

EDUCATION & CHILDREN SCRUTINY COMMITTEE

23rd MAY 2016

Present: Councillor J.E. Williams (Chair)

Councillors: C.A. Campbell, J.M. Charles, I.W. Davies, W.G. Hopkins, P. Hughes-Griffiths, J.D. James, M.J.A. Lewis, D.W.H. Richards, T. Theophilus

Councillor J.S. Edmunds – Substitute for Councillor D.J.R. Bartlett
Councillor E. Morgan – Substitute for Councillor J. Williams

Mrs. V. Kenny – Roman Catholic Church Representative
Mrs. E. Heyes – Parent Governor Member (Llanelli Area)
Mrs. K. Hill – Parent Governor Member (Dinefwr Area)
Mrs. A. Pickles – Parent Governor Member (Carmarthen Area)

Also in attendance:

Councillor G.O. Jones – Executive Board Member for Education & Children

Also present as an observers:

Councillor G. Thomas
Councillor J.S. Williams

The following officers were in attendance:

Mr. R. Sully – Director of Education & Children's Services
Mr. G. Morgans – Chief Education Officer / Head of Education Services
Mr. A. Rees – Head of Learner Programmes
Mr. S. Smith – Head of Children's Services
Mr. S. Davies – School Modernisation Manager
Mrs. L. Grice – Childcare & Play Sufficiency Manager
Mrs. C. Alban – Play Sufficiency Officer
Mr. M. Hughes – Democratic Services Officer

Present as observers:

Mr. R. Bowen – School Development Project Officer
Miss. S. Griffiths – Graduate Trainee Project Officer (MEP)
Ms. L.J. Morris – Senior Press Officer

Venue: County Hall Chamber, Carmarthen (2:50 – 4:55pm)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D.J.R. Bartlett and J.

Williams as well as Canon B. Witt.

2. DECLARATIONS OF PERSONAL INTEREST

| Councillor | Minute Item(s) | Nature of Interest |
|-------------------------|----------------|---|
| Mrs. E. Heyes | Item 5 | She is a parent governor on the Federated Llangennech School Governing Body. |
| Councillor W.G. Hopkins | Item 5 | He is a governor on the Federated Llangennech School Governing Body. He informed the Committee that the Local Authority's Monitoring Officer had confirmed that he was permitted to take part and vote during consideration of this item. |

3. DECLARATIONS OF PROHIBITED PARTY WHIPS

There were no declarations of party whips.

4. PUBLIC QUESTIONS

The following questions were received and presented at the meeting.

4.1 Question by Darren Seward, Dual Stream Committee

Carmarthenshire County Council has produced a document describing its proposal to CLOSE/DISCONTINUE Llangennech Infants and Llangennech Juniors school and open a new Welsh Medium only Llangennech community primary school. why is ccc pushing the Welsh assembly directives on Welsh language so far when it is not happening in other counties like Swansea neath port talbot and Newport??

4.2 Question by Nikki Lloyd, Dual Stream Committee

There are 121 pupils currently in the School who are not living in the village of Llangennech. However, there are 96 children living in the village travelling to other schools, out of area. Only 15 of those children are attending welsh medium so that leaves 81 attending alternative English medium. Why such a differentiation? Some of these could have had places in Llangennech but have been turned away making the English stream look as if it is declining.

4.3 Question by Nikki Lloyd, Dual Stream Committee

We have already had one parent that we know of refused a place in Byn

due to 54 requests for only 30 places. Hendy is full also, where are you going to provide provision for parents who want or NEED to educate their children in English medium?

