

# Public Document Pack

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(Tel: 07738 263933 Email: [afzalm@caerphilly.gov.uk](mailto:afzalm@caerphilly.gov.uk))

**Date: 19th January 2022**

Dear Sir/Madam,

A digital meeting of the **Cabinet** will be held via Microsoft Teams on **Wednesday, 26th January, 2022** at **10.30 am** to consider the matters contained in the following agenda. You are welcome to use Welsh at the meeting, a minimum notice period of 3 working days is required should you wish to do so.

This meeting will be recorded and made available to view via the Council's website, except for discussions involving confidential or exempt items. Therefore the images/audio of those individuals present and/or speaking at Cabinet will be publicly available to all via the recording on the Council website at [www.caerphilly.gov.uk](http://www.caerphilly.gov.uk)

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Christina Harrhy'.

**Christina Harrhy**  
CHIEF EXECUTIVE

## AGENDA

	Pages	
1	To receive apologies for absence.	
2	Declarations of Interest.	

Councillors and Officers are reminded of their personal responsibility to declare any personal and/or prejudicial interest(s) in respect of any item of business on the agenda in accordance with the Local Government Act 2000, the Council's Constitution and the Code of Conduct for both Councillors and Officers.

**A greener place Man gwyrdach**



To approve and sign the following minutes: -

- 3 Cabinet held on 12th January 2022. 1 - 4

To note the Cabinet Forward Work Programme.

- 4 Cabinet Forward Work Programme. 5 - 8

To receive and consider the following reports on which executive decisions are required: -

- 5 21st Century School and Colleges Band B Programme - Community Engagement Report: Centre for Vulnerable Learners (Pupil Referral Unit). 9 - 34

- 6 21st Century Schools and Colleges Band B Programme - Community Engagement Report: Plasyfelin Primary School. 35 - 64

- 7 21st Century Schools and Colleges Band B Programme - Consultation Report: Llancaeath Junior School/LLanfabon Infants School. 65 - 96

- 8 21st Century Schools and Colleges Band B Programme Update - Ysgol Gymraeg Cwm Gwyddon. 97 - 100

- 9 Approved Mental Health Professionals (AMHP) Recruitment In The South East Wales Emergency Duty Team (SEWEDT). 101 - 108

- 10 Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021. 109 - 114

**Circulation:**

Councillors S. Cook, N. George, C.J. Gordon, P.A. Marsden, J. Pritchard, Mrs E. Stenner, A. Whitcombe and R. Whiting

And Appropriate Officers

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# Agenda Item 3



## CABINET

### MINUTES OF THE REMOTE MEETING HELD VIA MICROSOFT TEAMS ON WEDNESDAY, 12<sup>TH</sup> JANUARY 2022 AT 10:30AM

#### PRESENT:

Councillor P. Marsden (Leader) - Chair

#### Councillors:

S. Cook (Social Care and Housing), N. George (Waste, Public Protection and Street Scene), C. Gordon (Corporate Services), J. Pritchard (Infrastructure and Property), Mrs E. Stenner (Performance, Economy and Enterprise), A. Whitcombe (Sustainability, Planning and Fleet), and R. Whiting (Learning and Leisure).

#### Together with:

C. Harry (Chief Executive), R. Edmunds (Corporate Director, Education and Corporate Services), and M.S. Williams (Corporate Director – Economy and Environment).

#### Also in Attendance:

R. Tranter (Head of Legal Services and Monitoring Officer), R. Kyte (Head of Regeneration and Planning Communities), M. Lloyd (Head of Infrastructure), C. Campbell (Transportation Engineering Manager), D. Lucas (Team Leader, Strategic Planning Division), M. Harris (Committee Services Support Officer/Chauffer), M. Afzal (Committee Services Officer) and E. Sullivan (Senior Committees Services Officer).

## RECORDING AND VOTING ARRANGEMENTS

The Leader reminded those present that the meeting was being filmed but would not be live streamed, however a recording would be available following the meeting via the Council's website – [Click Here To View](#). She advised that decisions would be made by Microsoft Forms.

### 1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from S. Harris (Head of Finance and Section 151 Officer) and D. Street (Corporate Director for Social Services and Housing).

### 2. DECLARATIONS OF INTEREST.

There were no declarations of interest received.

### 3. CABINET - 8<sup>th</sup> DECEMBER 2021

RESOLVED that the minutes of the meeting held on 8 December 2021 were approved as a correct record.

#### **4. CABINET FORWARD WORK PROGRAMME**

Cabinet were provided with the Cabinet Forward Work Programme, which detailed the scheduled reports until the 9th of February 2022. Members were reminded that the Cabinet Forward Work Programme is a working document and therefore subject to change.

Following consideration and discussion, it was moved and seconded that the Forward Work Programme be noted. By a show of hands this was unanimously agreed.

RESOLVED that the Cabinet Forward Work Programme be noted.

#### **5. DRAFT NEWBRIDGE TO RISCA CORRIDOR (LOWER EBBW AND SIRHOWY VALLEYS) MASTERPLAN**

Consideration was given to the report which sought Cabinet approval for the Draft Newbridge to Risca Corridor (Lower Ebbw and Sirhowy Valleys) Masterplan and to approve the six-week public consultation exercise in respect of the plan between 19th January and 2nd March 2022.

Cabinet were advised that the wider Cardiff Capital Region was in a period of transformative change and the need for a strategy to coordinate regeneration initiatives and capitalise on funding streams was urgent in order to maximise the potential benefits. The signing of the City Deal and the Cardiff Capital Region Investment Fund signalled an unprecedented investment of £1.2 billion to support the region's economic growth.

Cabinet noted that in terms of the Newbridge to Risca Corridor the existing employment base and strong tourist economy were the foundation that presented opportunities for economic growth and renewal and when allied to additional funding streams could promote the area as a major employment, tourism and recreation area. The Masterplan sought to integrate that base and sets out a development strategy and framework for delivering outcomes and form the basis for bids from funding streams, for projects in the area.

Cabinet were given a brief overview of the consultation process to date and how it would now be taken forward. The Officer confirmed that full use would be made of the Council's social media platforms and website with the Communication Team supporting the consultation process throughout. Cabinet noted that the consultation would also include the display of posters in local shops and libraries, with libraries having paper copies of the Masterplan available for public viewing. Overall, they would be looking to engage the public through traditional and digital means. Cabinet were pleased to note that traditional methods would also be utilised as part of the consultation process, as this would be particularly important for residents without digital access.

Cabinet noted that there was likely to be a slight delay regarding the translation of the document into Welsh, which meant that the consultation process may commence with just the English version but Cabinet were assured that it would only be a matter of days until the Welsh version was available.

Cabinet placed on record their thanks to everyone for their hard work and involvement in the development of the Masterplan, including those who had attended the consultation sessions. Cabinet welcomed the plan which was hoped would be an extremely 'positive' or even 'historic document' for the area. The Leader expressed her pride in the Masterplan document and welcomed it as a vital component in securing economic growth and renewal in the area and encouraged the public to get involved and take full part in the consultation process.

Following consideration and discussion an additional recommendation was moved and seconded at 3.3 of the report to read; 'that a further report be bought back to Council following the completion of the consultation exercise' and by way of electronic voting and verbal confirmation this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report: -

1. The Draft Masterplan be endorsed to allow public consultation to take place.
2. The Draft Masterplan be subject to a six-week public consultation between 19 January and 2 March 2022.
3. A further report be bought back to Council following the completion of the consultation exercise.

## **6. ACTIVE TRAVEL NETWORK MAP**

Consideration was given to the report which highlighted the responses from the public consultation on the Active Travel Network Map and also sought Cabinet approval for the Draft Active Travel Network Map. Cabinet Members thanked Officers and the wider team for bringing the report forward.

Cabinet noted the background to the consultation process and a summary of the responses was provided. It was stated that the initial phase had seen a significant response rate, but the response rate had dipped at stages two and three. The Cabinet Member confirmed that the final report had taken on board all the comments from the consultation. The Cabinet Member thanked everyone for taking part in the consultation exercise, including the nine schools which had provided 113 responses.

Cabinet were asked to note the steps that had been taken to publicise the consultation. These included an email campaign to over 110 different groups, community hubs, adjourning local authorities, Elected Members and Town and Community Councillors along with social media, digital flyers and posters. The Cabinet Member confirmed that 216km of new routes were included and although not all routes might be compliant, potential routes will be developed before funding bids are submitted to Welsh Government for delivery, he added that he would be happy to work with local ward members on potential new schemes as and when funding from Welsh Government becomes available.

The Transportation Engineering Manager advised Cabinet that although areas had been subject to Welsh Government restrictions, that hadn't restricted their ambitions for the active travel plan and that they had actually extended the scope from 112 in the current adopted INM to 400 in the proposed ATNM.

Cabinet particularly welcomed input received from Learners into the Active Travel Plan, who had been very keen to be involved in the process and as one of the most environmentally conscious generations, Cabinet acknowledged the importance of their involvement.

Following consideration and discussion it was moved and seconded that the recommendations in the report be approved. By way of electronic voting and verbal confirmation this was unanimously agreed.

RESOLVED that for the reasons contained in the Officer's report the results of the consultation on the draft Active Travel Network Map be noted and the Active Travel Network Map be formally approved.

The meeting closed at 10:50am.

Approved and signed as a correct record subject to any corrections made at the meeting held on 26<sup>th</sup> January 2022.

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CHAIR

19/01/2022 10:30	Draft Budget Proposals for 2022/23	To present Cabinet with details of draft budget proposals for the 2022/23 financial year to allow for a period of consultation prior to final decision by Council on the 24th February 2022.	Harris, Stephen R;	Cllr. Stenner, Eluned;
26/01/2022 10:30	21st Century Schools – Band B - Phase 2: Consultation Report / Statutory Notice	For Members to consider the contents of 21st Century Schools consultation report prior to determination to proceed to Statutory Notice by Cabinet in December 2021.	West, Andrea; Richards, Sue;	Cllr. Whiting, Ross;
26/01/2022 10:30	21st Century Schools and Colleges Band B programme – Ysgol Gymraeg Cwm Gwyddon	To consider an allocation of additional funding in respect of the 21st Century Schools and Colleges Band B new build Ysgol Gymraeg Cwm Gwyddon.	Richards, Sue; West, Andrea;	Cllr. Whiting, Ross;
26/01/2022 10:30	Approved Mental Health Professional market supplement	To seek approval to pay the market supplement for Approved Mental Health Social Workers in the Emergency Duty Team (EDT), this has been supported by the Partnership Board of the 5 Local authorities and is an extension to the previously agreed market supplement for social workers in the daytime.	Street, Dave;	Cllr. Cook, Shayne;
26/01/2022 10:30	Animal Welfare (Licensing of activities involving animals) (Wales) Regulations 2021	To seek cabinet approval to establish delegated authority for officers under the new Animal Welfare (Licensing of activities involving animals) (Wales) Regulations 2021.	Morgan, Jacqui;	Cllr. George, Nigel;
09/02/2022 10:00	HRA Charges (rent increase) report	Members to agree the level of rent increase for council tenants effective from April 2022.	Allen, Lesley;	Cllr. Cook, Shayne;
09/02/2022 10:30	Report from Task and Finish Group on Non-Residential Care Charges	This report outlines the findings and recommendations of the task and finish group established to review charges for non-residential care set by Caerphilly County Borough Council.	Jacques, Mark;	Cllr. Cook, Shayne;

Cabinet Forward Work Programme as at 19th January 2022

09/02/2022 10:30	Pedestrian and Cycle Zones (School Streets)	To update Cabinet on the effectiveness and outcomes of the experimental pedestrian and cycle zone traffic regulation orders implemented outside three primary schools within the borough.	Lloyd, Marcus;	Cllr. Pritchard, James;
09/02/2022 10:30	Wyllie bends	To review highway improvement options for the B4251 Ynysddu to Wylie	Lloyd, Marcus;	Cllr. Pritchard, James;
23/02/2022 10:30	Oakdale Housing Development	For Cabinet to agree in principle the development of the site of the former Oakdale Comprehensive School by Caerphilly Homes.	Roberts-Waite, Jane;	Cllr. Cook, Shayne;
23/02/2022 10:30	Ty Darren site in Risca	For Cabinet to consider and agree in principle the proposed development of the former Ty Darren site in Risca, by Caerphilly Homes.	Roberts-Waite, Jane;	Cllr. Cook, Shayne;
23/02/2022 10:30	Welsh Government Lease Scheme Proposal	To discuss the WG lease scheme proposal in comparison to Caerphilly Keys and to seek a decision on which scheme we take forward for PRS option to assist in the discharge of statutory Homeless Duties	Denman, Kerry;	Cllr. Cook, Shayne;
23/02/2022 10:30	Budget Proposals for 2022/23	To present Cabinet with details of draft budget proposals for the 2022/23 financial year to allow for a period of consultation prior to final decision by Council on the 24th February 2022.	Harris, Stephen R;	Cllr. Stenner, Eluned;
09/03/2022 10:30	Gender Pay Gap	For CMT and Cabinet to agree the Gender Pay Gap report which has to be published by 31st March	Donovan, Lynne;	Cllr. Gordon, Colin J;
09/03/2022 10:30	Corporate Performance Assessments (CPA's/DPA's)	To provide Cabinet with information and detailed analysis of performance for the period 01/04/21 to 31/12/21 and forms part of the Council's self-assessment activity.	Richards, Sue; Roberts, Ros;	Cllr. Stenner, Eluned;

Cabinet Forward Work Programme as at 19th January 2022

09/03/2022 10:30	Annual Report Against the Strategic Equality Plan 2020-2021	For Cabinet to consider and approve the Strategic Equality Plan Annual Report 2020-2021 prior to publication on the Council's website.	Cullinane, Anwen;	Cllr. Stenner, Eluned;
09/03/2022 10:30	Welsh Language Strategy 2022-2027	For Cabinet to consider and approve the draft Five Year Promotional Strategy prior to the publication on the Council's website.	Cullinane, Anwen;	Cllr. Stenner, Eluned;
09/03/2022 10:30	Community Learning and Support Hub at Rhymney Library	To seek Cabinet approval for 'in principle' match funding for an application to the Welsh Government to support the creation of a community learning and support hub at Rhymney Town Library.	Edmunds, Richard (Ed);	Cllr. Whiting, Ross;
23/03/2022 10:30	EAS Business Plan	The EAS is required to submit an annual overarching regional Business Plan on an annual basis. This report asks for members to consider the full contents of the draft EAS Business Plan as part of the regional consultation process.	Cole, Keri;	Cllr. Whiting, Ross;

<p>23/03/2022 10:30</p>	<p>HRA Business Plan</p>	<p>To update Cabinet on the latest Housing Business Plan position in advance of submitting the plan to Welsh Government by 31/3/22, which is a requirement under the terms of the Major Repairs Allowance (MRA) grant. The Housing Business Plan is a 30 year plan and will include rental increase assumptions and forecasted borrowing requirements to enable the HRA to maintain viability while meeting its core objectives.</p>	<p>Allen, Lesley;</p>	<p>Cllr. Cook, Shayne;</p>
<p>23/03/2022 10:30</p>	<p>Regeneration Project Board - Project Proposals</p>	<p>To consider recommendations from the Regeneration Project Board in respect of the allocation of Development Funds to Strategic Regeneration Proposals that align with the Council's Regeneration Strategy; and the allocation of Licence to Innovate Funding to proposals that align with the Council's Commercial and Investment Strategy.</p>	<p>Kyte, Rhian;</p>	<p>Cllr. Stenner, Eluned;</p>
<p>23/03/2022 10:30</p>	<p>Coal Tips Inspection and Maintenance Update.</p>	<p>To provide an update on the current coal tip condition status and inspection regimes that are in place for coal tips located within Caerphilly County Borough.</p>	<p>Lloyd, Marcus;</p>	<p>Cllr. Pritchard, James;</p>
<p>23/03/2022 10:30</p>	<p>Corporate Complaints - 6 month update</p>	<p>Cabinet to review the complaints dealt with under the Corporate Complaints policy for the period 1st April 21 to 30th September 2021 together with outcomes and lessons learned.</p>	<p>Lane, Lisa;</p>	<p>Cllr. Stenner, Eluned;</p>
<p>23/03/2022 10:30</p>	<p>Housing Support Strategy</p>	<p>The Housing Support Programme Strategy is being developed to outline the strategic direction of the local authority for housing related support services. This single strategic view demonstrates our plan and approach to homelessness prevention and housing support services.</p>	<p>Williams, Jo;</p>	<p>Cllr. Cook, Shayne;</p>



## **CABINET - 26<sup>TH</sup> JANUARY 2022**

**SUBJECT: 21<sup>ST</sup> CENTURY SCHOOLS AND COLLEGES BAND B PROGRAMME - COMMUNITY ENGAGEMENT REPORT: CENTRE FOR VULNERABLE LEARNERS (PUPIL REFERRAL UNIT)**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to update Members on the 21<sup>st</sup> Century Schools and Colleges Band B proposal in respect of the establishment of a new Centre for Vulnerable Learners (Pupil Referral Unit) on the former Pontllanfraith Comprehensive School site.
- 1.2 Members are asked to consider the information contained in the Community Engagement Report and approve the recommendations to proceed to Planning Application stage and Full Business Case submission to Welsh Government.

### **2. SUMMARY**

- 2.1 Pupil Referral Units are exempt from the consultation processes outlined in line School Organisation Code 2018 and the School Standards and Organisation (Wales) Act 2013. However, engagement with the school as well as the wider community was undertaken throughout the process in line with the Authority's Consultation and Engagement framework to enable transparent and open decision making.
- 2.2 The 21<sup>st</sup> Century Schools Band B proposal for the establishment of a new Centre for Vulnerable Learners (Pupil Referral Unit) in Pontllanfraith went to formal consultation between the 20<sup>th</sup> October 2021 and the 1<sup>st</sup> December 2021.
- 2.3 A Community Engagement Report has been compiled and attached as an annex to this report. The Community Engagement Report summarises each of the issues raised by consultees. Any themes that have emerged through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons.

2.4 Members approval is being sought in relation to progression to Planning Application stage and Full Business Case submission to Welsh Government.

### **3. RECOMMENDATIONS**

3.1 Cabinet Members are asked to: -

- a) Note the contents in this report
- b) Consider the information contained in the Community Engagement Report
- c) Approve the recommendation to proceed to Planning Application Stage
- d) Approve the recommendation to proceed to Full Business Case submission to Welsh Government

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To ensure Members are updated on the progress of Phase 2 of the 21<sup>st</sup> Century Schools and Colleges Capital Band B programme

4.2 To seek Members approval on the recommendations to proceed to Planning Application Stage.

4.3 To seek Members approval to proceed to Full Business Case submission to Welsh Government for final review and approval by Welsh Government's Business Case Scrutiny Group and Programme Investment Panel

### **5. THE REPORT**

#### **5.1 Band B**

5.1.1 The key aims of the 21st Century Schools and Colleges Band B investment programme, outlined by Welsh Government, is to:

- Reduce the number of poor condition schools.
- Ensure that we have the right size schools in the right location, providing enough places to deliver Welsh and English medium education.
- Ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community.

#### **5.2 Band B Phase 2**

5.2.1 The schemes identified as part of Phase 2 of the Band B programme include the adaption and refurbishment of the old grammar school building on the former Pontllanfraith High School site to accommodate a Centre for Vulnerable Learners (Pupil Referral Unit), the amalgamation of Llancaeath Junior and Llanfabon Infants school via the expansion of the existing Llanfabon Infants site to accommodate 275 pupils plus nursery, and a new build replacement Plas-y-felin Primary school in the grounds of the existing school site to accommodate 420 pupils plus nursery.

#### **Phase 2 - Centre for Vulnerable Learners**

- 5.3.1 The proposal is to adapt and refurbish the old grammar school building on the former Pontllanfraith High School site and develop bespoke sporting provision and facilities for pupils which will also be available for the wider community outside of school hours.
- 5.3.2 For the purposes of reporting to Welsh Government, the Centre for Vulnerable Learners will be referred to in all correspondence to Welsh Government and supporting documentation as a Pupil Referral Unit.
- 5.3.3 Pupil Referral Units are exempt from the consultation processes outlined in line School Organisation Code 2018 and the School Standards and Organisation (Wales) Act 2013.
- 5.3.4 Further to Cabinet approval gained on the 13<sup>th</sup> October 2021, formal consultation for the proposal was carried out between 20<sup>th</sup> October 2021 and 1<sup>st</sup> December 2021.
- 5.3.5 A prescribed list of recipients, mirroring those outlined in the School Organisation Code 2018 were written to and a consultation document was published in both hardcopy and electronically via the Authority's website based. Reasonable access to information was promoted from an Equalities perspective and other formats were available on request, including a child friendly version and video.
- 5.3.6 The consultation period ran for 42 days (with at least 20 of these being school days) to provide adequate time for response and conscientious consideration has been given to any responses received.
- 5.3.7 Members of the Education Scrutiny Committee who met on the 2<sup>nd</sup> November 2021 in their capacity as a consultee under the School Organisation Code 2018, endorsed the proposal, voting 13 For, 0 Against and 0 Abstentions.
- 5.3.8 There were 20 responses received in respect of the proposal to establish a Centre for Vulnerable Learners (Pupil Referral Unit) on the former Pontllanfraith Comprehensive site. In addition, a number of pupils across a multiple EOTAS settings engaged in the consultation process through 'learner voice' sessions which have been reported on separately. All responses are broken down into more detail in the Community Engagement Report.
- 5.3.9 A Community Engagement Report has been compiled and has been attached as an annex to this report. The Community Engagement Report summarises each of the issues raised by consultees. Any emerging themes that have been raised through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons.
- 5.3.10 Estyn was advised of the publication of the Consultation Document, however advised that "unfortunately as the current legislations and consultation process as prescribed by the School Organisation Code 2018 does not apply to PRU's, it is not appropriate for us to respond to this particular consultation".
- 5.3.11 The Community Engagement Report will be published electronically on the 21<sup>st</sup> Century Schools pages on the Council's website. Consultees who have indicated in their consultation response that they wish to be notified will be advised by letter or email of the availability of the Community Engagement Report along with the key stakeholders as identified from the School Organisation Code 2018.

## 5.4 Conclusion

Whilst this proposal is exempt from the requirements of the School Organisation Code 2018, a consultation exercise was undertaken and has now concluded in relation to this proposal. This report has been compiled along with the Community Engagement Report to provide members with the necessary information to make an informed decision as to whether to progress the proposal to the next stage which would entail permission to progress to planning application stage and submission of a full business case to Welsh Government.

## 6. ASSUMPTIONS

- 6.1 No assumptions have been made in relation to this report as it merely updates on the progress of individual projects.

## 7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An initial Integrated Impact Assessment (IIA) for this proposal was undertaken alongside the original Consultation Document forming part of the outline consultation pack which is published on the Council's website.
- 7.2 The Integrated Impact Assessment has been reviewed to include any additional elements highlighted through the statutory consultation process. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

### Original

<https://www.caerphilly.gov.uk/CaerphillyDocs/IIA/centre-for-vulnerable-learners-sep2021>

### Updated

<http://www.caerphilly.gov.uk/CaerphillyDocs/IIA/CCBC-Integrated-Impact-Assessment-CVL-Updated-2-12>

## 8. FINANCIAL IMPLICATIONS

- 8.1 Phase 2 of the 21st Century Schools and Colleges Band B programme, currently totals £18,500,000. The Authority's contribution within this sum is £5,925,000 as detailed below.

Project Name:	LA Contribution	WG contribution	Total Funding
Centre for Vulnerable Learners	£1,375,000 (25%)	£4,125,000	£5,500,000
Llancaeath/Llanfabon	£1,400,000 (35%)	£2,600,000	£4,000,000
Plasyfelin Primary	£3,150,000 (35%)	£5,850,000	£9,000,000

- 8.2 The Authority's contribution will be met from the remaining funding of £1.209m previously earmarked for 21<sup>st</sup> Century Schools and through the recently approved earmarking of a further sum of £4.716m from the Authority's Place-Shaping Reserve.

8.3 The Welsh Government Grant allocation for individual projects within the 21st Century Schools Band B programme is calculated consistently across Wales using the Building Bulletin regulations BB98 - Secondary, BB99 – Primary and BB104 – Special/Pupil Referral Units. There are a number different elements which have been included in the calculations provided for each of the Phase 2 proposals, which include:

- Proposed standard price per square metre
- Furniture fitting and equipment per pupil
- ICT per pupil

8.4 Largely due to a combination of the impact of Covid-19 and Brexit there are currently significant inflationary increases within the construction sector. This is being kept under close review but the current projected costs for the 21<sup>st</sup> Century Schools Programme will be subject to change. Members will be updated further as matters progress.

## **9. PERSONNEL IMPLICATIONS**

9.1 This will be dependent on specific proposals and will be considered as part of the consultation process.

## **10. CONSULTATIONS**

10.1 The draft report was distributed as detailed below. All comments received have been reflected in this version of the report.

### **10.2 SCRUTINY COMMITTEE COMMENTS**

#### **Education Scrutiny Committee 10<sup>th</sup> January 2022 Comments Agenda Item 10 – 21st Century Schools and Colleges Band B Programme - Community Engagement Report: Centre for Vulnerable Learners (Pupil Referral Unit)**

This report was presented to the Education Scrutiny Committee on Monday 10<sup>th</sup> January 2022.

One Member asked if the cost of currently sending vulnerable learners out-of-County would be addressed if this proposal is accepted. The Lead for Inclusion and ALN advised that some children with complex needs would still require residential provision, but she outlined how the proposed expansion would help to meet requirement from our own resources in most cases rather than relying on procured provision.

