

**SCHOOL ORGANISATION PLANNING: PRIMARY SCHOOL  
PLACES TO SERVE CATHAYS AND PARTS OF GABALFA,  
HEATH, LLANDAFF NORTH AND PLASNEWYDD**

**LEADER (COUNCILLOR HUW THOMAS)**

**AGENDA ITEM: 4**

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*Appendix 4 to this report has been redacted to remove information which is exempt from publication pursuant to paragraphs 13 and 21 of Part 4 of Schedule 12A of the Local Government Act 1972; and Appendices 5 and 6 to this report have been redacted to remove information which is exempt from publication pursuant to paragraphs 14 and 21 of Part 4 of Schedule 12A of the Local Government Act 1972.*

**Reason for this Report**

1. This report is to inform the Cabinet of objections received to the statutory notice published in accordance with Sections 41, 42 and 43 of the Schools Standards and Organisation (Wales) Act 2013 and the School Organisation Code, that Cardiff Council (herein after 'the Authority'), having consulted such persons as appeared to them to be appropriate, propose to:
  - Discontinue Allensbank Primary School, Llanishen Street, Cardiff CF14 3QE.
  - Discontinue Gladstone Primary School, Whitchurch Road, Cardiff CF14 3JL.
  - Establish a new two forms of entry (FE) English-medium primary school in the premises currently shared between Gladstone Primary School and St Monica's Church in Wales Primary School.
  - The new school to have a capacity of 420 places and cater for the age range 3 – 11 incorporating 48 Full Time Equivalent (FTE, that is a total of 96 part time) nursery places.
  - Transfer Ysgol Mynydd Bychan, New Zealand Road, Cardiff, CF14 3BR into the premises currently occupied by Allensbank Primary School, Llanishen Street, Cardiff CF14 3QE and increase its capacity to 420 places incorporating 96-part time nursery places.

2. The proposed changes would be implemented from September 2025.
3. To note the publication of a statutory notice in respect of proposals published by the Governing Body of St Monica's Church in Wales Primary School to transfer St Monica's Church in Wales Primary School to the current Ysgol Mynydd Bychan site and establish nursery provision at the school, from September 2025.

## **Background**

4. At its meeting on 19 October 2023 the Cabinet, in accordance with the terms of the Schools Standards and Organisation (Wales) Act, approved a recommendation for the publication of a statutory notice relating to Allensbank Primary School, Gladstone Primary School and Ysgol Mynydd Bychan as set out at paragraph 1. A copy of the Cabinet Report of 19 October 2023 is attached as Appendix 1.
5. This statutory notice was published on 9 November 2023 for a period of 28 days to allow for objections. The statutory notice period expired on 6 December 2023. A copy of the notice is attached at Appendix 2.
6. The notice was published on the Council website, posted at the school site, and in the local area.
7. Copies of the notice were distributed via e-mail to organisations and consultees required under the School Organisation Code 2018.
8. Residents in the local area were notified of publication of the statutory notice by letter.
9. At its meeting on 26 October 2023 the St Monica's Church in Wales Primary School Governing Body agreed to progress its proposals to the next stage and to issue a legal statutory notice to:
  - Transfer St Monica's Church in Wales Primary School, Whitchurch Road, Cardiff CF14 3JL, into the premises currently occupied by Ysgol Mynydd Bychan, New Zealand Road, Cardiff, CF14 3BR.
  - Extend the age range of the school from 4 – 11, to 3 – 11, by establishing nursery provision at the school to allow for 32 part-time places.
  - The proposed changes would be implemented from September 2025.
10. The statutory notice regarding proposed changes to St Monica's Church in Wales Primary School was published separately by the Governing Body in line with the requirements of the School Organisation Code. This statutory notice was also published on 9 November 2023 and the statutory notice period expired on 6 December 2023. The notice can be viewed on the school website via the link below:  
[www.stmonicasschool.co.uk](http://www.stmonicasschool.co.uk)

## **Objections Received to the Council's Published Proposals**

11. There were five objections received by the statutory notice closing date of 6 December 2023.
12. Two of the objections were received from representative organisations, as follows:
  - Ysgol Glan Ceubal Governing Body
  - Ysgol Mynydd Bychan Governing Body Staff
13. In accordance with the requirements of the School Organisation Code the Council's Cabinet has responsibility for the determination of school organisation proposals including those which receive objections (save for those that are required to be considered by the Welsh Government). In accordance with this the Cabinet must decide whether to approve, reject or approve with modifications, the proposals. The Council must not approach the decision with a closed mind and any objections must be conscientiously considered.
14. A summary of the objections received, and the Council's response to these objections, can be seen at paragraphs 120 – 252. Objections from representative organisations are attached at Appendix 3. All other objections are attached at Appendix 4.

## **Objections Received to the St Monica's Church in Wales Primary School Published Proposals**

15. There were no objections received to the proposals published by St Monica's Church in Wales Primary school as set out at paragraph 9.
16. As set out in the School Organisation Code the proposals therefore fall to be determined by the proposer.
17. The Governing Body of St Monica's Church in Wales Primary School is expected to meet in January 2024 to consider whether or not to agree the proposed change.

## **School Organisation Planning Code requirements**

18. The School Organisation Code sets out, in Parts 1.3 to 1.14, the factors that should be taken into account by the relevant bodies (the Welsh Ministers, local authorities, governing bodies and other promoters) when exercising their functions of preparing and publishing school organisation proposals, and or approving/determining them. The relevant factors for this type of proposal are set out in paragraphs 19 – 119 of this report.

## Section 1.3 Quality and Standards in Education

19. The response from Estyn received during the consultation period set out its view that the proposed changes are likely to at least maintain the standard of education provision in the area.

20. The proposed changes would provide a more economically sustainable pattern of school provision over the long term and support schools to be financially sustainable in an improved pattern of provision through amalgamation.
21. The changes would allow for schools to allocate a greater proportion of budget to teaching and learning, thereby retaining and increasing opportunities for learners, provide an improved balance between the availability and take up of both English-medium and Welsh-medium primary school places and maintain the current number of English-medium school places serving the area.
22. The Council works closely with the governing bodies of schools to make sure that standards in schools are high, that teaching is good, and that leadership and governance is strong.
23. The reconfiguration of English-medium provision and expansion of Welsh-medium provision would support the continued development of high-quality education for all pupils through:
  - Greater opportunities within larger schools for staff to share workload and expertise.
  - Greater opportunities to professionally develop staff e.g., newly qualified teachers (NQTs) who can observe their parallel teacher.
  - Opportunities for staff to teach to their strengths ensuring learners have the best education experience possible.
  - A greater number of teachers to lead on Areas of Learning, plus Religious Education, Relationships and Sexuality Education (RSE) and Digital Competency.
  - Greater opportunities to offer a broader range of extra-curricular/enrichment activities.
  - Support raising standards by sharing curriculum delivery, school leadership and joint action to tackle key issues such as inclusion.
  - Allow for the sharing of good practice, preparation materials and resources.
  - Enhanced opportunities for pupil activities leading to improvements to the quality of learning for staff and pupils.
  - Increased School Council and pupil development opportunities (academically and socially).
  - Allowing for cross phase arrangements.
  - Allowing for streamlining of policies and structures.
  - Supporting school improvement by enabling schools to draw on the resources of other schools to tackle problems, share expertise, raise expectations and address the needs of particular groups of pupils.
  - Providing opportunities to exploit economies of scale and sharing services across the schools.
  - Possible easier recruitment of governors with fewer governor vacancies.
24. The standard of education at all the schools subject to the proposed changes is good.

25. The proposals were brought forward to provide a more appropriate balance of places and to ensure that a greater level of funding is able to be invested in teaching and learning.
26. There is no information available that suggests that the proposals would have a negative effect on pupils who receive Free School Meals, pupils that receive support because they have English as an additional language, pupils from a minority ethnic background or pupils with additional learning needs.
27. The proposed changes would enhance learning opportunities for all learners.

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

28. Intake to Reception classes in primary schools city-wide peaked at approximately 4,370 pupils in 2015/16 and 2016/17. This corresponds with peak birth rates recorded five years earlier. At the time of the peak intakes, Cardiff retained approximately 8% surplus places.
29. Since 2017/18, there has been a sustained fall in the birth rate and changes to migration patterns in the city. This means that city-wide intakes to primary education are projected to reduce significantly until at least September 2025. However, changes to populations are not the same in all parts of the city.
30. As parents are able to state a preference for schools, some schools would continue to have high intakes. For other schools the impact on pupil numbers will be far greater than the city-wide average.
31. Schools receive most of their funding based on the number of pupils on roll at the school. Falling pupil numbers will greatly impact on some schools' budgets. This affects the teaching and learning opportunities those schools can offer.
32. The number of primary school places available in existing communities in Cardiff is sufficient to accommodate all pupils, but the level of surplus is projected to increase.
33. Proposals to better balance capacities of schools with the forecast take up of places would therefore provide a more effective use of the schools' financial resources. This would allow schools to allocate a greater proportion of their budget to teaching and learning.
34. There are significant numbers of surplus places overall in the English medium schools which are forecast to continue over the next few years.
35. The existing number of English-medium primary school places at Albany, Allensbank and Gladstone Primary Schools is sufficient to accommodate the projected demand for places at schools. It also allows for a high

margin of surplus to respond to any potential fluctuation or sustained increase in demand, and the high levels of pupil mobility in the area.

36. At present, families who move into the area after the closing date for entry to Reception class are usually unable to gain admission to Ysgol Mynydd Bychan and an alternative Welsh-medium school may be a significant distance from the home address of those families.
37. The proposed changes improve the ability of those applicants who move to the area to equitably access school places in each language medium.
38. The proposed changes would allow for:
  - a consolidation of English-medium community primary school provision at an equivalent level, or a marginal reduction to the existing arrangements.
  - an expansion of Ysgol Mynydd Bychan.
  - no change in the number of places for primary school pupils at St Monica's Church in Wales Primary School.
39. There is insufficient space on the existing Ysgol Mynydd Bychan site to allow for expansion. There is no suitable vacant site available in the area local to the school that could accommodate an enlarged Ysgol Mynydd Bychan.
40. There is also sufficient capacity within existing schools serving the area to enable the reorganisation of existing provision. Reorganisation of provision would present an appropriate means of balancing the availability and take up of both English-medium and Welsh-medium provision in the area. It would also allow for a more effective and efficient use of resources. This would retain flexibility in the school estate to respond to any future population changes affecting the area.
41. The proposed changes support a more effective and efficient use of resources.
42. The proposals also aim to increase school effectiveness and narrow inequalities in achievement between advantaged and disadvantaged areas, groups, and individuals.
43. Any proposals to increase the take up of places in Welsh-medium provision, whilst intakes to schools are reducing, would mean that the take up of places in English-medium schools would further reduce.
44. The proposed changes would provide a more economically sustainable patterns of school provision over the long term and support schools to be financially sustainable in an improved patters of provision through amalgamation. This option would allow for schools to allocate a greater proportion of budget to teaching and learning, thereby retaining and increasing opportunities for learners, provide an improved balance

between the availability and take up of both English-medium and Welsh-medium primary school places and maintain the current number of English-medium school places serving the area.

