

Education & Children Scrutiny Committee Task & Finish 2020/21

School Organisation Consultation Process

Scrutiny

in Carmarthenshire

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Cyngor **Sir Gâr**
Carmarthenshire
County Council



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Foreword

I am pleased to present the report of the Education & Children Scrutiny Committee's Task and Finish Group which was established to review the current consultation process for school organisation changes in Carmarthenshire.

Members felt that it was timely to review the process by which the Council engaged with schools, staff and the public, particularly in terms of proposed changes in linguistic provision and closure of schools.

In addition to reviewing the consultation process for individual school changes, the Task and Finish Group also set out to review how the Authority engaged and developed its Strategic Plans such as the Welsh in Education Strategic Plan (WESP) and the Modernising Education Programme (MEP). Interim recommendations relating to that element of the review have already been presented to the Cabinet.

As part of the review we received evidence from local authority officers and Welsh Government officials. We also undertook a survey of schools, local members and Town and Community Councils who had been involved in school organisation changes over recent years, and asked for their views in terms of what worked well and any areas for improvement.

I hope that the recommendations that we have made will deliver further improvements to the consultation process within Carmarthenshire.

I am very grateful to my fellow members of this group for their input and commitment during this review.

I would also like to extend my thanks to the officers who have provided specialist advice and support throughout.

Councillor Darren Price
Chair of the Task & Finish Group

Background

At its meeting held on the 21st April, 2021 the Education & Children Scrutiny Committee agreed to establish a Task & Finish Group to review the current consultation process for school organisation changes, including changes in linguistic provision and closure of schools.

In selecting this topic for review, members identified that:-

- the Education & Children Scrutiny Committee has a key role to play in monitoring services, development of key policies and strategies, as well as identifying areas for improvement or development within their remit;
- many Elected Members and School Governors have raised the school organisation consultation process as an area of concern.

Main Scope and Aims of the Review

The main scope and aims of the Task & Finish review were agreed as follows:-

- To review the current process of engaging and consulting with schools, pupils, parents and the public in terms of any proposed school changes;
- To identify national and international best practice on consultation and engagement;
- To review the way in which the Council's Strategic Objectives are communicated, consulted upon and understood by schools, pupils, parents and residents e.g. the Welsh in Education Strategic Plan (WESP) and the Modernising Education Programme (MEP);
- To formulate recommendations for consideration by the Cabinet.

Membership of the Task & Finish Group

At the meeting of the Education & Children Scrutiny Committee held on 21st April, 2021, it was agreed that the membership of the Task & Finish Group comprise 6 Elected Members. The Group was appointed to reflect the political balance of the Council as a whole, as far as possible:-

- Plaid Cymru – Councillors Darren Price, Kim Broom & Jean Lewis
- Independent Group – Councillor Edward Thomas
- Labour Group – Councillor Dot Jones
- New Independent Group – Councillor Shahana Najmi
- Co-opted Member – Mr Anthony Enoch



Cllr. Darren Price
(Chair)
Gorslas
Plaid Cymru



Cllr. Kim Broom
Trimsaran
Plaid Cymru



Cllr. Dot Jones
Llannon
Labour



Cllr. Jean Lewis
Trelech
Plaid Cymru



Cllr. Edward Thomas
Llandeilo
Independent



Mr Anthony Enoch
Parent Governor
Member
Carmarthen Area

Attendance at Meetings

Attendance by members of the Task & Finish Group is shown in the table below. A total of 6 meetings were held during the 2021/22 municipal year.

Scrutiny Committee Member	Meetings Attended	%
Cllr. Darren Price (Chair)	6	100
Cllr. Kim Broom	6	100
Cllr. Dot Jones	6	100
Cllr. Jean Lewis	6	100
Cllr. Shahana Najmi	0	0
Cllr. Edward Thomas	4	66%
Mr Anthony Enoch	6	100

Overview

The group convened on six occasions. Three meetings were held prior to the formulation of the Interim Recommendations Report, as follows:-

Meeting 1 - 13th May 2021

The Group considered the review's scoping document and agreed to split the review into two parts:-

- How the Authority engages and consults in developing its strategic plans (WESP, MEP etc.)
- How the Authority engages and consults on specific school organisation proposals

PART (A) OF THE REVIEW – HOW THE AUTHORITY ENGAGES AND CONSULTS IN DEVELOPING ITS STRATEGIC PLANS (WESP, MEP ETC.)

