



Nick Batchelar  
Director of Education & Lifelong Learning  
Cardiff County Council  
County Hall  
Atlantic Wharf  
Cardiff  
CF10 4UW

Ein cyf/Our ref: MA-P-KW-3408/19

Dear Mr Batchelar

**SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013 - PROPOSALS TO INCREASE THE CAPACITY OF CANTONIAN HIGH SCHOOL, TRANSFER RIVERBANK SPECIAL SCHOOL AND WOODLAND HIGH SCHOOL TO THE CANTONIAN SITE AND INCREASE THEIR CAPACITIES**

1. Kirsty Williams, Minister for Education, one of the Welsh Ministers, has considered Cardiff County Council's proposals to increase the capacity of Cantonian High School, transfer Woodland High School and Riverbank Special School to the Cantonian site and increase their capacities with effect from 1 September 2023.
2. Proposals to make a regulated alteration published under section 48 of the School Standards and Organisation (Wales) Act 2013 ('the 2013 Act'), the effect of which would increase or decrease sixth form provision, require the approval of Welsh Ministers under section 50 of the 2013 Act. The Minister notes that both the Cantonian and Woodland proposals are to make a regulated alteration which would have the effect of increasing sixth form provision.
3. Under section 52 of the 2013 Act proposers must send to the Welsh Ministers any proposals they consider to be related to those which require approval under section 50 of the Act. The Minister notes that the local authority considers the Riverbank proposal is related to the Cantonian proposal because if the Cantonian proposal was not approved the local authority would need to consider alternative options to meet current and future demand for places. She also notes that all three proposals form part of a single 21<sup>st</sup> Century Schools funding bid and were the subject of a joint consultation. The Minister therefore agrees that the Riverbank proposal is related to the Cantonian proposal and requires her approval under section 50 of the 2013 Act.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

4. Where a proposal requires their consideration the Welsh Ministers may reject the proposal, approve the proposal, or after obtaining the consent of the proposer and consulting with the school governing body approve the proposal with modification.
5. I am directed by the Minister to say that she has considered the consultation document, the consultation report, the objection, objection report and additional information provided by the local authority for the purposes of consideration of the relevant factors set out in the Code. In exercise of her powers under section 50 of the 2013 Act the Minister has decided to approve the proposals.
6. The Welsh Ministers exercise their school reorganisation functions in accordance with the 2013 Act and the School Organisation Code ('the Code'). As the consultation on this proposal was published on 4 February 2019 it must be published and determined in accordance with the second edition of the Code.
7. The relevant factors of the Code relating to these proposals are sections 1.3, 1.4, 1.5, 1.6, 1.10 and 1.14. These are set out below and are followed by an analysis of the extent that the Minister considers these factors have been complied with in relation to this proposal. Where appropriate, the extent to which proposals have/have not satisfied the factors is judged with reference to the objections raised and the local authority's response thereto.
8. The Minister notes that there was one objection to the proposal.

## **QUALITY AND STANDARDS IN EDUCATION**

### **Outcomes (Standards and Wellbeing)**

9. The Minister is satisfied, having taken into account the most recent Estyn reports and Estyn's comments on the proposal, that the proposal is likely to maintain at least the current standards of education.
10. The Minister notes that the local authority has committed to ensure that any building work carried out on the Cantonian High School site will be managed effectively in consultation with the school to ensure the full curriculum continues to be delivered and that education and safety standards are maintained. Pupils enrolled at Riverbank Special School and Woodlands High School will remain on their current sites until the new build school facilities are ready. She has noted that prior to the implementation date the local authority has committed to ensure that year 12 students, who are the most affected by the change, will be undertaking programmes of study that will be continued in the new sixth forms.