One Member asked about the number of pupils at the Glan-Y-Nant Learning Centre. Officers advised that there was a total of 42 pupils.

Following consideration of the report it was moved and seconded that the recommendations be approved. By way of Microsoft Forms Voting this was unanimously agreed, in noting there were 13 votes for, no votes against and no abstentions.

## 11. STATUTORY POWER

- 11.1 School Organisation Code 2018 (Welsh Government)  
School Standards & Organisation (Wales) Act 2013

Author: Andrea West, 21<sup>st</sup> Century Schools Manager

Consultees: Christina Harrhy, Chief Executive  
Richard Edmunds, Corporate Director of Education and Corporate Services  
Dave Street, Corporate Director, Social Services  
Mark S Williams, Corporate Director for Economy and Environment  
Councillor Ross Whiting, Cabinet Member, Education and Achievement  
Councillor Teresa Parry, Chair of Education Scrutiny Committee  
Councillor Carol Andrews, Vice Chair of Education Scrutiny Committee  
Steve Harris, Head of Financial Services and S151 Officer  
Keri Cole, Chief Education Officer  
Sue Richards, Head of Transformation  
Sarah Ellis, Lead for Inclusion & ALN  
Sarah Mutch, Early Years Manager  
Paul Warren, Strategic Lead for School Improvement  
Jane Southcombe, Financial Services Manager  
Lynne Donovan, Head of People Services  
Anwen Cullinane, Senior Policy Officer, Equalities, Welsh Language & Consultation)  
Rob Tranter, Head of Legal Service and Monitoring Officer  
Ros Roberts, Business Improvement Officer  
Mark Williams, Interim Head of Property Services  
Steve Pugh, Corporate Communications Manager

Background Papers:

Appendix 1 Community Engagement Report - Centre for Vulnerable Learners (Pupil Referral Unit)

# 21st Century Schools Community Engagement Report

**CENTRE FOR VULNERABLE LEARNERS (PUPIL REFERRAL UNIT), PONTLLANFRAITH**  
Consultation Summary

Proposal :

- **The establishment of a Centre for Vulnerable Learners (Pupil Referral Unit) on the former Pontllanfraith Comprehensive site**



This Community Engagement Report is published to support open and transparent decision making and provide a summary of the findings from the Consultation period: 20<sup>th</sup> October 2021 – 1<sup>st</sup> December 2021

Information can also be made available in other formats, languages and in hard copy on request. Please contact us on 01443 864817 to arrange this.





**Richard Edmunds**

Corporate Director for  
Education and Corporate  
Services

# FOREWORD

*“Working together to deliver the best outcomes for all our children”*

Caerphilly County Borough Council has embarked upon an exciting but challenging journey of improvement and change. We have bold ambitions to provide every learner with the best life chances and we are committed to doing this through the provision of high quality teaching, learning and leadership across our school settings as part of our ‘Shared Ambitions’ Strategy.

We have focused on improving young people’s outcomes and this is still a priority area moving forward incorporating a holistic view of education. The Council has adopted ‘Improving education opportunities for all’ as the first of its Wellbeing Objectives and has committed to an ambitious 21st Century Schools investment programme.

In collaboration with Welsh Government, the 21<sup>st</sup> Century Schools and Colleges Band B Programme is supporting investment in education within the County Borough. Our aspiration is the improvement of the condition of school buildings and maximising community usage.

Our current proposals support our commitment to increase school effectiveness and to narrow inequalities in achievement across groups; to understand the needs of more vulnerable children; promote the Welsh Language, and support those unable to access traditional learning pathways to ensure that all will benefit from the richness of learning and cultural opportunities. These principles help steer our decision making and prioritise projects.

As part of this proposal a consultation exercise has been carried out.

This Community Engagement Report has been produced to summarise the emerging themes raised by consultees during the consultation period including Estyn’s feedback. It aims to provide a balanced, transparent document to support Cabinet in deciding whether to progress with the proposal, make changes or not to progress.

I hope you find this document informative as a reflection of the activities undertaken to date and an insight into the journey we are on, shaping delivery and placing learning provision at the heart of our communities.

# TABLE OF CONTENTS

<b>Introduction</b> <ul style="list-style-type: none"> <li>➤ Purpose of the Community Engagement Report</li> <li>➤ What is the 21<sup>st</sup> Century Schools and Colleges Programme?</li> </ul>	<div style="background-color: red; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a>
<b>Statutory Obligations</b> <ul style="list-style-type: none"> <li>➤ School Organisation Code 2018 exemption</li> <li>➤ Local and National Strategies</li> </ul>	<div style="background-color: orange; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a>
<b>Proposal</b> <ul style="list-style-type: none"> <li>➤ What are we proposing to do?</li> <li>➤ What is driving this proposal?</li> <li>➤ Options Appraisal</li> <li>➤ Benefits and Disbenefits</li> </ul>	<div style="background-color: yellow; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a>
<b>The Consultation Process</b> <ul style="list-style-type: none"> <li>➤ Consultation Process</li> <li>➤ Implications of COVID19</li> <li>➤ Stakeholder Engagement</li> <li>➤ Consultation Information</li> <li>➤ Response Methods</li> </ul>	<div style="background-color: lightgreen; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a>
<b>Consultation Responses</b> <ul style="list-style-type: none"> <li>➤ Consultation Responses</li> <li>➤ Education Scrutiny Response</li> <li>➤ Estyn's Response (statement)</li> </ul>	<div style="background-color: cyan; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a>
<b>Learner Voice</b> <ul style="list-style-type: none"> <li>➤ School Council / Pupil Engagement</li> </ul>	<div style="background-color: darkblue; height: 15px; width: 100%;"></div> <a href="#">Page</a>
<b>Next Steps</b> <ul style="list-style-type: none"> <li>➤ Consultation Clarification</li> <li>➤ Reasonable Alternatives Identified</li> <li>➤ Recommendation</li> <li>➤ Decision Making</li> <li>➤ Reporting, Notification and Publishing of Information</li> </ul>	<div style="background-color: purple; height: 15px; width: 100%;"></div> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a> <a href="#">Page</a>
<b>Supporting Information</b> <ul style="list-style-type: none"> <li>➤ Annex 1: Consultation Key Document Links</li> </ul>	<div style="background-color: black; height: 15px; width: 100%;"></div> <a href="#">Page</a>



## INTRODUCTION

### Purpose of the Community Engagement Report

The consultation period represented an opportunity for people to learn about the proposal, ask questions and make comments. Any negative responses made during the consultation period were not counted as objections to the proposal but as adverse comments.

Objections to a proposal can only be registered after the publication of a statutory notice.

This Community Engagement Report outlines the processes followed and comments received during the consultation period, ultimately, providing Cabinet with the necessary information to take one of the following decisions:

- Proceed with the proposal
- Make changes to the proposal
- Not to proceed with the proposal

This document is publicly available via the Council’s website with hardcopies made available on request.

### What is the 21<sup>st</sup> Century Schools and Colleges Programme?

The 21<sup>st</sup> Century Schools and Colleges programme is a major, long-term, strategic capital investment programme. It is jointly funded by the Welsh Government and local authorities and aims to create a generation of 21<sup>st</sup> century schools in Wales.

The first part of the programme (Band A) ran from 2014 to March 2019.

Caerphilly has benefited greatly from investments in the initial “Band A” 21<sup>st</sup> Century Schools programme with approximately £56.5 million invested in schools for both educational and community use.

Table 1: Band A funding in Caerphilly was used to deliver

	Project Name	Band A Investment
 <p data-bbox="119 1787 363 1809">Image of Islwyn High School</p>	✓ Islwyn High School	£22.6m
	✓ Ysgol Gymraeg Cwm Rhymni, Y Gwyndy Campus	£19.2m
	✓ Idris Davies School 3-18	£8m
	✓ Newbridge School extension	£2.6m
	✓ Blackwood Comprehensive improvements	£2m
	✓ Blackwood Comprehensive 3G pitch	£865k
	✓ Trinity Fields School improvements	£1.3m

Educational transformation remains a vital outcome of our investment in Band B of the Programme. The second part of this funding (Band B) started in April 2019, with the priority areas being:

- Reduce the number of poor condition schools
- Ensure that we have the right size schools in the right location
- Provide enough places to deliver Welsh and English medium education
- Ensure the effective and efficient use of the educational estate

Further information is available on the [21<sup>st</sup> Century Schools webpages](#)

## STATUTORY OBLIGATIONS

### **School Organisation Code 2018**

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The Code imposes requirements in accordance with which relevant bodies including local authorities must act when bringing forward proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school.

Unlike other 21<sup>st</sup> Century Schools proposals which have been undertaken to date, this legislation does not apply to pupil referral units and as such the consultation process prescribed by the School Organisation Code 2018 does not apply in this instance

For the purposes of progressing this proposal and to enable transparent, balanced and open decision making, a consultation process was undertaken to reflect the principles of the Council's Consultation and Engagement Framework 2020-2025. Utilising the "Spectrum of Engagement" approach, an appropriate level of engagement in informing and consulting stakeholders was undertaken between the 20<sup>th</sup> October 2021 and the 1<sup>st</sup> December 2021, mirroring the equivalent 42 day processes outlined in Section 3 of the School Organisation Code 2018.

As such, there is no requirement to produce a Consultation Report as prescribed by the Code. This Community Engagement Report is designed to be a summary document only.

## Local and National Strategies



"Priorities for the coming year are to renew and reform, putting learners' progression and wellbeing at the heart of everything we do."

*Jeremy Miles MS  
Minister for Education and Welsh Language*

There are a number of local and national strategies that drive Educational reform and underline the rationale for the proposals being considered as part of the 21<sup>st</sup> Century Schools and Colleges Band B programme in Caerphilly.

- [Welsh Language Act 1993 / Welsh Language \(Wales\) measure 2011](#)
- [Additional Learning Needs and Educational Tribunal \(Wales\) Act 2017](#)
- [The Childcare Act 2006 \(Local Authority Assessment\) \(Wales\) Regulations 2016](#)
- [Well-being of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government - Education in Wales: Our National Mission](#)
- [Welsh Government - Cymraeg 2050: Welsh Language Strategy Action Plan 2019- 2021](#)
- [Welsh Government - 21<sup>st</sup> Century Schools and Colleges Programme](#)
- [Caerphilly - 'Shared Ambitions' Education Attainment Strategy 2019 - 2022](#)
- [Caerphilly - #Team Caerphilly: Better Together Transformation Strategy](#)
- [Caerphilly - Welsh Education Strategic Plan](#)
- [Caerphilly - Welsh Language Strategy 2017-2022](#)
- [Caerphilly - Corporate Plan \(including Wellbeing Objectives 2018-2023\)](#)
- [Caerphilly – Education Other Than At School \(EOTAS\) Strategy 2020](#)
- [Caerphilly - Strategic Equality Plan 2020-2024](#)
- [Caerphilly - Communication and Engagement Strategy 2019-2022](#)

As Wales embarks on a renewed vision of success for all learners, we can reflect on our rich heritage and proud history for promoting access to education in Caerphilly. Our transformational reforms are taking place within a challenging environment. This includes the uncertainties associated with Brexit, the technological transformation and the divergence in the qualification systems across the home nations. These are all challenges and opportunities for the Council.



## PROPOSAL

### What are we proposing to do?

We are proposing to:

- **Create a Pupil Referral Unit for vulnerable pupils on the former Pontllanfraith Comprehensive site (NP12 2DA) with an anticipated completion date of September 2023.**
- The proposed centre of excellence will support vulnerable learners from across Caerphilly at Key Stage 3/4, sitting at the center of the Council's Education Other Than At School (EOTAS) Strategy and the [Cwmpawd hub and spoke model](#)
- The new facility will accommodate between 80 - 120 pupils and be equipped with high quality learning opportunities, indoor and outdoor sporting provision as well as access to first class support and will enable community use of the facilities outside of school hours

### What is driving this proposal?

Schools in Wales need to be in good condition and suitable for the delivery of education. In some cases, schools can be modernised, repaired, refurbished, extended, or partially rebuilt to meet the standards needed for contemporary teaching and learning. However, some existing schools are no longer in the right place and in such cases we might propose new schools or changes to existing schools.

Caerphilly County Borough Council aspires to continue to raise school standards and improve the quality of the learning environment to create fit-for-purpose 21<sup>st</sup> century schools and give every child in Caerphilly the best possible start in life.

### Options Appraisal

There are common challenges faced by all Local Authorities when adopting new proposals. The vast majority of Council policies are delivered through projects and programmes of various forms. It is therefore vital that projects are delivered successfully in order to realise their intended benefits for citizens.

An options appraisal provides the opportunity to help councils make an informed and evidence based decision on how to deliver services. It does this by considering the relative advantages and disadvantages of a number of different delivery model options (including the current way in which the service is delivered).

The methodology helps decision makers to consider the:

- Desirability - the degree to which each option meets the strategic objectives and priorities of stakeholders
- Viability - the degree to which each option is financially viable and sustainable
- Feasibility - the degree to which each option can be implemented

As part of outlining the current proposal, an options appraisal was undertaken.

The options appraisal stage allowed for a number of different delivery model options to be explored and evaluated against a set of agreed criteria, leading to the selection of the preferred option.

The following options were considered and scored: -

<b>Table 2: Options Appraisal Longlist</b>	
<b>Option 1*</b>	<b>Do Nothing :</b> No additional EOTAS provision.
<b>Option 2</b>	<b>Do Minimum:</b> Bring existing grammar school (former Pontllanfraith Comp site) building back into use with new heating system and internal decoration
<b>Option 3</b>	<b>Do Intermediate:</b> Full Remodeling of Grammar School and car parking
<b>Option 4</b>	<b>Do Major:</b> Full Remodeling of Grammar School including sports facilities on the lower level, car parking and community facilities
<b>Option 5</b>	<b>Do Maximum</b> Brand New building on Pontllanfraith site including sporting and community facilities

\*Please note, Option 1 is considered the status quo option and is always included in the shortlist as a benchmark for value for money.

Each option was evaluated against the investment objectives outlined in the Consultation Document and the extent to which it met the Critical Success Factors. This stage was an important part of the process, to raise important questions at an early stage and assist in developing proposals.

This resulted in options either being discounted, carried forward for further consideration in the short list with an eventual option identified as a preferred way forward. It is the option identified as the preferred way forward upon which the consultation exercise was based as all other options have been discounted at this point.

The process utilised was outlined in detail in the Consultation Document and resulted in

**Option 4** being identified as the preferred option, namely, a **Full Remodeling of Grammar School including sports facilities on the lower level, car parking and community facilities**

### **Benefits and Disbenefits**

There are common challenges faced by all Local Authorities when adopting new proposals. The vast majority of Council policies are delivered through projects and programmes of various forms. It is therefore vital that projects are delivered successfully in order to realise their intended benefits for citizens.

Evidence shows that the best way to ensure successful delivery is by setting up projects correctly in the first place. The most common causes of failure, among others are a lack of clear objectives, insufficient resources and over-ambitious cost and schedule that impact on the level and amount of benefit that can be realised and can be avoided if tackled in a project's early stages.

As part of the development of the proposal, a number of benefits and disbenefits were identified as outlined in the Consultation Document. The consultation process was an opportunity to consult with relevant stakeholders to understand what they see as positive outcomes and what negative consequences may be delivered.

The Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities. An Integrated Impact Assessment was carried out to initiate discussion and invite comments as to whether the principles for the proposal are supported.

All comments have been recorded and Cabinet members will be provided with copies of all the responses received within the consultation period and in their original format as part of the decision making process.



## THE CONSULTATION PROCESS

### Consultation Process

The Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities.

Through [TeamCaerphilly - Better Together](#), the Council is committed to ensuring high quality, citizen focused services for the communities that comprise our county borough. In future-proofing public services, we recognise the need to ensure effective engagement which is central to our decision making - [Read more about our approach to Consultation and Engagement here](#)

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The Code imposes requirements in accordance with which relevant bodies including local authorities must act when bringing forward proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school.

Pupil Referral Units are exempt from the code. However, for the purposes of progressing this proposal and to enable transparent, balanced and open decision making, a consultation process was undertaken, reflecting the principles of the Council's Consultation and Engagement Framework 2020-2025. Utilising the "Spectrum of Engagement" approach, an appropriate level of engagement in informing and consulting stakeholders will be undertaken, mirroring the equivalent processes outlined in Section 3 of the School Organisation Code 2018 only.

### Implications of COVID19

Due to the implications of COVID-19 place and after taking advice from Welsh Government, this consultation process refrained from undertaking any face-to-face consultation sessions to support social distancing and maintain safe working practices for all. However, a number of alternative methods were utilised for engagement including use of social media, face-time technology and the creation of a 'Frequently Asked Questions' Document.

## Stakeholder Engagement

We advised the following of our proposals by letter or email:

<b>Table 3: Consultee List</b>	
Pupils and Pupil Councils*	Welsh Ministers
Parents, prospective parents, guardians and carers*	Assembly Members and Members of Parliament representing the area served *
Headteacher, Staff and Governing bodies*	Local CCBC Members
Directors of Education for Neighbouring Authorities	Local Town and Community Councils
Teaching and Support Staff Associations	Estyn
Parent Network	Welsh Education Forum
Diocesan Directors / Boards of Education	South East Wales Consortium (EAS)
Gwent and South Wales Police and Crime Commissioners	South East Wales Transport Alliance (SEWTA)
Early Years Development and Childcare Partnership	Mudiad Meithrin, Menter Iaith and voluntary nursery providers

*\*of schools directly or likely to be affected by the proposal only*

The Council's Social media channels were also utilised. Messages relating to the consultation were released in phases throughout the consultation period to maintain public awareness and provide as far a 'social media reach' as possible.

Social media reach is a media analytics metric that refers to the number of users who have come across a particular content on a social platform such as Facebook, YouTube or Twitter.

### Consultation Information

As part of this proposal, the following documentation was produced:

- Consultation Notification Letter
- Consultation Document
- Consultation Response Form (Online)
- Consultation Response Form (Printable PDF)
- Integrated Impact Assessment

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request, however, no such requests were received as part of this process.

Hardcopies of the documentation were issued to the schools directly affected by the proposal including the child friendly summary for discussion with the pupils.

## **Response Methods**

As outlined in the Consultation Document, anyone wishing to comment in relation to the proposal could do so in writing by:

- Completing the online response form on the Council's website
- Completing a response pro forma and posting it to the 21<sup>st</sup> Century School Team at Caerphilly
- Emailing comments to the 21<sup>st</sup> Century Schools Team at Caerphilly

Whilst the nature of the provision proposed means that Pupils receiving EOTAS provision are currently not on this site, working with professionals in the field, pupils across a number of EOTAS establishments in the Borough were also give the opportunity to engage in the process through focused 'Pupil Voice' sessions.

This consultation was undertaken to capture the views of consultees in relation to the proposal. These views have been incorporated into this document, which will be published and considered by Cabinet when determining whether to proceed to the Planning Application stage.

A separate Planning Application Process will be undertaken in respect of this proposal. The separate statutory processes were outlined in the consultation document and any adverse comments received as part of this process have been recorded as such.

## **CONSULTATION RESPONSES**

### **Consultation Responses**

Overall a total of 20 responses were received during the consultation process.

*Please note:* The figure above and the data reported on for Questions 1 to 7 do not include the responses received by Estyn or captured as part of any pupil engagement sessions. These are outlined in more detail later in this document.

Of the prescribed methods for providing a response during the consultation period:

- 17 responses received via Online Survey
- 3 responses received via email
- 0 responses received via post
- Pupil Voice Sessions at multiple EOTAS settings

0 responses (0%) were returned in the medium of Welsh.

The 21<sup>st</sup> Century Schools Team received no requests for the documentation to be provided in any other format or language.

### QUESTION 1

The consultees were asked to identify a category that best described them in relation to the proposal for the school affected. The options provided were selected to identified key demographic groups for reporting purposes to Cabinet. These included, Pupil, Parent, Staff Member, School Governor, Elected Member, Local Resident, Group and Other.

Of those who responded, the following categories were selected:



15% Parents	45% Local Resident	40% Other
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For those selecting 'other', the opportunity was given to elaborate further as they felt appropriate, of the 8 respondents who selected this option, responses included a "resident of Glanynant", a "parent of a child that would have benefitted from this", and a "Teacher at a Behaviour Unit".

### QUESTION 2

As part of the consultation process, consultees were asked to provide basic contact information, including their name, address and email. This psychographic data was collected in order to help paint a picture of the consultee and enable the 21<sup>st</sup> Century Schools team to understand trends in response data and response groupings that would assist in compiling this Community Engagement Report.

As information can be collected for many purposes, the Caerphilly County Borough Council's privacy notice for consultations/surveys was referenced, which outlined the purpose and legal basis for collecting the information, data usage and data retention periods.

Cabinet will be provided with a separate digest of all the consultation comments received.

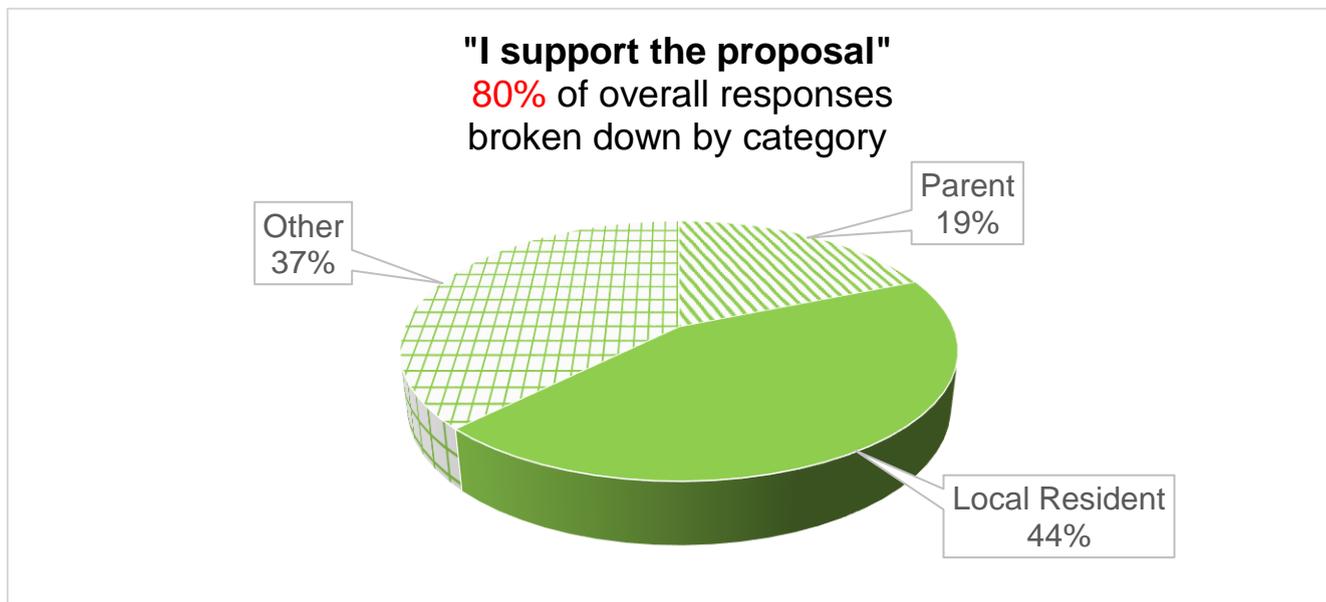
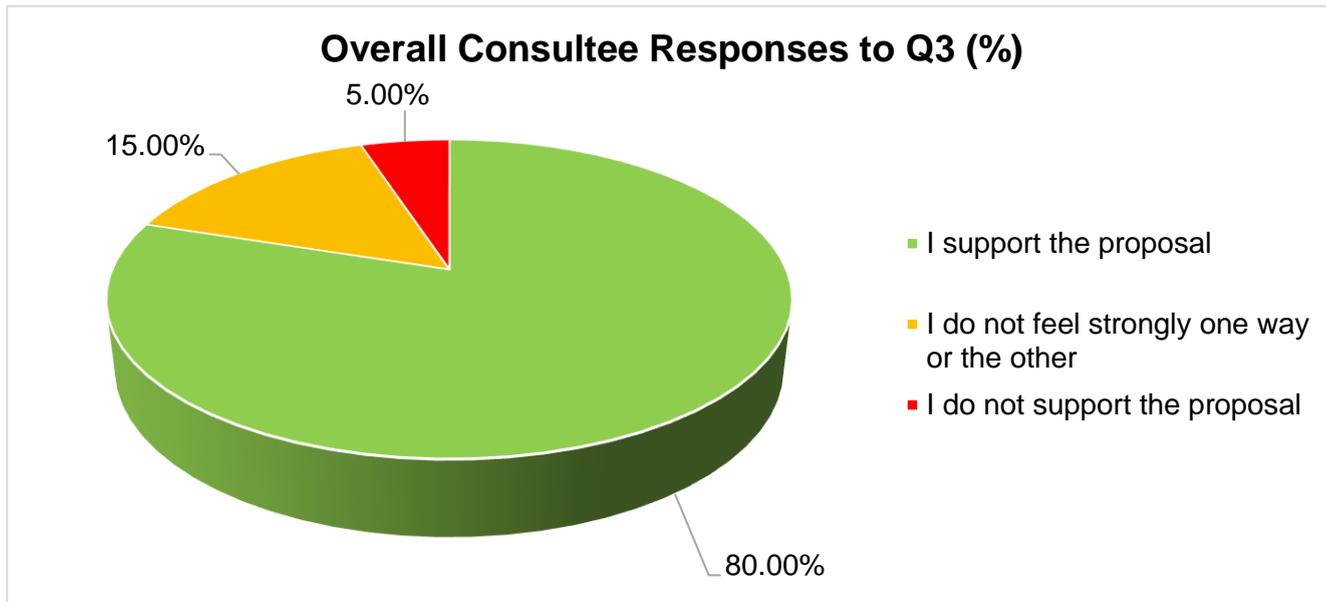
### QUESTION 3

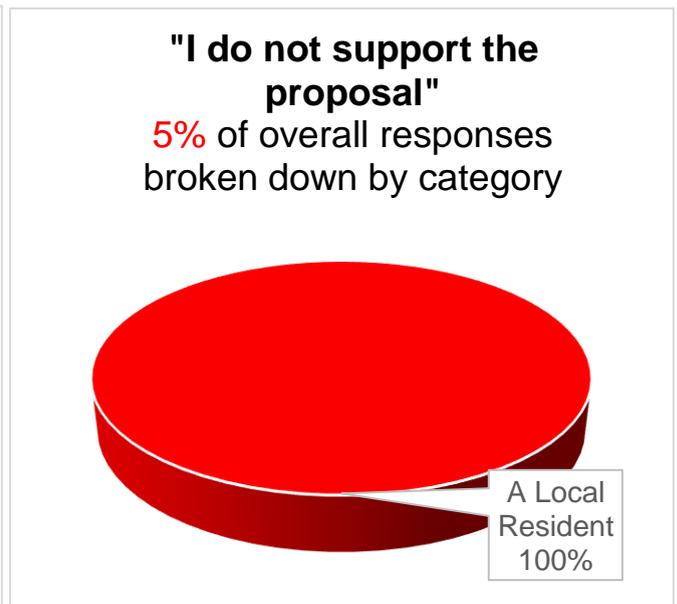
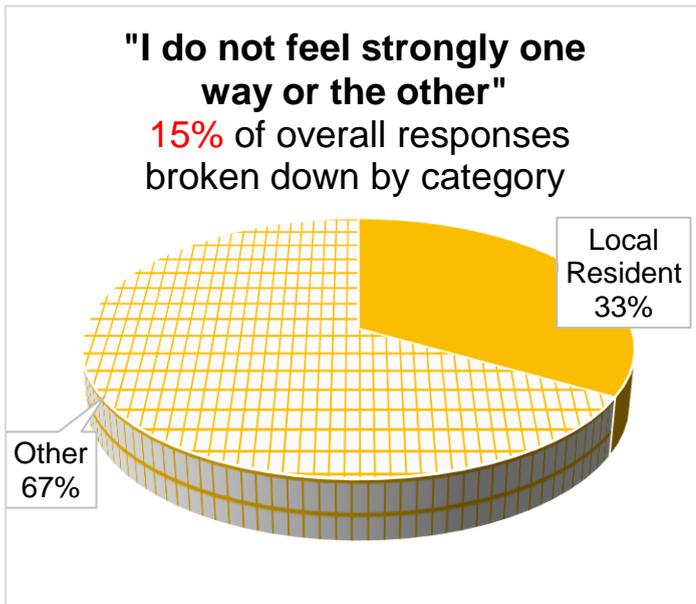
Consultees were asked to indicate which of the following statements most accurately reflected their views about the proposal. Consultees were reminded to read the consultation documentation prior to providing any responses during this consultation exercise and that unfavourable comments made during the consultation period will not be treated as objections at this stage.