The Group agreed to focus on point (a) initially as the department was in the process of revising its WESP and MEP plans, with public consultation envisaged within the next year. The Group were therefore keen to feed into that process.

Meeting 2 - 17th June 2021

Members met with Welsh Government officials, namely Bethan Webb, Deputy Director and Siwan Jones, Head of Welsh in Education Planning to discuss the following:-

- Welsh Government's expectation of Councils in relation to consultation when developing Strategic Plans;

- The requirements of the School Organisation Code in this regard and any plans to amend the School Standards and Organisation (Wales) Act 2013;
- The proposed new school categorisation system for Wales.

Meeting 3 - 24th June 2021

Members met with more Welsh Government (WG) officials, namely Neal O’Leary, Programme Director, 21st Century Schools & Colleges Programme, Jacqui Moyle, Head of School Organisation & Admissions and Rachel De Benedictis, School Reorganisation Manager, 21st Century Schools and Colleges Programme, to consider the following:-

- What are the WG’s expectations of Councils in relation to consulting with schools, staff and communities on their Strategic Plans;
- School Organisation Code and how Councils deal with particular proposals e.g. school closures, WESP etc.
- Use of funding within 21st Century Schools and the ability to refurbish schools and open and close schools.

Members also received a presentation by the Authority’s Head of Curriculum & Wellbeing and the Head of Access to Education on how officers intend to involve and consult with different stakeholders as part of the development of the WESP and MEP over the next year.

As a result of the discussions and evidence considered at the above meetings and having regard to the fact that the Education & Children Department was in the process of revising its WESP and MEP plans, with public consultation envisaged within the next year, the Group agreed to formulate interim recommendations for consideration by Cabinet.

Interim Recommendations Report

At its meeting held on the 8th July, 2021 the Education & Children Scrutiny Committee considered an Interim Recommendations Report prepared by the Task & Finish Group in order to feed into the Education & Children Department’s plans.

The following interim recommendations were endorsed by the Committee for consideration by Cabinet:-

1. That the Education Department Officers continue to develop a clear Communication Plan for the revised MEP and WESP which as well as including elected members, schools and public also includes a variety of stakeholders such as the Youth Service, Mudiad Meithrin, Flying Start and School Councils, and that the process be refined as more information becomes available;
2. That a range of both on-line and in person techniques are employed where possible in consulting on the strategic plans;

3. That officers discuss any school organisation proposals which form part of the revised MEP with schools directly before any documentation is made public, and outline the nature of the proposal i.e. Investment Programme/Rationalisation Programme;
4. That the Authority writes to the Welsh Government urging clarity as soon as possible with regards to the new school categorisation system;
5. That the Authority writes to the Welsh Government calling on them to ensure that the process of changing a school's language category falls within the WESP instead of the School Organisation Code, to reflect the fact that a school's journey along the continuum is a process and not an event;
6. That the Authority writes to the Welsh Government seeking information on how many small schools have benefited from 21st century funding, to determine whether evidence shows that the 5 case business model fails to deliver funding to small schools.

The report was subsequently considered by Cabinet on 27th September, 2021 when it was unanimously resolved that the report and recommendations be endorsed.

Cabinet noted that the Group had split the review into two parts:-

- (a) How the Authority engages and consults in developing its strategic plans (WESP, MEP etc.)
- (b) How the Authority engages and consults on specific school organisation proposals

and that the Interim report, incorporating the above six recommendations, concentrated on part (a) of the review.

PART (B) OF THE REVIEW – HOW THE AUTHORITY ENGAGES AND CONSULTS ON SPECIFIC SCHOOL ORGANISATION PROPOSALS

The Group met on a further three occasions:-

Meeting 4 - 23rd September 2021

The Group received the following presentations:-

- Moving Schools Along the Language Continuum by the Head of Curriculum & Wellbeing;
- Public Consultation on the Welsh in Education Strategic Plan (WESP) by the Head of Curriculum & Wellbeing;
- School Organisation Process by the Head of Access to Education and the Modernisation Team Manager.

Meeting 5 - 21st October 2021

The Group considered the following evidence:-

- Guidance for Stakeholders on the Statutory Consultation Process
- Feedback on Recently Held Consultations
- Feedback from Schools that have been through the Statutory Consultation Process

Meeting 6 - 4th November 2021

The Group considered all the evidence received to date.

