

Document Pack



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FRIDAY, 7 SEPTEMBER 2018

TO: THE EXECUTIVE BOARD MEMBER FOR EDUCATION AND CHILDREN

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR EDUCATION & CHILDREN** WHICH WILL BE HELD IN **REGENERATION MEETING ROOM, COUNTY HALL, CARMARTHEN** AT **1.30 PM, ON MONDAY, 17TH SEPTEMBER, 2018** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
E-Mail:	kjthomas@carmarthenshire.gov.uk
Ref:	AD016-001

A G E N D A

- | | |
|--|---------|
| 1. DECLARATIONS OF PERSONAL INTEREST | |
| 2. MODERNISING EDUCATION PROGRAMME (MEP) SCHOOL ORGANISATION DECISION MAKING AND DETERMINATION PROCESS | 3 - 10 |
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Note:- The press and public are not be entitled to attend the meeting. The decision record will be published normally within 3 working days.

17TH SEPTEMBER 2018

Executive Board Member:	Portfolio:
Cllr. Glynog Davies	Education & Children

MODERNISING EDUCATION PROGRAMME (MEP)

SCHOOL ORGANISATION DECISION MAKING AND DETERMINATION PROCESS

Recommendations / key decisions required:

It is recommended that the Executive Board Member approves:

- the amended process for progressing statutory proposals as detailed in the attached illustrative flow chart.

Reasons:

- To comply with statutory procedures and guidance in relation to school re-organisation in accordance with the new School Organisation Code which is due to be published during the Autumn Term 2018.

Directorate Name of Head of Service: Simon Davies Report Author: Sara Griffiths	Designation: Head of Access to Education Modernisation Team Manager	Tel No. / E-mail Addresses: 01267 246471 SiDavies@carmarthenshire.gov.uk 01267 246618 SMGriffiths@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY
EXECUTIVE BOARD MEMBER DECISION MEETING FOR EDUCATION & CHILDREN
17th SEPTEMBER 2018

MODERNISING EDUCATION PROGRAMME (MEP)

SCHOOL ORGANISATION DECISION MAKING AND DETERMINATION PROCESS

Background Information

The School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013 came into effect as of the 1st October 2013 and significantly changed responsibilities for the determination of school organisation proposals. The Act provided all Local Authorities with greater decision making powers and allowed Local Authorities to determine all school organisation proposals with the exception of those which affect sixth form education; or those that have been made by a proposer other than the relevant local authority and an objection has been made by that local authority.

In 2015, following the publication of the School Organisation Code 2013, Carmarthenshire County Council approved a new "School Organisation Decision Making and Determination Process" which reduced the timescale to complete and approve statutory proposals in relation to school re-organisation. This process allowed the Executive Board to approve Stage 1 (Permission to Consult) and Stage 2 (Permission to Notice) with County Council approving Stage 3 (Permission to Implement).

Consultation on the School Organisation Code

On 30th June 2017, following three years of operation, Welsh Government published a consultation on a review of the School Organisation Code. The consultation was based on the reflection of feedback and learning during the period and stakeholders were asked to submit their responses by 30th September 2017.

The most substantial change proposed, is to strengthen the Code in respect of a presumption against closure of rural schools. The "Consultation – summary of response" published on 2nd July 2018 notes that *"when considering whether closure is appropriate the current Code states that special attention should be given to alternatives to closure and when consulting on proposals the consultation document must contain a description of any alternatives and the reasons why they have been discounted. We believe that considering all the possible alternatives should be a two-stage process. The proposer should do this before they even reach a decision to consult on a proposal to close, and should also consider any*

further options or suggestions that emerge during the consultation process. The aim is to ensure that the decision to propose and consult on a closure of a rural school is taken only after all alternatives to closure have been considered, including federation.”

It is expected that the new School Organisation Code, which includes the presumption against closure of rural schools, will be published sometime during the Autumn term 2018.

Moving Forward

In light of the expected publication of the new School Organisation Code, Carmarthenshire County Council must now ensure that its process for proceeding with and approving statutory procedures falls in line and adheres to the necessary requirements. As a result, the Authority has amended its “School Organisation Decision Making and Determination Process” to include Stage 0.