45. The maximum distances between the above school sites is c0.5 miles. Should any of the schools be relocated on to an alternative site, the maximum increase in home to school travel distance for current pupils is therefore 0.5 miles.
46. The average increase in distance from home to school, should proposals proceed is, however, significantly lower than 0.5 miles.
47. The impact of transferring Ysgol Mynydd Bychan to the Allensbank site would result in current pupils having a marginal reduction in travel distance.
48. The impact of transferring Allensbank to the shared Gladstone/ St Monica's site would result in current pupils having an increase of 0.08 miles.
49. The impact of transferring St Monica's Church in Wales Primary School to the Ysgol Mynydd Bychan site would be an average travel distance increase of 0.2 miles.
50. The logistical impact on current families, in respect of the length and time taken for journeys from home to school, is therefore expected to be marginal.
51. Families wishing to access Welsh-medium provision in the south of the Ysgol Mynydd Bychan catchment area are often unable to gain admission to the school and the nearest alternative places are a significantly greater distance away. It is therefore anticipated that the proposed changes would have a marginal impact on future applicants for admission to English-medium community or Church in Wales primary schools, but a greater positive impact on those within the Ysgol Mynydd Bychan catchment area seeking admission to a Welsh-medium school.

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

52. The Welsh Government invited all Local Authorities in Wales to submit bids for grant funding to support capital investments that facilitate growth in Welsh-medium education and use of the Welsh language.
53. Cardiff Council was successful in securing funds from the Welsh-medium Capital Grant Scheme including £1.86m to reorganise primary school provision in central Cardiff and expand Welsh medium places by 1 Form of Entry (210 places). The purpose of the Welsh Medium Capital Grant is to support capital investments that facilitate growth in Welsh-medium education and use of the Welsh language.
54. The grant funding programme is aimed specifically at capital projects that will demonstrably contribute to meeting the Welsh Government's aim of

reaching one million Welsh speakers by 2050. The funding allocated to Cardiff Council is ring-fenced to support expansion in Welsh-medium education provision and would allow for investment in school buildings to support increased intakes.

55. There is no additional or ring-fenced revenue or capital funding to support the process of organisational change.
56. Capital funding in addition to that already secured from Welsh Government will be sought to facilitate the organisational changes to English-medium provision. The Council recognises that, should the proposals proceed to implementation, there would be a need to prioritise investment at the new school established on the site currently shared Gladstone/ St Monica's site within the School Organisation Programme. This investment would support the new school to maintain and further improve on the high quality of provision offered by the existing schools, to extend inclusive learning opportunities, and to ensure that the high standards of education for all pupils in the community are preserved.
57. The funding formula for schools is driven by per pupil funding and a number of lump sum allocations per school. Funding per pupil is generally higher in smaller schools due to the costs of the headteacher and other fixed costs absorbed over a low number of pupils.
58. A reduction in the number of schools in Cardiff would therefore allow for a reduction in the number of lump sum allocations to schools, and these funds would be redistributed to schools through the funding formula.
59. Larger schools are also generally able to secure better value for money through economies of scale in a number of areas including managing contracts and potentially in their staffing structure. Some of the benefits of a single larger school can be realised through formal federation of governing bodies or collaboration agreements between schools, with more efficient staffing structures.
60. In 2022/23, the amount of funding per pupil at Allensbank Primary School, Gladstone Primary School, St Monica's Church in Wales Primary School and Ysgol Mynydd Bychan was higher than the average funding per pupil across Cardiff's 98 primary schools of £3,891.



61. Table 1 below sets out the budgetary position of the above schools.

School	Balance brought forward April 2022	Governor Approved Budget 2022/23	Balance brought forward April 2023	Governor Approved Budget 2023/24
	£	£	£	£
Allensbank	23,757	-132,301	-50,628	-274,788
Gladstone	84,651	0	-39,428	-164,920
St Monica's	41,804	0	34,320	-66,726
Ysgol Mynydd Bychan	170,220	86,286	118,001	17,057

62. The Welsh Government Capital Grant scheme does not provide any additional financial resources for the restructuring of staffing structures of schools affected by reorganisation of provision. These costs would be met from within Education financial funds (including delegated school budgets or SOP finances).

63. The expansion of Ysgol Mynydd Bychan would incur additional staffing and leadership costs for the school which would be met from the school's budget. The budget will increase due to more pupils on roll but the relative increase in budget allocation will be subject to the pupil roll changes in all primary schools. Further details on the potential constraints of growth in this school in short / medium term are set out in paragraph 62.

64. The proposed expansion of Ysgol Mynydd Bychan may result in the school operating some smaller classes, or some mixed-age classes, as the school grows. School admissions preference data indicates that the number of pupils admitted to the school would increase, but the school would have a high level of surplus places for a number of years.

65. Although the school's budget would increase as the number of pupils on roll increases, the cost per pupil would likely be higher for an extended period while the school grows. As growth, and investment, would be phased, the financial impact of changes would be minimised wherever possible through effective communication between the Education directorate and the School Governing Body.

66. In a period of falling intakes city-wide, the expected increased intakes to Ysgol Mynydd Bychan would likely reduce the take up of places at other schools in the local area or in neighbouring areas for a number of years.

67. Almost all applicants who have failed to gain admission to Ysgol Mynydd Bychan in recent years have taken up places at other Welsh-medium primary schools. The number of pupils taking up places at these schools may reduce as a consequence of the proposals; however, the Council must increase intake to Welsh-medium provision city-wide and the

indirect impact of increasing intakes to Welsh-medium schools would be a reduced intake to English-medium schools city-wide.

68. Should a proposal to transfer Allensbank Primary School to the shared Gladstone Primary School/St. Monica's Church in Wales Primary School site proceed, and the Speech and Language Intervention Class be relocated, the delegated budget for this class would be transferred to another host school.
69. It should be noted that the number of pupils on roll at Allensbank Primary School and Gladstone Primary School has fallen in recent years, coinciding with reduced intakes to primary education city-wide which are projected to remain at low levels until at least 2025/2026. In this context, the number of staff employed by schools would likely reduce, whether or not any proposals to reorganise provision are progressed.
70. The school budget formula saving from amalgamating Allensbank Primary School and Gladstone Primary School, by closing each school and creating a single two form entry primary school as set out in Option 1 would be c£98k per year based on the removal of lump sum allowances provided to schools. However, some of these lump sum balances are for schools with a pupil roll below 150.
71. This option amalgamates Allensbank and Gladstone Primary Schools and combining their budget would allow for a redistribution of financial resources to schools through the reduction in the number of lump sum allocations to schools.
72. Should the proposed changes be progressed, it is proposed that an amalgamated lump sum of £60,000 is provided to the newly established two form entry English medium. This financial mechanism is currently available in the school funding formula and will be reduced by £15,000 incrementally over four years until it drops to zero. The two entry English medium school will also be provided with the lump sum of £60,000 that all primary schools are given. Any other lump sums provided to the closing schools will be reallocated back to the overall primary school formula distribution.
73. The changes would result in the displacement of an existing Headteacher and restructuring of leadership. The anticipated efficiencies in the new school's budget, compared to the two existing budgets combined, could be c£100,000 to £114,000 per year plus on-costs, based on the midpoint of existing leadership salary ranges and the implementation of a new leadership structure of one Headteacher and two Deputy Headteachers.
74. Should the changes be progressed, the Published Admission Number at St Monica's Church in Wales Church in Wales Primary School would be considered by the Governing Body of the school, reflecting the capacity of the buildings and the proposed organisation of provision within.

75. The Governing Body of St Monica's Church in Wales Church in Wales Primary School has set a deficit budget for 2023/24 and is expected be in a deficit budget position in future years if funding and staffing levels remain at a similar level. Although the establishment of nursery provision at St Monica's, and potential for increased pupil numbers in other year groups, would have a positive impact on its budget from September 2025 the challenges for smaller schools to balance budgets remain.
76. The Council is engaging with the Church in Wales Diocese and Roman Catholic Archdiocese to explore options for the more efficient organisation of provision including but not limited to federation of schools.

#### Section 1.6 Other General Factors

77. The Council does not expect the proposal to have any negative impact on the quality of standards of education for children from economically deprived backgrounds.
78. The schools would continue to provide support for pupils with Additional Learning Needs as required. There is no information available that suggest that the proposals would have any detrimental effect on what is currently in place.
79. These changes are proposed to:
- support each school to continue to improve education for all of their learners.
  - ensure that each school provision offered meets the diverse needs of the local community.
  - support schools to be financially sustainable, with stable school budgets.
  - support schools to allocate a greater proportion of budget to teaching and learning, thereby retaining and increasing opportunities for learners.
  - increase Welsh-medium primary school places by one Form of Entry (210 primary age pupils).
  - consolidate English-medium primary school places with an appropriate level of surplus.
80. The Council must also take into consideration any detrimental impact that could be caused if the proposals did not proceed. The proposed changes have been brought forward within the context of a sustained fall in the birth rate and changes to migration patterns in the city, the need to better balance capacities of schools with the forecast take up of places to allow for a more effective use of the schools' financial resources with a greater proportion of school budgets available for teaching and learning and national policy commitments.
81. If the proposals were not to proceed, all four schools in this proposal are amongst the smallest primary schools in Cardiff. Small schools can face

greater challenges in balancing their budget and in turn attracting and maintaining high quality staff and leadership.

82. Where there is a higher than necessary number of school places, some resources are having to be utilised inefficiently and could be better used to improve the quality of education for all learners. Combined with this are the difficulties associated with operating a primary school with a high proportion of its places unfilled. Smaller schools, and those with a higher proportion of places unfilled, are most likely to face financial difficulties.

#### Section 1.7 Specific factors in the consideration of school closures

83. The existing number of English-medium primary school places at Albany, Allensbank and Gladstone Primary Schools is sufficient to accommodate the projected demand for places at schools and retains a high margin of surplus to respond to any potential fluctuation or sustained increase in demand, and the high levels of pupil mobility in the area.
84. There is insufficient space on the existing Ysgol Mynydd Bychan site to allow for expansion on-site.
85. The Council has investigated alternative site options that may be available and centrally located within the existing Ysgol Mynydd Bychan catchment area. There is no suitable vacant site available in the area local to the school that could accommodate an enlarged Ysgol Mynydd Bychan.
86. The Council has discounted making no changes to English-medium provision as this would not realise the education or financial benefits to the relevant schools, and it would not allow for a local solution to oversubscription of Ysgol Mynydd Bychan.
87. The Council has in the past made use of the surplus places at Allensbank Primary School for accommodating other Education support officers. The Council has considered whether part of the Allensbank site could again be utilised for other services or provision. However, this would not realise the educational or financial benefits to Allensbank Primary School nor to the other schools. It would not greatly offset the costs of maintaining the existing English-medium provision. It would not allow for a local solution to oversubscription of Ysgol Mynydd Bychan. This option has therefore been discounted.
88. The Council has considered locating Welsh-medium provision on the shared Gladstone Primary School and St. Monica's Church in Wales Primary School site and English-medium provision on the Allensbank site but has discounted this option.
89. The current take-up of places at English-medium provision is widely spread throughout the area, and there are many English-medium schools in the wider areas. The current take-up of places at Welsh-medium provision is concentrated in the northern part of its catchment area, in close proximity to the existing Ysgol Mynydd Bychan site and the

Allensbank site. At present, there are significant travel distances to alternative Welsh-medium provision. There is also a high demand for Welsh-medium places at neighbouring schools to the north of its catchment area, with few surplus places overall.