4.4 Question by Robert Willock, Dual Stream Committee

Out of the 121 children currently in the school 91 are attending Welsh medium. Why is this so? when the new furnace school is under capacity by 132 places and Brynserfiel under by 38.5 Pupils according to section 2.3 of the consultation document. There's surplus capacity at Welsh Mediums which is not in alignment with School Organisation Code 2013 which states no more than a 10% surplus. There are 1,710 as per Carmarthenshire Councils website surplus places in all welsh medium primary schools in carmarthenshire figures taken from ccc own website. So doesnt justify any further spaces being created. The School Organisation code 2013 states when developing proposals relevant bodies should have regard to Local plans for economic or housing development. Why has there been no regard given to the 91 houses being built in Hendy and 700 plus houses planned for Pontardulais? Surely, this would have a major impact on the surrounding schools. Hendy is one of the nearest schools for English medium if this proposal goes through. However, Llanedi school is facing closure and advised to relocate to hendy. Hendy school are already nearing full capacity and as a dual stream are earmarked for changing to Welsh Medium Only. The other nearest English medium is the Bryn School but the county have already been issuing reject letters as they have received 54 applications so far and only have 30 spaces. As well as the proposed new school being unfit for purpose as it does not serve the community it's meant to support, English speaking children appear to have no nearby alternatives?

4.5 Question by Jacqueline Seward, Dual Stream Committee

Following the closure of a school and the consequential loss of a language stream, provision should be offered to at least equivalent standards to learners according to the School Organisation code 2013. However, Llangennech is currently Green. Hendy is yellow and the Bryn is Amber. How is this equivalent?

4.6 Question by Darren Seward, Dual Stream Committee

Is there need for additional nursery places in the area when we already have two providers? Specific factors need to be taken into account for proposals to add or remove nursery classes as outline in the School Organisation Code 2013. Relevant bodies should take into account 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. Within the consultation

document, there is no evidence that these have been taken into consideration and the effect of the proposals on other private sector providers?

4.7 Question by Nigel Hughes, Dual Stream Committee

The consultation document is a flawed document that does not recognise those disadvantaged by the proposals from within Llangennech village. To state that there is nobody affected by these proposed changes is naïve and ignorant and shows that the Authority has failed to show 'due regard' under the Public Duty Act to those affected by simply saying they don't exist. In doing so, they have not covered the Health and Safety aspects or capacity issues at alternative schools. If walking to Hendy for example, crossing a dual carriageway, will put lives at risk. There is a CrashMap available online which shows along that particular route, one accident occurring every 2 months on average. Therefore, this consultation simply exposes a rush to a predetermined outcome irrespective of any views that were to be gathered throughout the process. We believe that we can evidence the fact that either the LEA or the governing body or both have failed to comply with The School Organisational Code 2013 and possibly the law. Do you think this is acceptable to put young children at risk daily?

4.8 Question by Steve Hatto, Dual Stream Committee

Figures manipulated – From the information supplied by the LEA as the groups knowledge of the school it is clearly evident that the figures have been manipulated by individuals to bolster a particular scenario. We can evidence that the current English streams at the school make up over 30% of the total number of pupils. The consultation states Llangennech infant school total pupils in 2015 had 186 in Welsh stream. This is not a true figure as it includes all pupils in Derbyn 1 and 2 which totals 94 pupils, irrelevant of it they are registered to continue into the English stream they have been falsely identified for the purpose of the consultation document as Welsh stream pupils. Also if we factor in the 27% coming from outside areas, together with a potential loss of English Stream, current projections will show that Llangennech School will have over 50% of pupils coming from outside the area. Do you believe, that we then have 'the right school, in the right place and can you confirm if these figures are correct ?

4.9 Question by Michaela Beddows, Dual Stream Committee

Special Educational Needs: No consideration has been given for children with special educational needs who are usually advised to only go in an English medium. Stream or the language of their home environment. Children with global delay struggle with one language let alone two, therefore by removing the dual stream it would exclude these children from attending the school. Children with an Autistic Spectrum Disorder really cant cope with change in routine, so if they were to start then struggle in a Welsh Medium school and then have to move to an English Medium school that change would have a massive impact on them. How has this been overlooked and why has it not been addressed?