The options available were:

- I do not feel strongly one way or the other
- I support the proposal
- I do not support the proposal

Of the responses returned, 16 support the proposal, 1 did not support it, 3 didn't feel strongly either way or failed to select an option. That equates to 80% in support, 5% opposed with the remaining 15% either providing a neutral response or no comment.





It is prudent to bring to the attention of readers that the commentary provided as part of Question 4 may offer additional insight into the views of the consultees and that the response provided to Question 3 should not be considered in isolation.

#### QUESTION 4

This was a free text box, enabling consultees to provide additional comments on the proposal. All comments received have been read and analysed.

General themes that emerged from the consultation:

- Advantages of specialist support in the Borough
- Impact on pupils and mainstream provision
- How this proposal interlinks with the existing Pupil Referral Unit at Glanynant
- Traffic Management
- Construction process and potential impact

These themes are outlined in more detail in the section on 'Consultation Clarification'.

#### QUESTION 5

Consultees were given the option to request notification as to the publication of this Community Engagement Report. Contact information has been collected to this end and the preferred method for communication will be notification via email if this information has been made available by the respondent.



17 out of the 20 respondents have requested notification (15 via email, 2 via post). These individuals have been added to the notification list and will be contacted concurrently with

stakeholders when this document is made publicly available through the Council's website. Hardcopies of the documentation will be made available on request.

## QUESTION 6

In line with the Caerphilly County Borough Council's Strategic Equality Plan 2016-2020 and the Consultation and Monitoring Guidance 2016 document, a reduced version of the Equalities and Monitoring questionnaire was included as part of the consultation response to support effective planning and to ensure that a representative sample was achieved to identify any equality issues.

The option to include information relating to the consultees Gender, Age, Disability Status, Welsh Language Skills and any influencing factors relating to their response were included but not mandatory.

From the responses received, of those that completed the Equalities monitoring section:

<b>Are you ...</b>			
Male	6	Other	0
Female	14	Prefer not to say	0

<b>Age</b>			
Under 16	0	40-65	12
16-25	0	Over 65	2
26-39	3	Prefer not to say	3

<b>Disability</b>			
I am not Disabled	13	Learning Difficulties	0
Physical / Mobility Impaired	0	Visually Impaired	0
Hearing Impaired	0	Speech Impaired	0
Prefer not to say	7		
Other	0		

<b>Welsh Language Skills</b>				
	A Little	Moderately	Quite Well	Fluently
Speak	2	2	1	0
Understand	2	1	0	0
Read	1	2	0	0
Write	1	0	1	0
No Welsh Language Skills	10	Prefer not to say	5	

## QUESTION 7

In relation to equalities implications that respondents highlighted, responses indicated that their decision was influenced as per the list outlined in the consultation response form. 2 respondents indicated that this question was relevant to them completing this consultation process both linked to responsibility for dependencies with additional needs.

## Education Scrutiny Response

The Council's Education Scrutiny Committee is a consultee for any policy or service developments in relation to Education within the Borough.

A digital meeting via Microsoft teams took place on Tuesday 2<sup>nd</sup> November 2021 at 5.30pm.

As part of this meeting, the 21<sup>st</sup> Century Schools and Colleges Band B Programme and consultation in respect of the proposal to establish a Centre for Vulnerable Pupils (Pupil Referral Unit) on the former Pontllanfraith Comprehensive site was discussed. All consultation documentation was made available to members as part of the agenda reports pack and officers linked to the proposal were available to take questions.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded for inclusion in this Community Engagement Report. The Committee members voted 13 For, 0 Against, 0 Abstentions in relation to the proposal.



Education Scrutiny Committee - 2 November 2021

A recording of the session is available on YouTube:

[Education Scrutiny Committee Meeting](#)

The agenda item linked to this proposal starts 53 minutes and 45 seconds in to the recording.

The [Notice of the Decisions](#) document is also available to view on the Council's website.

## Estyn's Response

Estyn were contacted and advised of the publication of the Consultation Document and the commencement of the consultation period.

The following response was provided.

*"Thank you for sharing this consultation with us, but unfortunately as the current legislations and consultation process prescribed by the School Organisation Code 2018 does not apply to PRU's, it is not appropriate for us to respond to this particular consultation."*



## LEARNER VOICE

### School Council / Pupil Engagement

A child friendly consultation summary and video was produced to support the consultation process with vulnerable children already receiving EOTAS provision to present information in a manner relevant to their likely understanding, allowing them to participate in the consultation process and reach an informed opinion. In addition to this documentation, the 21<sup>st</sup> Century

Schools Team worked closely with professionals in the field to support alternative engagement mechanisms to engage with a wider spectrum of children and young people who wished to submit a consultation response in their preferred format and language.

There had already been a degree of consultation with vulnerable learners whilst developing ideas around this provision. The key messages which came out of this process included:

- ❖ 96% of pupils stated that this type of provision allows them to make progress
- ❖ 88% of pupils indicated that a new PRU will provide them with the correct range of learning experiences to develop necessary skills and learn
- ❖ 66% of the pupils feel that they do not currently have enough opportunities for exercise. The development of sports facilities is integrated within this proposal.

Through further engagement with pupils during the consultation period that are currently receiving EOTAS provision across a number of settings in the Borough, the pupils engaged in the process supported the proposal and offered a number of ideas about what they would like to see inside the school, within the grounds, what could be included to support the Decarbonisation agenda and facilities that could be included for the wider community. Some of these ideas are summarised below:





## NEXT STEPS

### Consultation Clarification

When analysing the consultation response comments received as part of the consultation period, a number of emerging themes became evident.

The following table provides a summary of the response themes received during the consultation period.

Table 4: Summary of Response Themes		
Theme	Overview	Number of Mentions
<b>Advantages of specialist support in the Borough</b>	Meets demand for increasing support for pupils in the borough	1
	Less reliance on outsourcing and satellite provision	2
	Additional resources will provide more accessible support and guidance for families	1
<b>Impact on pupils and mainstream provision</b>	Reduced pressure on Mainstream provision who are not equipped to support children with EOTAS needs.	3
	Children will have greater access to a dedicated centre supporting and nurturing their development and wellbeing	4
<b>How this proposal interlinks with the existing Pupil Referral Unit at Glanynant</b>	Why is money being invested into Glanynant? / Why isn't Glanynant incorporated into this proposal?	2
	Why is the proposal not including primary school aged children?	2
<b>Traffic, parking and drop off arrangements</b>	Parking concerns at the proposed Pontllanfraith site	1
	Increased traffic flow at proposed site	1
<b>Construction process and potential impact</b>	Impact on neighbouring residential properties	1
	Support for re-utilisation of an existing old-school building	1

To assist Cabinet in the decision making process, the following information is provided by means of response for clarification with supporting reasons.

<b>Table 5: Council Response - Theme Clarification</b>
<b>Theme: Advantages of specialist support in the Borough</b>
<b>Council's Response</b>
The Council appreciates the level of support shown from consultees in relation to this proposal and as outlined in the Consultation Document, regards this development as an integral part of the Cwmpawd Hub and Spoke model of provision.
<b>Theme: Impact on pupils and mainstream provision</b>
<b>Council's Response</b>
The Council acknowledges that on occasion, pupils require additional support at different stages in their academic life which cannot be accommodated in mainstream provision. This proposal has been developed to meet demand for places and provide bespoke support and education to meet the needs of those pupils and where possible, to reintegrate pupils back into mainstream education.
<b>Theme: How this proposal interlinks with the existing Pupil Referral Unit at Glanynant</b>
<b>Council's Response</b>
As outlined in the Consultation Document, the proposed Pupil Referral Unit at Pontllanfraith will form the central component of the Council's EOTAS provision and become a centre of excellence.
The existing Pupil Referral Unit at Glanynant is currently receiving investment to meet current need and subject to this proposal being approved, will be further reconfigured to offer provision for Key Stages 2, and the proposed Pupil Referral Unit at Pontllanfraith catering for Key Stages 3 and 4.
Both facilities will operate under the same umbrella, thereby ensuring sufficient capacity and resources to support pupils through the most appropriate pathways and interventions as required.
<b>Theme: Traffic Management</b>
<b>Council's Response</b>
This proposal will be subject to a full planning application process and a wide range of consultees will be invited to comment, including the Highways Department.
As part of any development, the Council is committed to providing safe, efficient and effective traffic management. As a highway authority, we have a duty to manage the road network to ensure, as far as possible, the safe and convenient movement of traffic, which includes pedestrians and other vulnerable road users. The planning and design of the facility will establish safer routes with designated pick up and drop off points, including car parking which should alleviate congestion.
<b>Theme: Construction process and potential impact</b>
<b>Council's Response</b>
The development on site will be undertaken in such a way as to minimise impact to any neighbouring residential properties.
The proposal will be subject to a full planning application process led by our experienced Building Consultancy Team and subject to building regulation requirements relating to a number of factors such as dust, noise etc.

## **Reasonable Alternatives Identified**

Following the consultation period, and through consideration of the responses received as part of this process, a further assessment for the proposal has been undertaken prior to making a recommendation to take account of any further information that has come forward through the consultation or otherwise.

No reasonable alternatives have been highlighted as a result of the Consultation Process.

## **Recommendation**

In reviewing the proposal to take account of further information that has come forward through the consultation and in consideration of the likely impact on quality and standards in education, the community and travelling arrangements, it is the recommendation of this report that the proposal is progressed as outlined in the Consultation Document, namely:

- **Create a Pupil Referral Unit for vulnerable pupils on the former Pontllanfraith Comprehensive site**

Cabinet Members are asked to:

- a) Consider the information contained in the Community Engagement Report.
- b) Approve the recommendation to proceed to Planning Application Stage
- c) Approve the recommendation to proceed to Full Business Case in relation to the proposal

## **Decision Making**

Should Cabinet decide to proceed with the proposal, this will be logged as the final determination in the educational process prior to the proposal progressing through a full planning application process.

Approval to proceed will trigger the start of the Planning Application Process and provide permission to submit a Full Business Case to Welsh Government.

It should be reiterated that as the School Organisation Code 2018 does not apply to this proposal, there is no requirement to undertake a 28 day Statutory Notice/Objection Period as outlined in Section 4.1 of the Code in this instance.

## **SUPPORTING INFORMATION**

### **Annex 1 :**

[Consultation Notification Letter](#)

[Consultation Document](#)

[Consultation Frequently Asked Questions](#)

[Original Integrated Impact Assessment](#)



## **CABINET - 26<sup>TH</sup> JANUARY 2022**

**SUBJECT: 21<sup>ST</sup> CENTURY SCHOOLS AND COLLEGES BAND B  
PROGRAMME - COMMUNITY ENGAGEMENT REPORT:  
PLASYFELIN PRIMARY SCHOOL**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND  
CORPORATE SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to update Members on the 21<sup>st</sup> Century Schools and Colleges Band B proposal in respect of a new replacement Plasyfelin Primary School on the existing site.
- 1.2 Members are asked to consider the information contained in the Community Engagement Report and approve the recommendations to proceed to Planning Application stage and Full Business Case submission to Welsh Government.

### **2. SUMMARY**

- 2.1 The proposal for Plasyfelin Primary School is exempt from the consultation processes outlined in line School Organisation Code 2018 and the School Standards and Organisation (Wales) Act 2013. However, engagement with the school as well as the wider community was undertaken throughout the process in line with the Authority's Consultation and Engagement framework to enable transparent and open decision making.
- 2.2 The 21<sup>st</sup> Century Schools Band B proposal for Plasyfelin Primary School went to formal consultation between the 20<sup>th</sup> October 2021 and the 1<sup>st</sup> December 2021.
- 2.3 A Community Engagement Report has been compiled and attached as an annex to this report. The Community Engagement Report summarises each of the issues raised by consultees. Any emerging themes that have been raised through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons.
- 2.4 Members approval is being sought in relation to progression to Planning Application stage and Full Business Case submission to Welsh Government.

### **3. RECOMMENDATIONS**

3.1 Cabinet Members are asked to: -

- a) Note the contents in this report
- b) Consider the information contained in the Community Engagement Report
- c) Approve the recommendation to proceed to Planning Application Stage
- d) Approve the recommendation to proceed to Full Business Case submission to Welsh Government

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To ensure Members are updated on the progress of Phase 2 of the 21<sup>st</sup> Century Schools and Colleges Capital Band B programme

4.2 To seek Members approval on the recommendations to proceed to Planning Application Stage.

4.3 To seek Members approval to proceed to Full Business Case submission to Welsh Government for final review and approval by Welsh Government's Business Case Scrutiny Group and Programme Investment Panel

### **5. THE REPORT**

#### **5.1 Band B**

5.1.1 The key aims of the 21st Century Schools and Colleges Band B investment programme, outlined by Welsh Government, is to:

- Reduce the number of poor condition schools.
- Ensure that we have the right size schools in the right location, providing enough places to deliver Welsh and English medium education.
- Ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community.

#### **5.2 Band B Phase 2**

5.2.1 The schemes identified as part of Phase 2 of the Band B programme include the adaption and refurbishment of the old grammar school building on the former Pontllanfraith High School site to accommodate a Centre for Vulnerable Learners (Pupil Referral Unit), the amalgamation of Llancaeath Junior and Llanfabon Infants school via the expansion of the existing Llanfabon Infants site to accommodate 275 pupils plus nursery, and a new build replacement Plas-y-felin Primary school in the grounds of the existing school site to accommodate 420 pupils plus nursery.

#### **5.3 Phase 2 - Plasyfelin Primary School**

5.3.1 The proposal relates to a new and enlarged replacement school for Plasyfelin Primary School to be situated within the current grounds of the existing school site to include increased accommodation for up to 420 pupils plus nursery provision and

also additional multi-use sporting and facilities available for use by the school and the wider community. This proposal will ensure future projected demand can be met within the area and to update a facility to provide a fit for purpose 21<sup>st</sup> Century facility.

- 5.3.2 The proposal for Plasfelin Primary School is exempt from the consultation processes outlined in line School Organisation Code 2018 and the School Standards and Organisation (Wales) Act 2013. Plasfelin Primary School is classified as a community school under the code, however the requirement to consult under the code does not apply to proposals where a main entrance of the school on its new site would be under 1 mile from the current site and the enlargement is less than 25% of the current capacity, both of which apply in this case.
- 5.3.3 Further to Cabinet approval gained on the 13<sup>th</sup> October 2021, formal consultation for the proposal was carried out between 20<sup>th</sup> October 2021 and 1<sup>st</sup> December 2021.
- 5.3.4 A prescribed list of recipients, mirroring those outlined in the School Organisation Code 2018 were written to and a consultation document was published in both hardcopy and electronically via the Authority's website based. Reasonable access to information was promoted from an Equalities perspective and other formats were available on request, including a child friendly version and video.
- 5.3.5 The consultation period ran for 42 days (with at least 20 of these being school days) to provide adequate time for response and conscientious consideration has been given to any responses received.
- 5.3.6 Members of the Education Scrutiny Committee who met on the 2<sup>nd</sup> November 2021 in their capacity as a consultee under the School Organisation Code 2018, endorsed the proposal, voting 12 For, 0 Against and 0 Abstentions.
- 5.3.7 There were 15 responses received in respect of the proposal for a new replacement Plasfelin Primary School on the existing site. In addition, a number of pupils in the school engaged in the consultation process through 'learner voice' sessions which have been reported on separately. All responses are broken down into more detail in the Community Engagement Report.
- 5.3.8 A Community Engagement Report has been compiled and has been attached as an annex to this report. The Community Engagement Report summarises each of the issues raised by consultees. Any emerging themes that have been raised through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons. Estyn has also provided a formal response in consideration of the educational aspects of the proposal which is included in the Community Engagement Report.
- 5.3.9 The Community Engagement Report will be published electronically on the 21<sup>st</sup> Century Schools pages on the Council's website. Consultees who have indicated in their consultation response that they wish to be notified will be advised by letter or email of the availability of the Community Engagement Report along with the key stakeholders as identified from the School Organisation Code 2018.

#### 5.4 **Conclusion**

Whilst this proposal is exempt from the requirements of the School Organisation Code 2018, a consultation exercise was undertaken and has now concluded in relation to this proposal. This report has been compiled along with the Community Engagement Report to provide members with the necessary information to make an informed decision as to whether to progress the proposal to the next stage which would entail permission to progress to planning application stage and submission of a full business case to Welsh Government.

## 6. ASSUMPTIONS

- 6.1 No assumptions have been made in relation to this report as it merely updates on the progress of individual projects.

## 7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An initial Integrated Impact Assessment (IIA) for this proposal was undertaken alongside the original Consultation Document forming part of the outline consultation pack which is published on the Council's website.
- 7.2 The Integrated Impact Assessment has been reviewed to include any additional elements highlighted through the statutory consultation process. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

### Original

<https://www.caerphilly.gov.uk/CaerphillyDocs/IIA/plasyfelin-primary-school-sep2021>

### Updated

[http://www.caerphilly.gov.uk/CaerphillyDocs/IIA/CCBC-Integrated-Impact-Assessment-\(Plasyfelin\)-Upd](http://www.caerphilly.gov.uk/CaerphillyDocs/IIA/CCBC-Integrated-Impact-Assessment-(Plasyfelin)-Upd)

## 8. FINANCIAL IMPLICATIONS

- 8.1 Phase 2 of the 21st Century Schools and Colleges Band B programme, currently totals £18,500,000. The Authority's contribution within this sum is £5,925,000 as detailed below.

Project Name:	LA Contribution	WG contribution	Total Funding
Centre for Vulnerable Learners	£1,375,000 (25%)	£4,125,000	£5,500,000
Llancaeath/Llanfabon	£1,400,000 (35%)	£2,600,000	£4,000,000
Plasyfelin Primary	£3,150,000 (35%)	£5,850,000	£9,000,000

- 8.2 The Authority's contribution will be met from the remaining funding of £1.209m previously earmarked for 21<sup>st</sup> Century Schools and through the recently approved earmarking of a further sum of £4.716m from the Authority's Place-Shaping Reserve.
- 8.3 The Welsh Government Grant allocation for individual projects within the 21st Century Schools Band B programme is calculated consistently across Wales using the Building Bulletin regulations BB98 - Secondary, BB99 – Primary and BB104 – Special/Pupil

Referral Units. There are a number different elements which have been included in the calculations provided for each of the Phase 2 proposals, which include:

- Proposed standard price per square metre
- Furniture fitting and equipment per pupil
- ICT per pupil

8.4 Largely due to a combination of the impact of Covid-19 and Brexit there are currently significant inflationary increases within the construction sector. This is being kept under close review but the current projected costs for the 21<sup>st</sup> Century Schools Programme will be subject to change. Members will be updated further as matters progress.

## **9. PERSONNEL IMPLICATIONS**

9.1 This will be dependent on specific proposals and will be considered as part of the consultation process.

## **10. CONSULTATIONS**

10.1 The draft report was distributed as detailed below. All comments received have been reflected in this version of the report.

### **10.2 SCRUTINY COMMITTEE COMMENTS**

#### **Education Scrutiny Committee 10<sup>th</sup> January 2022 Comments Agenda Item 9 – 21st Century Schools and Colleges Band B Programme - Community Engagement Report: Plasyfelin Primary School**

This report was presented to the Education Scrutiny Committee on Monday 10<sup>th</sup> January 2022.

One Member sought assurances that the Health and Safety of pupils would be considered whilst any building and demolition work took place. The 21<sup>st</sup> Century Schools Manager assured Members that the Health and Safety of pupils and staff would be paramount during work at the site. It was outlined how this would be a key requirement of Planning Permission and that the Council's Building Consultancy Team had experience of ensuring work met required standards.

One Member asked if the pupils would have to leave the site whilst any work took place. The 21<sup>st</sup> Century Schools Manager advised Committee Members that the site allowed building work to be fenced off without causing any disruption to pupils.

Following consideration of the report it was moved and seconded that the recommendations be approved. By way of Microsoft Forms Voting this was unanimously agreed, in noting there were 14 votes for, no votes against and no abstentions.

## **11. STATUTORY POWER**

11.1 School Organisation Code 2018 (Welsh Government)

## School Standards & Organisation (Wales) Act 2013

Author: Andrea West, 21<sup>st</sup> Century Schools Manager

Consultees: Christina Harray, Chief Executive  
Richard Edmunds, Corporate Director of Education and Corporate Services  
Dave Street, Corporate Director, Social Services  
Mark S Williams, Corporate Director for Economy and Environment  
Councillor Ross Whiting, Cabinet Member, Education and Achievement  
Councillor Teresa Parry, Chair of Education Scrutiny Committee  
Councillor Carol Andrews, Vice Chair of Education Scrutiny Committee  
Steve Harris, Head of Financial Services and S151 Officer  
Keri Cole, Chief Education Officer  
Sue Richards, Head of Transformation  
Sarah Ellis, Lead for Inclusion & ALN  
Sarah Mutch, Early Years Manager  
Paul Warren, Strategic Lead for School Improvement  
Jane Southcombe, Financial Services Manager  
Lynne Donovan, Head of People Services  
Anwen Cullinane, Senior Policy Officer, Equalities, Welsh Language & Consultation)  
Rob Tranter, Head of Legal Service and Monitoring Officer  
Ros Roberts, Business Improvement Officer  
Mark Williams, Interim Head of Property Services  
Steve Pugh, Corporate Communications Manager

Background Papers:

Appendix 1 Community Engagement Report - Plasyfelin Primary School

# 21st Century Schools Community Engagement Report

## PLASYFELIN PRIMARY SCHOOL

Consultation Summary

Proposal :

**Creation of a new and enlarged  
replacement Plasyfelin Primary School  
in the grounds of the existing school site**



This Community Engagement Report is published to support open and transparent decision making and provide a summary of the findings from the Consultation period: 20<sup>th</sup> October 2021 – 1<sup>st</sup> December 2021

Information can also be made available in other formats, languages and in hard copy on request. Please contact us on 01443 864817 to arrange this.





**Richard Edmunds**

Corporate Director for  
Education and Corporate  
Services

## FOREWORD

*“Working together to deliver the best outcomes for all our children”*

Caerphilly County Borough Council has embarked upon an exciting but challenging journey of improvement and change. We have bold ambitions to provide every learner with the best life chances and we are committed to doing this through the provision of high quality teaching, learning and leadership across our school settings as part of our ‘Shared Ambitions’ Strategy.