90. Locating English-medium provision on the shared Gladstone Primary School and St. Monica's Church in Wales Primary School site, and Welsh-medium provision on the Allensbank site provides a more appropriate distribution of places for current and future intakes.
91. The Council has discounted reorganisation of provision on the Albany Primary School site. Albany Primary School is a greater distance from the home addresses of pupils currently enrolled at Ysgol Mynydd Bychan, has a relatively low level of surplus overall of c10% and each of its classrooms is utilised as a class base.
92. Overall, there is sufficient capacity within existing schools serving the area to enable the reorganisation of existing provision. Reorganisation of provision provides an appropriate means of balancing the availability and take up of both English-medium and Welsh-medium provision in the area and represents a more effective and efficient use of resources. Reorganisation would also retain flexibility in the Schools Estate to respond to any future population changes affecting the area.
93. Prior to the publication of the proposals set out at paragraph 1, the Council consulted on three options for the reorganisation of primary school provision to serve the area. These included the option of maintaining the existing English-medium schools and consideration being given to collaboration or formal federation between Allensbank Primary School and Gladstone Primary School.
94. Whilst these options would deliver a range of benefits, the number of benefits realised for learners in English-medium community education under these options would be reduced compared to the published proposals as there would be a less efficient use of the schools' budgets. There would be no lump-sum funding ringfenced to provide support for a period and a greater proportion of the schools' budgets would be required for leadership and management.
95. The proposals retain each of the school sites, and therefore retain flexibility in the Education estate to respond to any future population changes affecting the area.
96. The proposed changes ensure the long-term sustainability of education in the community and ensuring that there are sufficient school places to meet the needs both now and in the future.
97. The schools serve a diverse range of communities and largely reflect their local population. The proposed changes seek to provide an appropriate balance of places whereby each school type is available to all groups and each school is supported to be accessible, and to be seen to be accessible, to all groups.

98. Community integration is a focus of all schools creating an environment to support culture, heritage and the Welsh language. Providing and appropriate balance of places ensures that the curriculum can be delivered and that social, environmental and cultural objectives can be met.
99. The schools offer a range of after school activities for their pupils. The proposed changes provide a range of benefits including greater opportunities to offer a broader range of extra-curricular activities with the schools working to encourage participation.
100. There are no community groups or activities currently being run by outside agencies on the Allensbank Primary School site; this is due to the extensive scaffolding currently in place and ongoing building works. Gladstone Primary School accommodates a Taekwondo Club one day per week for primary age through to adult. Ysgol Mynydd Bychan accommodates an After School Club run by Playworks which runs from 3:05pm – 6:00pm. The school also accommodates a free Welsh-medium playscheme called Bwrlwm for two hours a day during the school holidays.
101. The governing body of the newly establish English-medium primary school would have to decide use of facilities. The overall level of accommodation would remain the same.
102. It is not anticipated that the transfer of Ysgol Mynydd Bychan to the current Allensbank Primary School site would impact the After School Club run by Playworks; the expansion of the school would provide the opportunity for this provision to increase.
103. It is not anticipated that the transfer of Ysgol Mynydd Bychan to the current Allensbank Primary School would impact the free Welsh-medium playscheme called Bwrlwm for two hours a day during the school holidays.

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

104. A child has special educational needs if they have a learning difficulty which requires special educational provision to be made for them. A learning difficulty means that the child has significantly greater difficulty in learning than most children of the same age or that the child has a disability that needs different educational facilities from those that the school generally provides for children.
105. The Additional Learning Needs Code for Wales 2021 (the ALN Code) and regulations came into force on 1 September 2021 to ensure children and young people can access additional support to meet their needs that is properly planned for and protected, with learners at the heart of the process.

106. Children are moving from the special educational needs (SEN) system to the additional learning needs (ALN) system in groups over a 3-year period from September 2021, to ensure enough time for schools and local authorities to discuss the support needed and to prepare plans.
107. Table 2 overleaf shows the percentage of pupils with Additional Learning Needs at each of the schools where changes are proposed in 2022 (PLASC 2022).

<b>School</b>	<b>% of Pupils on School Action*</b>	<b>% of Pupils on School Action Plus*</b>	<b>% of Pupils with a statement of ALN*</b>	<b>% of pupils with an IDP*</b>
Allensbank Primary School	4.1%	5.2%	2.6%	1.6%
Gladstone Primary School	1.7%	0.0%	1.2%	3.5%
St Monica's CW Primary School	0.7%	5.1%	0.7%	0.0%
Ysgol Mynydd Bychan	0.0%	0.0%	1.0%	0.0%

108. There is no information available that suggests that the proposals would have a negative effect on pupils with Additional Learning Needs. There is no proposed reduction to the support available for pupils with Additional Learning Needs.
109. There is a Speech and Language early intervention class hosted by Allensbank Primary School. The Council admits up to 8 Foundation Phase children to this city-wide provision who were not making sufficient progress, but who have good prospects for returning to their local mainstream school.
110. Placements last 1 – 3 years, depending on progress. Pupils are dual registered at their local school and supported to return to that school at the end of the placement. Pupils continue to attend their local school for at least one day a week, to maintain links with local friends and to prepare for a successful early reintegration to their local school.
111. Consideration would be given to the future location of the city-wide Speech & Language class, which could either be located at the site shared by Gladstone and St Monica's or could be located at another school.
112. The proposed expansion of Ysgol Mynydd Bychan to two forms of entry, and transfer to the Allensbank Primary School site could provide the opportunity for consideration to be given to the establishment of specialist resource base provision through the medium of Welsh. Separate proposals would have to be developed for this.

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

113. The proposed changes are subject to the agreement of the St Monica's Church in Wales Primary School Governing Body to transfer St Monica's CiW Primary School to the current Ysgol Mynydd Bychan site and establish nursery provision at the school.
114. The consultation on the proposed changes was carried out in accordance with the requirements of the Welsh Government School Organisation Code (November 2018).
115. The consultation document was sent to those it should have been sent to and pupils at local schools were consulted. The required amount of time (at least 42 days of which at least 20 are school days) was provided to respond to the consultation.
116. The consultation document contained the prescribed information set out in the Code.
117. The timescale and content required have been complied with in relation to the consultation reports.
118. The publication of the statutory notices complied with the requirements of the Code and the notice contained all of the prescribed information.
119. The proposals were published in accordance with the requirements of the Code and contained all of the required information.

### **Objections to the proposal**

120. The Council received five objections to the statutory notice by the closing date.
121. A summary of the objections, presented in italics, and the Council's response to these objections, can be seen below. The objections are attached at Appendix 3 and Appendix 4.

### **Request for a new build school on the site of Companies House**

122. *The Council should consider the option of using the Companies House site as part of the school reorganisation/expansion of Welsh-medium provision in the north of Cardiff.*
123. *The Council continues to pursue the use of outdated building which are difficult and costly to run and maintain as they are not energy efficient which has a serious impact on the school's (Ysgol Mynydd Bychan) budget.*
124. *A new building on the Companies House site would allow Ysgol Mynydd Bychan to have expanded playing areas including grassed*



*areas, which are not available at any of the three school sites (namely Allensbank, Gladstone and Mynydd Bychan). The green external space would be a tremendous asset to the school and stop the need to walk children to Maindy Centre or Cardiff University Talybont site to use their facilities.*

125. *The Council must properly consider the Companies House site as part of these proposals before proceeding any further.*

### **Appraisal of views expressed**

126. The Welsh Government invited all Local Authorities in Wales to submit bids for grant funding its national Welsh-medium Capital Grant scheme in 2018 to support capital investments that facilitate growth in Welsh-medium education and use of the Welsh language. The key criterion for assessing, and if necessary, prioritising projects would be the contribution projects would make to the 2050 target in terms of numbers of Welsh speakers.
127. The Council was successful in securing funds from the Welsh-medium Capital Grant Scheme including £1.86m to reorganise primary school provision in central Cardiff and expand Welsh medium places by one form of entry (210 places).
128. The grant funding programme is aimed specifically at capital projects that will demonstrably contribute to meeting the Welsh Government's aim of reaching one million Welsh speakers by 2050. The funding allocated to the Council is ring-fenced to support expansion in Welsh-medium education provision and would allow for investment in school buildings to support increased intakes.
129. The Council's successful grant bid allowed for refurbishment of existing facilities in the catchment area of Ysgol Mynydd Bychan. The Council did not submit a bid for the acquisition of a site and construction of a school. If a site had been identified and available, the cost of construction would have been significantly higher than the secured grant and of a greater scale than allocations to other Local Authorities. Suitable school sites and buildings were available in the local area to facilitate the organisational change with investment.
130. There is also sufficient capacity within existing schools serving the area to enable the reorganisation of existing provision. Reorganisation of provision would present an appropriate means of balancing the availability and take up of both English-medium and Welsh-medium provision in the area. It would also allow for a more effective and efficient use of resources. This would retain flexibility in the school estate to respond to any future population changes affecting the area.
131. As outlined in the Cabinet Report of 19 October 2023 and during the consultation, the Council has investigated alternative site options in the community, that may be available and centrally located within the existing Ysgol Mynydd Bychan catchment area, including Companies

House. The Council is in regular dialogue with the Government Property Agency regarding Companies House, but the site will only become available once suitable alternative accommodation is found for the existing occupiers of the building. The Council has registered its interest in acquiring the site for alternative education provision, but as yet terms have not been discussed and therefore it cannot be considered as a viable option under these proposals.

132. There is no suitable vacant site currently available in the area local to the school that could accommodate an enlarged Ysgol Mynydd Bychan.
133. The Council will review site opportunities that arise in future that support reorganisation, and these would be accordingly considered against the Council's investment priorities and the relevant priorities and criteria in any investment programme such as the Welsh-medium capital grant and Sustainable Communities for Learning.

### **Appropriateness of Allensbank Primary School building for Ysgol Mynydd Bychan**

134. *'There are concerns around whether the Allensbank Primary School buildings can be adapted and altered to provide equal/similar facilities to those at the existing Ysgol Mynydd Bychan site e.g., external teaching areas with direct links to the classrooms.'*
135. *'The lack of engagement with CADW regarding the potential to make changes to the Allensbank Primary School building does not allow for the full facts to be taken into account.'*
136. *'Information regarding the running and utility costs of the Allensbank Primary School building has not been provided. Ysgol Mynydd Bychan will be in a position of having to maintain surplus places as the school grows but with larger overheads which will impact the school.'*

### **Appraisal of views expressed**

137. There is sufficient outdoor space available at the Allensbank Primary School site to accommodate an expanded Ysgol Mynydd Bychan. The current Ysgol Mynydd Bychan site has c1100m<sup>2</sup> outdoor provision; the Allensbank Primary School site has c2000m<sup>2</sup> outdoor provision with the option of increased outdoor space if any of the existing car park provision of c600m<sup>2</sup> is repurposed.
138. As outlined in the Cabinet Report of 19 October 2023 and during the consultation, any changes to the buildings and external areas utilising the Welsh Government capital grant would be considered at a later design stage. The capital funding allocated is to enable the expansion of Welsh Medium education. The Council would identify and agree priorities for the investment in partnership with the Ysgol Mynydd Bychan Governing Body. This may include adaptations to external teaching areas with direct links to the classrooms if determined to be an investment priority of the Governing Body.