As a result of the discussions and evidence considered at the above meetings, the Group agreed the additional recommendations for consideration by the Cabinet.

Conclusion

Following consideration of a range of evidence in relation to part (b) of the review – How the Authority engages and consults on specific school organisation proposals, the Task & Finish Group agreed the following additional recommendations, which had been structured on a thematic basis, with four main themes identified:-

Theme 1 - School Organisation Code

The Group felt that the School Organisation Code is very cumbersome and rigid in the way that it is set out. The Group also noted that there were perceived inconsistencies in terms of which proposals currently fall within the scope of the Code.

For example, a proposal to federate a number of schools over a relatively large geographical area does not currently fall within the scope of the Code, and these proposals are only subject to one public consultation period of up to 6 weeks. However, if an authority wants to build a new school to replace a building which is in a poor state of repair, it is subject to the Code – a formal consultation period, a statutory objection period and a number of other expectations which must be met.

The Group also questioned why there was a need for both a formal consultation process, which is reported to Cabinet/ Council for decision, and a statutory objection period, which provides a second opportunity to object and further extends the process. The Group felt that the Welsh Government should look to streamline the process - ensuring that stakeholders had sufficient opportunity to comment on proposals, but also ensuring that there was no unnecessary duplication or inefficient use of resources.

Furthermore, it was noted that the Code currently prescribes a pretty adversarial process. It talks of inviting 'objections' in the statutory objection period. The Group felt that supportive comments should also be invited throughout the process so as to ensure a fair representation of opinion.

The Group noted that some school organisation proposals, such as extending a school's age range from 4-11 years to 3-11 years for example, may have universal

support within the community, yet the Authority must follow the School Organisation Code, and invite 'objections' at the Statutory Objection stage.

As part of its Interim Recommendations under Part 1 of the review the Group has already asked the Council to write to the Welsh Government calling on them to ensure that the process of changing a school's language category falls within the WESP instead of the School Organisation Code, to reflect the fact that a school's journey along the continuum is a process and not an event.

It was felt by the Group that the School Organisation Code should only apply where an authority proposes to close a school.

Recommendation 1

The Council should call on the Welsh Government to review the school organisation code with a view to streamlining the process and re-evaluating which proposals should fall under the scope of the Code. Welsh Government should also ensure that members of the public are encouraged to express their support as well as inviting 'objections' to any proposal as part of the Code.

Theme 2 - Engagement and Consultation

The Group felt that a period of informal consultation with key stakeholders, prior to any formal decision to proceed, is vitally important. This is a practice that has developed across the County over recent years. The Group heard that it had worked well in a number of instances where key stakeholders were involved early on in discussions on a school organisation proposal. There is a need to ensure that this happens in every instance.

The Group therefore felt that discussions with the Local Member, Head and Chair of Governors firstly, and then with the full Governing Body and staff at the school, should all happen before any public announcement or publication of any Council documentation on any school organisation proposal.

The Group felt that Informal consultation 'drop-in' events should be held in the affected communities as a matter of course, and online if necessary – building on some of the good work that has been undertaken in recent years.

As much information as possible should be provided as part of the informal consultation process, particularly on the methodology and reasons for the proposal. In new build proposals, the site selection process should also be included at the informal stage.

The Group found that the school organisation process is a long and potentially confusing process, and members felt that a simple one-page information sheet should be prepared for parents which outlines the process in layman's terms, particularly explaining when and how people can share their views. This resource should be shared with local stakeholders as soon as a specific school organisation proposal emerges and should be available online permanently.

In addition to the public consultation process, the Group noted that elected members retain the ability to call-in any particular school organisation proposal, and that

members of the Education and Children's Scrutiny Committee can call for a report on any proposal when formulating the Committee's Forward Work Programme.

Recommendation 2

Following a decision by Pre-Cabinet to consult informally on any proposal, the local member, School Head and Chair of Governors should be informed, followed by school staff and the full Governing Body. These discussions should take place prior to any public announcement or publication of any Council documentation on the proposal.

Recommendation 3

The Council should build on the experience of recent school organisation proposals and ensure that consultation events are held in the affected communities, in person and online during the informal consultation stage. These consultation events should provide as much information as possible with regards to the reason for the proposal, methodology and any appraisals (including site selection options in new build proposals).