4.10 Question by Karen Hughes, Dual Stream Committee

There are approximately 11 dual Stream Schools in Carmarthenshire which according to the Welsh Language Strategy, are being earmarked for Welsh Medium only. It must be recognised that not all these schools will be suitable based upon their logistics as they will be dual stream for a reason, so how and who is assessing the demand and suitability? Has an horizon scanning exercise been conducted for Llangennech community i.e to assess how the village/population of Llangennech will look in 5, 10, 15 years time? With an increased number of new builds, an influx in migration, being close to the M4 corridor, can we confidently say that Welsh Medium Only will meet these demands when 80% of the population is already English speaking. After all, 27% of pupils are coming from outside areas and village figures do not show an increase in demand for Welsh. The Welsh Language Strategy Impact has also not been assessed properly if at all. There is no reference to English speakers having less of an appreciation of the cultural heritage of Wales if they attend English Medium only, more people are likely to try the Welsh stream if they know they can fallback to English within the same school. This will have the adverse effect. The use of Welsh within the community is minimal and does not support the linguistic demographics or the stats from the 2011 census. Why aren't these risks being factored in?

4.11 Question by Robert Willock, Dual Stream Committee

The Community Impact Assessment is not actually an Impact Assessment at all. It has not recognised any risks or risk assessed them (given a positive, negative or neutral rating). One would expect consideration to be given to the impact on neighbouring schools, impact on parents and families, impact on pupils, travel implications, impact of community demographics, environmental impacts, impact upon community activities, impact on residents. These are the areas which are likely to be negatively assessed and have totally been overlooked! Why?

The Chair thanked the representatives of the Dual Stream Committee for their questions and contribution at the meeting. He advised those present that as the Committee was not the decision making body in this matter, he would not be answering the questions directly but noted that they would be forwarded, subject to the Committee's agreement, for the attention of the Executive Board when it considered the consultation report. The Chair asked the Director of Education & Children's Services to respond to the issues raised as part of the next item, pending a formal response by the Executive Board in due course.

5. **MODERNISING EDUCATION PROGRAMME (MEP) - PROPOSAL TO DISCONTINUE LLANGENNECH INFANT SCHOOL AND LLANGENNECH JUNIOR SCHOOL AND ESTABLISH LLANGENNECH COMMUNITY PRIMARY SCHOOL**

Mrs. E. Heyes had earlier declared a personal interest in this item and left the meeting during its consideration and determination.

Councillor W.G. Hopkins had earlier declared that he is a governor on the Federated Llangennech School Governing Body and that the Local Authority's

Monitoring Officer had confirmed that he was permitted to take part and vote during consideration and determination of this item.

The Committee considered a proposal to discontinue Llangennech Infant and Junior Schools and establish Llangennech Community Primary School in their place and the submissions received during the formal consultation period, as set out in the consultation report, which was included within the report under consideration.

The Director of Education & Children's Services outlined the background to the proposal and the content and layout of the report being presented to the Committee. He noted that since the inception of the Modernising Education Programme, it had been the Authority's intention to replace Infant and Junior Schools with Community Primary Schools. He reminded the Committee that in September 2014, following an initial 'soft' federation, the Governing Bodies of both Llangennech Infants and Llangennech Junior schools resolved to pursue a formal federation from April 2015. The Authority now wished to proceed with a proposal to create a Community Primary school to replace Llangennech Infants and Llangennech Junior schools. As part of the proposal for the new primary school, it was proposed to change the current linguistic categories of the two schools from Dual Stream to Welsh-medium in order to increase the provision of Welsh-medium education in Carmarthenshire, ensure that bilingualism was increased in the Llangennech area and to introduce part-time nursery education into the new school.