139. The Cabinet report of 19 October 2023 also outlined that each school receives funding for energy usage within its delegated budget. The allocation is based on actual usage from the previous year abated by a notional energy efficiency proportion. The overall energy performance operational rating of Allensbank is 'C', with a score of 75. The overall Energy performance operational rating of Ysgol Mynydd Bychan is 'C', with a score of 65. The typical score for a public building is 100. This typical score gives an operational rating of D. Energy certification information and performance ratings are published online at [Find an energy certificate - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/find-an-energy-certificate).
140. Since the energy performance operational rating of Allensbank was assessed, works to improve the school buildings including repairs to and replacement of rooves and windows are expected to have improved the overall performance. However, the energy usage of a building is dependent on a number of factors which also include how the facilities are operated by its users.
141. The expansion of Ysgol Mynydd Bychan on the Allensbank site would be phased from September 2025, by increasing the admission number for the nursery and Reception year groups only in the first instance. This would mean that the school does not need to use all of its accommodation in 2025/2026 and could allow for parts of the two buildings to be closed to staff and pupils to limit the impact on the school's budget and/ or whilst works are undertaken.
142. The expansion of the school would incur additional staffing and leadership costs for the school which would be met from the school's budget. The budget would increase in line with the greater number of pupils on roll. The Council would support the school to plan and prioritise spending with a dedicated local financial management officer providing advice.
143. The proposed expansion may result in the school operating some smaller classes, or some mixed-aged classes, as the school grows. School admissions preference data indicates that the number of pupils admitted to the school would increase, but the school would have a high level of surplus places for a number of years. Although the school's budget would increase as the number of pupils increases, the cost per pupil would likely be higher for an extended period while the school grows. As growth, and investment, would be phased, the financial impact of changes would be minimised wherever possible.

#### **Appropriateness of Gladstone and St Monica's Primary School buildings for Allensbank pupils**

144. *'The proposals are moving their children to a location that is under construction of repairs, has less space and a lower quality of educational building and instead putting a Welsh medium school in the better quality building which has had extensive work carried out on it'*

## Appraisal of views expressed

145. The works undertaken at both the Allensbank site and the shared Gladstone and St Monica's sites have been necessary works undertaken to repair the fabric of the buildings and to ensure safety of all users. All works underway are due to be complete before the end of the 2023/2024 academic year. This is well in advance of the September 2025 implementation date in the event the proposal is determined to proceed.
146. Each school site has sufficient capacity for a two-form entry school and the key elements required to ensure the provision of effective education for nursery and primary-age learners. The shared Gladstone and St Monica's site benefits from additional buildings on site to potentially support additional offers of provision such as an after-school club or intervention.

## Impact of the expansion of Ysgol Mynydd Bychan on Ysgol Glan Ceubal

147. *'Since its establishment Ysgol Glan Ceubal has grown to be a well-respected successful school however the proposed expansion of Ysgol Mynydd Bychan to 2FE could have a significant impact on the school.'*
148. *'The expansion of Ysgol Mynydd Bychan could result in fewer children taking up places at Ysgol Glan Ceubal with direct financial implication for the school. No reassurances have been given regarding any financial offset for those schools affected e.g., a repeating lump sum.'*
149. *'The Council appears to have committed to a review of catchment areas in order to balance the number of places available with projected demand and progress against the Welsh in Education Strategic Plan, however no details have been provided regarding the timing of the review.'*
150. *'Ysgol Glan Ceubal hosts pupils from the Ysgol Mynydd Bychan catchment area. The natural choice for parents from the Ysgol Mynydd Bychan from 2025 would be to seek a place at the school. The likely impact on pupil numbers at Ysgol Glan Ceubal as a result of this was not quantified in the report considered by Cabinet on 19 October 2023 so could not be fully considered by the decision makers.'*
151. *'Ysgol Glan Ceubal has a relatively small catchment area. The school has relied on a significant number of out of catchment children to make up classes and may therefore be disproportionately impacted by the proposed changes.'*
152. *'What reassurance can Cabinet give that Ysgol Glan Ceubal is a valued school and that any disadvantage linked the expansion of Ysgol Mynydd Bychan (pending conclusion of a catchment area review) is fully understood?'*

153. *'What reassurance can the Cabinet give that Ysgol Glan Ceubal will not suffer a foreseeable, quantifiable and unsustainable reduction in the school's allocated budget arising out of a reduction in the number of pupils attending the school from within the Ysgol Mynydd Bychan catchment area?'*

### **Appraisal of views expressed**

154. As outlined in the Cabinet Report of 19 October 2023 and during the consultation, the proposed changes to increase Welsh-medium provision and to consolidate English-medium provision will affect the take-up of places at other schools.
155. Proposals brought forward must ensure that the growth of schools is sustainable, whilst the potential negative impact on other schools is minimised.
156. The expansion of Ysgol Mynydd Bychan to 2FE would enable an increase in the take up of places at the school.
157. If the proposed changes were to be implemented, it is expected that most of the additional pupils enrolled at Ysgol Mynydd Bychan would be from within its catchment area, and some may be from other areas of the city. This takes account of recent school preference patterns, and the overall fall in the population entering primary education in the next three intakes.
158. An increase in the take up of places at Ysgol Mynydd Bychan by children from within its catchment area would mean that the take up of places in local English-medium schools by children from the area would reduce. An increase in the take up of places at Ysgol Mynydd Bychan from outside its catchment area would mean that the take up of places in other Welsh-medium schools in other parts of the city would likely reduce.
159. Ysgol Mynydd Bychan has been fully subscribed at entry in each of the intakes in the 2018/19 to 2022/23 school years. In each year, there were sufficient places in schools serving neighbouring catchment areas to accommodate those pupils who were unable to gain admissions. However, for children within the catchment area of Ysgol Mynydd Bychan, alternative school places were often significantly further from their home address.
160. In four of the past six intakes, the school has been unable to admit all children within its catchment area who stated a preference for a place in its Reception class. The take up of places by children in the south of catchment area, in parts of Cathays and Roath is low and applicants in this area would have been unable to gain admission. Many applicants resident within the catchment area who live north of Eastern Avenue are also unable to gain admission.
161. For applicants in the south of the Ysgol Mynydd Bychan catchment area, the next nearest schools are significantly further away. The next nearest

schools are Ysgol Glan Ceubal (Llandaff North), Ysgol Glan Morfa (Splott) and Ysgol Y Berllan Deg (Llanedeyrn). For applicants whose home address is north of Eastern Avenue, the next nearest schools are Ysgol Gymraeg Melin Gruffydd, Ysgol Glan Ceubal or Ysgol Y Wern. Each of these is further away, and both Ysgol Gymraeg Melin Gruffydd and Ysgol Y Wern have been fully subscribed in many of their recent intakes.

162. In the intake to primary education in 2023/24, all applicants for admission to Ysgol Mynydd Bychan were offered a place on national offer day. Ysgol Glan Ceubal was fully subscribed on national offer day in 2023. However, the level of surplus places at entry to Reception in north/central Cardiff is at a low level.
163. In the later rounds of admission allocations to Reception year, the total number of vacant places between Ysgol Mynydd Bychan, Ysgol Glan Ceubal, Ysgol Gymraeg Melin Gruffydd and Ysgol Y Wern was three places.
164. Projections indicate that a total population of 88 – 107 pupils resident in the catchment area of Ysgol Glan Ceubal will require places in the period 2024 – 2026. In recent years, the percentage of learners within the catchment area of the school taking up places in Welsh-medium primary schools has varied between 11% and 25%.
165. The catchment area of Ysgol Glan Ceubal is sufficiently sized to support a one form entry Welsh-medium primary school and to allow for a growth in take up consistent with the targets set in Cardiff's approved Welsh in Education Strategic Plan.
166. Changes to catchment areas alone could provide a balance between the number of places available, and the projected demand for places, and would allow for a limited increase in take up across the wider area.
167. However, the projected level of surplus places would not be sufficient to significantly increase Welsh-medium take up in the longer term, in order to meet Cardiff's targeted growth as set out in Cardiff's WESP.
168. Whilst changes to catchment areas could therefore temporarily improve the balance of places, these changes alone would not support long term growth and would not represent a sufficient contribution towards meeting the growth target set in Cardiff's WESP.
169. Over the last ten years the increasing demand for Welsh-medium places in Cardiff was met and driven/supported by expanding the existing Welsh-medium schools. More provision may be needed to accommodate further increases in demand in some areas of Cardiff. The number of children taking up Welsh-medium places would increase further by opening or expanding more Welsh-medium schools.
170. There has been an average growth in the take up of Welsh-medium places of one quarter of a percentage point per year in recent years.

171. If the percentage of pupils entering Welsh-medium Reception classes increases at the same rate between 2021 and 2030, 20% of pupils would enter Welsh-medium Reception classes in September 2030. The target set for Cardiff by the Welsh Government is to deliver growth so that between 25% and 29% of Year 1 learners are educated through the medium of Welsh by 2031.
172. The existing capacity of Welsh-medium primary schools and classes in Cardiff would be sufficient to accommodate up to 21.8% of the pupil population, who are expected to enrol in the 2024/ 2025 school year. However, to achieve the targeted level of growth, annual growth of between 0.75% and 1.15% would be required city-wide.
173. The Council must increase the take up of places throughout the city to meet the set targets. The Council cannot, therefore, rely on accommodating the targeted growth in demand in schools serving neighbouring catchment areas.
174. The Council would continue to support the school to plan and prioritise spending with a dedicated local financial management officer providing advice.

#### **Impact on English-medium primary school staff**

175. *'High quality, efficient and well skilled English-medium primary school staff will lose their jobs. Whilst there will be opportunities as part of the expansion of Ysgol Mynydd, these will not be available to English speaking staff. Staff who don't speak Welsh are therefore being discriminated against.'*
176. *'There will be a significant amount of funding ploughed into this new Welsh school whilst many schools are running at a deficit and...I believe current staff at Gladstone Primary will have to reapply for their current jobs'*
177. *'The Council and Welsh government have not supported the training of educational staff to speak Welsh, yet they are opening up more schools. The development of English medium school staff's level of Welsh should be a priority to support English medium schools to become bilingual allowing for higher quality educational staff in Welsh medium schools.'*
178. *'Staff wellbeing is vital to ensure they are able to meet the needs to the learners and staff shouldn't take up their holiday time to do preparation'*

#### **Appraisal of views expressed**

179. The proposed changes have been brought forward within the context of a sustained fall in the birth rate and changes to migration patterns in the city, the need to better balance capacities of schools with the forecast take up of places to allow for a more effective use of the schools'

financial resources with a greater proportion of school budgets available for teaching and learning and national policy commitments.