Recommendation 4

The Council should agree a one-page information sheet for parents, community members and other stakeholders explaining the consultation stages and ensure that this is available permanently on the Council's website and shared with parents of affected schools at the beginning of the consultation process.

Recommendation 5

The Council should ensure that a specific Communications Plan is developed for any school organisation proposal – ensuring that stakeholders are encouraged to respond to the consultation either online or via email and that paper copies of feedback forms are available throughout the consultation period and made available at any community consultation events.

Recommendation 6

When moving a school along the Welsh language continuum, the Council should build on the experiences of recent school organisation proposals and ensure that parents and other stakeholders are provided with materials which outline the benefits of bilingualism and advice on the support available to non-Welsh speaking parents. These materials should be made available online and shared in the community engagement events.

Theme 3 - Project Engagement

The Group felt that once a school organisation proposal was agreed, ongoing project engagement and regular dialogue between the authority and key stakeholders was important and needed to be formalised.

The Group felt that there was a need for this to happen in every instance and therefore make the following recommendation.

Recommendation 7

Once the Council has agreed to formally implement a school organisation proposal it should establish a Project Stakeholder Forum in order to keep schools, staff and other community stakeholders such as Town and Community Councils informed of progress. The Forum would also provide stakeholders with a regular means of raising queries with Council Officers and for problem solving ahead of formal implementation of the proposal.

Theme 4 - Information and Training

The Group noted that not all Governors and school staff were aware of the Council's overarching educational strategic plans such as the MEP or WESP. The Group therefore felt that these plans, as well as the School Organisation Code, should form part of the introductory and ongoing training schedule.

The Group noted that every school is on the Welsh language continuum, and that there was a need for schools to regularly assess what progress they were making in moving along the continuum, in order to support the Welsh Government and local authority's objective of increasing the number of Welsh speakers. It was also noted that even in designated Welsh medium schools or schools that are on the higher end of the continuum, that it would be useful for the school to regularly assess how it promotes and normalises the use of Welsh within the school grounds in line with Welsh Government and Local Authority objectives.

Recommendation 8

The School Organisation Code, WESP and MEP should be included in the introductory and ongoing training provided to School Governors, School Staff and elected members and this training should also be available online to be accessed on demand.

Recommendation 9

The Council's WESP Strategy, including specific targets and actions relating to the provision of Welsh medium education and the promotion of the Welsh language within individual schools, should be a standing item on the School Governing Body agenda.

Further Recommendations for Consideration by the Cabinet

The Task & Finish Group agreed that the following additional recommendations be presented to the Cabinet for consideration:-

- (1) The Council should call on the Welsh Government to review the school organisation code with a view to streamlining the process and re-evaluating which proposals should fall under the scope of the Code. Welsh Government should also ensure that members of the public are encouraged to express their support as well as inviting 'objections' to any proposal as part of the Code.
- (2) Following a decision by Pre-Cabinet to consult informally on any proposal, the local member, School Head and Chair of Governors should be informed, followed by school staff and the full Governing Body. These discussions should take place prior to any public announcement or publication of any Council documentation on the proposal.
- (3) The Council should build on the experience of recent school organisation proposals and ensure that consultation events are held in the affected communities, in person and online during the informal consultation stage. These consultation events should provide as much information as possible with regards to the reason for the proposal, methodology and any appraisals (including site selection options in new build proposals).
- (4) The Council should agree a one-page information sheet for parents, community members and other stakeholders explaining the consultation stages and ensure that this is available permanently on the Council's website and shared with parents of affected schools at the beginning of the consultation process.
- (5) The Council should ensure that a specific Communications Plan is developed for any school organisation proposal – ensuring that stakeholders are encouraged to respond to the consultation either online or via email and that paper copies of feedback forms are available throughout the consultation period and made available at any community consultation events.
- (6) When moving a school along the Welsh language continuum, the Council should build on the experiences of recent school organisation proposals and ensure that parents and other stakeholders are provided with materials which outline the benefits of bilingualism and advice on the support available to non-Welsh speaking parents. These materials should be made available online and shared in the community engagement events.
- (7) Once the Council has agreed to formally implement a school organisation proposal it should establish a Project Stakeholder Forum in order to keep schools, staff and other community stakeholders such as Town and Community Councils informed of progress. The Forum would also provide

stakeholders with a regular means of raising queries with Council Officers and for problem solving ahead of formal implementation of the proposal.