As can be seen in the attached flow chart, Stage 0 would begin with a scoping and information gathering exercise on the school(s) under question. Based on this information along with MECP Programme Board comments, officers would prepare a School Review Report containing a detailed analysis of the schools’ current positions, noting any key issues. The School Review Report would then be presented to Departmental Management Team (DMT) for a decision on whether to engage with stakeholders on possible options. If DMT refuse permission to engage with stakeholders, the proposal would end. However, if DMT grant permission to engage with stakeholders, officers would proceed to engage with the relevant Local Member(s), Headteacher(s) and Chair of Governing Bodies (and any possible affected school) on appropriate options for the school(s) under review. The results of the informal engagement would then be documented in a Proposal Report containing a preferred option and stakeholder engagement feedback which would be presented to the Executive Board for permission to consult on the proposal (Stage 1).

It is believed that the inclusion of Stage 0 will result in a more open and transparent system, as required by Welsh Government and will demonstrate that the Local Authority has considered all possible options for the schools under review without presuming closure.

Recommendation

It is recommended that the Executive Board Member approves the amended process for progressing strategic reviews and statutory proposals as detailed in the attached illustrative flow chart.

DETAILED REPORT ATTACHED

Yes –

**Illustrative Flow Chart for Strategic Review
and Statutory Procedures**

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Simon Davies

Head of Access to Education

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
None	YES	NONE	NONE	NONE	NONE	NONE

2. Legal

The report provides information on why the change is required in order to adhere to the new School Organisation Code due to be published during the Autumn term 2018 which will introduce a presumption against the closure of rural schools.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Simon Davies

Head of Access to Education

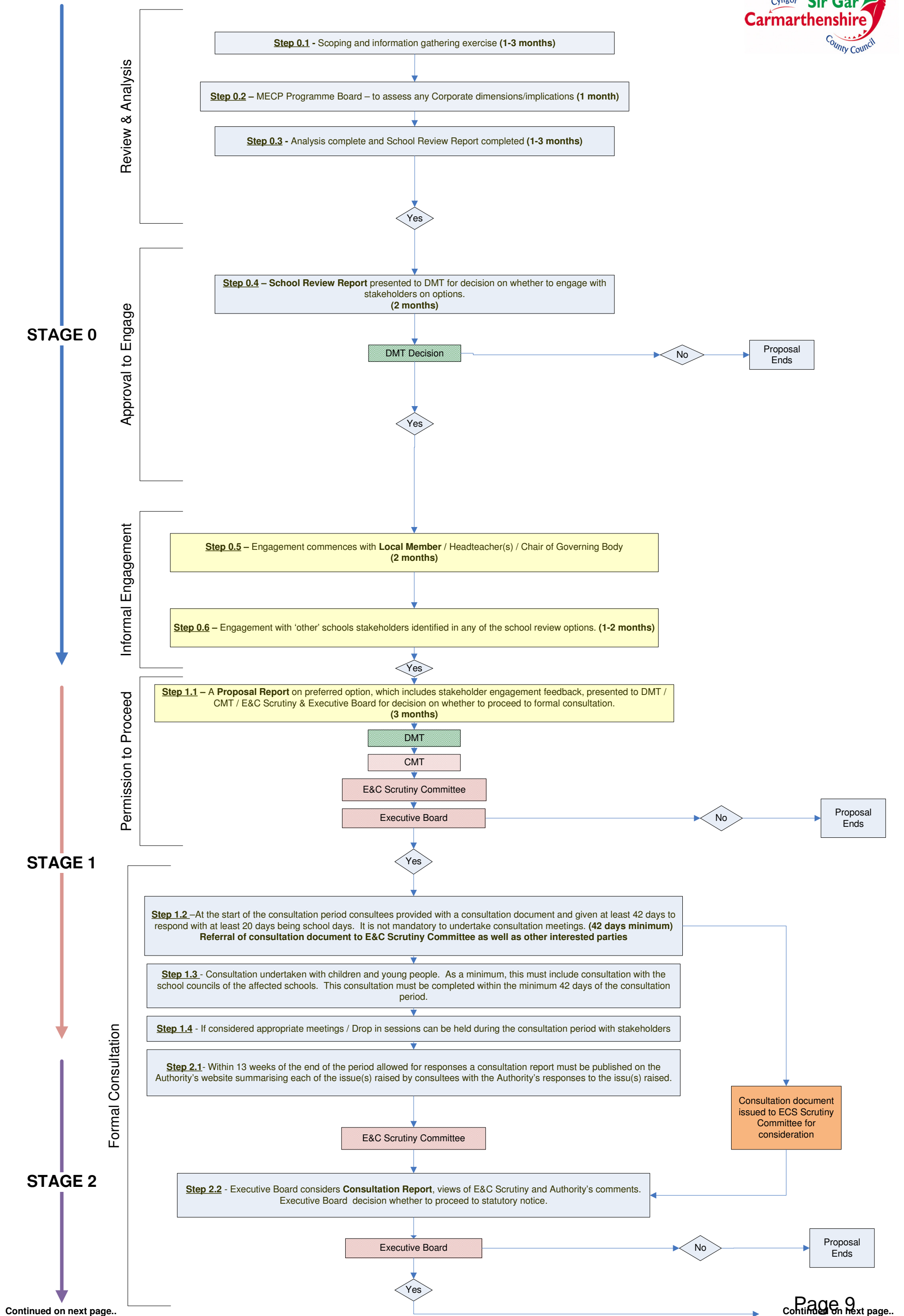
- 1. Scrutiny Committee** – Not applicable at this time
- 2. Local Member(s)** - Not applicable
- 3. Community / Town Council** – Not applicable
- 4. Relevant Partners** - Not applicable
- 5. Staff Side Representatives and other Organisations** - Not applicable

