

# Pecyn Dogfennau Cyhoeddus

Penallta House,  
Tredomen Park,  
Ystrad Mynach,  
Hengoed CF82 7PG

Tŷ Penallta,  
Parc Tredomen,  
Ystrad Mynach,  
Hengoed CF82 7PG



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Am unrhyw ymholiad yn ymwneud â'r agenda hwn cysylltwch â Charlotte Evans  
(Rhif Ffôn: 01443 864210 E-bost: [evansca1@caerphilly.gov.uk](mailto:evansca1@caerphilly.gov.uk))

**Dyddiad: Dydd Mercher, 6 Gorffennaf 2016**

Annwyl Syr/Fadam,

Bydd cyfarfod **Cabinet** yn cael ei gynnal yn **Ystafell Sirhywi, Tŷ Penallta, Tredomen, Ystrad Mynach** ar **Dydd Mercher, 13eg Gorffennaf, 2016** am **2.00 pm**. i ystyried materion a gynhwysir yn yr agenda canlynol.

Yr eiddoch yn gywir,

**Chris Burns**  
PRIF WEITHREDWR DROS DRO

## A G E N D A

Tudalennau

- 1 I dderbyn ymddiheuriadau am absenoldeb
- 2 Datganiadau o Ddiddordeb.

Atgoffi'r Cynghorwyr a Swyddogion o'u cyfrifoldeb personol i ddatgan unrhyw fuddiannau personol a/neu niweidiol mewn perthynas ag unrhyw eitem o fusnes ar yr agenda hwn yn unol â Deddf Llywodraeth Leol 2000, Cyfansoddiad y Cyngor a'r Cod Ymddygiad ar gyfer Cynghorwyr a Swyddogion.

I gymeradwyo a llofnodi'r cofnodion canlynol:-

- 3 Cynhaliwyd y Cabinet ar 29ain Mehefin 2016.

1 - 6

A greener place Man gwyrddach



I dderbyn ac ystyried yr adroddiad(au) canlynol y mae angen penderfyniadau gweithredol arnynt: -

- |   |                                                                   |         |
|---|-------------------------------------------------------------------|---------|
| 4 | Gwasanaethau Eiddo - Adroddiad Cyflwr yr Ystâd 31ain Mawrth 2016. | 7 - 28  |
| 5 | Ffederasiwn Ysgolion.                                             | 29 - 66 |

**Cylchrediad:**

Cynghorwyr

Mrs C. Forehead, N. George, D.T. Hardacre, D. Havard, K. James, Mrs B. A. Jones, D.V. Poole,  
K.V. Reynolds, T.J. Williams a R. Woodyatt,

A Swyddogion Priodol.



## CABINET

### MINUTES OF THE MEETING HELD AT PENALLTA HOUSE, TREDOMEN ON WEDNESDAY, 29TH JUNE 2016 AT 2.00 P.M.

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#### PRESENT:

Councillor K. V. Reynolds – Chair

#### Councillors:

C. Forehead (Human Resources and Governance/Business Manager), N. George (Community and Leisure Services), D.T. Hardacre (Performance and Asset Management), D. Havard (Education and Lifelong Learning), K. James (Regeneration, Planning and Sustainable Development), B. Jones (Corporate Services), D. Poole (Housing), T.J. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Social Services).

#### Together with:

C. Burns (Interim Chief Executive), C. HARRY (Corporate Director Communities) and N. Scammell (Acting Director of Corporate Services and Section 151).

#### Also in Attendance:

R. Hartshorn (Head of Public Protection), D.A. Thomas (Senior Policy Officer – Equalities and Welsh Language), K. Cole (Chief Education Officer), C. Forbes-Thompson (Interim Head of Democratic Services) and C. Evans (Committee Services Officer)

## ANNOUNCEMENTS

Members were advised that this would be the last meeting of Cabinet that David Thomas (Senior Policy Officer (Equalities & Welsh Language)) would be attending. Members thanked the Officer all his hard work, contributions and support over the years and wished him all the best for the future.

### 1. APOLOGIES FOR ABSENCE

Apologies for absence were received from D. Street (Corporate Director – Social Services)

### 2. DECLARATIONS OF INTEREST

Councillors D. Hardacre and D. Havard declared an interest in the item relating to Governance Arrangements South East Wales Education Achievement Service (EAS). Details are minuted with the respective item.

**3. CABINET – 1ST JUNE 2016**

RESOLVED that the minutes of the meeting held on 1st June 2016 (minute nos. 1 - 8) be approved and signed as a correct record.

**4. WELSH LANGUAGE STANDARDS ANNUAL REPORT 2015-2016**

The report informed Members of the progress made during the financial year 2015-2016 against four specific areas of Welsh Language work, as required under the regulatory framework for implementing the Welsh Language Standards and the former Welsh Language Scheme.

Members noted that the report will then be published online by the deadline date of 30th June 2016, as required by Welsh Standard 158.

The Council has a statutory duty to produce an annual monitoring report on implementing Welsh Language issues under current legislation.

Officers explained that the information required for 2015-2016 was less than usual due to it being a transition year between the former and current legislation, covering four key areas, together with a summary of how Caerphilly County Borough Council prepared for the new statutory duties.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report (and subject to the call-in period), the Welsh Language Standards Annual Report 2015-16 be published by the 30th June 2016, as a record of progress towards, and in compliance with, the relevant Welsh Language Standards.

**5. CLOSURE OF THE KEY STAGE 2 SPECIALIST RESOURCE BASE FOR CHILDREN WITH HEARING IMPAIRMENT AT HENDRE JUNIOR SCHOOL, AND RE-DESIGNATION OF THE SOCIAL INCLUSION CLASS AT CEFN FFOREST PRIMARY SCHOOL: OUTCOME OF THE FORMAL CONSULTATION PROCESS**

The report provided Cabinet with an update on the formal consultation process and sought a decision on the proposals.

Cabinet, at its meeting on 9th December 2015, agreed to proceed to a formal consultation process in relation to the above proposal. Members noted that the process (accompanied by consultation documents) took place between 4th January 2016 and 14th February 2016.

On 16th March 2016 Cabinet agreed to proceed to Statutory Notice. Statutory Notices relating to both proposals were issued on 11th April 2016 as detailed within Appendix 1 of the report. It was noted that, as indicated in the School Organisation Code, all consultees were notified and were given an opportunity to object to the proposals, as outlined within Appendix 2 of the report.

Officers explained that the 'objection period' finished on 9th May 2016 and no objections to the proposals were received by the Local Authority.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report the proposals to close the Key Stage 2 Specialist Resource Base (SRB) for children with hearing impairment (HI) at Hendre Junior School and to re-designate the key stage 2 Social Inclusion class at Cefn Fforest Primary School be endorsed.