180. The Council is mindful of the impact on staff at the schools affected and the Council's HR Service is committed to continuing to work directly with the schools affected, and with trade unions, to ensure staff are supported through the process of change.
181. The staffing structure of schools is directly related to the number of pupils on roll with any decisions taken regarding staffing a matter for the relevant Governing Body taking account of its available financial resources.
182. Where there is a higher than necessary number of school places, some resources are having to be utilised inefficiently and could be better used to improve the quality of education for all learners. Combined with this are the difficulties associated with operating a primary school with a high proportion of its places unfilled. Smaller schools, and those with a higher proportion of places unfilled, are most likely to face financial difficulties.
183. The combined number of pupils enrolling at Allensbank Primary School and Gladstone Primary School has fallen in recent years, coinciding with low intakes to primary education city-wide which are projected to continue until at least 2025/26.
184. The majority of a school budget is allocated to staffing. In a period of reducing pupil intakes to primary schools, and when schools need to identify saving from within their individual budgets in order to address the deficit budget positions, the number of staff employed may reduce whether or not any proposals to reorganise are progressed.
185. A key aspiration for the Council is to achieve any staff reductions as far as possible through redeployment rather than voluntary or compulsory redundancies. Therefore, the Council is committed to maximising opportunities for school staff to secure employment in other schools in Cardiff through redeployment into vacancies in other schools in Cardiff.
186. The proposed formal closure of Allensbank Primary School and Gladstone Primary School, and the establishment of a new two form entry primary school places staff at a potential risk of redundancy which would need to be managed in line with the School Redeployment and Redundancy Policy.
187. The number of teaching and learning roles required for a two-form entry primary school is similar to the amount required for two one form entry primary schools. However, the type and number of roles required would be dependent on the number of pupils on roll and on the school budget position.
188. Where roles are duplicated e.g., Headteacher and Deputy Headteacher positions, and administrative and estates staff, it is expected that there would be a reduction in the number of roles required overall.



189. The establishment of a new school would require the setting up of a temporary Governing Body to oversee the development of an appropriate staffing structure and appointments to this. Appointments to the new school would be ringfenced in the first instance to existing staff at Allensbank Primary School and Gladstone Primary School subject to the agreement of the temporary Governing Body.
190. In the event the proposals are determined to proceed, staff will be recruited well in advance of the implementation and work can begin with preparing the learners and their families for the new school organisation and site. There have been a range of proposals implemented where two schools have closed, and the communities have come together to access a single school effectively. Many of the responses received during the consultation period were positive about an enlarged school community and the opportunities it could bring. There are also Cardiff leaders experience at bringing together two learning communities that are available and willing to support the Headteacher and staff of the new school to ensure the process is successful.
191. Whilst the differences in the populations currently attending the respective schools have been recognised, there is no evidence that changes to how the schools are organised would worsen the education provision the learners receive nor lessen the support to their families.
192. In the context of budget challenges at Allensbank Primary School and Gladstone Primary School, and falling intakes overall, staffing levels at each school would be expected to reduce if the proposals were not implemented.
193. The number of teaching staff and learning support assistants required in a new two form entry school would be similar to that required in two separate one form entry schools.
194. It is expected that most of the experienced and skilled teaching and learning staff would be able to secure positions in the new school if they wish to do so, and therefore would be able to work as part of a larger school community to maximise the individual expertise of each to bring greater advantages and the benefit of all. This would include increasing the scope to plan effectively for the delivery of the Curriculum for Wales and provide scope to increase the range of extra-curricular opportunities able to be offered to learners.
195. In the event of the proposed changes being progressed a project lead officer would be assigned to work with the relevant governing bodies to oversee the development of a detailed investment programme. This programme would include the planned works, transition arrangements, pupil and staff health and wellbeing and the timescales of these workstreams. There is no expectation that staff would have to take their holiday time to facilitate this.

196. It is recognised that any changes to school provision, such as school closure and/ or relocation, could cause additional stress for school staff. As outlined in paragraph 192, falling intakes would also necessitate changes to staffing structure. The Council is mindful of the impact on staff of making planned organisational changes and of the consequences of not making changes.
197. Full support would be offered to employees and Governing Bodies by HR People Services throughout the reorganisation. This would involve attendance at consultation meetings, meetings with school staff, including one to one discussions where appropriate and the circulation of a Frequently Asked Questions document.
198. As part of the Council's health and wellbeing support, employees have access to Care First, which is the employee assistance programme. Care First is designed to help employees with a wide range of work, family and personal issues. The service is free of charge and is available 24 hours a day, 7 days a week, 365 days a year and is accessible by phone or online.
199. In addition to Care First, the council has its own in-house employee counselling service available to employees. Sessions are delivered in groups of 4 – 8 and are voluntary and confidential.
200. The Council's Academy provides courses that employees can access on application and interview skills, planning for future pre-retirement, Equality Awareness and digital skills, which includes Excel, Word and PowerPoint.
201. A significant growth of the workforce able to teach Welsh and through the medium of Welsh is critical in order for Cardiff to succeed in delivering the growth of Welsh speakers through education in our schools and wider learning opportunities.
202. The enhanced expectations to teach and learn using a greater amount of Welsh in English-medium schools will also necessitate upskilling across much of the teaching and learning workforce.
203. The Council is committed to working closely with other Local Authorities in Central South Consortium (CSC) in planning and supporting school staff across all sectors to further improve their Welsh language skills along with Welsh-medium Initial Training Education and Childcare workforce training providers to support an increase of Newly Qualified Teachers, learning support staff and childcare practitioners to help reduce the projected workforce shortage in the future and ensure that collective local WESPs can be implemented effectively.
204. There is a wide range of opportunities for Cardiff's teaching and learning staff to upskill in the Welsh language both in person and online. They include weekly input to learn over time and sabbaticals to accelerate learning for those that feel this would be the best option for them. These

opportunities are communicated to schools through the Central South Consortium and the Directors weekly email to school Headteachers.

205. Details of how the Council proposes to increase the number of teaching/support staff able to teach Welsh (as a subject) and teach through the medium of Welsh are outlined in the adopted Welsh in Education Strategic Plan (WESP) (Outcome 7).
206. A copy of the Welsh in Education Strategic Plan can be viewed at [www.cardiff.gov.uk](http://www.cardiff.gov.uk).

### **Impact of closure on Allensbank Primary School and Gladstone Primary School**

207. *'the option does not best represent the local community and the move will have a detrimental impact on my children'.*
208. *'The closure of Allensbank Primary School will result in a lot of anxiety for vulnerable learners and also for those with additional learning needs. Allensbank Primary School is School of Sanctuary and staff know the importance of a safe place.'*
209. *'As a school, and education system, Allensbank Primary School's key goal is to develop learning however the proposed changes go against the Council's equal opportunities policy.'*
210. *'Moving Allensbank children to a location that is under construction, has less space is disadvantaging them compared to the Welsh medium pupils.'*
211. *'The pupils and staff at Allensbank Primary School have had a lot of upheaval due to ongoing building works on site and it is not right that further disruption will be forced on the school community.'*
212. *'Many of the Allensbank Primary School parents may not 'speak up and stand up' against the proposed changes'.*
213. *'The percentage of children eligible for free school means at Allensbank Primary School is much higher than Ysgol Mynydd Bychan yet these are the children who are being disadvantaged.'*
214. *'Staff will have less knowledge of all of the pupils than they do now in smaller schools. Also, pupils will have less opportunities due to the higher number of pupils.'*

### **Appraisal of views expressed**

215. The proposed changes have been brought forward within the context of a sustained fall in the birth rate and changes to migration patterns in the city, the need to better balance capacities of schools with the forecast take up of places to allow for a more effective use of the schools'

financial resources with a greater proportion of school budgets available for teaching and learning and national policy commitments.

216. The Council values all schools noting that one of the positive aspects of the consultation being the expressions of support from the parents for the schools included in the proposed changes and their appreciation of the standard and quality of education and support provided by each school.
217. Cardiff City of Sanctuary is working to develop Schools of Sanctuary all over Cardiff. The School of Sanctuary Award is recognised as a school that:
- Is a place of welcome for all
  - Educates about why people are forcibly displaced
  - Recognises the UK is enriched by new arrivals.
  - Supports pupils from all backgrounds to feel seen, supported and included.
218. As an approach driven by teachers, school staff, parents, governors and community groups, the Schools of Sanctuary network supports thousands of young people seeking sanctuary in the UK. There is every confidence that the staff and families in both Allensbank and Gladstone are committed to the core principles and practice that are essential to achieving this award and should the proposal proceed to implementation the experience of going through the accreditation process by Allensbank will be an asset when seeking to provide to the wider group of families in a larger school. In the event this reorganisation were to proceed, the new school would work with the awarding body to ensure this approach is embedded for the wider group of learners to the benefit of all of the families.
219. The Council is committed to supporting Cardiff's most vulnerable learners, including children in care, those educated other than at school and children from the most deprived communities and that every child receives a great education through their chosen language medium.
220. Ensuring funding for education is targeted towards learning experiences and opportunities alongside support for families is critical. The Council is investing in schools and must also support each school to continue to improve education for all of their learners.
221. To achieve this, the Council must ensure that there is an appropriate balance in the number and different types of school places serving each area, with a sustainable level of surplus places. Each school provision offered must meet the diverse needs of the communities they serve. The Council must maximise the potential of its teaching and learning staff to ensure best use of their talent, thereby securing the greatest impact on learner opportunities and outcomes for all.
222. The proposed changes provide a more economically sustainable pattern of school provision over the long term and support schools to be financially sustainable in an improved patterns of provision through

amalgamation. This would allow for schools to allocate a greater proportion of budget to teaching and learning, thereby retaining and increasing opportunities for learners, provide an improved balance between the availability and take up of both English-medium and Welsh-medium primary school places and maintain the current number of English-medium school places serving the area.

223. The Council recognises that this is a difficult and unsettling time for all associated with the school communities. The proposed changes if implemented would take effect from September 2025 and the Council would work with the schools to ensure that a detailed transition plan was put in place taking account of the needs of all learners.
224. In 2017 the Welsh Government published its 'Cymraeg 2050: A million Welsh speakers' strategy for the promotion and facilitation of the use of the Welsh language. This sets out the long-term approach to achieving a target of a million Welsh speakers by 2050.
225. Local Authorities are required to publish a Welsh in Education Strategic Plan setting a ten-year target outlining the expected increase in Year 1 children who are taught through the medium of Welsh.
226. Each local authority must set its target in line with the range provided by the Welsh Government in order to contribute toward the overall national target. The target set for Cardiff by the Welsh Government is to deliver growth so that between 25% and 29% of Year 1 learners are educated through the medium of Welsh by 2031.
227. Cardiff's Welsh in Education Strategic Plan (WESP) sets out a series of ambitious commitments to build on the progress achieved to date. These will ensure that:
- every child in the city can receive an education in the language of Welsh, if this is their preference.
  - the number receiving their education in Welsh-medium schools will increase, and
  - all children in English-medium schools will have the opportunity to become confident in speaking Welsh.
228. It is recognised that the works to maintain the fabric of the school building have impacted on the day to day running of Allensbank Primary School however these works have been undertaken as priority condition and suitability works to ensure the health and safety of the school buildings. Similar works are being undertaken at the Gladstone Primary School/St Monica's Church in Wales Primary School site and in the event of the proposed changes being progressed, the children currently attending Allensbank Primary School would benefit from this.
229. Wherever possible, building and refurbishment works that may be more disruptive would be undertaken during the school holidays to minimise any potential impact on teaching and learning.