We have focused on improving young people’s outcomes and this is still a priority area moving forward incorporating a holistic view of education. The Council has adopted ‘Improving education opportunities for all’ as the first of its Wellbeing Objectives and has committed to an ambitious 21st Century Schools investment programme.

In collaboration with Welsh Government, the 21<sup>st</sup> Century Schools and Colleges Band B Programme is supporting investment in education within the County Borough. Our aspiration is the improvement of the condition of school buildings and maximising community usage.

Our current proposals support our commitment to increase school effectiveness and to narrow inequalities in achievement across groups; to understand the needs of more vulnerable children; promote the Welsh Language, and support those unable to access traditional learning pathways to ensure that all will benefit from the richness of learning and cultural opportunities. These principles help steer our decision making and prioritise projects.

As part of this proposal a consultation exercise has been carried out.

This Community Engagement Report has been produced to summarise the emerging themes raised by consultees during the consultation period including Estyn’s feedback. It aims to provide a balanced, transparent document to support Cabinet in deciding whether to progress with the proposal, make changes or not to progress.

I hope you find this document informative as a reflection of the activities undertaken to date and an insight into the journey we are on, shaping delivery and placing learning provision at the heart of our communities.

# TABLE OF CONTENTS

<p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>➤ Purpose of the Community Engagement Report</li> <li>➤ What is the 21<sup>st</sup> Century Schools and Colleges Programme?</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>Statutory Obligations</b></p> <ul style="list-style-type: none"> <li>➤ School Organisation Code 2018 exemption</li> <li>➤ Local and National Strategies</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>Proposal</b></p> <ul style="list-style-type: none"> <li>➤ What are we proposing to do?</li> <li>➤ What is driving this proposal?</li> <li>➤ Options Appraisal</li> <li>➤ Benefits and Disbenefits</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>The Consultation Process</b></p> <ul style="list-style-type: none"> <li>➤ Consultation Process</li> <li>➤ Implications of COVID19</li> <li>➤ Stakeholder Engagement</li> <li>➤ Consultation Information</li> <li>➤ Response Methods</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>Consultation Responses</b></p> <ul style="list-style-type: none"> <li>➤ Consultation Responses</li> <li>➤ Education Scrutiny Response</li> <li>➤ Estyn's Response (summary)</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>Learner Voice</b></p> <ul style="list-style-type: none"> <li>➤ School Council / Pupil Engagement</li> </ul>	<p><a href="#">Page</a></p>
<p><b>Next Steps</b></p> <ul style="list-style-type: none"> <li>➤ Consultation Clarification</li> <li>➤ Reasonable Alternatives Identified</li> <li>➤ Recommendation</li> <li>➤ Decision Making</li> <li>➤ Reporting, Notification and Publishing of Information</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p> <p><a href="#">Page</a></p>
<p><b>Supporting Information</b></p> <ul style="list-style-type: none"> <li>➤ Annex 1: Key Consultation Document</li> <li>➤ Annex 2: Estyn's Response (Full version)</li> </ul>	<p><a href="#">Page</a></p> <p><a href="#">Page</a></p>



# INTRODUCTION

## Purpose of the Community Engagement Report

The consultation period represented an opportunity for people to learn about the proposal, ask questions and make comments. Any negative responses made during the consultation period were not counted as objections to the proposal but as adverse comments.

This Community Engagement Report outlines the processes followed and comments received during the consultation period, ultimately, providing Cabinet with the necessary information to take one of the following decisions:

- Proceed with the proposal
- Make changes to the proposal
- Not to proceed with the proposal

This document is publicly available via the Council’s website with hardcopies made available on request

## What is the 21<sup>st</sup> Century Schools and Colleges Programme?

The 21<sup>st</sup> Century Schools and Colleges programme is a major, long-term, strategic capital investment programme. It is jointly funded by the Welsh Government and local authorities and aims to create a generation of 21<sup>st</sup> century schools in Wales.

The first part of the programme (Band A) ran from 2014 to March 2019.

Caerphilly has benefited greatly from investments in the initial “Band A” 21<sup>st</sup> Century Schools programme with approximately £56.5 million invested in schools for both educational and community use.

Table 1: Band A funding in Caerphilly was used to deliver

	Project Name	Band A Investment
 <p data-bbox="121 1727 363 1753">Image of Islwyn High School</p>	✓ Islwyn High School	£22.6m
	✓ Ysgol Gymraeg Cwm Rhymni, Y Gwyndy Campus	£19.2m
	✓ Idris Davies School 3-18	£8m
	✓ Newbridge School extension	£2.6m
	✓ Blackwood Comprehensive improvements	£2m
	✓ Blackwood Comprehensive 3G pitch	£865k
	✓ Trinity Fields School improvements	£1.3m

Educational transformation remains a vital outcome of our investment in Band B of the Programme. The second part of this funding (Band B) started in April 2019, with the priority areas being:

- Reduce the number of poor condition schools
- Ensure that we have the right size schools in the right location
- Provide enough places to deliver Welsh and English medium education
- Ensure the effective and efficient use of the educational estate

Further information is available on the [21<sup>st</sup> Century Schools webpages](#)

## STATUTORY OBLIGATIONS

### **School Organisation Code 2018**

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The Code imposes requirements in accordance with which relevant bodies including local authorities must act when bringing forward proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school.

Plasyfelin Primary School is classified as a community school under the code, however the requirement to consult under the code does not apply to proposals where a main entrance of the school on its new site would be under 1 mile from the current site and the enlargement is less than 25% of the current capacity, both of which apply in this case.

For the purposes of progressing this proposal and to enable transparent, balanced and open decision making, a consultation process was undertaken to reflect the principles of the Council's Consultation and Engagement Framework 2020-2025. Utilising the "Spectrum of Engagement" approach, an appropriate level of engagement in informing and consulting stakeholders was undertaken between the 20<sup>th</sup> October 2021 – 1<sup>st</sup> December 2021, mirroring the equivalent 42 day processes outlined in Section 3 of the School Organisation Code 2018.

As such, there is no requirement to produce a Consultation Report as prescribed by the Code. This Community Engagement Report is designed to be a summary document only.

## Local and National Strategies



"Priorities for the coming year are to renew and reform, putting learners' progression and wellbeing at the heart of everything we do."

*Jeremy Miles MS  
Minister for Education and Welsh Language*

There are a number of local and national strategies that drive Educational reform and underline the rationale for the proposals being considered as part of the 21<sup>st</sup> Century Schools and Colleges Band B programme in Caerphilly.

- [Welsh Language Act 1993 / Welsh Language \(Wales\) measure 2011](#)
- [Additional Learning Needs and Educational Tribunal \(Wales\) Act 2017](#)
- [The Childcare Act 2006 \(Local Authority Assessment\) \(Wales\) Regulations 2016](#)
- [Well-being of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government - Education in Wales: Our National Mission](#)
- [Welsh Government - Cymraeg 2050: Welsh Language Strategy Action Plan 2019- 2021](#)
- [Welsh Government - 21<sup>st</sup> Century Schools and Colleges Programme](#)
- [Caerphilly - 'Shared Ambitions' Education Attainment Strategy 2019 - 2022](#)
- [Caerphilly - #Team Caerphilly: Better Together Transformation Strategy](#)
- [Caerphilly - Welsh Education Strategic Plan](#)
- [Caerphilly - Welsh Language Strategy 2017-2022](#)
- [Caerphilly - Corporate Plan \(including Wellbeing Objectives 2018-2023\)](#)
- [Caerphilly – Education Other Than At School \(EOTAS\) Strategy 2020](#)
- [Caerphilly - Strategic Equality Plan 2020-2024](#)
- [Caerphilly - Communication and Engagement Strategy 2019-2022](#)

As Wales embarks on a renewed vision of success for all learners, we can reflect on our rich heritage and proud history for promoting access to education in Caerphilly. Our transformational reforms are taking place within a challenging environment. This includes the uncertainties associated with Brexit, the technological transformation and the divergence in the qualification systems across the home nations. These are all challenges and opportunities for the Council.



## PROPOSAL

### What are we proposing to do?

We are proposing to:

- **Create a new and enlarged replacement Plasyfelin Primary School in the grounds of the existing school site, to accommodate future projected demand within the area. The new school will provide 420 pupil places plus nursery, with an anticipated completion date of September 2024.**
- It is proposed that the new building will provide a new fit for purpose, state of the art replacement Plasyfelin primary school on the grounds of the existing site to include multi-functional, size compliant main classrooms, main assembly hall, food technology space, library and IT space as part of a market street style configuration.
- The new primary school site will have improved learning spaces and facilities that will provide a stimulating teaching and learning environment with 21<sup>st</sup> Century facilities centered on the learning, self-esteem and well-being of all pupils.
- The proposed project will take into account the desire to encourage and facilitate community use of the asset. The design will seek to include measures to enable safe 'zoning' which can be utilised by the wider community.

### What is driving this proposal?

Schools in Wales need to be in good condition and suitable for the delivery of education. In some cases, schools can be modernised, repaired, refurbished, extended, or partially rebuilt to meet the standards needed for contemporary teaching and learning. However, some existing schools are no longer in the right place and in such cases, we might propose new schools or changes to existing schools.

Caerphilly County Borough Council aspires to continue to raise school standards and improve the quality of the learning environment to create fit-for-purpose 21<sup>st</sup> century schools and give every child in Caerphilly the best possible start in life.

### Options Appraisal

There are common challenges faced by all Local Authorities when adopting new proposals. The vast majority of Council policies are delivered through projects and programmes of various forms. It is therefore vital that projects are delivered successfully in order to realise their intended benefits for citizens.

An options appraisal provides the opportunity to help councils make an informed and evidence based decision on how to deliver services. It does this by considering the relative advantages and disadvantages of a number of different delivery model options (including the current way in which the service is delivered).

The methodology helps decision makers to consider the:

- Desirability - the degree to which each option meets the strategic objectives and priorities of stakeholders
- Viability - the degree to which each option is financially viable and sustainable
- Feasibility - the degree to which each option can be implemented

As part of outlining the current proposal, an options appraisal was undertaken.

The options appraisal stage allowed for a number of different delivery model options to be explored and evaluated against a set of agreed criteria, leading to the selection of the preferred option.

The following options were considered and scored: -

<b>Table 1: Options Appraisal Longlist</b>	
<b>Option 1*</b>	<b>Do Nothing :</b> No change to existing school
<b>Option 2</b>	<b>Do Minimum:</b> Removal of 3 ageing demountables
<b>Option 3</b>	<b>Do Intermediate:</b> Removal of 3 ageing demountables and demolition of one of the existing main buildings to enable an extension onto the other main building, increasing overall capacity
<b>Option 4</b>	<b>Do Major:</b> New same size replacement primary school building on the existing Plasyfelin School site
<b>Option 5</b>	<b>Do Maximum</b> New enlarged replacement primary school building on the existing Plasyfelin School site to accommodate 420 pupils plus 60 nursery with community usage

\*Please note, Option 1 is considered the status quo option and is always included in the shortlist as a benchmark for value for money.

Each option was evaluated against the investment objectives outlined in the Consultation Document and the extent to which it met the Critical Success Factors. This stage was an important part of the process, to raise important questions at an early stage and assist in developing proposals.

This resulted in options either being discounted, carried forward for further consideration in the short list with an eventual option identified as a preferred way forward. It is the option identified as the preferred way forward upon which the consultation exercise was based as all other options have been discounted at this point.

The process utilised was outlined in detail in the Consultation Document and resulted in

**Option 5** being identified as the preferred option, namely, a **new enlarged replacement primary school building on the existing Plasyfelin School site to accommodate 420 pupils plus 60 nursery with community usage**

## **Benefits and Disbenefits**

There are common challenges faced by all Local Authorities when adopting new proposals. The vast majority of Council policies are delivered through projects and programmes of various forms. It is therefore vital that projects are delivered successfully in order to realise their intended benefits for citizens.

Evidence shows that the best way to ensure successful delivery is by setting up projects correctly in the first place. The most common causes of failure, among others are a lack of clear objectives, insufficient resources and over-ambitious cost and schedule that impact on the level and amount of benefit that can be realised and can be avoided if tackled in a project's early stages.

As part of the development of the proposal, a number of benefits and disbenefits were identified as outlined in the Consultation Document. The consultation process was an opportunity to consult with relevant stakeholders to understand what they see as positive outcomes and what negative consequences may be delivered.

The Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities. An Integrated Impact Assessment was carried out to initiate discussion and invite comments as to whether the principles for the proposal are supported.

All comments have been recorded and Cabinet members will be provided with copies of all the responses received within the consultation period and in their original format as part of the decision making process.



## **THE CONSULTATION PROCESS**

### **Consultation Process**

The Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities.

Through [TeamCaerphilly - Better Together](#), the Council is committed to ensuring high quality, citizen focused services for the communities that comprise our county borough. In future-proofing public services, we recognise the need to ensure effective engagement which is central to our decision making - [Read more about our approach to Consultation and Engagement here](#)

The School Standards and Organisation (Wales) Act 2013 requires that the Welsh Ministers issue a School Organisation Code. The Code imposes requirements in accordance with which relevant bodies including local authorities must act when bringing forward proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school.

Plasyfelin Primary School is classified as a community school under the code, however the requirement to consult under the code does not apply to proposals where a main entrance of the school on its new site would be under 1 mile from the current site and the enlargement is less than 25% of the current capacity, both of which apply in this case.

However, for the purposes of progressing this proposal and to enable transparent, balanced and open decision making, a consultation process was undertaken, reflecting the principles of the Council’s Consultation and Engagement Framework 2020-2025. Utilising the “Spectrum of Engagement” approach, an appropriate level of engagement in informing and consulting stakeholders will be undertaken, mirroring the equivalent processes outlined in Section 3 of the School Organisation Code 2018 only.

### Implications of COVID19

Due to the implications of COVID-19 place and after taking advice from Welsh Government, this consultation process refrained from undertaking any face-to-face consultation sessions to support social distancing and maintain safe working practices for all. However, a number of alternative methods were utilised for engagement including use of social media, face-time technology and the creation of a ‘Frequently Asked Questions’ Document.

### Stakeholder Engagement

We advised the following of our proposals by letter or email:

<b>Table 2: Consultee List</b>	
Pupils and Pupil Councils*	Welsh Ministers
Parents, prospective parents, guardians and carers*	Assembly Members and Members of Parliament representing the area served *
Headteacher, Staff and Governing bodies*	Local CCBC Members
Directors of Education for Neighbouring Authorities	Local Town and Community Councils
Teaching and Support Staff Associations	Estyn
Parent Network	Welsh Education Forum
Diocesan Directors / Boards of Education	South East Wales Consortium (EAS)
Gwent and South Wales Police and Crime Commissioners	South East Wales Transport Alliance (SEWTA)
Early Years Development and Childcare Partnership	Mudiad Meithrin, Menter Iaith and voluntary nursery providers

*\*of schools directly or likely to be affected by the proposal only*

In addition to notifying the consultees in writing of the proposal, distribution of information was supported via the school text messaging service direct to parents and staff.

The Council's Social media channels were also utilised. Messages relating to the consultation were released in phases throughout the consultation period to maintain public awareness and provide as far a 'social media reach' as possible.

Social media reach is a media analytics metric that refers to the number of users who have come across a particular content on a social platform such as Facebook, YouTube or Twitter

### **Consultation Information**

As part of this proposal, the following documentation was produced:

- Consultation Notification Letter
- Consultation Document
- Consultation Response Form (Online)
- Consultation Response Form (Printable PDF)
- Integrated Impact Assessment

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request, however, no such requests were received as part of this process.

Hardcopies of the documentation were issued to the schools directly affected by the proposal including the child friendly summary for discussion with the pupils.

### **Response Methods**

As outlined in the Consultation Document, anyone wishing to comment in relation to the proposal could do so in writing by:

- Completing the online response form on the Council's website
- Completing a response pro forma and posting it to the 21<sup>st</sup> Century School Team at Caerphilly
- Emailing comments to the 21<sup>st</sup> Century Schools Team at Caerphilly

Pupils of the school directly affected by the proposal were also give the opportunity to engage in the process through focused 'Pupil Voice' sessions.

This consultation was undertaken to capture the views of consultees in relation to the proposal. These views have been incorporated into this document, which will be published and considered by Cabinet when determining whether to proceed to the Planning Application stage.

A separate Planning Application Process will be undertaken in respect of this proposal. The separate statutory processes were outlined in the consultation document and any adverse comments received as part of this process have been recorded as such.



# CONSULTATION RESPONSES

## Consultation Responses

Overall a total of 15 responses were received during the consultation process.

*Please note:* The figure above and the data reported on for Questions 1 to 7 do not include the responses received by Estyn or captured as part of any pupil engagement sessions. These are outlined in more detail later in this document.

Of the prescribed methods for providing a response during the consultation period:

- 14 responses received via Online Survey
- 1 response received via email
- 0 responses received via post
- Pupil Voice Sessions the school open to entire pupil cohort (299 pupil excluding nursery)

0 responses (0%) were returned in the medium of Welsh.

The 21<sup>st</sup> Century Schools Team received no requests for the documentation to be provided in any other format or language.

## QUESTION 1

The consultees were asked to identify a category that best described them in relation to the proposal for the school affected. The options provided were selected to identified key demographic groups for reporting purposes to Cabinet. These included, Pupil, Parent, Staff Member, School Governor, Elected Member, Local Resident, Group and Other.

Of those who responded, the following categories were selected:



40% Parents	20% Staff Members	33.33% Local Resident	6.67% Other
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For those selecting 'other', the opportunity was given to elaborate further as they felt appropriate however in this instance, no additional information was provided by the respondent identified in this category.

## QUESTION 2

As part of the consultation process, consultees were asked to provide basic contact information, including their name, address and email. This psychographic data was collected in order to help paint a picture of the consultee and enable the 21<sup>st</sup> Century Schools team to understand trends in response data and response groupings that would assist in compiling this Community Engagement Report.

As information can be collected for many purposes, the Caerphilly County Borough Council's privacy notice for consultations/surveys was referenced, which outlined the purpose and legal basis for collecting the information, data usage and data retention periods.

Cabinet will be provided with a separate digest of all the consultation comments received.

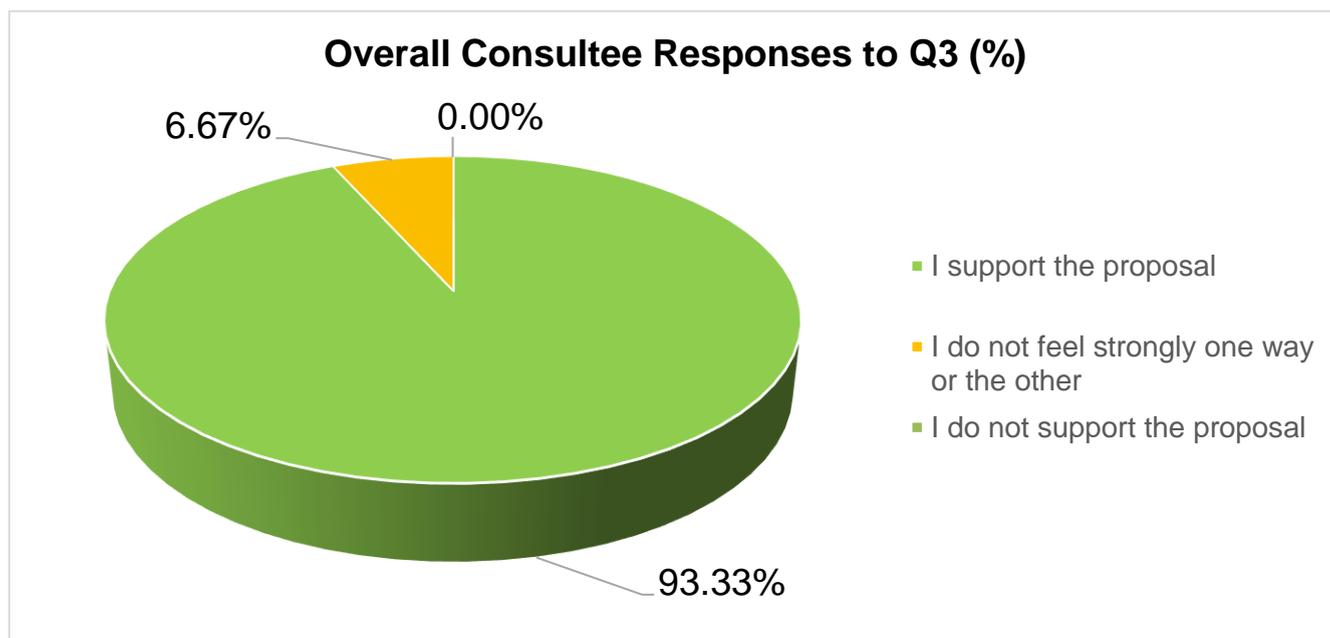
## QUESTION 3

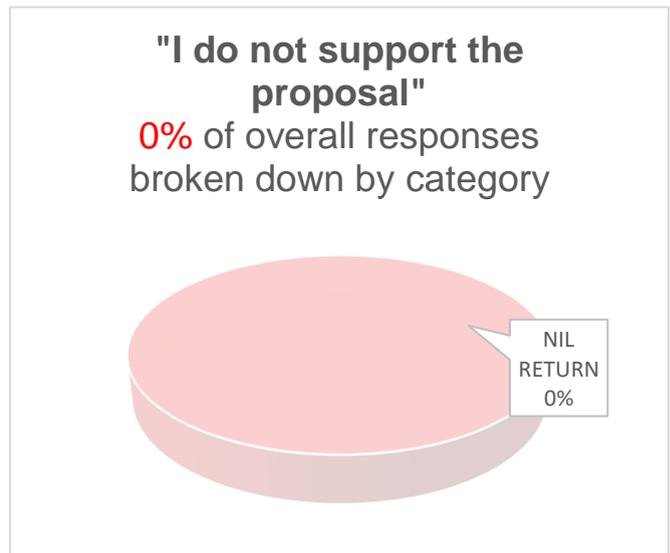
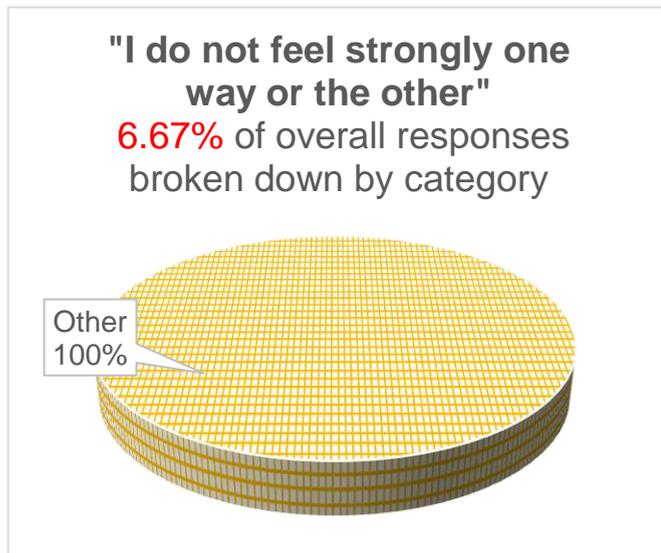
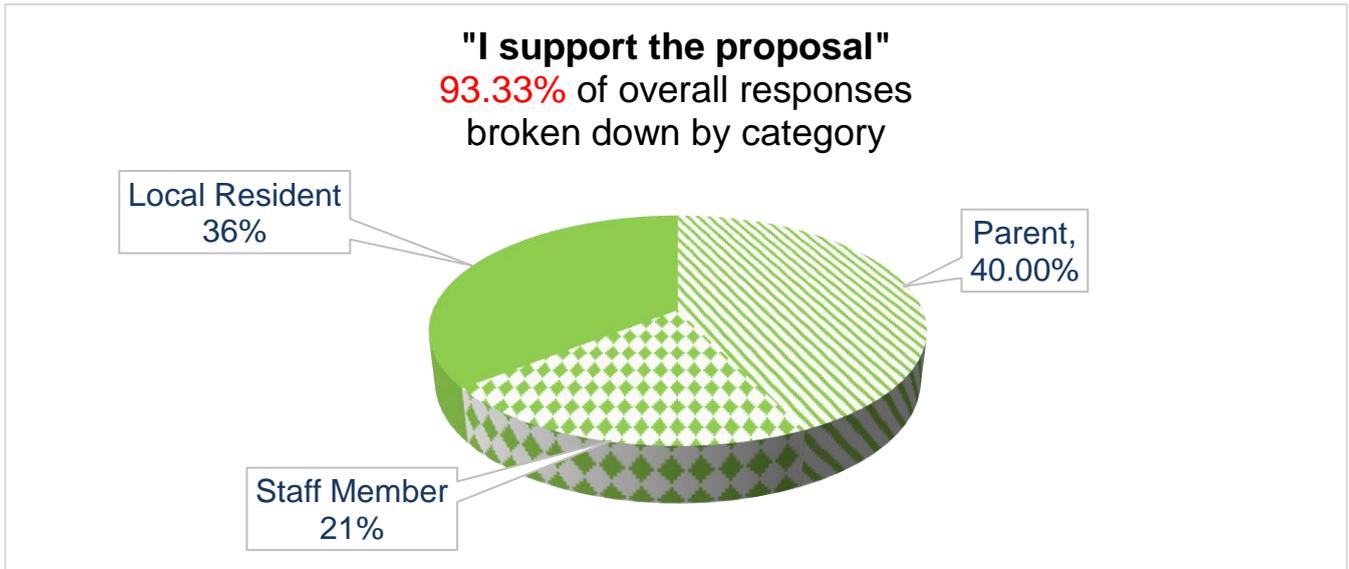
Consultees were asked to indicate which of the following statements most accurately reflected their views about the proposal. Consultees were reminded to read the consultation documentation prior to providing any responses during this consultation exercise and that unfavourable comments made during the consultation period will not be treated as objections at this stage.