## **6. GOVERNANCE ARRANGEMENTS SOUTH EAST WALES EDUCATION ACHIEVEMENT SERVICE (EAS)**

Councillors D. Hardacre and D. Havard declared an interest in this time due to their involvement on the South East Wales Education Achievement Service (EAS) Board and Education Achievement Service Audit and Risk Assurance Committee and were advised by the Interim Chief Executive that it did not appear to be a pecuniary or prejudicial interest. They remained in the meeting but did not take part in the voting.

The report sought Cabinet approval to formally agree the Supplemental Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS) April 2016.

Members were asked to note that a series of proposed changes to the original agreement have been outlined in the updated agreement, which include:

- Governance arrangements that ensure the LA's and the EAS are complying with requirements of the National Model for Regional Working.
- The way in which grants can be dealt with by the EAS – the first change being that all grants will now be channelled through the Directors Group in the first instance. There is a detailed process that explains how this will work in practice. The EAS will report on this regularly to both the Directors/Heads of Education and the Executive Members for Education in each of the LA's.
- The EAS' ability to provide services to customers other than the South East Wales Consortium (SEWC) LA's for a fee and subject to scrutiny and approval from the Joint Executive Group (JEG). The EAS may proceed with such a commission without prior JEG consent when:
  - The contract is valued at up to £50k but carries no risk/will have no impact on agreed delivery outcomes
  - The contract is valued up to £15k and may/will have an impact on agreed delivery outcomes
  - The EAS has taken appropriate advice on any VAT liabilities that entering into such a contract may rise to and these are factored into the detail of the contract
  - The EAS has taken appropriate legal advice in drawing up the contract
  - The EAS will inform the next JEG meeting of all new contracts that exceed £10,000 over a financial year.
- In the event the EAS core service costs more than predicted, in line with prior JEG approval, each LA will pay its proportional share on this overspend. However, the EAS in negotiation with the Las will repay this "loan" over an agreed period through reducing the core service charge each LA pays for an agreed period.

Members discussed the proposals and sought clarification on whether VAT was included in the contract valuations, as outlined within the report. Officers stated that clarification will be sought from the EAS and Members advised accordingly.

Following consideration and discussion, it was moved and seconded that, subject to clarification of the foregoing, the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report and the adoption of the Supplementary Agreement to the Collaboration and Members Agreement (CAMA) for the Education Achievement Service (EAS) April 2016, subject to clarification of the inclusion/exclusion of VAT in the contract valuations, be endorsed,.

## **7. CABINET FORWARD WORK PROGRAMME**

The report sought Cabinet endorsement of the Forward Work Programme for the period July 2016 to September 2016.

Members noted that the Forward Work Programme is updated on a monthly basis to reflect any amendments that are made to it since it was first agreed on 22nd January 2014 and in addition, includes a detailed summary of the reports, which has been provided as a result of a recommendation following the Scrutiny Review.

Following consideration and discussion, it was moved and seconded that the recommendation in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers report, the Cabinet Forward Work Programme be endorsed.

## **RECOMMENDATIONS TO COUNCIL**

### **8. AMENDMENTS TO AUTHORISATION OF OFFICERS WITHIN THE PUBLIC PROTECTION DIVISION**

The report informed Cabinet of changes to the legislation applicable Officers of the Public Protection Division prior to presentation of the report to Council to amend the Council's Constitution to include Psychoactive Substances 2016 and the Children and Families Act 2014, and also to obtain additional authorisation for Officers under the above Acts.

Officers within the Public Protection Division require additional authorisation under Acts of Parliament in order to enforce the legislation and carry out their duties.

Members discussed the implications of the change in legislation and noted that the legislation now includes New Psychoactive Substances or anything producing a "legal high" (excluding alcohol, tobacco, nicotine, caffeine), "proxy purchasing" of tobacco products and cigarette papers, as well as nicotine products such as e-cigarettes and liquids. The report provides for local authority Enforcement Officers to have the flexibility to issue fixed penalty notices if they believe an offence has been committed. In addition, Members were asked to note that, should they have any specific concerns they should notify Officers and surveillance and/or "Test Purchases" could be implemented where required.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RECOMMENDED that for the reasons contained in the Officers report : -

- (i) the implementation of the legislation and the recommended changes to the Council's Constitution be referred to Council for determination;
- (ii) the Council's Monitoring Officer make the necessary amendments to the Council's Constitution;

- (iii) the Council's Constitution and terms of reference be amended by adding the following: Psychoactive Substances Act 2016, Children and Families Act 2014;
- (iv) Officers within Public Protection Division be authorised under the Psychoactive Substances Act 2016 and the Children and Families Act 2014 in order to enforce the legislation and carry out their duties.

## **9. NOTICE OF MOTION - REMEDIAL ACTION TO IMPROVE AIR QUALITY ON HAFODYRYNYS ROAD**

The report, which was considered by Health Social Care and Wellbeing Scrutiny Committee on 29th June 2016, was presented to Cabinet in response to a Notice of Motion, received from Councillor A. Lewis and requested that CCBC take all remedial action urgently, to improve air quality on Hafodyrynys Road.

Members noted that there have been some recent reports in the media regarding air quality at this location.

The Environment Act 1995 introduced a strategic policy framework for air quality management. The strategy established a set of standards for a number of pollutants having regard to scientific and medical evidence on the effects on health. Local authorities are required to carry out regular reviews of air quality within their area to determine whether they comply with these standards and, where they do not, to designate an Air Quality Management Area (AQMA) and incorporate controls to improve air quality bringing it within the accepted levels.

Air quality monitoring began at Hafodyrynys in 2009. A Detailed Assessment of air quality was undertaken in 2013 based on monitoring data from 2012 and was submitted to Welsh Government. The Detailed Assessment confirmed that monitoring results were continuing to fail the air quality objectives and the area was designated as an AQMA at the same time that the Caerphilly Town Centre AQMA was extended in November 2013.

A Further Assessment report was undertaken in April 2015 and considered contributions from the different traffic types and modelled mitigation scenarios. The recent Crumlin Junction improvements were one of the modelled mitigation scenarios within the report. The recently completed scheme has already resulted in efficiency benefits but post scheme monitoring is ongoing.

Members noted that Air quality action plan, as required by the Act, will concentrate primarily on reducing levels of nitrogen dioxide within the Air Quality Management Area, it is important to note that the pollutant of concern is traffic related. Traffic queuing and congestion is an issue along the junctions that feed the A472 not just within the confines of the Air Quality Management Area. When producing the Action Plan, it will be necessary to consider areas surrounding the junctions that feed the A472 and require an input from many services across the Local Authority as well as from external partners, local residents and businesses.

In addition, Members noted that there is a requirement to consult members of the public during the production of the Action Plan and through an appropriate communication strategy it is intended to engage with residents, community groups and other key players. An Action Plan Steering Group meeting is proposed for September. All proposed actions will be assessed and those that are deliverable will go forward into the Hafodyrynys Air Quality Action Plan. It is envisaged that the draft Action Plan will go out to public consultation in early 2017.