### **Provision (learning experiences, teaching, care, support and guidance, and the learning environment)**

11. The Minister agrees that the improved and modern 21<sup>st</sup> Century school buildings and facilities will improve the learning environment of all three schools, benefiting all pupils. She notes that Cantonian and Woodlands Schools currently rely heavily on temporary classrooms. She notes that Estyn's evaluation of performance of schools before and after moving into new buildings or significantly refurbished premises in 2007 concluded that improvements in the quality of buildings have a very beneficial effect on the quality of teaching and morale of staff which has a positive effect on pupil performance.

### **Leadership and Management (leadership, improving quality, partnership working and resource management)**

12. The Minister expects the increase in capacity at the three schools to have a moderate impact on leadership and management. However, she is satisfied that standards of leadership and management are likely to be at least equivalent to those currently. In terms of resource management, she notes that Cantonian High School has carried a budget deficit for the past five years which is steadily reducing. She considers that the increased school budget which comes with the increase in pupils will put the school on a firmer financial footing.

#### **Section 1.4 Need for places and the impact on accessibility of schools**

13. The Minister is satisfied that the authority has evidenced a current and future need for English medium secondary places, autistic spectrum provision and special school places in the area. She is satisfied that the proposals will improve access for disabled pupils as the new buildings will be fully accessible and compliant with the Equality Act 2010.

#### **Section 1.5 Resourcing of education and other financial implications**

14. The Minister notes that the proposal will have a neutral impact on the distribution of funding between mainstream schools within the local authority area.
15. With regards surplus places the local authority estimates that the number of pupils aged 11-16 admitted to Cantonian High School will increase to 821 in 2023. As the current capacity of the school is 900 places for pupils aged 11-16 that will give 79 surplus places (8.7%). Increasing the capacity to 1000 places for pupils aged 11-16 would give 179 surplus places (17.9%).
16. The Minister agrees that the location of Cantonian High School makes it well placed to meet excess demand for places. As well as providing sufficient places for children living in the catchment area of the school it would also serve neighbouring catchment areas. It would in future allow for the local authority as admission authority for neighbouring community schools to adjust catchment areas accordingly to better serve central Cardiff.
17. The Minister is satisfied that the local authority has demonstrated an increased demand for places in Cantonian High School in the future as a consequence of a larger catchment area and new housing developments. She therefore consider that the proposal is likely to reduce the number of surplus places at Cantonian High School in the longer term.
18. The Minister is aware that the proposal forms part of the local authority's 21<sup>st</sup> Century School's investment programme and will contribute to the delivery of sustainable schools for the 21<sup>st</sup> Century and to the better strategic management of the school estate through the removal of maintenance backlogs and school buildings which are inefficient or in poor condition.
19. The Minister understands that there may be some additional transport costs should the local authority amend Cantonian High School's existing catchment area. She also notes that some pupils attending Riverbank and Woodlands special schools may have to travel further to the new site. However, others may not have so far to travel as children from all over Cardiff attend these schools. She notes that free transport will be provided for those who meet the home to school transport criteria.
20. The Minister notes that the local authority estimate the overall cost of the project to be between £78m to £96m, which will be provided by Cardiff Council and the 21<sup>st</sup> Century School's investment programme. She is satisfied that the necessary capital funding is

available. The Minister approved the Strategic Outline Case (SOC) for this project and an agreement in principle letter to move to the next stage of the business case process was issued in January 2019. The approval was on the condition that Welsh Government and Cardiff local authority continue to work together closely to ensure the total cost is brought down as the project develops.

21. The percentage of 21<sup>st</sup> Century Schools programme funding rate has increased from 50/50 to 65/35 for mainstream schools and 75/25 for special schools. The local authority has identified capital resources in the Council's approved schools organisational plan financial model and has also been resourced within the authority's capital programme from a combination of general capital grant, capital receipts and prudential borrowing. The Minister is satisfied that the necessary recurrent funding is available.
22. The Minister notes that the removal of temporary classrooms will result in savings in rental costs and that the new build schools will significantly reduce maintenance costs.
23. The Minister notes that Cantonian High School has had a deficit budget for the last five years which is reducing, but still significant. Increasing the capacity of the school and the number of pupils should help reduce the deficit.