The options available were:

- I do not feel strongly one way or the other
- I support the proposal
- I do not support the proposal

Of the responses returned, 14 support the proposal, 0 do not support it, 1 didn't feel strongly either way or failed to select an option. That equates to 93.33% in support, 0% opposed with the remaining 6.67% either providing a neutral response or no comment.





It is prudent to bring to the attention of readers that the commentary provided as part of Question 4 may offer additional insight into the views of the consultees and that the response provided to Question 3 should not be considered in isolation.

**QUESTION 4**

This was a free text box, enabling consultees to provide additional comments on the proposal. All comments received have been read and analysed.

General themes that emerged from the consultation:

- Advantages of a new and enlarged school building
- Community and Intergenerational facilities
- Traffic, parking and drop off arrangements
- Construction process and potential impact

These themes are outlined in more detail in the section on 'Consultation Clarification'.

### QUESTION 5

Consultees were given the option to request notification as to the publication of this Community Engagement Report. Contact information has been collected to this end and the preferred method for communication will be notification via email if this information has been made available by the respondent.



13 out of the 15 respondents have requested notification (12 via email, 1 via post). These individuals have been added to the notification list and will be contacted concurrently with stakeholders when this document is made publicly available through the Council's website. Hardcopies of the documentation will be made available on request.

### QUESTION 6

In line with the Caerphilly County Borough Council's Strategic Equality Plan 2016-2020 and the Consultation and Monitoring Guidance 2016 document, a reduced version of the Equalities and Monitoring questionnaire was included as part of the consultation response to support effective planning and to ensure that a representative sample was achieved to identify any equality issues.

The option to include information relating to the consultees Gender, Age, Disability Status, Welsh Language Skills and any influencing factors relating to their response were included but not mandatory.

From the responses received, of those that completed the Equalities monitoring section:

<b>Are you ...</b>			
Male	5	Other	0
Female	10	Prefer not to say	0

<b>Age</b>			
Under 16	0	40-65	8
16-25	0	Over 65	2
26-39	4	Prefer not to say	1

<b>Disability</b>			
I am not Disabled	11	Learning Difficulties	0
Physical / Mobility Impaired	2	Visually Impaired	0
Hearing Impaired	0	Speech Impaired	0
Prefer not to say	2		
Other	0		

Welsh Language Skills				
	A Little	Moderately	Quite Well	Fluently
Speak	6	1	1	2
Understand	4	1	0	3
Read	4	2	1	2
Write	3	1	2	2
No Welsh Language Skills	3		Prefer not to say	2

## QUESTION 7

In relation to equalities implications that respondents highlighted, responses indicated that their decision was influenced as per the list outlined in the consultation response form. 0 responses were provided for this question.

## Education Scrutiny Response

The Council's Education Scrutiny Committee is a consultee for any policy or service developments in relation to Education within the Borough.

A digital meeting via Microsoft teams took place on Tuesday 2<sup>nd</sup> November 2021 at 5.30pm.

As part of this meeting, the 21<sup>st</sup> Century Schools and Colleges Band B Programme and consultation in respect of the proposal to create a new and enlarged replacement Plasyfelin Primary School in the grounds of the existing school site was discussed. All consultation documentation was made available to members as part of the agenda reports pack and officers linked to the proposal were available to take questions.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded for inclusion in this Community Engagement Report. The Committee members voted 12 For, 0 Against, 0 Abstentions in relation to the proposal.



A recording of the session is available on YouTube:

[Education Scrutiny Committee Meeting](#)

The agenda item linked to this proposal starts 53 minutes and 45 seconds in to the recording.

The [Notice of the Decisions](#) document is also available to view on the Council's website.

## Estyn's Response

Whilst the proposal for Plasyfelin Primary School was exempt from the requirement to consult under the School Organisation Code 2018, as a matter of professional courtesy Estyn were advised of the publication of the proposal and invited to comment.

Estyn is the education and training inspectorate for Wales and their vision is to improve the quality of education and training and outcomes for all learners in Wales. As a body being

consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal. The full response from Estyn is included at Annex 2 at the end of this document. However, in summary:

*“Estyn considers that the proposal is likely to maintain the standard of education provision in the area. However, there is too little information on the current standard of education in Plasyfelin Primary School or how surplus places in neighbouring schools could be affected.”*

The Council acknowledges Estyn’s response and would like to provide the following clarification in relation to a number of their observations.

Through the effective management and monitoring of school places and future projections, the Council remains confident that the option that has been carried forward as part of this consultation exercise remains the best option moving forward, something which Welsh Government has also ratified at their Business Case Scrutiny Group and Programme Investment Panel.

Whilst we recognise that Estyn are concerned about the school not reaching its capacity until 2030, the Council acknowledges and addresses this within the proposal and the Integrated Impact Assessment produced to support the proposal.

To fulfil the requirements of the Welsh Government’s 21<sup>st</sup> Century Schools Band B Programme there is a need to demonstrate the longevity of any investment for a period of up to 60 years. The Future Generations Act also sets out five ways of working needed for Public Bodies to achieve the seven well-being goals which need to be achieved by any proposal brought forward.

- **Long-term**- The importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs
- **Integration** - Considering how the Council’s well-being objectives may impact upon each of the well-being goals
- **Involvement** - The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area
- **Collaboration** - Acting in collaboration with any other person (or different parts of the Council) to meet its well-being objectives
- **Prevention** - How acting to prevent problems occurring or getting worse help the Council meet its objectives

The Council is experienced in delivery 21<sup>st</sup> Century Schools programmes and works closely with affected schools to ensure minimal impact across the area and in addition, any detriment to pupil education and as such has proposed to introduce a lower admission number at initial opening (to be determined), which will be increased incrementally until the school reaches full capacity. This will not only minimise the impact upon the surplus places in the school and protect neighbouring schools within the area but will also account for the growing demand through housing developments.



# LEARNER VOICE

## School Council / Pupil Engagement

Young people have a right to act to express their views in all matters affecting them and for their views to be heard and given due weight in accordance with their age and maturity.

The Council acknowledged that the voice of young people is about involving them as active participants in the development, delivery, management and improvement of their educational and student experience and needs to be at the heart of planning, provision and evaluation.

The 21st Century Schools Team in Caerphilly ensure that when bringing forward any proposal, suitable arrangements are made to consult and involve pupils throughout the process. In the initial consultation document, the decision was taken to engage with all year groups and not just a representative sample, with the support of the local teaching team.

A child friendly consultation summary and video, which included some of the pupils, was produced to support the consultation process with pupils to present information in a manner relevant to their likely understanding, allowing them to participate in the consultation process and reach an informed opinion.

The School Council, Eco Council and wider pupil cohort were encouraged to participate in the consultation process and have responded as a single entity, therefore we have not included the numbers on individual pupils taking part in the total consultation response figures on this occasion.

The pupils engaged in the process supported the proposal and offered a number of ideas about what they would like to see inside the school, within the grounds, what could be included to support the Decarbonisation agenda and facilities that could be included for the wider community. Some of these ideas are summarised below:





*Images from Consultation Sessions undertaken with pupils at Plasyfelin Primary School. Schools provided images on the understanding that parental permission was obtained.*

## NEXT STEPS

### Consultation Clarification

When analysing the consultation response comments received as part of the consultation period, a number of emerging themes became evident.

The following table provides a summary of the response themes received during the consultation period.

Table 3: Summary of Response Themes		
Theme	Overview	Number of Mentions
<b>Advantages of a new and enlarged school building</b>	Better learning environment and facilities	5
	Importance of Outdoor Space and play Areas for the pupils	3
	Positive impact on the Decarbonisation agenda i.e. Forest/Eco Schools, energy generation, heat pumps, recycling of existing equipment for use in this scheme or alternatives	4
<b>Community and Intergenerational facilities</b>	Use of wider facilities for community groups	1

<b>Traffic Management</b>	Access concerns at Plasyfelin and calls for better drop off and parking	4
	Increased traffic flow at proposed site and impact on surrounding area	4
<b>Construction process and potential impact</b>	Timelines linked to construction phase	1
	Construction disruption to neighbouring properties and impact this may bring	2
	Impact of building works and location of new build on the local views	1
	Potential links to existing access routes to lower end of site	1
	Any alternative uses identified for remaining land within the existing school boundary	1

To assist Cabinet in the decision making process, the following information is provided by means of response for clarification with supporting reasons.

<b>Table 4: Council Response - Theme Clarification</b>
<b>Theme: Advantages of a new and enlarged school building</b>
<b>Council's Response</b>
<p>The Council appreciates the level of support shown from consultees in relation to this proposal. As outlined in the Consultation document, the indoor and outdoor facilities will be tailored to the needs of the pupils and curriculum whilst protecting the biodiversity in the area (trees, wildlife), which is a specification of the planning application process.</p> <p>With reference to the Decarbonisation Agenda, the proposal for the new build will work towards becoming a net zero carbon school. Whilst all new developments are built to BREEAM excellence, the Council intends to work closely with the school and their eco-council to investigate additional technologies and systems that could be installed to the benefit of the school and wider community, subject to the proposal being approved to progress.</p>
<b>Theme: Community and Intergenerational facilities</b>
<b>Council's Response</b>
<p>It is a pre-requisite of Welsh Government funding that Council's optimise the use of infrastructure and resources to enable flexibility for space and facilities to be made available as community assets. Whilst the internal design of the proposed extension is yet to be finalised, subject to Cabinet approval to progress, the Council will work closely with School Staff and local residents to understand need and how this may be accommodated on a booking basis.</p>
<b>Theme: Traffic Management</b>
<b>Council's Response</b>
<p>This proposal will be subject to a full planning application process and a wide range of consultees will be invited to comment, including the Highways Department.</p>

As part of any development, the Council is committed to providing safe, efficient and effective traffic management. As a highway authority, we have a duty to manage the road network to ensure, as far as possible, the safe and convenient movement of traffic, which includes pedestrians and other vulnerable road users. The planning and design of the facility will establish safer routes with designated pick up and drop off points, including car parking which should alleviate congestion.

**Theme: Construction process and potential impact**

**Council's Response**

The Council can confirm that the curtilage of the school will remain unchanged and that all land within will remain in Educational use.

The development on site will be designed and orientated in such a way as to minimise impact to any neighbouring residential properties and maximise any natural access routes.

The proposal will be subject to a full planning application process led by our experienced Building Consultancy Team and subject to building regulation requirements relating to a number of factors such as dust, noise etc.

As outlined in the consultation document, the occupation date for the new building is scheduled for September 2024.

**Reasonable Alternatives Identified**

Following the consultation period, and through consideration of the responses received as part of this process, a further assessment for the proposal has been undertaken prior to making a recommendation to take account of any further information that has come forward through the consultation or otherwise.

No reasonable alternatives have been highlighted as a result of the Consultation Process.

**Recommendation**

In reviewing the proposal to take account of further information that has come forward through the consultation and in consideration of the likely impact on quality and standards in education, the community and travelling arrangements, it is the recommendation of this report that the proposal is progressed as outlined in the Consultation Document, namely:

- **Create a new and enlarged replacement Plasyfelin Primary School in the grounds of the existing school site, to accommodate future projected demand within the area.**

Cabinet Members are asked to:

- a) Consider the information contained in the Community Engagement Report.
- b) Approve the recommendation to proceed to Planning Application Stage
- c) Approve the recommendation to proceed to Full Business Case in relation to the proposal

## **Decision Making**

Should Cabinet decide to proceed with the proposal, this will be logged as the final determination in the educational process prior to the proposal progressing through a full planning application process.

Approval to proceed will trigger the start of the Planning Application Process and provide permission to submit a Full Business Case to Welsh Government.

It should be reiterated that as the School Organisation Code 2018 does not apply to this proposal, there is no requirement to undertake a 28 day Statutory Notice/Objection Period as outlined in Section 4.1 of the Code in this instance.

## **SUPPORTING INFORMATION**

### **Annex 1 :**

[Consultation Notification Letter](#)

[Consultation Document](#)

[Consultation Frequently Asked Questions](#)

[Original Integrated Impact Assessment](#)

### **Annex 2: Consultation Responses**

#### **Estyn's response to the proposal by Caerphilly local authority to replace Plasyfelin Primary School with a new and enlarged school in the grounds of the existing school site**

##### **Introduction**

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore, as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer.

##### **Summary/ Conclusion**

Estyn considers that the proposal is likely to maintain the standard of education provision in the area. However, there is too little information on the current standard of education in Plasyfelin Primary School or how surplus places in neighbouring schools could be affected.

### **Description and benefits**

The proposer has provided a reasonable rationale for this proposal. It follows the local authority's plan to invest in improving its school buildings and developing shared and co-located facilities for community use. The proposal would see the creation of a new and enlarged replacement school in the grounds of the existing school site, with an increase from the existing capacity of 394 pupils to 420 pupil places, plus 60 nursery places. The proposer has not identified whether the existing capacity of 394 pupils includes nursery places.

The School Organisation Code (Welsh Government, 2018, p.19) does not require the proposer to consult under the code, as the main entrance of the replacement school would be within 1.609344 kilometres (one mile) of the main entrance of the existing school. Nevertheless, the local authority sets out its aim to engage in transparent, balanced and open decision-making, through informing and consulting stakeholders, which reflects the principles of its Consultation and Engagement Framework 2020-2025.

The proposer presents a detailed description of the options framework it used to support its decision-making about the relative desirability, viability and feasibility of this proposal. It sets out clearly and fairly the expected benefits and disadvantages of making changes to the existing school. The proposer outlines clearly the difficulties of undertaking additional physical work to the existing school, due to asbestos identified throughout the buildings. Clear and valid reasons are provided as to why three of the alternatives have been discounted. The proposal identifies how a number of community groups, such as amateur dramatics and a local football team, already use the existing school buildings and its outdoor environment. It is therefore unclear why an option of replacing the primary school building on the existing Plasyfelin site with the same admission number and with facilities for use by the community, has not been considered.

The proposer has considered the impact of the changes on learner travel arrangements, but as there is no change to the catchment area and the proposed location for the new building is within the existing school site, it is reasonable to assume that there will be minimal implications for learner travel arrangements. A number of 'safe travel' routes are already established. The local authority has identified that the proposal provides an opportunity to improve the access road to the school and the designated bus or taxi turning points. In the case of accessibility, the proposer has not outlined how it might achieve these improvements, while minimising disruption to local residents, pupils and staff.

In its rationale, the proposer identifies new housing developments in the Plasyfelin Primary School catchment area, as the main reason for increasing the school's admission number to a capacity of 420 pupils, plus 60 nursery pupils. The projected numbers, however, indicate that the school would not reach capacity by 2030 (six years after the projected completion date of the new build). The projected number of nursery pupils on roll by 2030 suggests there could be 24 surplus nursery places in the school. The proposer does not give sufficient explanation for increasing the number of nursery places, when modelling suggests numbers on roll would be very similar to those currently.

The proposal details admission numbers for Plasyfelin Primary School and for neighbouring primary, infant and junior schools. At present, 73.31% of pupils attending the school are from within the catchment area. Around a third of pupils eligible to attend Plasyfelin attend other English medium provision and almost 40% of pupils within the Plasyfelin Primary School catchment area attend faith and Welsh medium schools. It is unclear whether the proposer has taken a similar analysis of the patterns of attendance across the neighbouring schools into account in the projected numbers.

The local authority has identified possible risks associated with the proposal, one of which is destabilising other already established educational provision in the area. The proposer feels confident that the risk can be mitigated by increasing the admission number to Plasfelin Primary School over time 'by a manageable amount'. However, it does not show how the projected surplus places in other schools up to 2026, such as Hendre Infants School, Hendre Junior School and St James' Primary will be impacted. The proposal refers to the current provision for the Welsh language within Plasfelin and nearby Welsh-medium schools. Given that a third of pupils within Plasfelin Primary School's catchment attend Welsh-medium provision, the proposer is not specific enough about how this proposal supports, or might affect, the targets in the local authority's Welsh in Education Strategic Plan.

Overall, the rationale for taking forward option 5, which increases the school's admission number, over option 4, replacing the primary school with no change to the current pupil admission number, is not sufficiently robust.

The proposer explains how it will fund the building of a new school for Plasfelin Primary School but does not provide indicative costs for the project or the scale of any projected net savings.

#### **Educational aspects of the proposal**

The local authority has considered suitably the impact of the proposals on the quality of the pupils' learning experiences and their wellbeing, for example in relation to their physical development through improvements to indoor and outdoor facilities. The proposer considers the information from the most recent Estyn inspection report for the school, published in 2016. However, the local authority provides a misleading interpretation of one of the report's judgements which it uses to support its rationale for the proposal.

In the summary of the school's current performance and commentary on its prospects for improvement being 'good', the inspection report identifies that 'Staff manage resources well and pupils benefit from a learning environment of high quality' (Estyn, 2016, p.2). The inspection report does not identify that improvements '*could be achieved if resources were balanced well*' or that '*pupils would benefit from a learning environment of high quality*', as stated in the proposal. Furthermore, the proposal does not provide an up-to-date view of the local authority or regional consortium on current standards, the quality of teaching or curriculum; care, support and guidance, or the quality of leadership and management.

The proposal takes appropriate account of the Additional Learning Needs and Education Tribunal (Wales) Act (2018) in describing the proposed design and layout of the new building and has carried out a detailed integrated equality impact assessment. It concludes that the proposal would likely have a positive or neutral impact in relation to the Equality Act 2010, socio-economic factors and the achievement of the local authority's wellbeing objectives.

The local authority is confident that there would be minimal disruption to the daily operation of the existing school, while the proposed building works are carried out, and that community groups who also use the school's facilities will be able to continue their activities. However, there is insufficient information about how disruption to the site would be monitored and how learners and staff would be supported in the move to the new school. In addition, the proposer has outlined that the current buildings will need to be decommissioned, demolished and disposed of in line with appropriate guidelines when the new facility is complete. It is not clear how this might affect staff, pupils and local residents, or how the local authority would mitigate any issues associated with this work.



## **CABINET - 26<sup>TH</sup> JANUARY 2022**

**SUBJECT: 21<sup>ST</sup> CENTURY SCHOOLS AND COLLEGES BAND B  
PROGRAMME - CONSULTATION REPORT: LLANCAEACH  
JUNIOR SCHOOL/LLANFABON INFANTS SCHOOL**

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND  
CORPORATE SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of the report is to update Members on the 21<sup>st</sup> Century Schools and Colleges Band B proposal in respect of the amalgamation of Llancaeath Junior School and Llanfabon Infants School to create a new Primary School provision.
- 1.2 Members are asked to consider the information contained in the Consultation Report and approve the recommendations to proceed to Statutory Notice.

### **2. SUMMARY**

- 2.1 The 21<sup>st</sup> Century Schools Band B proposals for Llancaeath Junior School and Llanfabon Infants School went to formal consultation between the 20<sup>th</sup> October 2021 and the 1<sup>st</sup> December 2021
- 2.2 To discharge the Council's duty under the School Organisation Code 2018, there is now a requirement for Cabinet members to give due regard to the content of the Consultation Report and determine whether or not it is appropriate to move to the next stage in the process.
- 2.3 A Consultation Report has been compiled and attached as an annex to this report. The Consultation Report summarises each of the issues raised by consultees. Any emerging themes that have been raised through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons.
- 2.4 Members approval is being sought in relation to progression to Statutory Notice.

### **3. RECOMMENDATIONS**

3.1 Cabinet Members are asked to: -

- a) Note the contents in this report
- b) Consider the information contained in the Consultation Report
- c) Approve the recommendation to proceed to Statutory Notice in relation to the proposal to create a new Primary School provision through the amalgamation of Llancaeath Junior School and Llanfabon Infants School on the existing Llanfabon Infants School site

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To ensure Members are updated on the progress of Phase 2 of the 21<sup>st</sup> Century Schools and Colleges Capital Band B programme

4.2 To gain Members approval on the recommendations to proceed to the publication of Statutory Notice in respect of the proposal

4.3 To assist the Council in discharging its duties in line with the requirements of the Welsh Government's School Organisation Code 2018.

### **5. THE REPORT**

#### **5.1 Band B**

5.1.1 The key aims of the 21<sup>st</sup> Century Schools and Colleges Band B investment programme, outlined by Welsh Government, is to:

- Reduce the number of poor condition schools.
- Ensure that we have the right size schools in the right location, providing enough places to deliver Welsh and English medium education.
- Ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community.

#### **5.2 Band B Phase 2**

5.2.1 The schemes identified as part of Phase 2 of the Band B programme include the adaption and refurbishment of the old grammar school building on the former Pontllanfraith High School site to accommodate a Centre for Vulnerable Learners (Pupil Referral Unit), the amalgamation of Llancaeath Junior and Llanfabon Infants school via the expansion of the existing Llanfabon Infants site to accommodate 275 pupils plus nursery, and a new build replacement Plas-y-felin Primary school in the grounds of the existing school site to accommodate 420 pupils plus nursery.

#### **5.3 Phase 2 - Llancaeath Junior School and Llanfabon Infants School**

5.3.1 The proposal relates to the amalgamation of Llancaeath Junior School and Llanfabon Infants School via the expansion and refurbishment of the existing

Llanfabon Infants site to accommodate the new 3-11 Primary School provision with places for 275 pupils plus nursery.

- 5.3.2 Further to Cabinet approval gained on the 13<sup>th</sup> October 2021, formal consultation for the proposal was carried out between 20<sup>th</sup> October 2021 and 1<sup>st</sup> December 2021.
- 5.3.3 A prescribed list of recipients as outlined in the School Organisation Code 2018 were written to and a consultation document was published in both hardcopy and electronically via the Authority's website based. Reasonable access to information was promoted from an Equalities perspective and other formats were available on request, including a child friendly version and video.
- 5.3.4 The consultation period ran for 42 days (with at least 20 of these being school days) to provide adequate time for response and conscientious consideration has been given to any responses received.
- 5.3.5 Members of the Education Scrutiny Committee who met on the 2<sup>nd</sup> November 2021 in their capacity as a consultee under the School Organisation Code 2018, endorsed the proposal, voting 12 For, 0 Against and 0 Abstentions.
- 5.3.6 There were 11 responses received in respect of the proposal to create a new Primary School provision through the amalgamation of Llancaeath Junior School and Llanfabon Infants School. In addition, a number of pupils at both schools engaged in the consultation process through 'learner voice' sessions which have been reported on separately. These are broken down into more detail in the Consultation Report.
- 5.3.7 A Consultation Report has been compiled and has been attached as an annex to this report. The Consultation Report summarises each of the issues raised by consultees. Any emerging themes that have been raised through gathering the views of consultees during the consultation process have been responded to by means of clarification with supporting reasons. In addition, Estyn has provided a formal response in consideration of the educational aspects of the proposal which is included in the Consultation Report.
- 5.3.8 The Consultation Report will be published electronically on the 21<sup>st</sup> Century Schools pages on the Council's website. Consultees who have indicated in their consultation response that they wish to be notified will be advised by letter or email of the availability of the Consultation Report along with the key stakeholders identified in the School Organisation Code 2018.

#### 5.4 **Conclusion**

Pursuant to the requirements of the School Organisation Code 2018, formal consultation has now concluded in relation to this proposal and this report has been compiled along with the Consultation Report to provide members with the necessary information to make an informed decision as to whether to progress the proposal to the next statutory stage which would entail permission to publish of a Statutory Notice. The School Standards & Organisation (Wales) Act 2013, provides that anyone wishing to make objections to a school organisation proposal has the opportunity to do so at this stage.

## 6. ASSUMPTIONS

- 6.1 No assumptions have been made in relation to this report as it merely updates on the progress of individual projects.

## 7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An initial Integrated Impact Assessment (IIA) for this proposal was undertaken alongside the original Consultation Document forming part of the outline consultation pack which is published on the Council's website.
- 7.2 The Integrated Impact Assessment has been reviewed to include any additional elements highlighted through the statutory consultation process. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

### Original

<https://www.caerphilly.gov.uk/CaerphillyDocs/IIA/Ilancaeath-junior-Ilanfabon-infants-schools-sep202>

### Updated

<http://www.caerphilly.gov.uk/CaerphillyDocs/IIA/CCBC-Integrated-Impact-Assessment-Ilancaeath-and-L>

## 8. FINANCIAL IMPLICATIONS

- 8.1 Phase 2 of the 21st Century Schools and Colleges Band B programme, currently totals £18,500,000. The Authority's contribution within this sum is £5,925,000 as detailed below.

Project Name:	LA Contribution	WG contribution	Total Funding
Centre for Vulnerable Learners	£1,375,000 (25%)	£4,125,000	£5,500,000
Llancaeath/Llanfabon	£1,400,000 (35%)	£2,600,000	£4,000,000
Plasfelin Primary	£3,150,000 (35%)	£5,850,000	£9,000,000

- 8.2 The Authority's contribution will be met from the remaining funding of £1.209m previously earmarked for 21<sup>st</sup> Century Schools and through the recently approved earmarking of a further sum of £4.716m from the Authority's Place-Shaping Reserve.
- 8.3 The Welsh Government Grant allocation for individual projects within the 21st Century Schools Band B programme is calculated consistently across Wales using the Building Bulletin regulations BB98 - Secondary, BB99 – Primary and BB104 – Special/Pupil Referral Units. There are a number different elements which have been included in the calculations provided for each of the Phase 2 proposals, which include:
- Proposed standard price per square metre
  - Furniture fitting and equipment per pupil

- ICT per pupil

8.4 Largely due to a combination of the impact of Covid-19 and Brexit there are currently significant inflationary increases within the construction sector. This is being kept under close review but the current projected costs for the 21<sup>st</sup> Century Schools Programme will be subject to change. Members will be updated further as matters progress.