Officers highlighted that, in support of the Notice of Motion, Councillor Lewis has also made reference to a planning application submitted to Torfaen Council which relates to reclamation of former opencast workings, recovery of secondary aggregates and construction of new

access road affecting public rights of way. The application has not yet been determined by Torfaen Council, but the resolution of Planning Committee on 8th July 2015 was: that Torfaen County Borough Council be advised that Caerphilly County Borough Council Planning Committee raises objections to the application on the grounds of the detrimental impact on residential amenity, highway safety and air quality. A letter to that effect was sent to Torfaen Council.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RECOMMENDED that for the reasons discussed at the meeting, contained in the Officers report and in considering the recommendations of the Scrutiny Committee : -

- (i) the Notice of Motion be referred to Council for determination;
- (ii) the Action Plan Steering Group explore the option of building a by-pass in the area, in conjunction with Welsh Government.

The meeting closed at 2.51pm

Approved and signed as a correct record subject to any corrections made at the meeting held on 13th July 2016.

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CHAIR





## CABINET – 13TH JULY 2016

**SUBJECT: PROPERTY SERVICES – STATE OF THE ESTATE REPORT  
31ST MARCH 2016**

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151  
OFFICER**

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

1.1 To present the first Property Services' State of the Estate report (Appendix 1) to Cabinet.

### **2. SUMMARY**

2.1 For some time now the Welsh government (WG) has produced an annual report on the "State of the Estate" relating to property in their ownership. The report is very useful and has been widely circulated by WG.

2.2 The report has prompted Property Services to prepare a similar report for the council. The main driver for that being introduced now is to reflect on the significant changes that have been made to better manage, rationalise and consolidate the council's property portfolio.

### **3. LINKS TO STRATEGY**

3.1 The contents of this State of the Estate Report link directly to the council's Asset Management (Land & Property) Strategy. Some of the key recommendations in that Strategy are detailed in paragraph 4.1.

3.2 A prime, and growing, consideration of all matters relating to Asset Management is understanding and evaluating its impact upon the social, economic, environmental or cultural well-being of the area or community concerned. In particular the report strives to demonstrate the contribution good asset management can make to the following well-being goals within the Well-being of Future Generations Act (Wales) 2015:

- A sustainable Wales
- A prosperous Wales
- A more equal Wales
- A Wales of more cohesive communities

### **4. THE REPORT**

4.1 The council's Asset Management (Land & Property) Strategy published in 2011/12 made a number of recommendations that have transformed service delivery within Property Services. Those recommendations include:

- Establish an Asset Management Group – Chaired by the Director of Corporate Services and including the Cabinet Member for Property Services and Asset Management

- A phased transfer of all property (excluding schools and public housing) into a central corporate portfolio managed by Property Services
- Establish a Landlord/Tenant arrangement where Property Services acts as a landlord and all building/land users are tenants
- Property maintenance budgets transferred to Property Services
- Reactive maintenance centralised and a framework of suppliers created
- Link Facilities Management with Health & Safety, particularly around Legionella and Asbestos Management and Statutory Maintenance

4.2 The State of the Estate Report -31<sup>st</sup> March 2016 details the positive impact the above recommendations have had to date. Although the transfer of property and associated maintenance budgets has not been fully completed as yet, when they are the Report highlights the benefits that can be gained.

4.3 The report focuses on corporate buildings where the authority has a maintenance liability, excluding school buildings and council house stock. The report also excludes the council's Commercial portfolio held within Planning & Regeneration.

## 5. WELL-BEING OF FUTURE GENERATIONS

5.1 The State of the Estate Report details how asset management contributes to the Well-Being goals as set out in Links to Strategy above. In particular:

- **A sustainable Wales:** The report includes information under the Heading of "A sustainable and accessible Caerphilly". This includes references to reducing carbon emissions in our buildings and improvements to energy performance in our buildings. A case study of the former St Ilan School (Y Gwyndy) highlights the work involved in completing this BREEAM Excellent rated project.
- **A prosperous Wales:** The report includes references to land/building disposals. In most cases freehold disposals are of land that has been identified as surplus to operational requirements and is sold for residential/commercial development thus encouraging regeneration. The disposals have also supported the provision of increased affordable housing via the council's relationship with housing associations.
- **A more equal Wales:** the report references the scale of improvements made to make public buildings accessible for all via the council's DDA Work Programme.
- **A Wales of more cohesive communities:** The report references how in the future greater focus in asset management will need to be around increasing community involvement as stakeholders. This will possibly be via the newly formed Public Service Board. Community Asset Transfer (CAT) is an area where there is likely to be increased focus in the future.

## 6. EQUALITIES IMPLICATIONS

6.1 An EqIA screening has been completed in accordance with the council's Strategic Equality Plan and supplementary guidance and no potential for unlawful discrimination and/or low level or minor negative impact has been identified, therefore a full EqIA has not been carried out.

## 7. FINANCIAL IMPLICATIONS

7.1 There are no direct financial implications arising from this report although the State of the Estate report quantifies financial savings made.

## **8. PERSONNEL IMPLICATIONS**

- 8.1 Asset rationalisation of office accommodation has led to a smaller and more effective estate. This has inevitably impacted upon staff as available workspace has been reduced from generous levels (8.23 sq.m per workstation) to near industry average levels (6.65 sq.m per workstation). There is a realisation that revenue savings from office rationalisation is a contributor to the protection of jobs thus protecting front line service delivery.
- 8.2 Referring to recommendation 10.2, there is potential need to relocate officers to Property Services who have service responsibility for building maintenance and its budget management. However, any such relocation is likely to be minimal.

## **9. CONSULTATIONS**

- 9.1 The report reflects the views of the consultees.

## **10. RECOMMENDATIONS**

- 10.1 Cabinet note the contents of the State of the Estate – 31st March 2016 Report as attached at Appendix 1.
- 10.2 Given the benefits highlighted in the State of the Estate Report Cabinet endorse the principles of completing a phased transfer of responsibility for the maintenance of all property (excluding schools and public housing) into a central corporate portfolio managed by Property Services together with the maintenance budgets as described in paragraph 4.1.
- 10.3 The State of the Estate Report be communicated across the authority subject to the views of Policy & Resources Scrutiny Committee on the 4th October 2016.

## **11. REASONS FOR THE RECOMMENDATIONS**

1. To inform Cabinet of the general condition of the council's corporate property estate.
2. To complete the centralisation of responsibility and transfer of building maintenance budgets.
3. To inform members, officers, the general public and other stakeholders

## **12. STATUTORY POWER**

- 12.1 Local Government Act 1972. This is a Cabinet function.

Author: Colin Jones, Head of Performance & Property Services, jonesrc@caerphilly.gov.uk  
Consultees: Corporate Management Team (CMT)  
Lynne Donovan. Acting Head of Human Resources  
Gail Williams. Interim Head of Legal & Democratic Services  
David A Thomas Senior Policy Officer (Equalities and Welsh Language)  
Kathryn Peters Corporate Policy Manager  
Cllr D Hardacre. Cabinet Member for Performance, Property and Asset Management.  
Cllr S Morgan. Chair of Policy & Resources Scrutiny Committee

Appendices:  
Appendix 1 Property Services – State of the Estate Report 31st March 2016

Gadewir y dudalen hon yn wag yn fwriadol

# Caerphilly County Borough Council

## State of the Estate Report

31<sup>st</sup> March, 2016



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## Foreword



I am delighted to present this report, the first of what I hope will be an annual publication, summarising the “State of the Estate” for Caerphilly County Borough Council.