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
School Organisation Code - Consultation Summary of Responses		https://beta.gov.wales/school-organisation-code
School Organisation Code – Consultation Document		https://beta.gov.wales/school-organisation-code
School Organisation Code (2013)		https://beta.gov.wales/school-organisation-code-0
School Standards and Organisation (Wales) Act 2013		http://www.legislation.gov.uk/anaw/2013/1/contents/enacted

Department for Education & Children Modernising Education Programme
Illustrative Flow Chart for Strategic Review and Statutory Proposals



Continued from page 1..

STAGE 2

Statutory Procedure

STAGE 3

Implementation

Step 2.3 - Proposals published on Authority website and posted in the named and neighbouring schools and within the locality giving opportunity for statutory objections. One month period provided for written response period. **(28 days)**

Step 2.4 - If objections received an objection report must be published providing a summary of the objections and the Authority's responses to them.

E&C Scrutiny Committee

Step 3.1 - Executive Board considers objection report, views of E&C Scrutiny Committee and Authority's comments. Executive Board recommendation to County Council for decision whether to approve proposal.

Executive Board

Step 3.2 – An **Objection Report** presented to County Council to consider any objections received in writing or e-mail and Authority's responses. County Council makes decision to proceed or withdraw proposals.

County Council decision

No

Proposal Ends

Yes

Step 3.3a - If the proposal requires determination by the Welsh Ministers (Sixth form education), the proposer must send to the Welsh Ministers within 35 days of the end of the objection period. The Welsh Ministers will normally determine proposals within 16 weeks of the end of the objection period.

When a proposal affects 6th form education it is referred to Welsh Ministers regardless of any objections being received.

Step 3.3b - The local authority **must** issue a decision within 16 weeks of the end of the objection period. Within 28 days of the local authority's determination proposals may be referred to Welsh Ministers by the following:

1. Another local authority
2. The appropriate religious body for any school affected (the diocesan authority)
3. The governing body of a voluntary or foundation school
4. A trust holding property on behalf of a voluntary or foundation school
5. A further education institution affected by the proposals.

Yes

Referral to Welsh Ministers for decision

No

Proposal Ends

Yes

Step 3.4 – Decisions must be published electronically on the website and all stakeholders must be advised by letter or e-mail of the availability of the decision including the **objection report**. Decision letter must be published within 7 days of determination date.