## 9. PERSONNEL IMPLICATIONS

9.1 This will be dependent on specific proposals and will be considered as part of the consultation process.

## 10. CONSULTATIONS

10.1 The draft report was distributed as detailed below. All comments received have been reflected in this version of the report.

### 10.2 SCRUTINY COMMITTEE COMMENTS

#### **Education Scrutiny Committee 10<sup>th</sup> January 2022 Comments Agenda Item 8 – 21st Century Schools and Colleges Band B Programme - Consultation Report: Llancaeach Junior School/Llanfabon Infants School**

This report was presented to the Education Scrutiny Committee on Monday 10<sup>th</sup> January 2022.

One Member commented that 11 respondents to the consultation was a bit disappointing and also noted that Appendix 1 (p.39) had reference to an outdated Equality Plan. Caerphilly County Borough Council's Strategic Equality Plan 2016-2020 rather than the latest version. The Member then asked for a response to ESTYN reports mentioned on pages 48 and 49 of Appendix 1. They concerned quality of leadership and structure of the governing body. The 21<sup>st</sup> Century Schools Manager advised Members that the governing body would be established if the proposal progressed. Officers would work with the existing governing bodies to ensure a smooth transition and, if necessary form an early collaboration. The Chief Education Officer advised that there were no follow-up notices from ESTYN for either school and therefore no issues in terms of leadership had been identified. Members heard how the reasons for amalgamation were driven by geography rather than any issues of leadership. The Member asked for a response to the finding that the proposal does not consider the impact of the proposals on children with Special Educational Needs. The Lead for Inclusion and ALN advised that the impact of transition was critical in this regard and that this would be work undertaken by the Council when a decision was reached on amalgamation. The 21<sup>st</sup> Century Schools Manager also highlighted that pupils from Llancaeach Junior School with Special Educational Needs would already be familiar with Llanfabon School because they had attended this site since nursery. Therefore, the element of change would be minor and help the transition.

One Member asked if the Council's Building Consultancy Team would be involved with these proposals. The 21<sup>st</sup> Century Schools Manager provided assurances that

the team would be involved and highlighted the experience that they would bring to the projects being discussed.

Following consideration of the report it was moved and seconded that the recommendations be approved. By way of Microsoft Forms Voting this was unanimously agreed, in noting there were 12 votes for, no votes against and no abstentions.

## **11. STATUTORY POWER**

### **11.1 School Organisation Code 2018 (Welsh Government) School Standards & Organisation (Wales) Act 2013**

**Author:** Andrea West, 21<sup>st</sup> Century Schools Manager

**Consultees:** Christina Harray, Chief Executive  
Richard Edmunds, Corporate Director of Education and Corporate Services  
Dave Street, Corporate Director, Social Services  
Mark S Williams, Corporate Director for Economy and Environment  
Councillor Ross Whiting, Cabinet Member, Education and Achievement  
Councillor Teresa Parry, Chair of Education Scrutiny Committee  
Councillor Carol Andrews, Vice Chair of Education Scrutiny Committee  
Steve Harris, Head of Financial Services and S151 Officer  
Keri Cole, Chief Education Officer  
Sue Richards, Head of Transformation  
Sarah Ellis, Lead for Inclusion & ALN  
Sarah Mutch, Early Years Manager  
Paul Warren, Strategic Lead for School Improvement  
Jane Southcombe, Financial Services Manager  
Lynne Donovan, Head of People Services  
Anwen Cullinane, Senior Policy Officer, Equalities, Welsh Language & Consultation)  
Rob Tranter, Head of Legal Service and Monitoring Officer  
Ros Roberts, Business Improvement Officer  
Mark Williams, Interim Head of Property Services  
Steve Pugh, Corporate Communications Manager

**Background Papers:**

Appendix 1 Consultation Report - Llancaeath Junior School / Llanfabon Infants School

# 21st Century Schools Consultation Report

LLANCAEACH JUNIOR SCHOOL / LLANFABON INFANTS SCHOOL



Proposal : **Amalgamate Llancaeach Junior School and Llanfabon Infants School to create a new Primary School provision on the existing infants school site for those aged 3-11 years**

Formal Consultation Period : 20<sup>th</sup> October 2021 – 1<sup>st</sup> December 2021

This report is published in line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018.



Ysgolion a Cholegau yr 21ain Ganrif  
21st Century Schools and Colleges



Llywodraeth Cymru  
Welsh Government



caerphilly.gov.uk/21centuryschools



**Richard Edmunds**

Corporate Director for  
Education and Corporate  
Services

# FOREWORD

*“Working together to deliver the best outcomes for all our children”*

Caerphilly County Borough Council has embarked upon an exciting but challenging journey of improvement and change. We have bold ambitions to provide every learner with the best life chances and we are committed to doing this through the provision of high quality teaching, learning and leadership across our school settings as part of our ‘Shared Ambitions’ Strategy.

We have focused on improving young people’s outcomes and this is still a priority area moving forward incorporating a holistic view of education. The Council has adopted ‘Improving education opportunities for all’ as the first of its Wellbeing Objectives and has committed to an ambitious 21st Century Schools investment programme.

In collaboration with Welsh Government, the 21<sup>st</sup> Century Schools and Colleges Band B Programme is supporting investment in education within the County Borough. Our aspiration is the improvement of the condition of school buildings and maximising community usage.

Our current proposals support our commitment to increase school effectiveness and to narrow inequalities in achievement across groups; to understand the needs of more vulnerable children; promote the Welsh Language, and support those unable to access traditional learning pathways to ensure that all will benefit from the richness of learning and cultural opportunities. These principles help steer our decision making and prioritise projects.

As part of this proposal a consultation exercise has been carried out in line with the requirements of the School Organisation Code 2018. All stakeholders have had the opportunity to participate and make comments.

This Consultation Report has been produced to summarise the emerging themes raised by consultees during the consultation period including Estyn’s feedback. It aims to provide a balanced, transparent document to support Cabinet in deciding whether to progress with the proposal, make changes or not to progress.

I hope you find this document informative as a reflection of the activities undertaken to date and an insight into the journey we are on, shaping delivery and placing learning provision at the heart of our communities.

<b>TABLE OF CONTENTS</b>	
<b>Introduction</b>	
➤ Executive Summary	<a href="#">Page</a>
➤ Statutory Obligations	<a href="#">Page</a>
➤ Purpose of the Consultation Report	<a href="#">Page</a>
➤ What is the 21 <sup>st</sup> Century Schools and Colleges Programme?	<a href="#">Page</a>
<b>Proposal</b>	
➤ What are we proposing to do?	<a href="#">Page</a>
➤ What is driving this proposal?	<a href="#">Page</a>
➤ Options Appraisal	<a href="#">Page</a>
➤ Benefits and Disbenefits	<a href="#">Page</a>
<b>The Consultation Process</b>	
➤ Consultation Process	<a href="#">Page</a>
➤ Implications of COVID19	<a href="#">Page</a>
➤ Stakeholder Engagement	<a href="#">Page</a>
➤ Consultation Information	<a href="#">Page</a>
➤ Response Methods	<a href="#">Page</a>
<b>Consultation Responses</b>	
➤ Consultation Responses	<a href="#">Page</a>
➤ Education Scrutiny Response	<a href="#">Page</a>
➤ Estyn's Response (summary)	<a href="#">Page</a>
<b>Learner Voice</b>	
➤ School Council / Pupil Engagement	<a href="#">Page</a>
○ Schools directly affected by Proposal	
○ Other schools identified as being affected	
<b>Other Considerations</b>	
➤ Local and National Strategies	<a href="#">Page</a>
<b>Next Steps</b>	
➤ Consultation Clarification	<a href="#">Page</a>
➤ Reasonable Alternatives Identified	<a href="#">Page</a>
➤ Recommendation	<a href="#">Page</a>
➤ Decision Making	<a href="#">Page</a>
➤ Reporting, Notification and Publishing of Information	<a href="#">Page</a>
<b>Supporting Information</b>	
➤ Annex 1: Key Consultation Documents	<a href="#">Page</a>
➤ Annex 2: Estyn's Response (Full version)	<a href="#">Page</a>



## INTRODUCTION

### **Executive Summary**

Schools in Wales need to be in good condition and suitable for the delivery of education. In some cases, schools can be modernised, repaired, refurbished, extended, or partially rebuilt to meet the standards needed for contemporary teaching and learning. However, some existing schools are no longer in the right place and in such cases, we might propose new schools or changes to existing schools.

Caerphilly County Borough Council aspires to continue to raise school standards and improve the quality of the learning environment to create fit-for-purpose 21<sup>st</sup> century schools and give every child in Caerphilly the best possible start in life.

The proposal to establish a Primary School in the Nelson area has been identified as one of the phase 2 projects in the 21<sup>st</sup> Century Schools Band B programme.

For proposals relating to schools, the School Organisation Code 2018, provides clear statutory guidance as to the processes that need to be adhered to. Undertaking a consultation exercise is one of the initial stages of progressing any proposal and is subject to Welsh Government scrutiny and Cabinet approval. From the 20<sup>th</sup> October 2021 to the 1<sup>st</sup> December 2021, a consultation exercise was undertaken. The purpose of the consultation was to gain views on the proposal to support and invest in the establishment of a new Primary School through the amalgamation of Llancaeath Junior School and Llanfabon Infants School.

This Consultation Report is the prescribed method as outlined by the School Organisation Code 2018 for reflection, review and assessment to provide Cabinet with the information to make an informed decision as to whether to proceed with the proposal to the next stage, amend the proposal taking into account further information that has come forward through the consultation process or to close this proposal with no further actions taken.

The Report is divided into several sections with the aim to:

- Outline the consultation processes undertaken
- Provide clarification in relation to the information provided and consultee engagement
- Summarise each of the issues raised by consultees
- Set out Estyn's response to the consultation in full
- Respond to issues raised by means of clarification, amendment to the proposal or rejection of the concerns, with supporting reasons

### **Statutory Obligations**

This report is published in line with the requirements of the [School Standards and Organisation \(Wales\) Act 2013](#) and the [School Organisation Code 2018](#).

The Consultation report will be published on the Caerphilly 21<sup>st</sup> Century School website with hardcopies available on request. All information is published in Welsh and English. In addition, a child friendly summary has also been produced to ensure information is provided in an accessible format for any children and young people affected by the proposals.

## Purpose of the Consultation Report

The publication of this Consultation Report discharges the Council of its duty under the School Organisation Code 2018.

The consultation period represented an opportunity for people to learn about the proposal, ask questions and make comments. Any negative responses made during the consultation period were not counted as objections to the proposal but as adverse comments.

Objections to a proposal can only be registered after the publication of a statutory notice.

The Consultation Report outlines the processes followed, provides clarity on the issues and comments received from consultees, ensures that the views of children and young people affected by the proposal are expressed and ultimately, provides Cabinet with the necessary information to take one of the following decisions:

- Proceed with the proposal
- Make changes to the proposal
- Not to proceed with the proposal

Full details of the decision making process and the stages of the proposal as outlined in the School Organisation Code 2018 have been published as part of the initial Consultation Document and is publicly available via the Council's website with hardcopies made available on request.

## What is the 21<sup>st</sup> Century Schools and Colleges Programme?

The 21<sup>st</sup> Century Schools and Colleges programme is a major, long-term, strategic capital investment programme. It is jointly funded by the Welsh Government and local authorities and aims to create a generation of 21<sup>st</sup> century schools in Wales.

The first part of the programme (Band A) ran from 2014 to March 2019.

Caerphilly has benefited greatly from investments in the initial "Band A" 21<sup>st</sup> Century Schools programme with approximately £56.5 million invested in schools for both educational and community use.

Table 1: Band A funding in Caerphilly was used to deliver

	Project Name	Band A Investment
 <p data-bbox="119 1883 363 1910">Image of Islwyn High School</p>	✓ Islwyn High School	£22.6m
	✓ Ysgol Gymraeg Cwm Rhymni, Y Gwyndy Campus	£19.2m
	✓ Idris Davies School 3-18	£8m
	✓ Newbridge School extension	£2.6m
	✓ Blackwood Comprehensive improvements	£2m
	✓ Blackwood Comprehensive 3G pitch	£865k
	✓ Trinity Fields School improvements	£1.3m

Educational transformation remains a vital outcome of our investment in Band B of the Programme. The second part of this funding (Band B) started in April 2019, with the priority areas being:

- Reduce the number of poor condition schools
- Ensure that we have the right size schools in the right location
- Provide enough places to deliver Welsh and English medium education
- Ensure the effective and efficient use of the educational estate

Further information is available on the [21<sup>st</sup> Century Schools webpages](#)

## PROPOSAL

### **What are we proposing to do?**

We are proposing to:

- **Amalgamate Llancaeath Junior School and Llanfabon Infants School to create a new Primary School provision on the existing infants school site for those aged 3-11 years with an anticipated completion date of September 2024.**
- It is proposed that the current Llanfabon Infants School site will be reconfigured to host the new Primary School provision. A new building will be built to accommodate Key Stage 2 pupils (Junior age) and a partial refurbishment of the existing Infants School building on site with the whole Primary School provision providing accommodation for 275 pupils plus 40 nursery places, ensuring the development and delivery of an inclusive all-through primary school provision delivering the full curriculum to pupils in a modern, safe and inspiring learning environment.
- The new primary school site will have improved outside learning space and facilities that will provide a stimulating teaching and learning environment with 21<sup>st</sup> Century facilities centered on the learning, self-esteem and well-being of all pupils.
- The proposed project will take into account the desire to encourage and facilitate community use of the asset. The design will seek to include measures to enable safe 'zoning' which can be utilised by the wider community.

### **What is driving this proposal?**

Proposals have been prioritised based on a number of factors including building condition, pupil projection and local and national drivers, however, the delivery of the curriculum and the Educational agenda remains at the core.

## Options Appraisal

The planning and development of effective school organisation proposals is crucial to the Welsh Government's goal of transforming education in Wales and providing better educational outcomes with a commitment to increase school effectiveness, and narrow inequalities in achievement between advantaged and disadvantaged areas, groups and individuals.

The Welsh Government's Options Framework approach has been followed to identify the widest possible number of feasible options, focusing on the following key dimensions: scope, service solution, service delivery, implementation and funding.

An options appraisal provides the opportunity to help councils make an informed and evidence based decision on how to deliver services. It does this by considering the relative advantages and disadvantages of a number of different delivery model options (including the current way in which the service is delivered).

The methodology helps decision makers to consider the:

- Desirability - the degree to which each option meets the strategic objectives and priorities of stakeholders
- Viability - the degree to which each option is financially viable and sustainable
- Feasibility - the degree to which each option can be implemented

As part of outlining the current proposal, an options appraisal was undertaken.

The options appraisal stage allowed for a number of different delivery model options to be explored and evaluated against a set of agreed criteria, leading to the selection of the preferred option.

Table 2: The following options were considered and scored:	
Option	Description
Option 1 *	<b>Do Nothing :</b> No change to existing schools
Option 2	<b>Do Minimum:</b> Internal refurbishments of both school sites
Option 3	<b>Do Intermediate:</b> Expansion of the existing Llanfabon site via modular buildings to become a new primary school to accommodate 275 pupil and 40 nursery provision
Option 4	<b>Do Major:</b> Expansion of the existing Llanfabon site via a permanent building and internal reconfiguration to become a new primary school to accommodate 275 pupil and 40 nursery provision
Option 5	<b>Do Maximum</b> New primary school building to accommodate 275 pupils and 40 nursery provision on a different site yet to be identified

\*Please note, Option 1 is considered the status quo option and is always included in the shortlist as a benchmark for value for money.

Each option was evaluated against the investment objectives outlined in the Consultation Document and the extent to which it met the Critical Success Factors. This stage was an important part of the process, to raise important questions at an early stage and assist in developing proposals.

This resulted in options either being discounted, carried forward for further consideration in the short list with an eventual option identified as a preferred way forward. It is the option identified as the preferred way forward upon which the consultation exercise was based as all other options have been discounted at this point.

The process utilised was outlined in detail in the Consultation Document and resulted in

**Option 4** being identified as the preferred option, namely, **expansion of the existing Llanfabon site via a permanent building and internal reconfiguration to become a new primary school to accommodate 275 pupil and 40 nursery provision**

### **Benefits and Disbenefits**

There are common challenges faced by all Local Authorities when adopting new proposals. The vast majority of Council policies are delivered through projects and programmes of various forms. It is therefore vital that projects are delivered successfully in order to realise their intended benefits for citizens.

Evidence shows that the best way to ensure successful delivery is by setting up projects correctly in the first place. The most common causes of failure, among others are a lack of clear objectives, insufficient resources and over-ambitious cost and schedule that impact on the level and amount of benefit that can be realised and can be avoided if tackled in a project's early stages.

As part of the development of the proposal, a number of benefits and disbenefits were identified as outlined in the Consultation Document. The consultation process was an opportunity to consult with relevant stakeholders to understand what they see as positive outcomes and what negative consequences may be delivered.

The Council recognises that people have different needs, requirements and goals and we will work actively against all forms of discrimination by promoting good relations and mutual respect within and between our communities. An Integrated Impact Assessment was carried out to initiate discussion and invite comments as to whether the principles for the proposal are supported.

All comments have been recorded and Cabinet members will be provided with copies of all the responses received within the consultation period and in their original format as part of the decision making process.



## CONSULTATION PROCESS

### Consultation Process

The consultation process has followed the Welsh Government guidelines as set out in the School Organisation Code 2018.

As the proposal relates to a ‘regulated alteration’ to a Maintained school under Section 42 of the School Standards and Organisation (Wales) Act 2013, the proposals have been published on the Council’s website.

### Implications of COVID19

Due to the implications of COVID-19 place and after taking advice from Welsh Government, this consultation process refrained from undertaking any face-to-face consultation sessions to support social distancing and maintain safe working practices for all.

It should be noted that there is no obligation to consult face-to-face and therefore a written paper consultation exercise was undertaken to discharge the Council of its duty under the School Organisation Code 2018. However, a number of alternative methods were utilised for engagement including use of social media, face-time technology and the creation of a ‘Frequently Asked Questions’ Document.

### Stakeholder Engagement

Through [TeamCaerphilly - Better Together](#), the Council is committed to ensuring high quality, citizen focused services for the communities that comprise our county borough. In future-proofing public services, we recognise the need to ensure effective engagement which is central to our decision making - [Read more about our approach to Consultation and Engagement here](#)

For this proposal, our consultation process must follow the Welsh Government Statutory guidance as set out in the School Organisation Code 2018.

Proposals must be published when we make a ‘regulated alteration’ to a maintained school under Section 42 of the School Standards and Organisation (Wales) Act 2013.

The following consultees were advised of our proposals on the 20<sup>th</sup> October 2021 by letter or email:

Table 3: Consultee List	
Pupils and Pupil Councils*	Welsh Ministers
Parents, prospective parents, guardians and carers*	Assembly Members and Members of Parliament representing the area served *
Headteacher, Staff and Governing bodies*	Local CCBC Members
Directors of Education for Neighbouring Authorities	Local Town and Community Councils
Teaching and Support Staff Associations	Estyn

Parent Network	Welsh Education Forum
Diocesan Directors / Boards of Education	South East Wales Consortium (EAS)
Gwent and South Wales Police and Crime Commissioners	South East Wales Transport Alliance (SEWTA)
Early Years Development and Childcare Partnership	Mudiad Meithrin, Menter Iaith and voluntary nursery providers

*\*of schools directly or likely to be affected by the proposal only*

In addition to advising those we were obliged to under the stakeholder criteria, the following were also contacted and advised of our proposals in writing:

- All Headteachers in the Borough

### **Consultation Information**

The School Organisation Code 2018 states that when undertaking a consultation process in connection with a school proposal, the Council must publish information to enable transparent, balanced and open decision making.

The consultation document must be published on a school day and consultees must be given at least 42 days to respond to the document, with at least 20 of these being school days as defined by Section 579 of the Education Act 1996. The consultation period opened on Wednesday 20<sup>th</sup> October 2021 (a school day) and concluded at midnight on Wednesday 1<sup>st</sup> December 2021.

As part of this proposal, the following documentation was produced:

- Consultation Notification Letter
- Consultation Document
- Consultation Response Form (Online)
- Consultation Response Form (Printable PDF)
- Integrated Impact Assessment

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request, however, no such requests were received as part of this process.

Hardcopies of the documentation were issued to the schools directly affected by the proposal including the child friendly summary for discussion with the pupils.

In addition to notifying the consultees in writing of the proposal, distribution of information was supported via the school text messaging service direct to parents and staff.

A child friendly consultation summary and advocacy video was also produced to support the consultation process with pupils of the affected schools to present information in a manner relevant to their likely understanding, allowing them to participate in the consultation process and reach an informed opinion. In addition to this documentation, the 21<sup>st</sup> Century Schools Team and local teaching staff provided assistance to children and young people who wished to submit a consultation response in their preferred format and language.

The Council's Social media channels were also utilised. Messages relating to the consultation were released in phases throughout the consultation period to maintain public awareness and provide as far a 'social media reach' as possible.

## **Response Methods**

As outlined in the Consultation Document, anyone wishing to comment in relation to the proposal could do so in writing by:

- Completing the online response form on the Council's website
- Completing a response pro forma and posting it to the 21<sup>st</sup> Century School Team at Caerphilly
- Emailing comments to the 21<sup>st</sup> Century Schools Team at Caerphilly

Pupils of the schools directly affected by the proposal were also give the opportunity to engage in the process through focused 'Pupil Voice' sessions.

The response forms were designed in such a way as to capture the relevant information required to discharge the Council's obligations required under the School Organisation Code for undertaking a consultation linked to the regulated alteration of a maintained school.

This consultation was undertaken to capture the views of consultees in relation to the proposal. These views have been incorporated into this document, which will be published and considered by Cabinet when determining whether to proceed to Statutory notice stage. A separate Planning Application Process will be undertaken in respect of this proposal. The separate statutory processes were outlined in the consultation document and any adverse comments received as part of this process have been recorded as such.



## **CONSULTATION RESPONSES**

### **Consultation Responses**

Overall a total of 11 responses were received during the consultation process.

*Please note:* The figure above and the data reported on for Questions 1 to 7 does not include the responses received by Estyn or captured as part of any pupil engagement sessions. These are outlined in more detail later in this document.

Of the prescribed methods for providing a response during the consultation period:

- 11 responses received via Online Survey
- 0 responses received via email
- 0 responses received via post
- Pupil Voice Sessions at both schools open to entire combined pupil cohort (247 pupils excluding nursery)

0 responses (0%) were returned in the medium of Welsh.

The 21<sup>st</sup> Century Schools Team received no requests for the documentation to be provided in any other format or language.

### QUESTION 1

The consultees were asked to identify a category that best described them in relation to the proposal for the school affected. The options provided were selected to demonstrate that the key consultee groups as outlined in the School Organisation Code had been engaged with. These included, Pupil, Parent, Staff Member, School Governor, Elected Member, Local Resident, Group and Other.

Of those who responded, the following categories were selected:



18.18%	18.18%	9.09%	9.09%	36.36%	9.09%
Parents	Staff Members	School Governors	Elected Members	Local Resident	Other

For those selecting 'other', the opportunity was given to elaborate further as they felt appropriate and the respondent in this case indicated they were a past employee.

### QUESTION 2

As part of the consultation process, consultees were asked to provide basic contact information, including their name, address and email. This psychographic data was collected in order to help paint a picture of the consultee and enable the 21<sup>st</sup> Century Schools team to understand trends in response data and response groupings that would assist in compiling this Consultation Report.

As information can be collected for many purposes, the Caerphilly County Borough Council's privacy notice for consultations/surveys was referenced, which outlined the purpose and legal basis for collecting the information, data usage and data retention periods.

For the purposes of this Consultation Report, Cabinet will be provided with a separate digest of the consultation comments received. Please note that comments that are considered to be offensive or compromise anonymity have been edited or removed.