This first edition contains details of the considerable progress made in the management of the council’s Land and Building Estate since the development of the Council’s Land and Building Strategy in 2012. It demonstrates the key role Asset Management has in supporting the council to positively react to extreme funding reductions and to help it maintain service delivery.

There is no doubt that the council has to change, and Asset Management is at the forefront of those transformational changes. The council has had to, and will have to, make some difficult decisions to “balance the books” and the closure of some of our Corporate Offices is an example of those difficult decisions. Nevertheless, I believe this State of the Estate report demonstrates that, in doing so, we have been able to make high levels of savings that helps protect jobs, maintain service delivery and, in the case of Pontllanfraith House, will ultimately regenerate communities. We have also heavily committed to improving the condition of our building stock and reducing our carbon footprint.

Although in its infancy, and not therefore reflected in this report, the Council is also considering how it can promote greater Community engagement in its estate via Community Asset Transfer.

Additionally, the council needs to hold discussions with other public bodies such as the Local Health Board, Police and Voluntary Sector to explore the potential for sharing our building assets. We have already done this to a small degree with the Police in Caerphilly Library and with the Aneurin Bevan Health Board, but we recognise there is more work to be done. We are hopeful that the new Public Service Board that will be established from 1<sup>st</sup> April 2016, as part of the Well Being of Future Generations (Wales) Act 2015, will act as a conduit for these shared building resource discussions.

## Introduction

Caerphilly County Borough Council has fixed assets worth £717,281,359\*, which makes it the second most costly resource, after staff, to manage. Of the 20 Welsh Authorities that submitted building performance data to Welsh Government in 2014/15, Caerphilly has the 4th largest public building portfolio.

The Corporate Estate comprises office accommodation, workspace, leisure buildings and other property used to deliver council services that are owned, leased or occupied by the authority.

This report focuses on corporate buildings where the authority has a maintenance liability, excluding school buildings and council house stock.

There are a number of definitions of the term Asset Management, Caerphilly focuses on the RICS's 2008 Public Sector Asset Management guidelines:

*“Strategic Asset Management is the activity that seeks to align the asset base with the organisation’s corporate goals and objectives. It ensures that the land and buildings asset base of an organisation is optimally structured in the best corporate interest of the organisation concerned”.*

In recent budgets, the government has been consistent in its commitment to make savings from the public estate. The current economic climate and slow-down in the property market presents opportunities and challenges for councils acquiring and disposing of assets and managing commercial property portfolios.

Through effective management of its asset base, the council can:

- Deliver exceptional services for citizens, aligned with locally agreed priorities, whilst focusing investment clearly on need;
- Empower communities and stimulate debate;
- Improve the economic well-being of an area;
- Ensure that, once built, assets are correctly maintained;
- Introduce new working practices and trigger cultural organisational changes;
- Reduce carbon emissions and improve environmental sustainability;
- Increase co-location, partnership working and sharing of knowledge;
- Improve the accessibility of services and ensure compliance with the Equalities Act 2010;
- Generate efficiency gains, capital receipts, or an income stream; and
- Improve the quality of the public realm.

This is Caerphilly’s first *State of the Estate* report and provides a snapshot of the performance data we use to monitor the efficiency and effectiveness of our corporate buildings.

\*As at 31<sup>st</sup> March, 2015. (Note: this is the “book” asset replacement value and does not represent the market value, which is likely to be significantly lower).

## EXECUTIVE SUMMARY

This *State of the Estate Report* is the first report to cover the authority's building performance metrics. In future years, it will be a summary of annual performance, this issue should be read as a 'baseline' report.

### Comparison over time

Through effective asset management, over the last 4 years we have achieved the following:

### A smaller, more effective estate

We have:

- reduced our total square metres of corporate buildings by **6.19%** - we are now using **10,748** square meters less than in 2012;
- vacated or disposed of **34** buildings;
- increased occupancy at our existing sites, with utilisation improving from 11.33 sq.m per FTE to **9.16 sq.m** per FTE.

We have achieved this by a program of property reviews that identified poorly performing properties, and by modernising buildings to make better use of our property holdings. This has enabled us to vacate surplus properties, both freehold and leasehold, and to support more efficient ways of working.

### Cost savings and Environment

We have:

- reduced our carbon emissions by **2,299 tonnes**;
- achieved NNDR (non-domestic rates) savings totalling **£3,609,393\***.

*\*This figure excludes prior year savings totalling £4,109,616*

	<b>Schools estate</b>	<b>Non-schools estate</b>
NNDR savings 2010/11	£190,885.18	£331,284.11
NNDR savings 2011/12	£204,007.53	£324,681.15
NNDR savings 2012/13	£213,938.54	£339,326.37
NNDR savings 2013/14	£223,000.43	£357,753.22
NNDR savings 2014/15	£239,531.86	£515,827.24
NNDR savings 2015/16	£246,514.08	£422,643.39
<b>Total</b>	<b>£1,317,877.62</b>	<b>£2,291,515.48</b>

We have:

- achieved **£4,099,637** capital receipts from freehold disposals:

Capital receipts 2011/12	£1,089,301
Capital receipts 2012/13	£621,437
Capital receipts 2013/14	£1,054,500
Capital receipts 2014/15	£448,399
Capital receipts 2015/16	£886,000
<b>Total capital receipts</b>	<b>£4,099,637</b>



## Summary of key performance since 2011/12:

	2011/12	2015/16	% change
Area Sq.M. (GIA)	173,562	162,814	-6.19%
No. of Corporate buildings	440	406	-34
Carbon emissions (t Co2)	16,236		
No. of buildings made reasonably accessible	165	209	+26.70%

## Size and condition of the Corporate Estate

Since 2012, we have reduced our total office accommodation by **20.01%**, mainly due to the closure of three corporate offices, Ty Pontllanfraith, Hawtin Park and Enterprise House. This allowed relocation of staff to existing sites including Ty Penallta and Tir-y-berth Offices.

Ty Pontllanfraith had been identified as a building requiring major investment to enable continued use, which was not possible in the current financial climate. An options appraisal determined that the most viable option for the authority was relocation to existing sites and disposal of the site. The closure of the site will generate savings of **£600,000 per annum**, of which, £100k will be secured up to March, 2016.

Hawtin Park offices was a leasehold property and the termination of the lease resulted in savings to the authority of **£500,000 per annum**. Enterprise House was also leasehold and resulted in a further **£200,000 saving per annum** to the authority.

These closures enabled the Authority to fully utilise the building at Ty Penallta and further reduce the operational costs per employee (FTE).

