgol Llanllyfni is 'B'.

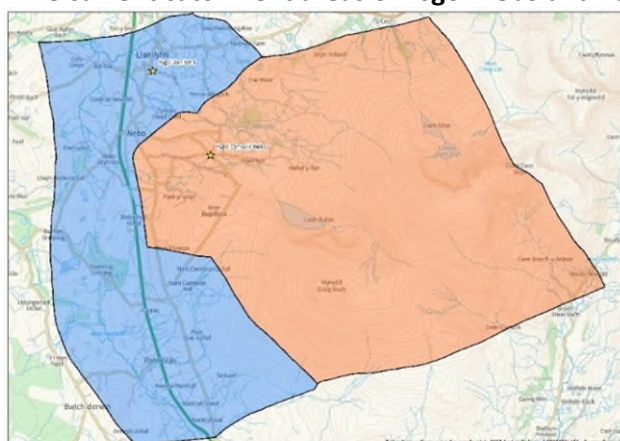
10.11.2 £95,000 worth of necessary repair and maintenance work has been identified in the Ysgol Nebo building.

11. IMPLICATIONS OF THE PROPOSAL

11.1 School admissions catchment areas

11.1.1 Should the proposed proposal be implemented, the catchment area of Ysgol Llanllyfni would be adjusted to include the present catchment area of Ysgol Nebo.

Map 1: The current catchment areas of Ysgol Nebo and Ysgol Llanllyfni



Map 2: Ysgol Llanllyfni catchment area if the proposed proposal is implemented



11.2 Transport

11.2.1 Should the proposed proposal be implemented, learners who live within the current catchment area of Ysgol Nebo would be offered a place at Ysgol Llanllyfni and would receive transport in accordance with the County's Schools Transport Policy. It is anticipated that the annual cost of transport would be approximately £17,000-£30,000.

11.3 Staffing Considerations

11.3.1 Should the proposed proposal be implemented, it is anticipated that there would be staffing implications that could lead to redundancies. Staff and representatives of the Unions will be specifically consulted as part of the statutory consultation period. Cyngor Gwynedd has developed a detailed staffing policy, in conjunction with Trade Unions and headteachers. Any redundancies resulting from this proposal will have to comply that policy. Clear and open communication will play a key role in implementing any proposals.

12. **OTHER CONSIDERATIONS**

12.1.1 School Organisation Code 011/2018

12.1.2 Any statutory process will be conducted in accordance with Welsh Government guidelines (School Organisation Code 011/2018).

12.1.3 Equality impact assessment

12.1.4 An equality impact assessment was carried out on the proposal. The full assessment can be found in Appendix 2.

12.1.5 The assessment gives specific attention to different equality elements such as race, gender, disability, language, religion or belief and age. The assessment identifies the current situation and shows that policies and arrangements are in place which would ensure that the proposal considers and is compatible with equal rights.

12.1.6 Having weighed up the relevant factors, it is concluded that the proposal is not likely to have a negative impact on equality features. It is noted that measures are already in place to ensure that there will be no illegal discrimination or harassment.

12.1.7 It is anticipated that the implementation of the proposed proposal would reduce the inequality in the case of socio-economic disadvantage by ensuring that the learners have more experiences and access to more services and activities in the alternative school. Learners would receive more equal opportunities as the learners would receive learning experiences based on national learning principles, with a variety of styles

including working in mass groups, smaller groups, partner work and individually within their specific age range together with lessons that are appropriately differentiated for the age range in question.

12.1.8 By implementing the proposed proposal, the learners of Ysgol Nebo would have a better learning environment and the learners would benefit from having more age-related peers in a school with more learners, which will ensure suitable educational and extracurricular experiences for them together with access to more extracurricular activities.

12.1.9 The Council would follow normal processes by supporting and monitoring, in order to ensure compliance of each school with the equality features.

12.1.10 Well-being and Future Generations Act

12.1.11 Following consideration and assessment in accordance with the requirements of the well-being act, the 7 goals of the well-being act and the Council's well-being objectives were considered, and it is concluded that the proposed proposal meets the requirements. The full assessment can be found in Appendix 2.

12.1.12 It is acknowledged that, should the Cabinet decide to proceed with the proposed proposal, the proposal would lead to the loss of a school in the Nebo community. However, a large proportion of the children who live within the school's catchment area already attend other schools, including Ysgol Llanllyfni, and therefore it is concluded that a link between the schools and the community of that school already exists. Every effort will be made to mitigate the impact on the community by encouraging links between the communities and Ysgol Llanllyfni, should the proposal be implemented. Should the proposal be approved, discussions will be held to discuss the possibility that Ysgol Llanllyfni's community activity includes the community where appropriate.

13. NEXT STEPS AND TIMETABLE

13.1 Should the Cabinet decide to support the recommendation presented in this report it will be necessary to carry out a period of statutory consultation in accordance with the School Standards and Organisation Act 2013 and the guidelines of the School Organisation Code 011/2018. It is anticipated that that consultation period would be held before the end of the Autumn term.

13.2 Subsequently, a further report will be submitted to Cabinet to report on the outcomes of the consultation. The Cabinet will then be required to consider the results of the consultation and decide whether or not to issue a Statutory Notice on the proposal. Should a Statutory Notice be published, a period of 28 days will be granted for anyone to submit an objection to the proposal, known as the 'Objection Period'. Following this, a further report will be submitted to the Cabinet for a final decision. That report will include a summary of any objections received together with the Council's responses to them.

14 Appendices

Appendix 1: Options Appraisal Table

Appendix 2: Impact Assessments:

- Assessment of likely Impact on Quality and Standards of Education
- Assessment of likely Impact on travel arrangements
- Assessment of likely impact on the Community
- Welsh Language Impact Assessment
- Wellbeing Assessment
- Equality Assessment

Appendix 3: Background pack including presentations and minutes of local meetings.

Appendix 4: Comments of the Local Member

16 VIEWS OF THE STATUTORY OFFICERS

Monitoring Officer:

"This report has been the subject of advice from Legal Services. No observations to add in relation to propriety".

Head of Finance:

"From a financial point of view, it is clear that Ysgol Nebo's current situation is not sustainable, given that 78% of the school's places are empty. The report shows that an assessment has been carried out of the options available, and I am satisfied with the robustness of the financial estimates therein. I therefore support the decision sought."

CYNGOR GWYNEDD CABINET DECISION NOTICE

Date of Cabinet Meeting:	14 October 2025
Date decision will come into force and implemented, unless the decision is called in, in accordance with section 7.25 of the Cyngor Gwynedd Constitution.	29 October 2025

SUBJECT

Item 7: MODERNISING EDUCATION - YSGOL NEBO

DECISION

Permission was granted by the Cabinet to hold a statutory consultation, in accordance with the requirements of section 48 of the School Standards and Organisation (Wales) Act 2013, on the planned proposal to close Ysgol Nebo on 31 December 2026 and to provide a place for learners at Ysgol Llanllyfni from 1 January 2027 onwards.

REASONS FOR THE DECISION

Permission is sought to consult on the planned proposal noted in 1.1 as there was a need to address the fragile position of Ysgol Nebo. The number of learners at Ysgol Nebo had been low for some time. According to September 2025 numbers, only 11 Reception to Year 6 learners attend the school and 1 Nursery learner, with projections indicating that the numbers will remain low with projections of 10 Reception to Year 6 learners and 2 Nursery learners on the register by September 2028.

DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE STANDARDS COMMITTEE

No declarations of personal interest or relevant dispensations were received.

ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION

The Statutory Officers and the Local Member were consulted for their views, which are included in the report.