### QUESTION 3

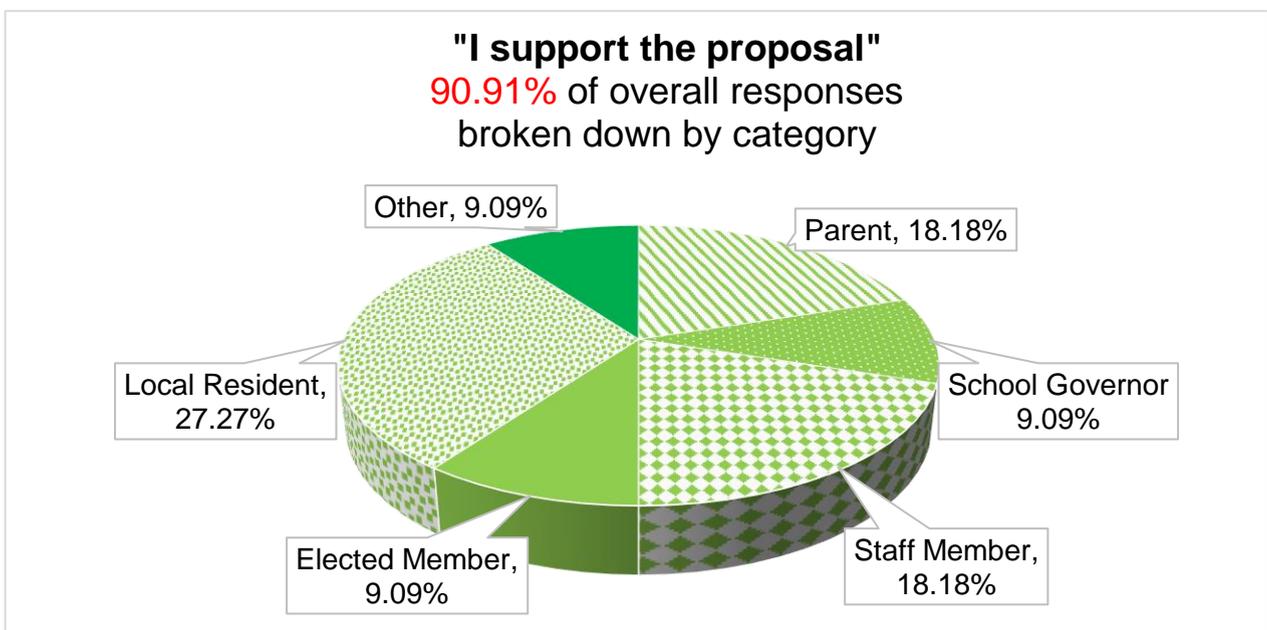
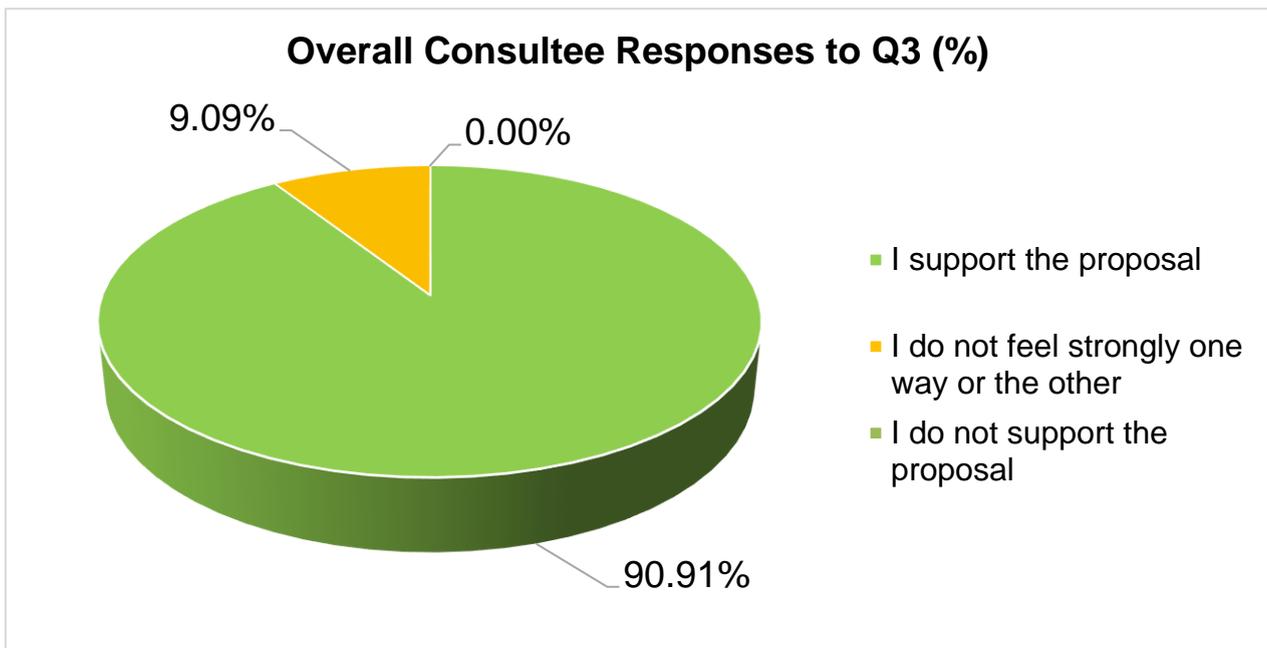
Consultees can submit their views either in favour of or against the proposals.

Consultees were asked to indicate which of the following statements most accurately reflected their views about the proposal. Consultees were reminded to read the consultation documentation prior to providing any responses during this consultation exercise and that unfavourable comments made during the consultation period will not be treated as objections at this stage.

The options available were:

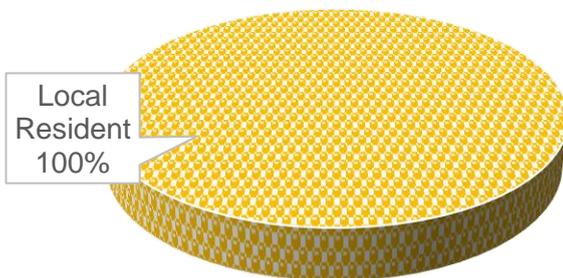
- I do not feel strongly one way or the other
- I support the proposal
- I do not support the proposal

Of the responses returned, 10 support the proposal, 0 do not support it, 1 either didn't feel strongly either way or failed to select an option. That equates to 90.91% in support, 0% opposed with the remaining 9.09% either providing a neutral response or no comment.



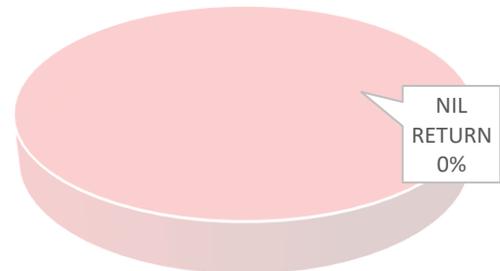
**"I do not feel strongly one way or the other"**

9.09% of overall responses  
broken down by category



**"I do not support the proposal"**

0% of overall responses  
broken down by category



It is prudent to bring to the attention of readers that the commentary provided as part of Question 4 may offer additional insight into the views of the consultees and that the response provided to Question 3 should not be considered in isolation.

#### QUESTION 4

This was a free text box, enabling consultees to provide additional comments on the proposal. All comments received have been read and analysed.

General themes that emerged from the consultation:

- Advantages of a single combined Primary school
- Community and Intergenerational facilities
- Traffic Management
- Construction process and potential impact

These themes are outlined in more detail in the section on 'Consultation Clarification'.

#### QUESTION 5

As part of our duty under the School Organisation Code 2018, consultees must be given the option to request notification as to the publication of this Consultation Report. Contact information has been collected to this end and the preferred method for communication will be notification via email if this information has been made available by the respondent.



9 out of the 11 respondents have requested notification (9 via email, 0 via post). These individuals have been added to the notification list and will be contacted concurrently with stakeholders when this document is made publicly available through the Council's website. Hardcopies of the documentation will be made available on request.

## QUESTION 6

In line with the Caerphilly County Borough Council's Strategic Equality Plan 2016-2020 and the Consultation and Monitoring Guidance 2016 document, a reduced version of the Equalities and Monitoring questionnaire was included as part of the consultation response to support effective planning and to ensure that a representative sample was achieved to identify any equality issues.

The option to include information relating to the consultees Gender, Age, Disability Status, Welsh Language Skills and any influencing factors relating to their response were included but not mandatory.

From the responses received, of those that completed the Equalities monitoring section:

Are you ...			
Male	4	Other	0
Female	7	Prefer not to say	0

Age			
Under 16	0	40-65	5
16-25	0	Over 65	2
26-39	3	Prefer not to say	1

Disability			
I am not Disabled	10	Learning Difficulties	0
Physical / Mobility Impaired	0	Visually Impaired	0
Hearing Impaired	0	Speech Impaired	0
Prefer not to say	1		
Other	0		

Welsh Language Skills				
	A Little	Moderately	Quite Well	Fluently
Speak	4	3	0	2
Understand	2	2	0	2
Read	1	2	0	2
Write	1	2	0	2
No Welsh Language Skills	1		Prefer not to say	1

## QUESTION 7

In relation to equalities implications that respondents highlighted, responses indicated that their decision was influenced as per the list outlined in the consultation response form. 0 responses were provided for this question.

## Education Scrutiny Response

The Council's Education Scrutiny Committee is a consultee for any policy or service developments in relation to Education within the Borough.

A digital meeting via Microsoft teams took place on Tuesday 2<sup>nd</sup> November 2021 at 5.30pm.

As part of this meeting, the 21<sup>st</sup> Century Schools and Colleges Band B Programme and consultation in respect of the proposal to create a new Primary School through the amalgamation of Llancaeath Junior School and Llanfabon Infants School was discussed. All consultation documentation was made available to members as part of the agenda reports pack and officers linked to the proposal were available to take questions.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded for inclusion in this Consultation Report. The Committee members voted 12 For, 0 Against, 0 Abstentions in relation to the proposal.



Education Scrutiny Committee - 2 November 2021

A recording of the session is available on YouTube:

[Education Scrutiny Committee Meeting](#)

The agenda item linked to this proposal starts 53 minutes and 45 seconds in to the recording.

The [Notice of the Decisions](#) document is also available to view on the Council's website.

## Estyn's Response

Under the terms of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018, the Council, as the proposers, is required to send a notification with regards to the consultation to Estyn.

Estyn is the education and training inspectorate for Wales and their vision is to improve the quality of education and training and outcomes for all learners in Wales. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore, as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal. The full response from Estyn is included as Annex 2 at the end of this document. However, in summary:

***"The proposals are likely to at least maintain the standard of education provision in the area."***

The Council acknowledges Estyn's response.





Images from Consultation Sessions undertaken with pupils at Llanfabon Infants School (Red Uniform) and Llancaeach Junior School (Blue Uniform). Schools provided images on the understanding that parental permission was obtained.

### Other Schools identified as being affected

The 4 other schools identified as 'affected' in relation to this proposal were, Greenhill Primary, Ystrad Mynach Primary, Ysgol Gynradd Bro Allta and Ysgol Gymraeg Penalltau

Table 4: The schools identified as being affected by the proposal are:	
School	Reason
Greenhill Primary CF82 9EU	Nearest alternative community English Language Primary school in Borough. Proximity of 2.4 miles from Llanfabon site Impact on projected numbers, demand and learner travel as a result of the proposal requires consideration.
Ysgol Penallta CF82 6AP	Welsh Language Primary School Proximity of 3.2 miles from current site Impact on projected numbers and demand as a result of the proposal requires consideration.

Ystrad Mynach Primary CF82 7AQ	English Language Primary School Proximity of 3.3 miles from current site Impact on projected numbers and demand as a result of the proposal requires consideration.
YG Bro Allta CF82 7XQ	Welsh Language Primary School Proximity of 3.3 miles from current site Impact on projected numbers and demand as a result of the proposal requires consideration.

The Head Teachers of these schools were contacted during the consultation period whereby the consultation proposal was discussed and the pupils, governing body and staff at the school invited to provide their responses as part of the consultation process. Where information has been submitted, responses are included as part of the separate annex available to Cabinet.



## OTHER CONSIDERATIONS

	<p><i>"Priorities for the coming year are to renew and reform, putting learners' progression and wellbeing at the heart of everything we do."</i></p> <p><i>Jeremy Miles MS Minister for Education and Welsh Language</i></p>
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There are a number of local and national strategies that drive Educational reform and underline the rationale for the proposals being considered as part of the 21<sup>st</sup> Century Schools and Colleges Band B programme in Caerphilly.

- [Welsh Language Act 1993 / Welsh Language \(Wales\) measure 2011](#)
- [Additional Learning Needs and Educational Tribunal \(Wales\) Act 2017](#)
- [The Childcare Act 2006 \(Local Authority Assessment\) \(Wales\) Regulations 2016](#)
- [Well-being of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government - Education in Wales: Our National Mission](#)
- [Welsh Government - Cymraeg 2050: Welsh Language Strategy Action Plan 2019- 2021](#)
- [Welsh Government - 21<sup>st</sup> Century Schools and Colleges Programme](#)
- [Caerphilly - 'Shared Ambitions' Education Attainment Strategy 2019 - 2022](#)
- [Caerphilly - #Team Caerphilly: Better Together Transformation Strategy](#)
- [Caerphilly - Welsh Education Strategic Plan](#)
- [Caerphilly - Welsh Language Strategy 2017-2022](#)

- [Caerphilly - Corporate Plan \(including Wellbeing Objectives 2018-2023\)](#)
- [Caerphilly – Education Other Than At School \(EOTAS\) Strategy 2020](#)
- [Caerphilly - Strategic Equality Plan 2020-2024](#)
- [Caerphilly - Communication and Engagement Strategy 2019-2022](#)

As Wales embarks on a renewed vision of success for all learners, we can reflect on our rich heritage and proud history for promoting access to education in Caerphilly. Our transformational reforms are taking place within a challenging environment. This includes the uncertainties associated with Brexit, the technological transformation and the divergence in the qualification systems across the home nations. These are all challenges and opportunities for the Council.

## NEXT STEPS

### Consultation Clarification

When analysing all consultation response comments received as part of the consultation period, a number of emerging themes became evident.

Table 5: Summary of Response Themes		
Theme	Overview	Number of Mentions
<b>Advantages of a single combined Primary school</b>	One point of contact for parents	2
	Bringing inset days, start and finish times into line	1
	Improved Pupil wellbeing linked to attending one school for longer period	3
	More opportunities for staff	1
	Building and Location related issues linked to Llancaeath Junior School	1
	Enhanced Outdoor Space	2
<b>Community and Intergenerational facilities</b>	Use of wider site facilities for community groups	2
	Wraparound Childcare Provision on site	1
<b>Traffic Management</b>	Parking concerns at Llanfabon Infants School site and call for better drop off zone	2
	Increased traffic flow at proposed site	2
<b>Construction process and potential impact</b>	Impact of new building on neighbouring properties	1

To assist Cabinet in the decision making process, the following information is provided by Council Officers involved in the formulation of the proposal by means of response for clarification with supporting reasons.

<b>Table 6: Council Response - Theme Clarification</b>
<b>Theme: Advantages of a single combined Primary school</b>
<b>Council's Response</b>
<p>The Council appreciates the level of support shown from consultees in relation to this proposal and the general consensus that the amalgamation of Llancaeath Junior School and Llanfabon Infants School will benefit pupils, their families, and the wider community.</p> <p>As outlined in the Consultation Document, a single Primary School provision can bring many benefits from an academic, social and practical perspective, enabling a greater sense of community for all.</p> <p>The design of the new building adjacent to the existing Llanfabon Infants School building, will include a 2 story build, mirroring other Primary Schools within the Educational Estates across Caerphilly. It will be located away from neighbouring properties maximising the existing school site configuration and ensuring out door space can be accommodated.</p>
<b>Theme: Community and Intergenerational facilities</b>
<b>Council's Response</b>
<p>It is a pre-requisite of Welsh Government funding that Council's optimise the use of infrastructure and resources to enable flexibility for space and facilities to be made available as community assets. Whilst the internal design of the proposed extension is yet to be finalised, subject to Cabinet approval to progress, the Council will work closely with School Staff and local residents to understand need and how this may be accommodated on a booking basis.</p> <p>Childcare provision is being considered as part of a separate funding proposal through the Welsh Government's Childcare Grant.</p>
<b>Theme: Traffic Management</b>
<b>Council's Response</b>
<p>This proposal will be subject to a full planning application process and a wide range of consultees will be invited to comment, including the Highways Department.</p> <p>As part of any development, the Council is committed to providing safe, efficient and effective traffic management. As a highway authority, we have a duty to manage the road network to ensure, as far as possible, the safe and convenient movement of traffic, which includes pedestrians and other vulnerable road users. The planning and design of the facility will establish safer routes with designated pick up and drop off points, including car parking which should alleviate congestion.</p>
<b>Theme: Construction process and potential impact</b>
<b>Council's Response</b>
<p>The developments on site will be designed and orientated in such a way as to minimise impact to any neighbouring residential properties.</p>

The proposal will be subject to a full planning application process led by our experienced Building Consultancy Team and subject to building regulation requirements relating to a number of factors such as dust, noise etc.

### **Reasonable Alternatives Identified**

As outlined in the Consultation Document, the proposal under consideration is to amalgamate Llancaeath Junior School and Llanfabon Infants School to create a new Primary School provision situated on the existing Llanfabon Infants School site. This was the preferred option as identified through the options appraisal process and scored against the critical success factors of Strategic fit, Educational fit, Accessibility, Financial fit and Environmental impact.

Through the consultation process and the comments returned, there has been an acknowledgement of the need to invest in a new Primary school.

Following the consultation period, the Council is required to carry out a further assessment for the proposal. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

No reasonable alternatives have been highlighted as a result of the Consultation Process.

### **Recommendation**

In reviewing the proposal to take account of further information that has come forward through the consultation and in consideration of the likely impact on quality and standards in education, the community and travelling arrangements, it is the recommendation of this report that the proposal is progressed as outlined in the Consultation Document, namely:

**Amalgamate Llancaeath Junior School and Llanfabon Infants School to create a new Primary School provision on the existing infants school site**

### **Decision Making**

To deliver our reforms across the entire system, we will need a bold commitment to effective collaboration along with integration of services where appropriate. This will include Welsh Government, the teaching profession and the wider education workforce, our key partners in local authorities, diocesan authorities, regional services, Estyn and others. Successful implementation of any proposal will require effective and honest engagement between all facets of the education system and our local communities and we are committed to providing the conditions to enable this to happen.

Cabinet Members are asked to:

- a) Consider the information contained in the Consultation Report.
- b) Approve the recommendation to proceed to Statutory Notice in relation to the proposal

### **Reporting, Notification and Publishing of Information**

Should Cabinet decide to proceed with the proposal, a Statutory Notice will be published providing a 28 day notice period for objections. The School Standards and Organisation (Wales) Act 2013 provides that anyone wishing to make objections to a school organisation proposal has

the opportunity to do so. To be considered as statutory objections, objections must be made in writing and sent to the Council within the 28-day period.

Cabinet will then consider the outcome of the Statutory Notice at a future meeting and determine whether to implement the proposal having given due consideration to all the information provided.

In the event of objections, the Council will publish an objection report providing a summary of the objections and Cabinet's response to those objections within 7 days or the day of the determination of the proposal. This report will be available for all persons to view on the Council website and paper copies will be available on request.

Should Cabinet approve the proposal, a full Business Case will be submitted to the Welsh Minister for final approval and the works will commence.

## SUPPORTING INFORMATION

### **Annex 1 :**

[Consultation Notification Letter](#)

[Consultation Document](#)

[Consultation Frequently Asked Questions](#)

[Original Integrated Impact Assessment](#)

### **Annex 2:**

**Estyn's response to the proposal to establish a new Primary School through the amalgamation of Llancaeath Junior School and Llanfabon Infants School, Caerphilly.**

This report has been prepared by Her Majesty's Inspectors of Education and Training in Wales.

Under the terms of the School Standards and Organisation (Wales) Act 2013 and its associated Code, proposers are required to send consultation documents to Estyn. However, Estyn is not a body which is required to act in accordance with the Code and the Act places no statutory requirements on Estyn in respect of school organisation matters. Therefore, as a body being consulted, Estyn will provide their opinion only on the overall merits of school organisation proposals.

Estyn has considered the educational aspects of the proposal and has produced the following response to the information provided by the proposer.

### **Summary/ Conclusion**

The proposals are likely to at least maintain the standard of education provision in the area.

### **DESCRIPTION AND BENEFITS**

The proposer has given a clear rationale for the proposal, which includes a detailed description of the project and a projected timetable for completion. The proposal is that the council will work with the contractor to ensure there would be minimal disruption to the daily operations of the existing school cohort, on the Llanfabon Infant School site. There are no interim arrangements

proposed for the Llancaeath Junior School as the project will have no impact on the existing provision.

The proposer appears to have set out clearly and fairly the expected benefits and disadvantages when compared with the status quo. The two schools concerned currently work closely together. The proposer has identified suitable risks associated with the proposal, for example the impact on other neighbouring schools, and has identified possible ways to manage the risk, for example by phasing in an admission number of 40.

The proposer has considered using the Llancaeath Junior School site, in place of the Llanfabon Infant School site, but has discounted this alternative because of the likely limited vehicular access, and the apparent worthwhile opportunities for extended school provision (community use and wraparound childcare) at the larger of the two sites. Using the Llanfabon Infant School site appears to be a sensible solution.

The proposer has considered the impact of the changes on learner travel arrangements and on the accessibility of provision. The proposer has identified limited impact on travel as the two sites are within 0.5 miles of each other, and a likely reduction in traffic in the locality between the two sites as siblings will be on the same site. The new build is proposed to be DDA compliant, which will improve access for children and adults with a disability. In addition, the proposer has undertaken initial discussions to determine the viability of using adjacent redundant community land to provide increased drop off and parking provision, which is currently unavailable on the junior school site. This seems a pragmatic consideration.

The proposal appears to address suitably the need to reduce the current surplus places, especially in the junior school, while catering for enough headroom overall to provide for the predicted housing development and likely increased pupil numbers in the locality over the foreseeable future.

The proposal appears to take enough account of the likely impact on Welsh medium provision within the local authority. It is likely that the proposal would have minimal impact on the local authority's Welsh in Education Strategic Plan (WESP).

Llancaeath Junior School and Llanfabon Infants School have been identified as one of the priority projects in the 21st Century Schools Band B programme. However, the proposer has not identified the specific, likely financial costs of the proposal or any potential savings.

## **EDUCATIONAL ASPECTS OF THE PROPOSAL**

The proposer has considered the impact of the proposals on the quality and standards in education, including the likely positive impact of a new building and amalgamated school on pupil wellbeing and the systems for care, support and guidance. The proposal takes account of the likely positive benefits of increased capacity for support and improvement due to a wider pool of staff in a bigger school. The proposal identifies the likely increased opportunities for staff to progress their careers in a larger school setting. The proposal also considers the likely benefits of wrap around childcare on site and the transition from an onsite nursery and childcare setting into the school. These proposals seem realistic and worthwhile.

The proposal takes suitable account of the most recent Estyn reports for each of the two schools, including recent improvements since the core inspection at Llanfabon Infants School. It identifies a likely positive impact to ensure delivery of the full curriculum provision at the foundation phase and key stage 2. However, the proposal does not appear to take account of the LA/consortium view on the quality of leadership and management at the schools.

It is not clear from the proposal whether the intention is for the governing body to become a single entity, or whether a federation arrangement would continue. It may be pragmatic to set out intentions to support a smooth transition and to ensure that everyone understands how the governance arrangement will work in practice, for example with reference to staffing decisions and potential communications with parents.

The proposal does not consider the impact of the proposals on children with Special Educational Needs, although it does broadly consider the likely positive impact of the new and improved provision on pupils' wellbeing, including for vulnerable pupils.

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## CABINET - 26<sup>TH</sup> JANUARY 2022

**SUBJECT:** 21<sup>ST</sup> CENTURY SCHOOLS AND COLLEGES BAND B PROGRAMME - UPDATE YSGOL GYMRAEG CWM GWYDDON

**REPORT BY:** CORPORATE DIRECTOR FOR EDUCATION AND CORPORATE SERVICES

### 1. PURPOSE OF REPORT

1.1 The purpose of the report is to update Cabinet Members in relation to the 21<sup>st</sup> Century Schools Band B proposal in respect of:

- **YSGOL GYMRAEG CWM GWYDDON**

Relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose-built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School

1.2 Cabinet Members are asked to approve that an additional £416,063 is set aside from the Authority's Place-Shaping Reserve in respect of the Authority's increased financial contribution to the Phase 1 proposal for Ysgol Gymraeg Cwm Gwyddon as part of the 21st Century Schools and Colleges Band B programme.

### 2. SUMMARY

2.1 Further to Cabinet approval gained on the 7<sup>th</sup> April 2021, the proposal for Ysgol Gymraeg Cwm Gwyddon is progressing through the Planning Application and Tendering process.

2.2 As part of the tendering process, up to date costs for this project have now been received, identifying an increase in the overall project costs of £1,230,593. Subject to the approval of the final business case, £814,530 of this sum will be met by Welsh Government with the remaining sum of £416,063 being the Authority's increased match funding requirement.

### **3. RECOMMENDATIONS**

3.1 Cabinet Members are asked to: -

- a) Consider the information contained in the Report.
- b) Approve that £416,063 is set aside from the Authority's Place-Shaping Reserve in respect of the Authority's financial contribution to the Phase 1 Ysgol Gymraeg Cwm Gwyddon proposal at part of the 21st Century Schools and Colleges Band B programme

### **4. REASONS FOR THE RECOMMENDATIONS**

4.1 To ensure Cabinet Members are updated on the progress of the 21<sup>st</sup> Century Schools and Colleges Capital Band B programme in respect of the Phase 1: Ysgol Gymraeg Cwm Gwyddon Proposal

4.2 To ensure that funding is earmarked in relation to the Authority's financial contribution to the programme.

### **5. THE REPORT**

#### **5.1 Band B**

5.1.1 The key aims of the 21st Century Schools and Colleges Band B investment programme, outlined by Welsh Government, is to:

- Reduce the number of poor condition schools.
- Ensure that we have the right size schools in the right location, providing enough places to deliver Welsh and English medium education.
- Ensure the effective and efficient use of the educational estate for use by both Schools and the wider Community.

#### **5.2 Ysgol Gymraeg Cwm Gwyddon**

5.2.1 On the 7<sup>th</sup> April 2021, Cabinet gave the final determination in relation to the proposal for Ysgol Gymraeg Cwm Gwyddon in line with the requirements of the School Organisation Code 2018 and initiated the planning application and submission of Full Business Case to Welsh Government.

5.2.2 The planning application process has been led by the Building Consultancy team and has been subject to a pre-application consultation and tendering processes.