230. The public consultation was made accessible to all sections of the community with information published in various community languages. The Impact Assessments are being updated to reflect the consultation feedback, to ensure that decision makers have all relevant information to properly consider all equalities implications before deciding whether to progress with any of the proposals.
231. The Council has a robust equalities impact assessment process to ensure that it properly addresses the needs of its diverse communities.
232. Analysis of school census data (PLASC) confirms that, at present, there are significant differences in the demographic data between some of the schools in the area.
233. It is notable that the home addresses of pupils enrolled at Ysgol Mynydd Bychan are clustered around the school sites of Ysgol Mynydd Bychan and Allensbank Primary School. The majority of Allensbank Primary School pupils live within the same area, with home addresses also clustered around the school sites of Ysgol Mynydd Bychan and Allensbank Primary School. However, demographic data for those pupils and for the school overall is very different to that of Ysgol Mynydd Bychan.
234. Demographic data also differs greatly between Ysgol Mynydd Bychan and other English-medium schools serving the area. These datasets include:
- Pupil mobility (how many children transfer into and out of a school)
  - Eligibility of pupils for Free School Meals
  - Home language
  - Acquired level of competency in English or Welsh, and
  - Ethnicity
235. Proposals must consider the disparity in demographic data but must also consider the ability of those applicants who move to the area to equitably access school places in each language medium.
236. The Equality Act 2010 places a duty on public services to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The Council must therefore ensure, when bringing forward proposals and following implementation of proposals, that each of the schools is supported to meet the diverse needs of the communities in which they are located. Proposals must support each school to be able to advance equality of opportunities for all families in the area.
237. The Council's adopted Welsh in Education Strategic Plan 2022-2032 sets specific targets and identifies priority workstreams for the Council and partners such as schools. This includes a research pilot initiative with Bilingual Cardiff, parental surveys, and focus groups to better understand the reasons for the low take-up of Welsh-medium places within specific under-represented groups and communities (including

Black, Asian and Minority Ethnic), alongside bespoke promotions. This work is underway.

238. The proposed changes seek to provide an appropriate balance whereby each school type is available to all groups and each school is supported to be accessible, and to be seen to be accessible, to all groups.
239. The work underway to better understand parental preferences and take up of places in each community, alongside improving visibility of language medium and immersion opportunities available, will directly target decreasing the disparities between demographic data in English-medium and Welsh-medium schools.

### **Pupil projections**

240. *‘The projected fall in pupil numbers is going to have going to have an even greater impact on Welsh medium schools as a larger percentage of parents with children want their children in English medium and not Welsh medium.’*
241. *‘English medium schools allow for access for the pupils from other countries to join communities in Wales. It cannot be expected that people from another culture working to support our country are required to go to a Welsh medium school.’*

### **Appraisal of views expressed**

242. The Council believes that the long-term prosperity of the city relies on firm support for our children and young people to reach their potential.
243. The proposed changes have been brought forward within the context of:
- supporting each school to continue to improve education for all their learners
  - ensuring that each school provision offered meets the diverse needs of the local community
  - supporting schools to be financially sustainable, with stable school budgets
  - supporting schools to allocate a greater proportion of budget to teaching and learning thereby retaining and increasing opportunities for learners
  - increasing Welsh-medium primary school places by one Form of Entry (210 primary age pupils)
  - consolidating English-medium primary school places with an appropriate level of surplus
244. There would be an increase in the number of primary school places available to serve the area overall. There would be no reduction in the number of English-medium primary places. There would still be sufficient places to meet demand with an appropriate level of surplus to allow for fluctuations in the pupil population.

245. Overall, accommodation to allow for an increased number of English-medium and Welsh-medium nursery places would be retained, and the number of places funded would reflect the demand for places in the local area.
246. There would be a minor change in the pattern of distribution of places however given the close proximity of the school sites this would have little or no impact.
247. All community schools in Cardiff are welcoming to pupils of any background, inclusion is key expectation across the city and discrimination is not tolerated. Every family can express a preference for any maintained community school and would be offered placement in accordance with the Council's admissions policy. Should any family whose child that has not attended Welsh-medium education wish to do so they are welcome to apply and would be allocated a place in a school in the language preferred regardless of their home language.
248. If an applicant to a Welsh-medium school in Cardiff is not a fluent Welsh speaker, they would be supported in acquiring the language to enable them to be able to engage with their peers through attending the Council's highly successful Welsh Immersion Unit which is recognised for its nurturing and highly skilled practitioners. Regardless of the language medium of teaching and learning, pupils' academic learning success and their wellbeing is prioritised and met in accordance with their individual needs at every Cardiff School.

### **Decision makers**

249. *Questions need to be asked regarding the diversity of the Council Cabinet who will be making these decisions? Is there anyone/ are there people who understand, like Allensbank Primary School does the needs of families and learners?*

### **Appraisal of views expressed**

250. All Councillors are bound by the statutory Members' Code of Conduct (found within Part 5 the Council's Constitution).
251. The pre-consultation report considered by Cabinet at its meeting on 23rd March 2023, and the consultation document, included a specific section on the 'Diversity of school communities', which highlights the importance of ensuring that the school proposals meet the needs of their diverse communities:
252. The Equality Act 2010 places a duty on public services to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The Council must therefore ensure, when bringing forward proposals and following implementation of proposals, that each of the schools is supported to meet the diverse needs of the communities in which they are located and that each is able to advance equality of opportunities for all families in the area.'



## **Implications for secondary school provision**

253. A proposal to expand and redevelop Cathays High School to meet demand from within its catchment and the wider area was agreed by Cabinet in October 2021 subject to further decisions including the Charity Commission's consent in relation to the Maindy site being held in a charitable trust.
254. Cathays High School presently serves a catchment area comprised of the primary school catchment areas of Albany Primary School, Allensbank Primary School and Gladstone Primary School. This catchment area is less populated than other school catchment areas in Cardiff, some of which extend over a much greater geographical area and have pupil populations which exceed their current or planned capacity.
255. Consultation on changes to English-medium community secondary school catchment areas would therefore be required at the appropriate time, in order to provide a suitable and sustainable balance in the supply of and take up of places.
256. The combined demand for places across the three Welsh-medium high school catchment areas is at a high level and can be accommodated within the existing school capacity.
257. Proposals to respond to changes in demand will be brought forward in good time to ensure that there are sufficient places to meet the demand for Welsh-medium places.

## **Admissions and Catchment areas**

258. Consultation on the 2025/ 2026 admission arrangements for community schools is running from 4 December 2023 until 19 January 2024 in accordance with the requirements of the Admissions Code. This consultation includes proposed changes to Published Admission Numbers in line with the proposed changes set out at paragraph 1.
259. The proposed changes in the Published Admission Numbers include:
- An increase in the Published Admission Number at Ysgol Mynydd Bychan, from 30 places to 60 places
  - The establishment of a new two form entry English-medium primary school with a Published Admission Number of 60 places.
260. Should the Council proceed to implement the proposals as set out at paragraph 1, all pupils in Reception to Year 5 on roll at Allensbank Primary School and Gladstone Primary School at the end of the 2024/2025 school year would be offered the opportunity to transfer to the roll of the proposed new school.

261. A review of community primary school catchment areas would be undertaken to consider the balance the number of places available and the projected demand for places and progress against the WESP targets. Any proposed changes to school catchment areas would be subject to consultation at the appropriate time.
262. Any change to the St Monica's Church in Wales Primary School admission arrangements arising out of the establishment of nursery provision at the school, and the increased accommodation available to the school on its new site, are a matter for determination by the Governing Body of the School.
263. The Governing Body of St Monica's Church in Wales Primary School has commenced consultation on admissions arrangements for the 2025/2026 school year including an increased Published Admission Number of 26 places, subject to the implementation of the proposed changes.
264. Detailed information about admission arrangements is in the Council's Admission to Schools booklet published on the [Council's website](#).

### **Learner Travel Arrangements**

265. There are no plans to change the Council's policy on the transport of children to and from school. Any pupils affected by this proposal would be offered the same support with transport as is provided throughout Cardiff and in line with the same criteria that apply across Cardiff.
266. The Council's transport policy for school children can be viewed on the Council's website ([www.cardiff.gov.uk](http://www.cardiff.gov.uk)).
267. In the event of the proposal being progressed to implementation, all pupils' entitlement to free home to school transport would be re-assessed from the new location.
268. The Council provides free home to school transport for pupils with statements for Additional Learning Needs (ALN) or Individual Development Plans (IDPs) dependent on the shortest available walking distance from their home address to the school/base location nearest appropriate gate.
269. The distance criteria used are that pupils of primary school age need to live two or more miles, and secondary aged pupils three or more miles, from the school via the shortest available walking distance to the nearest appropriate gate.
270. For pupils with Additional Learning Needs the Council also takes into consideration their:
  - cognitive age, and then applies the relevant distance criteria for the cognitive age

- any disabilities that will impact their ability to walk these distances.
271. All pupils distance assessments for entitlement to free home to school transport are undertaken on the basis that the child is accompanied on the route to school as appropriate. It is the responsibility of parents or guardians of a child to arrange for their child to be accompanied along the walking route to school.

### **Impact of the proposals on the Welsh Language**

272. In 2017, the Welsh Government published its Welsh language strategy *Cymraeg 2050: A Million Welsh Speakers* in accordance with Section 78 of the Government of Wales Act 2006. The strategy supports ‘the promotion and facilitation of the use of the Welsh language’. Its long-term aim is for Wales to have one million Welsh speakers by 2050.
273. The strategy names Welsh-medium immersion education as the ‘principal method for ensuring that children can develop their Welsh language skills, and for creating new speakers’ (*Cymraeg 2050: A Million Welsh Speakers*, pg21). Therefore, the availability of Welsh-medium education will be key to meeting the target of one million Welsh speakers.
274. The national target is to:
- *Increase the proportion of each school year group receiving Welsh-medium education from 22 per cent (based on 7,700 seven-year-old learners in 2015/16) to 30 per cent (about 10,500 in each year group) by 2031, and then 40 per cent (about 14,000 in each year group) by 2050.*
275. There is recognition within the strategy that planning will be different for different regions within Wales depending on the characteristics of their populations. It identifies areas with a high population density but lower percentage of Welsh speakers as areas with particular potential for growth.
276. The Council is committed to a ‘truly bilingual Cardiff’ including the growth of the Welsh-medium education sector across each phase in order to increase the number of people of all ages becoming fluent in both Welsh and English with the confidence and desire to use all their languages in every aspect of their lives.
277. Underpinning this vision are the following principles:
- Applying the principles of the ‘15-minute neighbourhoods’ to ensure that all learners have access to Welsh-medium education within a reasonable distance of their homes.
  - Every child in the city can choose to be educated in Welsh or English with the benefits of a bilingual education actively promoted to all parents from their child’s birth.