- (8) The School Organisation Code, WESP and MEP should be included in the introductory and ongoing training provided to School Governors, School Staff and elected members and this training should also be available online to be accessed on demand.
- (9) The Council's WESP Strategy, including specific targets and actions relating to the provision of Welsh medium education and the promotion of the Welsh language within individual schools, should be a standing item on the School Governing Body agenda.

DRAFT

APPENDIX 1

Education & Children Scrutiny Committee Task & Finish Group 2021/22

School Organisation Consultation Process

INTERIM RECOMMENDATIONS REPORT

SUMMARY

The Education and Children Scrutiny Committee at its meeting held on 21st April 2021 agreed to establish a Task and Finish Group to review the current consultation process for school organisation changes.

The main aims of the review were agreed as follows:

1. Review the current process of engaging and consulting with schools, pupils, parents and the public in terms of any proposed school changes
2. Identify national and international best practice on consultation and engagement
3. Review the way in which the Council's Strategic Objectives is communicated, consulted upon and understood by schools, pupils, parents and residents eg WESP and MEP
4. To formulate recommendations for consideration by the Executive Board.

The Planning and Scoping Document included the following:

- Context for the review
- Advisors / Support Officers
- Aims / scope of the review
- How it will contribute to achieving corporate/community objectives and well-being objectives
- Initial list of key stakeholders
- Information / documents required to inform the work of the study
- Timescale for completion of the review

At the first meeting of the Task and Finish Group held on 13th May, 2021 it was decided to split the review into 2 parts.

- (a) How the authority engages and consults in developing its strategic plans (WESP, MEP etc.), and
- (b) How the authority engages and consults on specific school organisation proposals

The Group agreed to focus on point (a) initially as the Department was in the process of revising its WESP and MEP, with public consultation envisaged within the next year. The Group were therefore keen to feed into that process.

During the meeting held on the 17th June, 2021 members met with Welsh Government officials, namely Bethan Webb, Deputy Director and Siwan Jones, Head of Welsh in Education Planning to consider the following:

- Welsh Government's expectation of Councils on consultation when developing Strategic Plans
- The requirements of the school organisation code in this regard, and any plans to amend the Act
- The proposed new school categorisation system for Wales

During the meeting held on 24th June, 2021 members met with further Welsh Government officials namely Neal O'Leary, Programme Director, 21st Century Schools & Colleges Programme, Jacqui Moyle, Head of School Organisation and Admissions and Rachel De Benedictis, School Reorganisation Manager, 21st Century Schools and Colleges Programme to consider the following:

- What are the expectations of WG of Councils when it comes to consulting with Schools, Staff and Communities on their Strategic Plans
- School Organisation Code – wider discussion on School Organisation Code and how Councils deal with particular proposals, i.e. schools closures, wesp etc.
- Use of funding within 21st Century Schools and ability to refurbish schools and open and close schools.

During the meeting held on 24th June, 2021 members were also presented with an outline by the Authority's Head of Curriculum & Wellbeing and Head of Access to Education on how officers intended to involve and consult different stakeholders as part of the development of the WESP and MEP over the next year.

During these meetings members discussed a number of issues. As a result of those discussions and in line with the desire to feed into the process of consultation around those Strategic Plans, the following interim recommendations were proposed:-

INTERIM RECOMMENDATIONS

7. That officers in the Education & Children's Services Department continue to develop a clear Communication Plan for the revised MEP and WESP which as well as including elected members, schools and public also includes a variety of stakeholders such as

the Youth Service, Mudiad Meithrin, Flying Start and School Councils and that the process be refined as more information becomes available;

8. That a range of both on-line and in person techniques are employed where possible in consulting on the strategic plans;
9. That officers discuss any school organisation proposals which form part of the revised MEP with schools directly before any documentation is made public, and outline the nature of the proposal i.e. Investment Programme/ Rationalisation Programme;
10. That the Authority writes to the Welsh Government urging clarity as soon as possible with regards to the new school categorisation system;
11. That the Authority writes to the Welsh Government calling on them to ensure that the process of changing a school's language category falls within the WESP instead of the School Organisation Code, to reflect the fact that a school's journey along the continuum is a process and not an event;
12. That the Authority writes to the Welsh Government seeking information on how many small schools have benefited from 21st Century funding, to determine whether evidence shows that the 5 case business model fails to deliver funding to small schools.