5.2.3 As a result of the tendering process, and due to a combination of the impact of Covid-19 and Brexit there are currently significant inflationary increases within the construction sector. It has been identified that the initial costs of the works, which were reported previously at £9,632,127 has now increased to an overall project cost of £11,558,468. It's important to note that £695,748 of this variance relates to childcare provision on site that was not part of the original project. Welsh

Government have already agreed to fully fund this additional work (100%) through Childcare funding.

5.2.4 The increase in costs for the scheme excluding childcare provision is £1,230,593. As a consequence, the additional match funding requirement from the Authority is £416,063. This is supported by an additional requirement from Welsh Government of £814,530.

5.2.3 A Full Business Case has been submitted to Welsh Government and is currently being scrutinised by its Business Case Scrutiny Group and Programme Investment Panel. The increased costing identified in 5.23 and 5.24 have been indicated in the Full Business Case as part of this process.

### 5.3 **Conclusion**

The proposal for Ysgol Gymraeg Cwm Gwyddon has progressed through the Statutory process as outlined by the School Organisation Code 2018 and is progressing through the planning application and tendering process. As a result of tendering, the initial costs outlined for the proposal have increased and this report has been compiled to provide members with the necessary information to make an informed decision and to approve the additional £416,063 required to make up the self-funding element shortfall. The additional funding is to be secured from the Authority's Place-Shaping Reserve.

## 6. **ASSUMPTIONS**

6.1 No assumptions have been made in relation to this report as it merely updates on the progress of individual projects.

## 7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 An Integrated Impact Assessment for this proposal was undertaken and updated as part of the School Organisation Code 2108 and consultation process and is published on the Council's website.

[Link to full Integrated Impact Assessment](#)

## 8. **FINANCIAL IMPLICATIONS**

8.1 Cabinet Members have previously agreed to earmark a total of £6.975m for Band B of the 21st Century Schools & Colleges Programme. This sum included the match funding commitment for Ysgol Gymraeg Cwm Gwyddon.

8.2 Phase 1 of the programme, Ysgol Gymraeg Cwm Gwyddon was originally estimated at £9,632,127, £3,266,332 of which has been agreed to be funded by the Authority. The balance of £6,365,795 to be met by Welsh Government.

8.3 Largely due to a combination of the impact of Covid-19 and Brexit there are currently significant inflationary increases within the construction sector. Through the tendering process the total project cost is now £11,558,468, with the self-funded element from the Authority now being £3,682,395, an increase of £416,063 previously reported.

## **9. PERSONNEL IMPLICATIONS**

9.1 This will be dependent on specific proposals and will be considered as the proposal progresses.

## **10. CONSULTATIONS**

10.1 The draft report was distributed as detailed below. All comments received have been reflected in this version of the report.

## **11. STATUTORY POWER**

11.1 School Organisation Code 2018 (Welsh Government)  
School Standards & Organisation (Wales) Act 2013

Author: Andrea West, 21<sup>st</sup> Century Schools Manager

Consultees: Christina Harray, Chief Executive  
Richard Edmunds, Corporate Director of Education and Corporate Services  
Dave Street, Corporate Director, Social Services  
Mark S Williams, Corporate Director for Economy and Environment  
Councillor Ross Whiting, Cabinet Member, Education and Achievement  
Councillor Teresa Parry, Chair of Education Scrutiny Committee  
Councillor Carol Andrews, Vice Chair of Education Scrutiny Committee  
Steve Harris, Head of Financial Services and S151 Officer  
Keri Cole, Chief Education Officer  
Sue Richards, Head of Education Planning and Strategy / Head of Transformation  
Sarah Ellis, Lead for Inclusion & ALN  
Sarah Mutch, Early Years Manager  
Paul Warren, Strategic Lead for School Improvement  
Jane Southcombe, Finance Manager (Education, Lifelong Learning & Schools)  
Lynne Donovan, Head of People Services  
Anwen Cullinane, Senior Policy Officer, Equalities, Welsh Language & Consultation)  
Rob Tranter, Head of Legal Service and Monitoring Officer  
Ros Roberts, Business Improvement Officer  
Mark Williams, Interim Head of Property Services  
Steve Pugh, Corporate Communications Manager

Background Papers:

None



## **CABINET – 26<sup>TH</sup> JANUARY 2022**

**SUBJECT: APPROVED MENTAL HEALTH PROFESSIONALS (AMHP)  
RECRUITMENT IN THE SOUTH EAST WALES EMERGENCY  
DUTY TEAM (SEWEDT)**

**REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES**

### **1. PURPOSE OF REPORT**

- 1.1 To report on the recruitment and retention challenges pertaining to the number of Approved Mental Health Professionals (AMHPs) employed by the South East Wales Emergency Duty Team (SEWEDT) and the direct correlation with salaries and the impact on service sustainability out-of-hours.
- 1.2 To seek Cabinet approval to apply a market supplement for Approved Mental Health Professionals who undertake duties within the service to ensure that the legal, statutory duties of the service is suitably met. This additional market supplement would ensure parity with the daytime Mental Health Teams in Caerphilly and across the Partner Authorities.

### **2. SUMMARY**

- 2.1 SEWEDT provides an emergency social work service for the five counties of Caerphilly, Blaenau Gwent, Torfaen, Newport and Monmouthshire during the hours when mainstream services are closed, thus discharging statutory social care responsibilities for 75% of the social services operational period. Caerphilly County Borough Council acts as the co-ordinator and the contracting agent on behalf of the Partner Authorities.
- 2.2 Social Workers are required to qualify as an Approved Mental Health Professionals in order to undertake formal Mental Health Act Assessments, which could lead to individuals being compulsorily admitted to hospital.
- 2.3 To qualify as an AMHP, a Social Worker must have relevant experience and attend a six-month university course supplemented by support from the Authority in terms of providing a mentor/assessor and a placement.
- 2.4 Under the Mental Health Act (1983, amended 2007), the Authority and its Partner Authorities are expected to provide sufficient resources to ensure that assessments under the Act are undertaken within a reasonable timescale to meet citizens' needs across 365 days of the year.

- 2.5 Following a long-standing recruitment issue, Caerphilly County Borough introduced their market supplement for daytime AMHPs in 2014-2015. This was not applied to AMHPs working in SEWEDT at the time
- 2.6 The service has experienced a very poor response to advertising vacancies for AMHPs over the last 18 months and has been unsuccessful in appointing people to the core team on a permanent basis where an AMHP is essential. The capacity of the service to undertake their statutory duty is therefore strained, which has an impact on the future ability of the team to effectively respond in a timely manner. This will also be compounded by the likely retirement of two permanent and experienced AMHPs in the next six months. There are also three vacant part-time AMHP posts currently unfilled which further impacts on the service.
- 2.7 Discussions with AMHPs who currently work in both the daytime and SEWEDT casual team have confirmed that the lack of an AMHP market supplement is a critical factor acting as a barrier to potential applications.
- 2.8 There is an additional risk to recruitment and future retention that current SEWEDT AMHPs could potentially consider moving to another Local Authority Emergency Duty Team where the AMHP market supplement is received. Comparatively, five of the Local Authorities based across the South Wales region or that border Gwent all receive an AMHP market supplement for covering a duty rota out-of-hours.
- 2.9 A business case was submitted to the SEWEDT Board of Directors in October 2021 outlining these issues with the recommendation that the Board approve a market supplement for SEWEDT AMHPs, and approval was given.

### **3. RECOMMENDATIONS**

- 3.1 Cabinet is asked to approve the recommendation that a market supplement be applied to SEWEDT AMHPs employed to undertake the function of an Approved Mental Health Professional as outlined in 8.2 and as supported by the SEWEDT Board of Directors. This is for the hours when the mainstream daytime services are closed, from 5pm to 8.30am Monday – Thursday, then 4.30pm on Fridays, for 24 hours during weekends and bank holidays, for which the 20% enhancement would continue to apply. The impact of this will be monitored and evaluated after a period of twelve months to determine the effect upon recruitment and retention of SEWEDT Approved Mental Health Professionals.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 SEWEDT experiences significant difficulty in recruiting AMHPs.
- 4.2 There are continuing risks to the service in light of the ongoing poor response to advertised vacancies resulting in permanent positions unfilled, as well as the corresponding risk to retention given that the Authority provides the AMHP market supplement to daytime Mental Health Teams and that other Local Authorities provide the AMHP market supplement out-of-hours for EDTs.

### **5. THE REPORT**

## **5.1 Recruitment and Retention of AMHPs**

- 5.1.1 Recruitment and retention for frontline Emergency Duty Teams can generally be challenging given the unsociable nature of the hours of work, limited access to resources, scale of coverage of the service, the need for autonomous decision-making and skilled interventions at crisis points for citizens. In terms of the recruitment and retention of AMHPs, there is a struggling picture reflected across the UK. For SEWEDT, this has now been exacerbated by the impact of the AMHP market supplement that is not paid to SEWEDT qualified AMHPs but is paid to the daytime Mental Health Teams' qualified AMHPs as well as other EDTs to qualified AMHPs in the South Wales region.
- 5.1.2 The specialist role of the AMHP in SEWEDT is one of the most important given the high demand within the service for Mental Health Act Assessments. Furthermore, their responsibility to organise and undertake an assessment under the MHA 1983 (amended 2007) and, where legal definitions are met, authorise detentions under the Act. AMHPs have specific responsibilities to uphold the human rights of people being assessed under the Act, consider the social perspective and follow the guiding principles of the MHA, which includes applying the least restrictive principle. The AMHP is also responsible for organising the complex inter-agency arrangements required to undertake the assessment and communicating with everyone involved, including the person's Nearest Relative.
- 5.1.3 Since December 2020, to meet the needs of the service, there has been a number of attempts to appoint three part-time permanent roles (AMHP essential) without success. The posts have been advertised on four separate occasions.
- 5.1.4 Feedback from colleagues in other Local Authorities and from the AMHPs in the SEWEDT casual team confirms that the lack of interest is directly linked to the salary plus the fact that no AMHP allowance is offered. The 20% temporary disturbance paid for working out-of-hours is no longer considered an incentive because they would be receiving a lower rate of pay than they are currently receiving in their daytime roles. Caerphilly is currently on the lowest Pay Scale for Senior Practitioners compared to daytime workers across the other four Partner Local Authorities. Therefore, at this time the posts are being covered by the casual pool and one temporary fixed term contract, but this is not a sustainable model. The situation is further compounded by the fact that two of the current full-time, permanent, and experienced AMHPs are planning to retire within the next six months, therefore impacting on the capacity of the service to fully fulfil its statutory duties.

## **5.2 Mental Health Act Assessments**

- 5.2.1 The tables below evidence exactly how much mental health work is completed by the SEWEDT out-of-hours service. Contacts, where discussions with the AMHP took place, and Mental Health Act Assessments were completed on behalf of the Partner Authorities from 2017 to 2021:

## All Mental Health Contacts

	17/18	18/19	19/20	20/21
<b>Section 136</b>	615	671	629	458
<b>MHA Assessments</b>	541	506	527	501
<b>Totals</b>	<b>1156</b>	<b>1177</b>	<b>1156</b>	<b>959</b>

## Mental Health Contacts Progressed to Referral

	17/18		18/19		19/20		20/21	
	Total	SW Out						
<b>Section 136</b>	199	181	237	215	222	201	190	160
<b>MHA Assessments</b>	178	133	150	118	168	141	177	139
<b>Totals</b>	<b>377</b>	<b>314</b>	<b>387</b>	<b>333</b>	<b>390</b>	<b>342</b>	<b>367</b>	<b>299</b>

5.2.2 In summary, the data indicates that a significant proportion of the out-of-hours workload is in response to Mental Health Act Assessments and this trend has been consistent over time. Therefore, the level of demand across the Partner Authorities remains consistently high for Mental Health Act Assessments; there has been an increase in the number of mental health contacts that have progressed to referral. This is reflective of the demographic need and context of the population.

5.2.3 As a consequence, there is an impact on the SEWEDT service and its capacity to fulfil the duties and undertake the Mental Health Act Assessments within a timely way. This is more challenging given the context of the service: covering five Partner Authorities out-of-hours when resources are more limited, and work is unplanned - instead it is responsive to the emerging needs of the immediate crisis.

## 5.3 The Gwent Context

5.3.1 Blaenau Gwent, Caerphilly, Newport, Monmouthshire, and Torfaen daytime Mental Health Teams all pay a supplement to their qualified Approved Mental Health Professionals. Based on investigation, the amount of this allowance varies across the five partner Local Authorities. Please refer to the table below:

Local Authority	Allowance Amount for AMHP
Blaenau Gwent	£840 pa
Caerphilly	£2814pa
Newport	£1200pa
Monmouthshire	£1200pa
Torfaen	£2500pa

- 5.3.2 The allowance is paid to each AMHP for undertaking the role of duty AMHP in the daytime by being on the rota. This ensures that each Local Authority is meeting its statutory duty set out in the Mental Health Act 1983 (amended 2007) by ensuring that it has sufficient resources to respond to Mental Health Act Assessment requests. This statutory duty also applies to any Mental Health Act Assessment request that takes place out of hours but in terms of the out-of-hours service the difference is that the AMHP has no choice to opt out of being on the rota (5pm-8.30am Mon-Thurs; after 4.30pm on a Friday until 8.30am on a Monday, and bank holidays). However, this market supplement allowance has not been applied to the SEWEDT AMHPs, who have not received a payment but provide the same level of cover and have to ensure that there is an AMHP on every shift to meet its statutory obligation. This is because there was no identified recruitment issue previously.
- 5.3.3 Following a long-standing recruitment issue, Caerphilly introduced their market supplements for AMHPs in 2014-2015. However, this has not been applied to AMHPs working in SEWEDT as a recruitment issue had not previously been identified. Notably, evidence now clearly indicates that this is a significant barrier to SEWEDT's recruitment issues, creating a real impact on the capacity of the service, particularly when compared to other EDTs that are offering a supplement in line with daytime teams. There is an additional risk that where other teams offer the AMHP allowance, qualified SEWEDT AMHPs may decide to move which would impact on future retention levels even more so. This is compounded by the likelihood of the retirement of two permanent, experienced AMHPs in the next six months and currently three vacant part-time AMHP posts.

#### 5.4 Comparison to Other South Wales Emergency Duty Teams

- 5.4.1 Comparatively, five of the Local Authorities based across the South Wales region or border Gwent, provide an AMHP market supplement to all their EDT AMHPs for covering the duty rota out-of-hours. As in Gwent, the amount of the payment varies; please refer to the table below for details:

Local Authority	Allowance Amount for AMHP
Cardiff	£2800 pa
Swansea	Business case has been submitted for daytime AMHPs and EDT; this has been agreed but awaiting confirmation of the amount
RCT	Allowance paid – but amount not confirmed
Neath and Port Talbot	£792pa
Powys	£1500pa

- 5.4.2 The recruitment of qualified AMHPs across South Wales is highly competitive and the position of SEWEDT in the market is not strong enough to attract applications given that the AMHP market supplement paid for other local Emergency Duty Teams is comparatively more appealing. Therefore, the option not to pay a market supplement to qualified AMHPs within SEWEDT can no longer be supported.

#### 5.5 Conclusion

The report recommends that the AMHP market supplement for SEWEDT qualified AMHPs is fully implemented and attracts the 20% enhancement as all SEWEDT Mental Health Assessments take place out-of-hours as fully supported by the SEWEDT Board of Directors.

To ensure that the SEWEDT service is effective in undertaking its Mental Health Act duty whilst meeting the needs of its citizens, there is a clear rationale for the implementation of the AMHP market supplement for qualified AMHPs working out-of-hours in SEWEDT for the reasons outlined, namely recruitment and retention, in line with daytime Mental Health Teams and other Local Authority Emergency Duty Teams in South Wales.

## 6. ASSUMPTIONS

- 6.1 The assumption has been made that the service demand, particularly for Mental Health Act assessment requests, will at least remain at the same rate and that population numbers will at least remain stable, although there is the potential for service demand to increase given the impact of the pandemic on citizens' mental health and wellbeing and the risk of the impact of possible further variants.
- 6.2 The financial implications section shows the AMHP market supplement without a 20% enhancement for working out-of-hours and with the 20% enhancement. It also includes the assumption of a 2% uplift pending confirmation of the pay award that is currently being negotiated

## 7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 An integrated impact assessment has not been conducted on this proposal as it relates to recruitment and retention of necessary emergency duty staffing.

## 8. FINANCIAL IMPLICATIONS

- 8.1 SEWEDT currently employs eight core Social Workers consisting of four full time and 4 part-time workers, all of whom are AMHPs, and they cover a four weekly rota pattern. Two Deputy Team Managers and the current Team Manager are also qualified AMHPs and support the AMHP rota when required. Further to this, the team has a pool of casual AMHPs who provide cover for annual leave, training, and sickness for the core team. The recommendation is that the casual AMHPs would also receive a proportionate percentage of the AMHP market supplement which is included in the financial proposal below.
- 8.2 Based on the current market supplement paid to Caerphilly AMHPs, the cost to the SEWEDT payroll would be as follows:

Partner Contributions	Approved Budget for 2021/22	Requirement with Market Supplement	Requirement with Enhanced Market Supplement
12.31% Blaenau Gwent	£120,627	£126,493	£127,873
29.95% Caerphilly	£293,482	£307,756	£311,113
13.01% Monmouth	£127,486	133,686	£135,144
26.79% Newport	£262,518	£275,285	£278,288
17.94% Torfaen	£175,796	£184,345	£186,356
<b>100% Total</b>	<b>£970,909</b>	<b>£1,027,565</b>	<b>£1,038,774</b>

Additional cost of market supplement if treated as an isolated flat rate payment	£47,656	or £3,971 per month
Additional cost of market supplement as an uplift in the basic hourly rate attracting 20% bonus etc	£58,865	Or £4,905

The above table shows the AMHP market supplement without a 20% enhancement for working out-of-hours (column 3) and with the 20% enhancement (column 4). It also includes the assumption of a 2% uplift pending confirmation of the pay award that is currently being negotiated.

## **9. PERSONNEL IMPLICATIONS**

- 9.1 There are Human Resources implications related to the implementation of these proposals and HR have been fully involved in the process.
- 9.2 The intent of this recommendation is designed to have a positive impact on personnel levels to ensure that long-standing unfilled permanent vacancies for AMHPs in the SEWEDT are filled and retention is sustained of current AMHPs.
- 9.3 Payment of the proposed market supplement to SEWEDT AMHPs is specifically linked to the service delivery of the AMHP rota by suitably qualified and experienced AMHPs and is not transferable to another post.
- 9.4 HR would also ensure that any proposed payments will not subject the Authority and its Partner Authorities to any Equal Pay Risks.

## **10. CONSULTATIONS**

- 10.1 The report reflects the views of the consultees.
- 10.2 Team meetings within SEWEDT have taken place.
- 10.3 The SEWEDT Board of Directors is fully supportive of the recommendations.

## **11. STATUTORY POWER**

- 11.1 Mental Health Act (1983, amended 2007)
- 11.2 Social Services and Wellbeing (Wales) Act 2014

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## **CABINET - 26<sup>TH</sup> JANUARY 2022**

**SUBJECT: ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (WALES) REGULATIONS 2021**

**REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT**

### **1. PURPOSE OF REPORT**

- 1.1 To inform Cabinet of new legislation to licence businesses or those operating on a commercial basis who are involved in the licensable activities of selling pets. The above regulations replace and revoke the Pet Animals Act 1951 which was formerly the responsibility of the Taxi & General Licensing Committee.
- 1.2 To note and agree an appropriate scheme of delegated authority for Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021.
- 1.3 To seek approval for the Council's Monitoring Officer to make the necessary changes to the Constitution to reflect the implementation of the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021, and revocation of the Pet Animals Act 1951, and this be reflected in the update of the Constitution at the Annual Meeting of Council in May 2022.

### **2. SUMMARY**

- 2.1 The Pet Animals Act 1951 which controlled the sale of animals in pet shops and other settings has been replaced by the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021, made under the Animal Welfare Act 2006. Similar legislation has been in place in England since October 2018.
- 2.2 The new regulations require, subject to qualifying criteria, any person wishing to sell animals in the course of a business including keeping with a view to their being sold or resold to obtain a licence from their local authority.
- 2.3 The 2006 Act and the Regulations are silent upon the issue of responsibility for exercising the function under the Act. Consequently the provisions of S9(D) of the Local Government Act 2000 and / or the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 are triggered giving responsibility for exercising the function to the Executive.

### **3. RECOMMENDATIONS**

- 3.1 That Cabinet consider the content of the report and agree:
- a) To note the implementation of the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021.
  - b) That Licensing officers be given delegated authority to determine Licences under the above Regulations in accordance with paragraph 5.6 of the report.
  - c) That any appeals against the Star Rating of premises can be determined by either of the Head of Public Protection, Community & Leisure Services, Trading Standards, Licensing & Registrars Manager or the Licensing Manager in accordance with paragraphs 5.10 and 5.11.
  - d) That the Council's Monitoring Officer makes the necessary amendments to the Constitution to reflect the implementation of the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 and revocation of the Pet Animals Act 1951.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 Delegated Authority is required in order to deal efficiently with applications and animal welfare issues under the Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021.

### **5. THE REPORT**

- 5.1 The regulations replace the requirement to obtain a licence under the Pet Animals Act 1951. They introduce stricter welfare standards for those that sell animals as pets and increase standardisation in the sector via the application of mandatory licensing conditions. Though the Regulations were implemented in September 2021 the Statutory Guidance which includes the detail of the requirements was not issued to local authorities until the end of October 2021.
- 5.2 The regulations require, subject to qualifying criteria, any person wishing to sell animals in the course of a business including keeping with a view to their being sold or resold to obtain a licence from their local authority.
- 5.3 Puppies and kittens can only be sold by their breeder at the premises effectively introducing a ban on third party sales of puppies and kittens. The sale of Dogs and Cats over 6 months of age would be covered by this legislation.
- 5.4 Statutory Guidance produced by Welsh Government specifies mandatory general and specific conditions for a variety of pet animals covered by the legislation e.g. dogs, cats, rabbits, fish, reptiles and birds.

- 5.5 Prior to the introduction of the Regulations the licensing of pet sales was the responsibility of the Taxi & General Licensing Committee which included delegated powers to officers to exercise these functions. The 2006 Act and the Regulations are silent upon the issue of responsibility for exercising the function under the Act. Consequently the provisions of S9(D) of the Local Government Act 2000 and / or the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 are triggered giving responsibility for exercising the function to the Executive.
- 5.6 It is proposed that applications will be determined by licensing officers under delegated powers. This will include the power to grant, refuse, renew, vary, impose conditions, suspend, revoke, re-instate a suspended licence.
- 5.7 The decision to vary or suspend the licence must be notified to the licence holder in writing, explaining the reasoning for the decision. Such a suspension, variation or revocation of licence will normally take effect seven working days after the decision has been issued to the licence holder unless the reason is to protect the welfare of an animal, in which case it may be stipulated that the decision has immediate effect.
- 5.8 Following issue of a notice the licensee will have seven working days to make written representation. On receipt of this, the Authority must decide whether to continue with the suspension, variation or revocation of the licence or cancel the decision to make changes to the licence.
- 5.9 A licensee who disagrees with any refusal of an initial application, suspension or revocation of licence may appeal to the magistrate's court within 28 days of the decision.
- 5.10 The Statutory Guidance also enables the implementation of a star rating system for these types of premises to be introduced in Wales in the future. A star rating scoring matrix would be used to determine the star rating to be awarded. Businesses will be given a star rating from 1 to 5 based on the matrix and result of inspection. The system incorporates safeguards to ensure fairness to business with an appeal procedure and a mechanism for requesting re inspection of premises for the purposes of re-rating when improvements have been made.
- 5.11 The Statutory Guidance states that an appeal against a star rating should be determined by the head of the department that issued the licence or by a designated deputy or by the equivalent in another authority. No officer involved in the production of the rating, or in the inspection on which the rating is based will consider the appeal.
- 5.12 The star rating will not be implemented immediately in Wales but in readiness for this it is proposed that the Head of Public Protection, Community & Leisure Services, and the Trading Standards, Licensing & Registrars Manager be authorised to consider any such appeals in addition to the Licensing Manager.
- 5.13 **Conclusion**

The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021 replaces the Pet Animals Act 1951. As a result of this change delegated authority is required for officers as specified in the report in order to determine licences, deal effectively with non-compliances and to administer a star rating for premises should such a scheme be implemented in Wales in the future.

## **6. ASSUMPTIONS**

6.1 No assumptions have been made within this report.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

7.1 An Integrated Impact Assessment has not been carried out as this Report relates to governance and delegated powers.

## **8. FINANCIAL IMPLICATIONS**

8.1 There are no significant financial implications associated with this report, fees for specific licence types are set on a cost recovery basis. No major change in numbers of premises licensed in future is expected as a result of the change in legislation.

8.2 Fees will be reviewed for 2022/23 and a further report will be submitted to Cabinet to consider fees under this legislation along with those for Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 and The Scrap Metal Dealers Act 2013.

## **9. PERSONNEL IMPLICATIONS**

9.1 There are no personnel implications associated with this report.

## **10. CONSULTATIONS**

10.1 The report has been sent to the Consultees listed below and all comments received are reflected in the report.

## **11. STATUTORY POWER**

11.1 Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021, Animal Welfare Act 2006.

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Consultees: Councillor Nigel George, Cabinet Member for Waste, Public Protection  
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Councillor D.T Davies, Chair of Environment & Sustainability Scrutiny  
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Anwen Cullinane - Senior Policy Officer (Equalities, Welsh Language, and Consultation)

Background Papers:

The Animal Welfare (Licensing of Activities Involving Animals) (Wales) Regulations 2021

<https://gov.wales/statutory-guidance-pet-sales-licensing-regime>

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