Step 3.5 - Not mandatory - Parents/Guardians are notified of LA/Ministers decision one term before proposal can be implemented. (e.g. For a proposal to be implemented from the start of the Autumn term notification must be given before the end of the previous Spring term)

Step 3.6 - LA Implements Proposal in accordance with the date given in the statutory notice, or any subsequent modified date, usually at the start of the academic year in September

17 SEPT 2018

Executive Board Member:	Portfolio:
Cllr. Glynog Davies	Education & Children

Subject

Purpose: Appointment of LA governors

Recommendations / key decisions required:

That the Executive Board Member makes appointments to the listed vacancies.

Reasons:

To meet statutory obligations of filling vacancies on Governing Bodies.

Directorate: Name of Head of Service: Gareth Morgans Report Author: Tanja Neumayer-James	Designation: Director – Dept for Education & Children Principal School Governance Officer	Tel No. 01267 246450 (Gareth Morgans) 01267 246448 E Mail Address: edgmorgans@carmarthenshire.gov.uk TNeumayer-James@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:**Signed:**

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY
EXECUTIVE BOARD MEMBER EDUCATION AND CHILDREN
17 Sept 2018

SUBJECT: APPOINTMENT OF LA GOVERNORS

BRIEF SUMMARY OF PURPOSE OF REPORT

In accordance with the LA appointment policy for LA Governors, vacancies exist in certain schools and schedules of nomination for these vacancies are attached. Nominations were invited from Chairperson, Headteacher and Local Member(s) in the case of Primary Schools / the Member(s) who is/are governors of that school in the case of Secondary Schools.

LA Governors are appointed for 4 years and where the vacancy occurs as a result of an individual's term of office coming to an end, this is noted in the details for that particular person if he/she is seeking appointment.

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Gareth Morgans** Director – Department for Education & Children

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **Gareth Morgans** Director – Department for Education & Children

1. Scrutiny Committee - n/a

2. Local Member(s)

Relevant Local Members have been notified of received nominations and invited to submit additional nominations.

3. Community / Town Council – n/a

4. Relevant Partners – n/a

5. Staff Side Representatives and other Organisations – n/a

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE.

APPOINTMENT OF LA GOVERNORS

List for Consideration

17th September 2018

PRIMARY SCHOOL	NO. OF VACANCIES	NOMINATIONS NAME AND ADDRESS	NOMINATED BY	DETAILS
Please note: CCC's 'The Appointment of LA Governors' states that, 'All County Councillors [when elected] may stipulate on which school governing bodies they will sit and their decision will take preference over 'non-elected' LA governors'.				
Bancyfelin	1	Cllr J. Tustin	Mrs. T. Jones, Headteacher	'Professional experience in education authority, especially in staffing and budget / qualified teacher / lives within the catchment area of Bancyfelin School / knowledge of area / commitment to the future of the school / commitment to updating skills and attending necessary courses to improve knowledge of Governing Body procedures.'
Carwe, Gwynfryn, Ponthenri	1	Mr T. Jones	Mr. P.I. Evans, Chairperson	'Mr Jones regularly attends GB meetings. His contribution is constant and reliable. He has contributed exceptionally over a period of time.' Mr Evans is seeking Mr Jones' re-appointment.
Stebonheath	1	Mrs L. Trinkwon	Mr. J. Littler, Head Teacher	'Mrs. Trinkwon has passionately served as a parent governor for the last 4 years and her term of office is shortly coming to an end. She commits to attending meetings on a regular basis and shows a genuine desire to improve standards of education within the school, in partnership with the Head Teacher and other members of the Governing Body.'
From	1	Mr. I. Jones	Mrs. C. Jones, Headteacher	'Mr. Jones is a supportive member of the community, involved in various events in the community. He has strong ties with the school and the community and is supportive of the school. He shows commitment to improve standards within the school and a willingness