The Committee was informed that in accordance with Executive Board's instructions, a formal consultation exercise commenced on the 25th January 2016. The consultation period was initially intended to extend until the 11th March, as the minimum requirement of the School Organisational Code but the Director advised that at the request of some stakeholders, he had agreed to extend the consultation period by one week so that all interested parties would have ample time to respond. The consultation period subsequently ended on the 18th March 2016. The Director noted that extensive correspondence had continued to be exchanged with persons opposed to the Council's proposals following the closure of the consultation period. This correspondence was not included in the consultation report as it was not appropriate to do so, with all parties needing to be afforded the same opportunity to express views to the County Council within the formal school organisation process. He reminded the Committee that should the Executive Board resolve to proceed to the next stage of the statutory process, all interested parties would have another opportunity to formally submit their views to the Council before a final decision was made. The Committee was also informed that during the consultation period, the Director, the Chief Education Officer and the Executive Board Member for Education & Children had met with representatives of people from Llangennech opposed the proposals, including parents and local residents, to receive and discuss their concerns. During these discussions, alternative options were presented to officers and these had been included in the attached report as Options 8 and 9 (Appendix F). These had also been evaluated consistently alongside the other options.

The Director noted that as a result of the small extension to the consultation period, the pre-election period and the high number of responses received during the consultation period, future dates for the proposal had been changed. Should the Executive Board grant permission to proceed to Statutory Notice, the intention

was to publish this Notice during the week beginning 5th September 2016. This would ensure that sufficient time was allowed for people to express their views and that the school holiday period did not impede the process.

The following comments were made during consideration of the report and its appendices:

Clarification was sought as to the next steps in the process. The Director of Education & Children's Services informed the Committee that following consideration of the proposal by the Committee, the proposal would be considered by the Executive Board and subject to its approval, a Statutory Notice would be published. Another period of consultation would then be held and would provide interested stakeholders with a further opportunity to comment on the proposal. He urged all interested parties to do so and advised that it was particularly important for stakeholders not to assume that observations already submitted would be automatically taken into consideration a second time. In accordance with the School Organisation Code, it would be a separate exercise and previous comments would only be included if specifically requested by stakeholders. The period for people to express their views (formally known as the objection period), would be followed by another report to the Scrutiny Committee and the Executive Board. Following this and subject to a Executive Board recommendation, a proposal to implement would be considered and determined by the County Council.

The extension to the consultation period was welcomed, as was the amended timetable for the proposed publication of a statutory notice. However, as this was such an emotive subject, it was asked who would decide on which option would be implemented going forward. The Director of Education & Children's Services informed the Committee that it would be for the Executive Board to decide on which of the options would be implemented as part of the next stage in the process but ultimately, the final decision would rest with County Council.

It was suggested that the democratic process had been followed and that in light of the information provided to the Committee, it was proposed that the next wise and logical step was to endorse the proposal. However, it was also suggested that as the questions asked by representatives of the Dual Stream Committee were so profound, these needed to be answered during this item. The Chair agreed and asked the Director of Education & Children's Services to give a brief response to the representatives of the Dual Stream Committee who were present in the meeting. He also proposed that full and comprehensive answers to the public questions submitted, be included in the Department's report to the Executive Board at its meeting on the 20th June. The Committee agreed to the proposal.

The Director of Education & Children's Services gave a brief response to the issues raised in the public questions presented:

- Policy context – The Director outlined the policy context which was shaping the Authority's own approach to the implementation of Welsh-medium provision across the county including a variety of Welsh Government policies as well as the County Council's own Welsh Language Development Strategy and Welsh in Education Strategic Plan (WESP). The WESP had been developed in line with the requirements of Section 85(1) of the School Standards and Organisation (Wales) Act 2013 and following adoption by the County Council,

had subsequently been approved by the Welsh Government. He stated that the Local Authority was simply implementing policies as required of it by the Welsh Government. The Director added that the Authority expected all schools to continue along the Welsh-medium continuum and therefore, this was a challenge for the English-medium schools too. This Council's expected progress along the continuum but it was acknowledged that all schools were at different stages in their progression.