- Learners with additional learning needs (ALN) will receive equal linguistic opportunity.
278. To achieve this vision the Council will deliver:
- More nursery children/ three-year olds receiving their education through the medium of Welsh.
  - More reception class children/ five-year olds receiving their education through the medium of Welsh.
  - An increase in the provision of Welsh-medium education for pupils with additional learning needs (ALN) in accordance with the duties imposed by the Additional Learning Needs and Education Tribunal (Wales) Act 2018.
279. The Council's Welsh in Education Strategic Plan sets out a series of ambitious commitments to build on the progress achieved to date. The WESP commits the Council to ensuring city wide capacity in the primary Welsh-medium sector at 10% over and above the projected intake at Reception to support growth and allow for in-year admissions and flexibility for transition. This includes the delivery of new Welsh-medium capacity at primary level by 2025 – 2026. It is anticipated that there would be a positive impact on the Welsh Language as a result of these proposals.
280. The proposed changes seek to align with the Bilingual Cardiff Strategy and strongly support the Welsh Government's strategy for the Welsh language by contributing to meeting the targets set out in the Cymraeg 2050 strategy.
281. The proposals directly respond to the following Welsh in Education Strategic Plan Outcomes:
- Outcome 1 – More nursery children/ three-year-olds receive their education through the medium of Welsh.
  - Outcome 2 - More reception class children/ five-year-olds receive their education through the medium of Welsh.
282. The proposals may also secure an opportunity to provide facilities which respond to Outcome 6 - An increase in the provision of Welsh-medium education for pupils with additional learning needs (ALN).
283. Schools serve a diverse range of communities and largely reflect their local population; however, it is acknowledged that the Welsh-medium schools are at present less diverse than English-medium schools. Targets and workstreams within Cardiff's adopted Welsh in Education Strategic Plan seek to address this.

284. The proposals would have a greater impact on the population closer to the schools than on the city as a whole.
285. The Council works closely and constructively with partners on its Welsh Education Forum, which includes representatives of nursery, primary, secondary and further education, childcare, RhAG and the Welsh Government. The Forum actively informs the planning of Welsh-medium places, to continue to drive the Council's plan to sustainably increase the number of learners within Welsh-medium schools and those learning Welsh in English-medium schools.
286. The Council, and its partners on the Welsh Education Forum, are committed to driving the increase in number of pupils educated through the medium of Welsh, to meet the targets within Cardiff's Welsh in Education Strategic Plan, and to meet the targets set out in the Welsh Government's Cymraeg 2050 strategy.
287. The Council monitors birth rates, the yield from proposed housing and the patterns of take-up in Welsh medium provision at primary and secondary age, with a view to bringing forward appropriate plans to meet any increased demand.
288. The Council must ensure that the expansion of school provision is brought forward in a strategic and timely manner, which does not compromise existing provision. Significantly or rapidly expanding Welsh-medium primary school provision would, inevitably, have an impact on the take-up of places in other schools, and in turn on the ability of schools to balance budgets and to attract or retain staff.
289. The Council's aspirations for increasing the number of Welsh speakers, and the Welsh Government's Cymraeg 2050, propose a significant change. Cymraeg 2050 sets national targets of educating 40% of learners in Welsh-medium schools, and a further 30% of learners being educated in English-medium schools being fluent in Welsh. At present, c17% of Cardiff children entering primary education are educated in Welsh-medium schools or classes.
290. This proposal seeks to increase the number of Welsh-medium primary school places available in the area and seeks to implement the change in such a way that the potential for negative impact on existing schools is limited.
291. There is a risk that provision of additional Welsh-medium primary school places may inhibit the growth at other local schools; however, Cardiff's WESP sets out a commitment to develop and implement targeted promotion in conjunction with Bilingual Cardiff to increase take up of Welsh-medium places in areas with low demand.
292. Should the proposal not be implemented the low number of surplus Welsh-medium primary school places in north Cardiff would limit the opportunities for children and young people to attend a local Welsh-medium primary school. In turn, children unable to attend a local Welsh-

medium primary school may therefore enrol at a lower preference English-medium primary school rather than travel a greater distance to a Welsh-medium primary school. This could significantly inhibit the growth of the Welsh language and the Council's progress towards meeting both the WESP and Cymraeg 2050 targets.

### **Wellbeing of Future Generations**

293. In line with the Wellbeing of Future Generations Act, the Council is committed to providing local schools for local children, together with encouraging use of sustainable modes to travel to schools, such as walking and cycling. Each school project takes into account key transport issues when they are being designed and the firm need to provide safer routes to encourage walking, cycling and other active travel modes to schools.
294. With the current investments in ICT across the city, student movements may be further reduced as mobile technology develops further allowing for flexible teaching methods. These have the potential to result in a more efficient Travel Plan and further contribute to the Council's targets to reduce its carbon emissions.

### **Governance arrangements**

295. In the event of the proposed changes being taken forward, the governing bodies of Allensbank Primary School and Gladstone Primary School would be dissolved, and new governance arrangements put in place for the newly established two forms of entry English-medium primary school.
296. A proposal to close two schools, and to establish a new school, would require the establishment of a temporary Governing Body ahead of the opening of the newly opened, larger school.
297. The most important reason for considering the amalgamation of two existing schools, by the establishment of a new school and closure of two existing schools, must be the benefits it would bring for children and young people in the existing schools by enhancing educational provision.
298. There are many clear operational benefits to larger schools, compared to smaller schools. The key governance aspects of establishing a single school, to replace two existing schools, are:
- Following determination of the proposed establishment of a new school, and the determination of the proposed closure of the existing schools, a new temporary governing body would be established. The new governing body would, in time, replace the individual governing bodies and would have responsibility for the strategic oversight and planning of the new school.
  - The existing governing bodies of Allensbank Primary School and Gladstone Primary School would continue to operate, and retain their existing responsibilities, until each school formally closes.

- The new governing body would consider the name of the new school and would have responsibility for the budget and staff of the new school and, through a greater financial base, would have greater stability in its budget.
299. Overall, a larger school has a larger and more financially stable budget and is therefore able to implement a more efficient and effective leadership and staffing structure and exploit economies of scale. A larger school is more able to strengthen the overall education of pupils in the combined communities presently served by the two smaller schools.
300. A larger school also allows for:
- Greater opportunities for staff to share workload and expertise.
  - Greater opportunities to professionally develop staff e.g., Newly Qualified Teachers who can observe their parallel teacher.
  - A greater number of teachers to lead on Areas of Learning, plus Religious Education, Relationships and Sex Education and Digital Competency.
  - The sharing of good practice, preparation materials and resources.

### **Local Member consultation**

301. Local members were consulted during the consultation period, between 3 May 2023 and 30 June 2023.

### **Scrutiny Consideration**

302. The Children & Young People's Scrutiny Committee will consider this report on 15 January 2024. Any comments received will be circulated at the Cabinet meeting.

### **Reason for Recommendations**

303. To balance English-medium and Welsh-medium community primary school provision to serve Cathays and parts of Gabalfa, Heath, Llandaff North and Plasnewydd.

### **Financial Implications**

304. In approving the recommendations in this report, the decision maker needs to be comfortable that the option taken forward is both affordable from a capital implementation perspective but also that there are clear mechanisms in place in regard to formal school closure which provide a cap to financial liability. In addition, the decision maker needs to be assured that the proposals going forward enable each school that will continue has the best chance possible to be financially viable. Further information is set out below.
305. The correct principles of the school funding formula is that each individual school's budget is predominantly predicated on the basis of pupil numbers and that fixed sums are given for each school on a

consistent basis. This includes potential reduction in the formula funding lump sum if schools were combined, alongside staffing efficiencies, particularly in relation to leadership roles. These efficiencies would remain within delegated schools' funding and should (by default) be redistributed to the benefit of all Primary Schools. There is also provision within the formula for transitional funding for new schools.

306. The report references increased number of pupils at Ysgol Mynydd Bychan will increase the budget in order to allow all additional costs to be covered. Any increase in the formula for an individual school will be relative to the pupil number of changes in each Cardiff primary School rather than looking at the increase in Ysgol Mynydd Bychan in isolation. In addition, individual increases in school budgets will be subject to the level of increase in overall delegated school budgets which at this time cannot guarantee that overall school budgets will increase at a rate that covers all cost inflation / demand pressures.
307. As stated previously, the formula is predicated primarily on pupils who attend the school as opposed to the numbers available. In approving the recommendations, the decision maker needs assurance that the number of pupil spaces available for each of these schools will be filled in order to provide assurance on financial sustainability going forward.
308. It is noted that St Monica's school is recommended to continue at an admission number of 20 pupils per age group. Without some very close working with the Governing Body, the proposal is at risk of delivering a financially non-viable school going forward. Consideration needs to be given as to the actions required to ensure that that the recommendation if taken will deliver a financially viable school.
309. Any schools' deficit balances that occur due to closure need to have very clear parameters in place and mitigations that ensure the financial liability is manageable and predictable. A key variable in the level of deficit achieved is the approach in respect to school redundancies which will need be managed in a manner which will keep the number of exits to an unavoidable minimum. This level of deficit (including cost of redundancies) will need to be funded from reserves or balances to be identified from within Education (the SOP Programme).
310. Any capital costs arising through these options will need to be identified and prioritised within the respective part of the Capital Programme or any grants that are available. It should also be noted that any maintenance or repairs to buildings with less than a year's expected operation must be treated as revenue expenditure and will need to be funded through the SOP Revenue Reserve.
311. The decision maker should have assurance on the overall affordability of any projects or schemes taken forward and should also consider the impact on sustainability of other schools within the localities identified, including pupil numbers and financial risks.



312. Specific VAT advice will need to be sought in relation to land swap and works in relation to Diocese/ trust owned land. This will include clear valuations of both sites and establish a clear mechanism to show that any land swap does not benefit one party over another.

### **Legal Implications**

313. Under the Education Act 1996, the council has a general statutory obligation to promote high standards of education and to provide sufficient school places for pupils of compulsory school age. Parents have the right to express a preference for the school they wish their child to attend under section 86 of the School Standards and Framework Act 1998. This does not provide a right to attend a certain school, as applications can still be refused for admission where this would prejudice the provision of efficient education or the efficient use of resources.

### **Council Proposals**

314. The school organisation proposals set out in the report must be considered having regard to the provisions of the School Standards and Organisation (Wales) Act 2013 ('the Act') and the School Organisation Code 2018 ('the Code'). The Code sets out the factors which should be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.
315. The statutory procedures involve a public consultation, publication of a consultation report, statutory notice and a 28-day objection period, prior to determination of the proposals. The previous reports to Cabinet on these proposals are referred to in the body of the report. In 19 October 2023, Cabinet considered the consultation report and resolved to proceed with the proposals and authorised publication of the statutory notice, with the required 28-day objection period (which ended on 7 December 2023).
316. The content of the statutory notice, manner of publication and persons to be notified are prescribed in the Code. Under section 49 of the Act, when objections have been received, the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objections Report") on its website and make this available to the interested parties listed in the Code. The Cabinet report constitutes the Objections Report.
317. The Council must decide whether or not to implement its proposals within 16 weeks from the end of the objection period (under section 53 of the 2013 Act). If the Council fails to determine the proposals within the 16-week period, it is taken to have withdrawn the proposals. When determining its proposals, the Council must be satisfied that the statutory consultation has been conducted and the proposals published in accordance with the Code; and it must conscientiously consider the Objections Report and the responses to the notice supporting the proposals, having regard to the relevant factors set out in the Code.