## Performance over the last year

Indicator	2014/15	2015/16	% change
Total area sq.m of Corporate buildings (GIA)	172,399	162,814	-5.56%
Total number of Corporate buildings	412	406	-1.46%
Total Net Internal Area (NIA) of Office Accommodation*	22,756	18,203	-20.01%

\*based on 3 largest offices (Ty Penallta, Ty Tredomen and Ty Pontywindy)

## Building Condition

From April 2015, Microsoft ceased support for the Authority's I.T. operating software, Windows XP. This necessitated the upgrade of our existing Asset Management data system.

This provided an opportunity to fully review the way our condition surveys are completed and recorded. Surveys and reports were interrogated in detail and resulted in the ability to produce more accurate condition reports than was previously possible.

Over the last year, the revised indicators show that the percentage of our **corporate buildings in condition A or B is currently 84.31%**, this compares to 46.00% last year. The difference is partly due to the old system calculating these figures on an average condition rating per building, the new system calculates the actual number of elements within each building over a 25yr period. Hence, the picture painted previously was bleaker than exists today.

Moreover, by targetting maintenance spend on Priority 1 and condition D items, this has had a considerable effect on the overall condition of the corporate estate. Our outstanding urgent works required (**Priority 1**) has been **reduced by 22.89%**.

Condition Indicators	2014/15	2015/16	% change
% of GIA of Corporate buildings in condition A	4.30 %	6.74 %	+56.75 %
% of GIA of Corporate buildings in condition B	41.70 %	77.57 %	+86.02 %
% of GIA of Corporate buildings in condition C	41.80 %	10.80 %	-74.16 %
% of GIA of Corporate buildings in condition D	12.20 %	4.89 %	-59.92 %
% Value of required maintenance cost in Priority 1	7.60%	5.86 %	-22.89 %
% Value of required maintenance cost in Priority 2	40.50 %	55.04 %	+35.90 %
% Value of required maintenance cost in Priority 3	51.90 %	39.10 %	-24.67 %

## Efficiency of use

This section focuses on how efficiently we use our office accommodation. The amount of space per person is calculated as total useable space (sq.m NIA) divided by the number of full-time equivalent employees (FTEs) and/or workstations.

The data shows that, over the last 2 years, we have reduced our key office accommodation (useable NIA) by **28.94%** and, by relocating staff to existing sites, we have improved the efficiency of the remaining offices\*.

In 2014/15, we had an average utilisation of 11.33 sq.m. per FTE. Over the last year, we have reduced this figure by **19.15%** to 9.16 sq.m per FTE.

However, it must be appreciated that some factors can affect the ability to improve space utilisation. Design features of certain buildings may mean that they will never be occupied to capacity.

## Ty Penallta

The Council's main corporate office, Ty Penallta, was completed in 2008 and originally commissioned to accommodate 650 workstations. Although a very impressive building, with its large atrium, reception area and unique design features, it means that not all of the measured internal space is useable.

Over the last few years, it has been recognised that we need to make our buildings work for us and utilise them as efficiently as possible. By rationalising our office accommodation, and identifying the actual useable space available, we have achieved a **47.69%** increase in utilisation on the original specification. As of January, 2016, Ty Penallta accommodates 960 workstations and 768 FTEs, with further staff due to be relocated in the near future.

## Corporate Offices

The table below demonstrates the improvements made to office accommodation running costs and occupation rates in our three main corporate offices.

Indicator	2014/15	2015/16	% change
Useable Net Internal Area (sq.m. NIA) Offices*	12732.2	9046.8	-28.94%
Total number of FTEs (% difference relocated to other offices)	1123.6	987.6	-12.10%
Total Office Accommodation Costs*	£2,334,006	£1,909,672	-18.18%
Office Accommodation Costs per FTE*	£2,077.26	£1933.64	-6.91%
Total Sq.M (NIA) per FTE*	11.33	9.16	-19.15%

\*based on 3 largest offices (Ty Penallta, Ty Tredomen and Ty Pontygwindy)

Note: 15/16 Accommodation Costs will not be confirmed until close of accounts, these are projected figures

## Space per Workstation v's Space per Person (sq. m per FTE)

In 2015/16, Caerphilly has an average of **6.65 sq. m per workstation** (9.16 sq.m per FTE) in its 3 main offices. The recommended workstation size to promote efficient space planning in office buildings is considered to be 6.50 sq. m per workstation.

Although significant improvements have already been made, going forward we should ensure that services within these buildings utilise their space to its full capacity. If we were to achieve 100% utilisation, based on increasing the number of FTEs to match the number of workstations, our office accommodation costs would reduce **by 27.33%** from £1,933.64 per FTE to £1405.20 (£1,909,672/1359) per FTE, representing a potential total saving of £521,887. It is worth reiterating that this level of saving can only be realised if we can fully utilise the spare capacity.

Beyond this, the report recognises the importance of flexible working and the opportunities to make further savings through heightened utilisation of desks as well as through lower space allocation per workstation.

There is a fundamental change taking place to the way in which office space is used and managed, a change driven by technology and budget constraints. More and more occupiers are introducing flexible working styles to improve efficiency and effectiveness, allowing staff to become more mobile and make work-life choices. The modern workplace is becoming a more fluid, more responsive environment.

The table below highlights the difference between the number of workstations currently available at each of the main offices, compared to the number of FTEs occupying those workstations.

Indicator	Ty Penallta	Ty Tredomen	Ty Pontygwindy	Total
No of workstations available	960	249	150	1359
No. of FTEs - 2015/16	768	136.6	95	999.6

The Council plans to work, initially, to an average office occupation ratio of 8 workstations to 10 employees (Asset Management Strategy). The ratio of 8/10 is a conservative figure and many organisations, particularly within the private sector where, historically, the cost of office accommodation has been valued more, are working to significantly lower ratios.

The 8/10 ratio would equate to 1200 staff for 960 workstations in the case of Ty Penallta. This demonstrates there is spare capacity within the building. At Ty Tredomen, occupation numbers could be raised to 311, and at Ty Pontygwindy to 187.

The above figures clearly demonstrate there is spare office accommodation in our main corporate offices. However, we must be realistic, as there are barriers to achieving 100% occupation. In particular, car parking facilities for both staff and visitors are at a premium. Investment into increasing car parking availability, although limited in area, is potentially possible outside our current land ownership, and the potential benefits/cost are under consideration. The Council is also currently considering how agile our workforce is and how agile it needs to be. There is also the realisation that reducing public sector funding will inevitably lead to a reduction in our current workforce.

## [A sustainable and accessible Caerphilly](#)

Our Sustainable Development Strategy 2008, “Living Better, Using Less”, sets out the contribution that we will make to our joint goal of a sustainable county borough, and the principles that underpin our strategy and policy development, service delivery, partnership work and the way our organisation is run.

Caerphilly has understood the importance of good energy management for some considerable time. Caerphilly was one of the first local authorities to develop and implement the Local Authority Carbon Management Programme with the Carbon Trust, and was the first in Wales to implement the Local Authority Financing scheme.