- Numbers from within and outside catchment – The Director stated that the movement of pupils across school catchment boundaries was a phenomenon witnessed across the county. The current data showed that of the 446 pupils in the Llangennech schools, 75% were residing within the catchment area and 25% travelling in from outside. He stated that it was the Authority's preference that all pupils attended their local school but that parents were allowed to express a preference on the matter. He confirmed that no children from within the Llangennech catchment area had been refused entry to the school by the Local Authority. He acknowledged that there had indeed been 54 applications for only 30 places in Bryn School but that only 8 of those were for pupils residing in the Bryn catchment and 7 for pupils residing in the Llangennech catchment area. He reiterated that the Local Authority was not proposing that any pupils were moved from Llangennech and that all children currently in the school would continue to receive their education in their current language stream.
- Surplus places in schools – The Director acknowledged that there were surplus spaces within the system but that this tended to affect rural schools more than those within the county's towns. He reminded the Committee that Ysgol Ffwrnes had been built to deliberately cater for the increasing demand for Welsh-medium provision with the view that it would be filled over time. This was now proving to be the case as the school was gradually being filled. There were currently some surplus spaces in Brynsierfel but these did not impact on the Llangennech proposal.
- Housing developments – The Director confirmed that the Authority did take the impact of potential housing developments into account as part of any school reorganisation proposals. The Authority was aware of current large-scale housing proposals in and around Pontarddulais and noted that the City & County of Swansea were planning to address the impact on demand for school places within its existing school buildings in the town. The Director noted that it was not the responsibility of Carmarthenshire County Council to plan for demand for school places arising in other counties.
- Differences in school categorisation – The Director reiterated that the Authority was not proposing that pupils in Llangennech be offered alternative provision at other schools. It was the Local Authority's intention that all current pupils remained at the school and that future prospective pupils from the locality attend the school but receive their education through the medium of Welsh.
- Nursery provision – The Director acknowledged that the proposal would have an impact on some local providers but that the Authority had a responsibility to ensure linguistic continuity from the nursery sector along the key stages to the secondary sector and was able to achieve this by providing nursery provision at the school. However, he added that there would still be a need for childcare

provision for all children under the age of 3 years old, in addition for 3 year olds outside of the hours that the school provided nursery education.

- Figures for each language stream – The Director accepted that this needed to be clarified and stated that not counting the Reception classes, 73% of children were in the Welsh stream and 27% in the English stream.
- Sufficiency of the impact assessments – The Director contended that the Welsh Language, Community and Equality Impact Assessments had all been conducted in accordance with the statutory School Organisation Code. With regard to safe routes to schools, he informed the Committee that the Council's home to school transport policy took full account of safety considerations. Should parents elect to place their children in an alternative school to the nearest or designated school, it was parents or guardians' responsibility for ensuring that their children reached school safely.
- Special Educational Needs – The Director stated that it was the Local Authority's view that Welsh-medium education was not a significant challenge to the majority of pupils with special educational needs and that Welsh-medium schools had been very successful in offering specialist support. However, he acknowledged that every child was an individual and that following an assessment, a bespoke package of support was put in place. In a small number of instances, language could be an issue for children with certain conditions and if this was found to be an issue, a child would be provided with an appropriate package of support which could require attendance at a particular school. In such circumstances, transport would be provided by the Local Authority, as appropriate to the child's needs.

The Chair thanked the Director for Education & Children's Services for his response.

The Committee **RESOLVED**:

- 5.1 That the report be received.
- 5.2 That the proposal to publish a Statutory Notice be endorsed for consideration by the Executive Board.
- 5.3 That the public questions submitted by members of the Dual Stream Committee be included in the report to the Executive Board and that detailed answers be provided to these questions as part of this report.

6. PLAY SUFFICIENCY ASSESSMENT AND ACTION PLAN 2016

The Committee considered a summary of the Play Sufficiency Assessment and accompanying Action Plan. Members were reminded that Section 11 of the Children & Families (Wales) Measure 2010 placed a duty on local authorities to assess, secure and publish information on sufficient play opportunities for children in their area. The Committee received a brief overview of the assessment and the consultation undertaken, including:

- Background and local context

- Why play is important
- Consultation undertaken
- Findings and key themes highlighted by children and young people, parents, schools and town/community councils
- Assessment Criteria and Priorities
- Positive advances made since 2013
- Challenges
- What can communities do?