318. The decision on whether or not to proceed with the proposals must be set out, with reasons having regard to the factors set out in the Code, and issued in the form of a decision letter, published on the Council's website and notified to the Welsh Ministers, the school governing body and all interested parties listed in the Code.
319. If the proposals are taken forward, the admission numbers and catchment areas, will be determined, following consultation, in accordance with the School Admission Code and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.

#### St Monica's Church in Wales Primary School, Governing Body Proposals

320. The governing body of a voluntary school may make proposals to make regulated alterations to its school, subject to compliance with the School Standards and Organisation Wales Act 2013 (the SSOW Act) and the School Organisation Code 2018 (the Code), which sets out factors to be considered in respect of different proposals, the statutory procedures, legal requirements and guidance.
321. The governing body is required, prior to publishing its proposals, to undertake a consultation on those proposals in accordance with section 48 of the SSOW Act and the Code, and to issue a consultation report, responding to issues raised by the consultation, and may then proceed to publish its statutory proposals. As no objections have been received during the statutory objection period (28 days following publication of the proposals), the governing body may determine its proposals (under section 53 of the 2013 Act) within 16 weeks of the end of the objection period. Where a proposer fails to determine its proposal within the period of 16 weeks it is taken to have withdrawn the proposal and it is required to republish the proposals if it wishes to proceed. Legal Services is instructed that the governing body intends to determine its proposals at its next meeting, scheduled to be held on 11 January 2024.
322. The establishment of a temporary governing body ahead of the opening of a newly opened, larger school, would need to be compliant with the Government of Maintained Schools (Wales) Regulations (2005)
323. As noted by the body of the report, five objections have been received during the statutory objection period and remain unwithdrawn.
324. The referral to the Council must be made within 35 days of the objection period and must include copies of the consultation document, the consultation report, the published notice, the objections and the objections report.
325. Under the Council's constitution, Part 3, the approval of school organisation proposals under section 51 of the SSOW Act is the responsibility of the Cabinet. Under section 51, the Cabinet must either approve, reject or approve with modifications, the proposals.

326. The Councils decision in respect of the proposals must be issued by a formal decision letter, including reasons, within 16 weeks from the end of the objection period; published on the schools and the Councils website and notice of the decision must be issued to all parties, as listed in the Code. The decision may be challenged by referral to the Welsh Ministers within 28 days from the date of the decision.
327. If proposals are approved, they should be implemented by the school in accordance with the date given in the statutory notice, or any subsequent modified date.

### General Legal Implications

328. In considering the matter, the Cabinet must have particular regard to:
- a. All relevant factors, as specified in the Code and set out in the body of the report.
  - b. Views expressed and responses set out in the consultation report and the objections report.
  - c. The Council's public sector equality duties under the Equality Act 2010 (including specifically Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected Characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy or maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. An Equalities Impact Assessment should be carried out to assess the equalities implications of the proposals and due regard should be given to the outcomes of the Equalities Impact Assessment.
  - d. The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its decision upon the Welsh Language.
  - e. The wellbeing of Future Generations (Wales) Act 2015, which requires the Council to consider how the proposed decision will contribute towards meeting its wellbeing objectives (set out in the Corporate Plan). Members must also be satisfied that the proposed decision comp with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.

### Land and property Implications

329. The proposals in this report effect existing school sites, which with the exception of St Monica's (which is held by the Diocesan Board of finance); are sites held by the Council. Initial advice has been provided to

the service area as to title matters affecting these premises and it is recommended that further updated advice is sought prior to committing to any works contracts arising from this report. It is anticipated that in connection with any disposal, transfer, or shared use of school sites agreement will need to be reached between the Council and the Diocese, and where applicable, comply with requirements under s.76 and schedule 22 of the School Standards and framework act 1998 as amended by School Standards and Organisation (Wales) Act 2013.

### Legal Procurement Implications

330. For any legal implications with regards any previous Cabinet Reports, please see those reports.
331. The report seeks to delegate approval of the procurement and award (amongst other things) to the Director of Education in consultation with others. Further legal advice should be sought with regards any procurement and associated documents as well as any associated matter or contracts before proceeding. Any specific legal implications will be set out in the relevant delegated report.

### HR Implications

#### School Closures

332. In the period leading up to the proposed school closures, the Council would work with the Headteachers and Governing Bodies to ensure that staff continue to be supported and motivated during what may be a potentially difficult situation. Full consultation with staff and trade unions would need to begin immediately following the outcome of this report. School closures place school staff at a potential risk of redundancy, and this would need to be managed in line with the School Redeployment and Redundancy Policy.

#### New School

333. The creation of a new school which is established as a result of the agreed proposals presents opportunities for recruitment and redeployment. Under the Staffing of Maintained Schools (Wales) Regulations 2006 the Temporary Governing Body of a new school is responsible for the appointment of staff. The Council will recommend that the new temporary governing body operates a ring-fenced recruitment process to those staff affected by the school closures.
334. The first matter which the Temporary Governing Body must consider is the new school's leadership arrangements and the structure of the staff within the school. Timely creation of the Temporary Governing Body is crucial to this. The Staffing of Maintained Schools (Wales) Regulations 2006, as amended, allow for ring fenced recruitment to Headteacher and Deputy Headteacher posts in school reorganisation situations. Whilst this is a matter for the Temporary Governing Body to determine, as is usual in these circumstances the Council would advise the Temporary

Governing Body to advertise nationally for both Headteacher and Deputy Headteacher positions and to put in place a robust recruitment process to appoint high quality leadership. HR People Services would work with the Temporary Governing Body to support the recruitment process. If the new school is to open in September 2025, it is recommended that a recruitment process is progressed as early as February 2024.

### Redeployment

335. A key aspiration for the Council is to achieve staff reductions as far as possible through redeployment rather than voluntary or compulsory redundancies. Therefore, the Council is committed to maximising opportunities for school staff to secure employment in other schools in Cardiff through redeployment into vacancies in other schools in Cardiff.
336. Full support would be offered to the school staff and Governing Bodies by HR People Services throughout the reorganisation. This would involve attendance at consultation meetings, meetings with school staff where appropriate and the circulation of a Frequently Asked Questions document.

### Traffic and Transport Implications

337. The Council committed to ensuring that every school in Cardiff had an Active Travel Plan by 2022. Such plans identify actions by the school to support and encourage active travel to school and identify any improvements to on-site and off-site infrastructure required to facilitate active journeys. The Council's Active Travel Plans officers have been working with schools to develop these and all four schools have Active Travel Plans in place for their current sites.
338. All new (including reorganised) schools need to have a plan in place from the outset of their operation and the four Cathays primaries have their Active Travel Plans and policies for their current arrangements.
339. The Active Travel Plans officers will continue to work with the schools in the review and further development of their current Active Travel Plans as appropriate to suit any change in circumstances. They can support with engagement on the Active Travel Plans as part of an implementation of a proposed expansion of places and any changes in location of school cohorts to alternative sites.
340. Following a reorganisation of the schools, the Council will monitor conditions outside the schools post-completion to see if any further measures such as parking restrictions are required. The scope for introducing parking restrictions will be investigated and put in place where appropriate as a low-cost measure to help discourage short distance car travel, make the environment outside each school safer and more conducive to walking, scooting and cycling and maximise active travel to school.

341. The Council's Road Safety Team already provides a programme of cycle and pedestrian training to further encourage take up of active travel to school. This support will continue as part of the ongoing engagement and support that will be provided by the Council's Schools Active Travel Team on Active Travel Plan development and delivery.
342. The construction of the new Cycleway 1.2 along Cathays Terrace, Whitchurch Road and Allensbank Road provides a new cycling facility directly linking to the current sites of Allensbank Primary School, Gladstone Primary School and St Monica's Church in Wales Primary School.
343. Where it is identified that some pupils will be eligible for school transport due to their additional learning needs (e.g., for SRB pupils), the facilities for drop-off and pick-up of pupils will be reviewed to identify any necessary improvements.

### **Property Implications**

344. The St Monica's Church in Wales Primary School site extends to circa 0.35 acres and is a faith school owned by the Diocese of Llandaff. The main building on the site is Grade II listed and extends to circa 747m<sup>2</sup> GIA (Gross Internal Area).
345. The Ysgol Mynydd Bychan site extends to circa 0.50 acres and is owned by the Council. The main building is not listed and extends to circa 1,078 m<sup>2</sup> GIA.
346. Independent valuations of the Diocese's legal interest in St Monica's Church in Wales Primary School and the Council's legal interest in Ysgol Mynydd Bychan have been commissioned from an RICS accredited valuer and are attached as Appendix 5 and Appendix 6 respectively. The Diocese has also separately commissioned their own independent valuation advice.
347. The Diocese has agreed to the Council imposing a legal covenant in the transfer of the Ysgol Mynydd Bychan site and buildings which would restrict the use of the property in perpetuity to education purposes thus ensuring that the school site to be transferred from Council to Diocese, and vice versa, are of equal value. This would prevent any redevelopment of the site for an alternative use which might be more valuable without the permission of the Council.
348. Strategic Estates will continue to assist Education in agreeing the terms of the transfer of the St Monica's Church in Wales Primary School to the Ysgol Mynydd Bychan site.

## **Impact Assessments**

349. An initial Single Impact Assessment was carried out prior to consultation. This included an Equality Impact Assessment, Child's Rights Impact Assessment and Welsh Language Impact Assessment. The assessment was updated as part of the post consultation analysis and has subsequently been reviewed. The assessment is attached at Appendix 7.

## **RECOMMENDATIONS**

The Cabinet is recommended to:

1. Note the proposals of the Governing Body of St Monica's Church in Wales Primary School to transfer St Monica's Church in Wales Primary School to the current Ysgol Mynydd Bychan site and establish nursery provision at the school, from September 2025, which are subject to determination by the Governing Body on 11 January 2024.
2. Subject to the determination of the Governing Body of St Monica's Church in Wales Primary School to implement the proposals referred to in recommendation 1, to proceed to:
  - (i) Approve the proposals in respect of Allensbank Primary School, Gladstone Primary School and Ysgol Mynydd Bychan as set out in paragraph 1 of this report, without modification.
  - (ii) Authorise officers to take the appropriate actions to implement the proposals as set out in paragraph 1.
  - (iii) Authorise officers to publish the decision within 7 days of determination of the proposals.
  - (iv) Delegate authority to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts) and the approval of all ancillary documentation related to any property matters arising from this report.

<b>SENIOR RESPONSIBLE OFFICER</b>	<b>Melanie Godfrey</b> Director for Education and Lifelong Learning
	12 January 2024

*The following appendices are attached:*

Appendix 1 - Cabinet Report (19 October 2023)

Appendix 2 – Statutory notice

Appendix 3 – Objections of representative organisations

Appendix 4 – Other objections (Redacted to remove Exempt Information)

Appendix 4A – Other objections (Exempt from publication)

Appendix 5 - St Monica's Church in Wales Primary School independent valuation report (Redacted to remove Exempt Information)

Appendix 5A - St Monica's Church in Wales Primary School independent valuation report (Exempt from publication)

Appendix 6 – Ysgol Mynydd Bychan independent valuation report (Redacted to remove Exempt Information)

Appendix 6A – Ysgol Mynydd Bychan independent valuation report (Exempt from publication)

Appendix 7– Single Impact Assessment