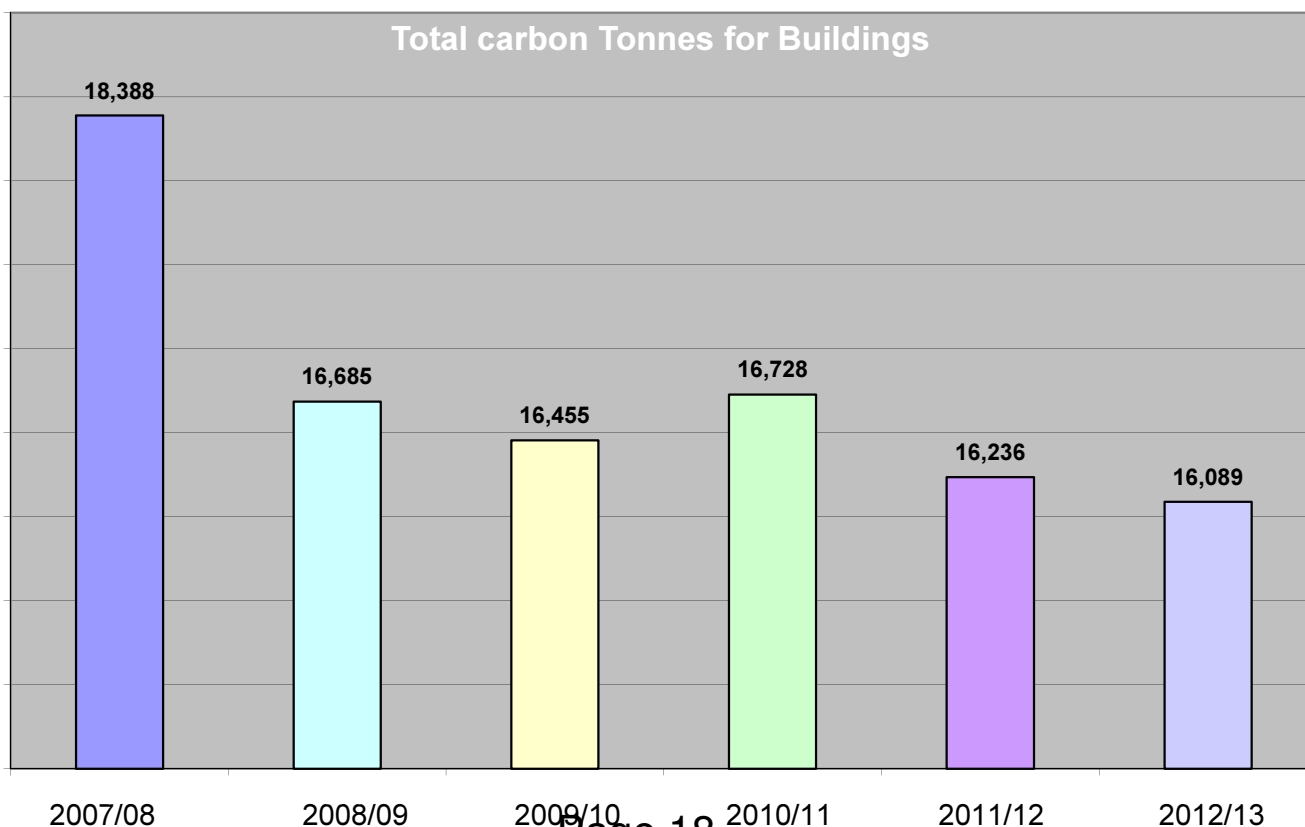
Since 2007, we have continued to reduce the greenhouse gas emissions of the corporate estate.

To assist in reducing carbon emissions and costs, the authority has a 45% Carbon Reduction Strategy in place and has recently developed a Carbon Management Improvement Objective.

In line with our Carbon Reduction Strategy, the Improvement Objective focuses on 4 priorities to reduce emissions:

- Good Housekeeping (10% reduction)
- Invest to Save (20% reduction)
- Design and Asset Management (10% reduction)
- Renewable technology (5% reduction)

## [Reducing Carbon Emissions](#)



During the 14/15 financial year, British Gas changed their internal billing system. As a result of this, they have been unable to provide any billing on electricity for Caerphilly sites. Due to this, we are unable to report on total building energy costs, consumption and carbon emissions. This will be addressed in future 'State of The Estate' reports when data on all buildings will be available.

Consumption graphs for Ty Tredomen and Ty Penallta are shown below:

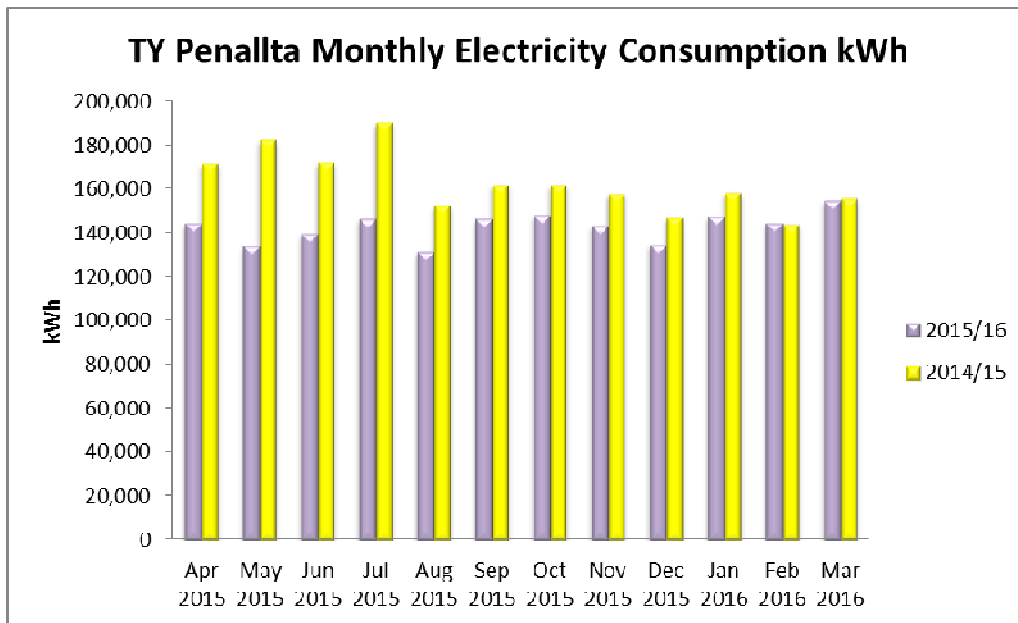


Table of Consumption (kWh) for 14/15 and 15/16

	2015/16	2014/15	Difference	Move %
<b>TOTAL</b>	<b>1,718,179</b>	<b>1,959,273</b>	<b>-241,094 kWh</b>	<b>-12.31</b>