				to share skills and knowledge within the context of the Governing Body.'
SECONDARY SCHOOL	NO. OF VACANCIES	NOMINATIONS NAME AND ADDRESS	NOMINATED BY	DETAILS
No nominations.				
SPECIAL SCHOOL	NO. OF VACANCIES	NOMINATIONS NAME AND ADDRESS	NOMINATED BY	DETAILS
Heol Goffa	1 from 21/11/18	Ms W. Evans	Mr O. Jenkins, Chairperson and Mrs N. Symmons, Headteacher	<p>'Ms Evans is a former NNEB in the school with a wealth of experience of special needs children. She has already put this experience to good use and proven to be an invaluable member of the governing body. This experience ensures that the viewpoint of all support staff are taken into account in any decisions made. Ms Evans also volunteers on a regular basis and her wider skills and knowledge add to the enjoyment and outcomes for our pupils.'</p> <p>Mr Jenkins and Mrs Symmons are seeking Ms Evans' re-appointment.</p>

EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR EDUCATION & CHILDREN

5TH JULY 2018

PRESENT: Councillor: G. Davies (Executive Board Member).

The following officers were in attendance:

J. Owen, Democratic Services Officer

Regeneration Meeting Room, County Hall, Carmarthen - 9:00am - 9:10am

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. APPOINTMENT OF L.A. GOVERNORS

The Executive Board Member considered applications received for L.A. Governor vacancies within the county. It was noted that nominations had been invited from the Chairperson, Head teacher and Local Member(s) in the case of Primary Schools/ the Member(s) who were governors in the case of Secondary Schools.

It was also noted that L.A. Governors were appointed for 4 years and where the vacancy occurred as a result of an individual's term of office coming to an end this was noted in the details for that particular person if he/she was seeking appointment.

RESOLVED that, in order to meet statutory obligations of filling vacancies on Governing Bodies and having considered the application received, the following appointments be made to vacancies for LA Governors:-

Primary School	Appointments
Bryn Teg (2 Vacancies – 1 Nomination)	Cllr. J.P. Hart
Dewi Sant (2 Vacancies – 2 Nominations)	Mrs C.M. Thomas Mr J. Treharne
Llanddarog (1 Vacancy – 1 Nomination)	Mrs M. Rees

Special School	Appointments
Rhydygors (1 Vacancy – 1 Nomination)	Mr M. Collins

3. APPROVAL OF THE SCHOOL TERMS AND HOLIDAY DATES FOR THE ACADEMIC YEAR 2020/21.

The Executive Board Member considered a report detailing proposed school term and holiday dates for the 2020/21 academic year. It was reported that Welsh Ministers had used the Education (Wales) Act 2014 to make legislative changes to how term dates were set out in order to enable harmonisation of school term dates for all maintained schools.

These changes meant that local authorities and the governing bodies of voluntary aided and foundation schools were required to work together to ensure that terms dates were the same or as similar as possible. Schools could also be directed by Welsh Ministers on what their terms dates should be, if those dates were not harmonised, or required changing.

Having regard to the Act's requirements, the following proposed school terms and holiday dates had been prepared in discussion and general consultation with neighbouring authorities:-

Term	Start	Half Term Starts	Half Term Ends	Term Ends
Autumn	Tue 1 st Sept 20	Mon 26 th Oct 20	Fri 30 th Oct 20	Tue 22 nd Dec 20
Spring	Mon 4 th Jan 21	Mon 15 th Feb 21	Fri 19 th Feb 21	Fri 26 th Mar 21
Summer	Mon 12 th Apr 21	Mon 31 st May 21	Fri 4 th June 21	Fri 16 th July 21

Easter Sunday – Sunday 4th April 2021; May Day – Monday 3rd May 2021.

The Executive Board Member noted that should the dates be approved they would remain subject to the harmonisation arrangements referred to within the report and would therefore not be finalised until receipt of confirmation from the Welsh Ministers.

RESOLVED that the School Term and Holiday Dates for the 2020/21 Academic Year be approved.

4. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 4TH JUNE, 2018.

RESOLVED that the Decision Record of the meeting held on the 4th June 2018 be signed as a correct record.

EXECUTIVE BOARD MEMBER

DATE