#### **Section 1.6 Other general factors**

24. The Minister considers that the proposal is likely to have a positive impact on educational attainment among children from economically deprived backgrounds. She notes that approximately 37.6% of pupils attending Cantonian High School are eligible for free school meals which is well above the national average and that around 53% live in the 20% most deprived areas in Wales.
25. Estyn's 2007 evaluation of performance of schools before and after moving into new buildings or significantly refurbished premises found that in nearly all schools with new or refurbished buildings surveyed, pupil attainment and achievement had improved. In some areas the improvement in attainment was significant, especially in a few schools in communities with high levels of social and economic deprivation. The schools that are subject to the proposal are in a poor condition. The proposal will deliver 21<sup>st</sup> Century learning environments and ensure that there are appropriate, high quality school places for young people in this area.
26. The Minister notes that an initial equality impact assessment undertaken by the local authority concluded that the proposal would not negatively affect any particular group in society. She is satisfied that increasing the capacity of Cantonian High School, the special resource base for pupils with autistic spectrum condition, Riverbank Special School and Woodlands High School will have a positive impact on equality issues. Increasing the number of places at the special resource base and the two special schools will improve access to special education in Cardiff.
27. The Minister notes that as none of the schools are subject to any trust or charitable interests which might be affected by the proposals or the disposal of vacant sites after the implementation of the proposal.

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

28. The Minister considers that the increased capacity and 21<sup>st</sup> Century Schools learning environment and designated sixth form accommodation and facilities at Cantonian High School is likely to lead to increased participation in learning by pupils beyond

compulsory school age. She is satisfied that the school will continue to provide 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 and contribute to the 14-19 agenda.

29. She considers that the proposal will have a positive effect on 11-16 provision in both Cantonian and Woodland High Schools as both schools currently rely heavily on temporary and demountable classrooms to deliver the curriculum. The new 21<sup>st</sup> Century school buildings and facilities will improve learners' experience. In Woodlands the new build will also deliver accommodation to allow improved multi-disciplinary meetings and space to deliver professional development opportunities to increase ALN expertise across the city's teaching staff.
30. The Minister considers that the proposals will have a neutral impact on the viability of institutions already providing good-quality post-16 provision, including school sixth forms, Further Education Institutions and private training organisations. The local authority has identified an increasing demand for such provision particularly in Central Cardiff, some of which will be met by the increase in provision at Cantonian High School.
31. The Minister considers that the proposal is likely to have a neutral impact on the sustainability or enhancement of Welsh-medium provision in the 14-19 network and wider area. She notes that the local authority is taking separate steps to expand ALN provision in the Welsh medium sector as part of their WESP, the Educational Tribunal (ALNET) Act Regional Implementation plan and Cardiff ALN Strategy.
32. The Minister considers that the improved learning environment, designated sixth form accommodation and 21<sup>st</sup> Century School facilities along with the removal of temporary accommodation will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation. The increase in sixth form provision to over 200 pupils should provide a level of funding that would support a range of courses enabling pupils to have access to a broad curriculum and provide increased opportunities for pupils.
33. She notes that the proposal will have a neutral impact on discretionary transport provision as the local authority does not provide free transport to learners above compulsory school age. However, students in Cardiff aged 16-21 can apply for "My Travel Pass" which entitles the holder to 30% off bus fares.

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

34. The Minister considers that the new 21<sup>st</sup> Century School buildings for Woodlands and Riverbank Special Schools and expanded SRB for pupils with Autistic Spectrum condition at Cantonian High School will improve standards of accommodation for pupils with SEN including building accessibility.
35. She notes that the proposals will increase specialist provision in the immediate and wider local authority area reducing reliance on out of area placements. She notes that at present 118 pupils attend special schools and units and independent special schools outside Cardiff at a cost of £2.8 million per year. The proposal will allow the local authority to use this money more effectively and ensure more children with additional needs are educated in their home authority area.