The Committee was also informed that a draft copy of the assessment form and action plan was submitted to Welsh Government on the 31st March 2016 and final documents would be submitted upon Executive Board approval.

The following comments were made during consideration of the report and its appendices:

Officers were commended for their work on this issue but concern was expressed that their endeavours might count for nothing as the Welsh Government itself often contradicted its own policies on a local level. Reference was made to a recent planning application in Carmarthen to build housing on a grassed playing area used by local children. The Authority had rejected the application but following an appeal by the applicant, the Welsh Government's own Planning Inspectorate approved the plan and this playing area had now been lost.

Numerous comments were made in relation to supporting local sports clubs in overcoming increased fees for utilising playing fields and other facilities as well as the costs involved in providing new playground facilities for the county's children. The Director of Education & Children's Services acknowledged the Committee's frustrations with the lack of resources available to support those needs identified by the assessment. He suggested that new schools and their facilities were an ideal place for enabling play and activities outside school hours and that the Authority was open to discussions with communities and school governors about developing such opportunities.

It was asked whether the Authority had contingency plans in place so that it had projects that were 'ready to go' should funding suddenly become available. The Childcare & Play Sufficiency Manager informed the Committee that the service did have plans and priority areas identified in the event of any future funding becoming available.

The Committee **UNANIMOUSLY RESOLVED** the Plan Sufficiency Assessment and accompanying Action Plan be endorsed for consideration by the Executive Board.

7. MODERNISING EDUCATION PROGRAMME (MEP) BIENNIAL REVIEW

The Committee considered the Biennial Review of the MEP and an updated prioritised programme for school rationalisation and investment. Members were reminded that in 2010, the County Council had resolved that the Programme be reviewed and revised every two years, or otherwise as required, to ensure consistency with the timeframe of the national 21st Century Schools Programme. The report provided the Committee with a further update on the status of the

Programme and an opportunity to comment on the forward work programme.

The following comments were made during consideration of the report and its appendices:

Concern was expressed that rural schools were not receiving sufficient investment which in turn made them less attractive to prospective pupils' parents. The Director of Education & Children's Services acknowledged the concern but stated that the Programme was based on school viability / sustainability in addition to the competing financial demands on the Authority's services. In developing the Programme, it had been decided to be open and up-front about the viability of schools but in doing so, the Authority had been criticised and accused of trying to close schools by suggesting that they were under threat. The Director added that ultimately, the Authority was unable to invest everywhere at the same time and that the criteria, as detailed in the report, was used to prioritise investment and the allocation of funds towards a particular school. It was not an easy task but officers were seeking to be open about the Authority's priorities.

The decision to utilise the former Pantycelyn site in Llandovery was welcomed but the future of other similar sites across the county was queried. The School Modernisation Manager stated that for the former Gwendraeth School site, the aim was to make the site safe for those services that continued to operate from that location and especially as Neuadd y Gwendraeth continued to be used on a regular basis. He reminded the Committee that there was a corporate working group continuing to look at options for former school sites and the Education & Children Department had aspirations for keeping the Gwendraeth site as an educational establishment in the future. The Director of Education & Children's Services added that the former Tregib School site was an option for the future provision of primary education in Llandeilo but much work was still needed on proposals for these sites.

The Committee **UNANIMOUSLY RESOLVED** that the updated Modernising Education Programme and capital programme be endorsed for consideration by the Executive Board.

8. EDUCATION & CHILDREN SCRUTINY COMMITTEE FORWARD WORK PROGRAMME FOR 2016/17

The Committee considered its Forward Work Programme (FWP) for 2016/17 which had been developed following the Committee's informal planning session held in April 2016. The following comments were made during consideration of the report:

The Chief Education Officer noted that an additional report would be presented to the Committee at its next meeting in June in relation to a recent consultation on the Council's Welsh in Education Strategic Plan (WESP).

The Committee **UNANIMOUSLY RESOLVED** that the Forward Work Programme for 2016/17 be endorsed.

SIGNED: _____ (Chair)

DATE: _____