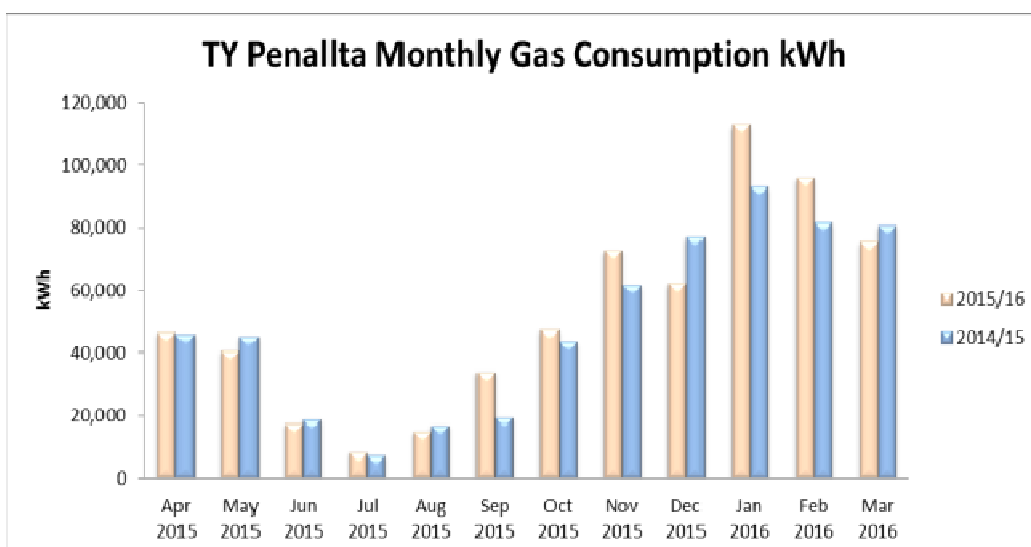


Table of Consumption (kWh) for 14/15 and 15/16

	2015/16	2014/15	Difference	Move %
<b>TOTAL</b>	<b>632,013</b>	<b>594,236</b>	<b>37,777 kWh</b>	<b>+ 6.36</b>

Ty Penallta's gas consumption for heating purposes is small. The increase in consumption is partly due to a need for additional heating, but mainly due to the fact that Meals On Wheels have relocated to the site and, in effect, are now maximising the use of the building's catering asset. To put the increase into perspective, 37,777 kWh equates to gas costs of £724 across the year, or £1.98 per day.

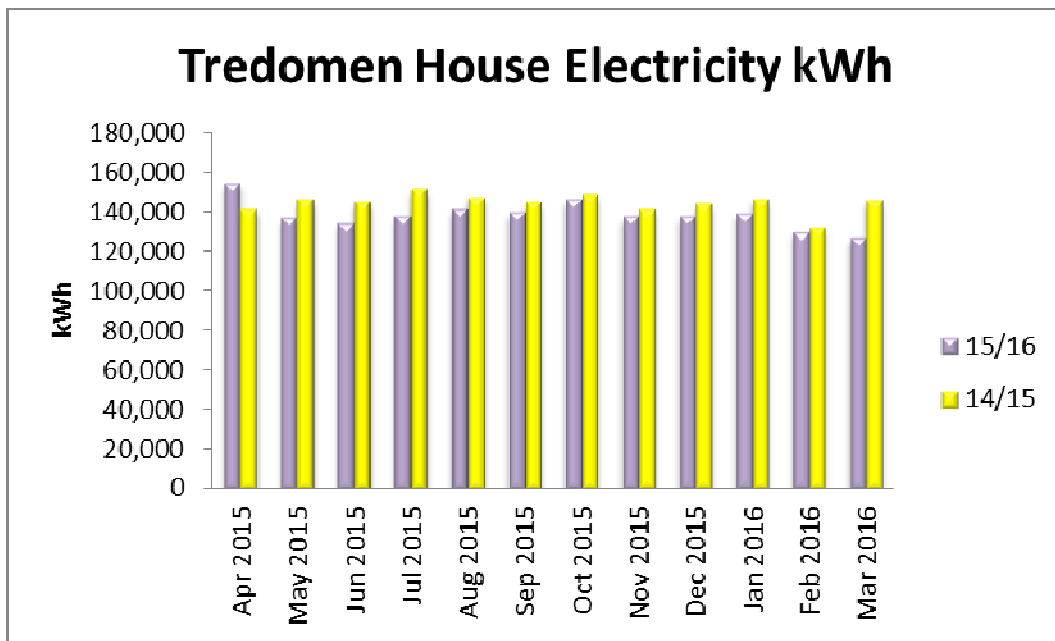


Table of Consumption (kWh) for 14/15 and 15/16

	15/16	14/15	Difference	Move %
<b>TOTAL</b>	<b>1,661,331</b>	<b>1,719,031</b>	<b>-57,700 kWh</b>	<b>-3.35654</b>