36. The Minister considers that the proposal will have a positive effect on health, safety and welfare the new build schools will remove the reliance on temporary classrooms, provide 21<sup>st</sup> Century facilities and improve the learners' experience. In Woodlands the new build will deliver accommodation to allow improved multi-disciplinary meetings and space to deliver professional development opportunities to increase ALN expertise across the city's teaching staff.
37. The Minister is satisfied that the local authority has evidenced a need for places for autism spectrum condition and SEN provision in the area. She notes that between 2012 and 2017, the number of ASC places offered in SRBs in Cardiff increased from 82 to 140. It is expected that demand for places in specialist schools will continue to grow over the next 5-10 years as a result of a growing population and better diagnosis of ASC. Current local authority projections indicate that the number of pupils with SEN will continue to grow. At present the demand for places for pupils with significant needs exceeds the number of places available.
38. The Minister notes that the proposals will have a neutral impact on the transportation of learners with SEN. The local authority provides free transport to pupils who reside over the statutory walking distances from their nearest suitable school (2 miles for a primary school pupil and 3 miles for a secondary school pupil in Years 7 -11) whether or not they have a statement for Special Educational Needs (SEN). For pupils with SEN, the local authority applies the same distance criteria but applies the cognitive age of the child when assessing the qualifying distance, based on advice from an Educational Psychologist.

#### **Section 1.15 factors to be taken into account in approving/determining school organisation proposals**

39. The Minister considers that the Riverbank Special School proposal is related to the proposal to increase capacity at Cantonian High School. The local authority has advised that implementation of the Riverbank proposal would be prevented or undermined if the Cantonian and Woodlands proposals were not implemented. The Minister agrees with the authority's analysis and that the proposals are related and require Welsh Ministers' approval under section 50 of the 2013 Act.
40. The Minister is satisfied that the statutory consultation was conducted and the proposals published in accordance with the Code including the timescales in which the consultation document and the consultation report were published. Under Section 4 of the Code proposers are required to publish a statutory notice with a 28 day objection period. On the day the proposals are published statutory consultees, including the Welsh Ministers must receive either a hard copy of the proposals or a link to the relevant website. The Minister is satisfied that this was received and that the Notice contained all the required information under section 4.3 of the Code.
41. The Minister has considered the consultation document and the consultation report and is satisfied that both documents complied with the requirements of the Code.
42. The Minister notes that there was one objection. She is satisfied with the local authority's response to the objection, although she considers it would have been helpful if a description of the proposed transport improvements to access Doyle Avenue plan had been available at an earlier stage in the process.
43. The Minister has approved the proposal on the basis that it is likely to maintain at least equivalent outcomes and offer provisions at least equivalent to that which is currently

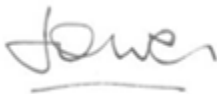
available to learners at the schools. In addition she considers that the proposal will:

- Provide new school buildings, removing reliance on temporary classrooms, offering an improved learning environment and accommodation with 21<sup>st</sup> Century facilities.
- Contribute to the effective funding of education.
- Increase the number of English medium secondary school places and contribute towards meeting projected demand for places.
- Increase the number of places in special schools for learners aged 4-19 with complex additional learning needs and autistic spectrum condition and contribute towards meeting projected demand for places.

44. The Minister notes that the local authority proposes to implement these proposals on 1 September 2023. The local authority must inform the Schools Management and Effectiveness Division, Education and Public Services Group within the Welsh Government when the proposal has been implemented. She has noted that prior to this date the local authority has committed to ensure that year 12 students, who are the most affected by the change, will be undertaking programmes of study that will be continued in the new sixth forms.

45. I am sending a copy of this letter to Paul Orders, Chief Executive of Cardiff County Council.

Yours sincerely

A handwritten signature in blue ink that reads "Huw Owen". The signature is written in a cursive style with a horizontal line underneath the name.

**Huw Owen**

**Deputy Director  
Schools Effectiveness Division**