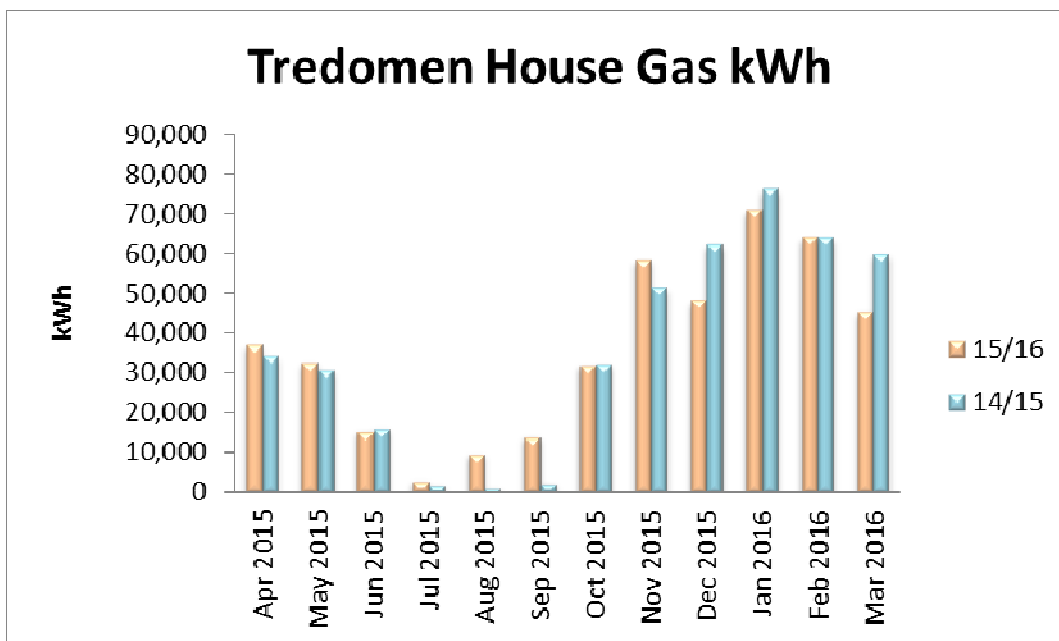
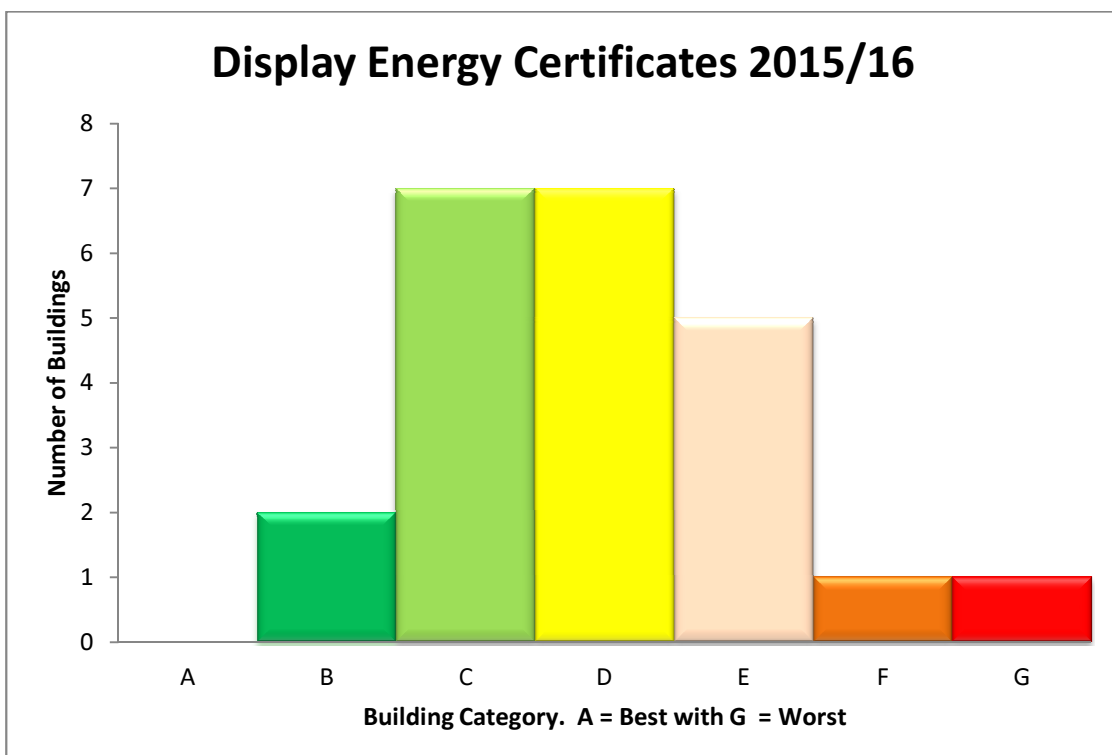
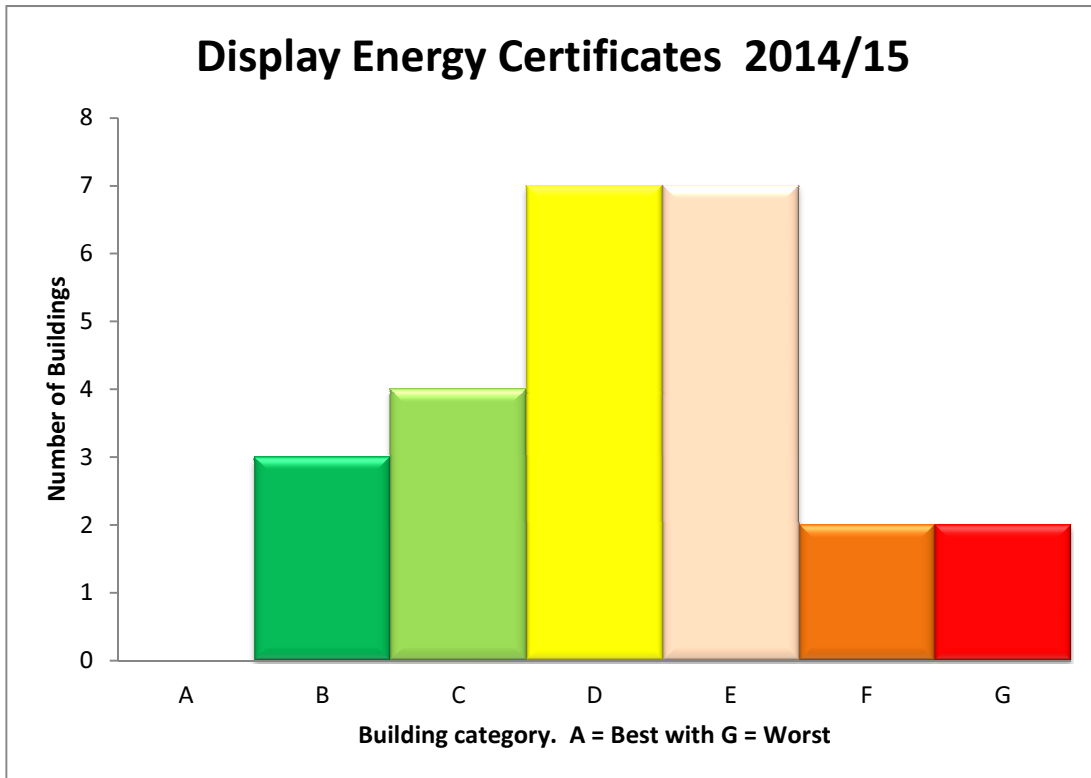


Table of Consumption (kWh) for 14/15 and 15/16

	15/16	14/15	Difference	Move%
<b>TOTAL</b>	<b>432,733</b>	<b>433,970</b>	<b>-1,236 kWh</b>	<b>-0.28</b>

## DECs

Display Energy Certificates (DECs) show a building's energy performance from an operational perspective, that is, it accounts for people's actions on energy performance in the building. A typical building should achieve a score of 100, which is between a D and an E category in the graphs below.



## Disability Access

The Council's Corporate Property Division continues to deliver improvements to make public buildings accessible for all via the DDA Work Programme. Each year, a programme of work is arranged to update and improve the physical access capacity of a range of Council owned buildings.

During 2014-15, £50,000 of capital funding and £150,000 of revenue funding was used to upgrade properties across the county borough.

DA Indicator	2014/15	2015/16	% change
No. of buildings made suitable and reasonably accessible	202	209	+3.37%

## Statutory Maintenance within Corporate buildings

The Council has made a concerted effort to improve the number of outstanding priority remedial works identified via the Statutory Testing regime, as can be seen from the tables below. We have also centralised responsibility for Statutory Testing Management to build upon the progress made to date and to ensure that, in future, the council's estate is 100% compliant.

Further to the corporately managed sites, Corporate Property also offer SLA agreements to other users for the completion of their outstanding tasks. A number of schools have entered into this agreement.

**Table 1. Electrical tasks which are outstanding (over 90 days) – P2s**

	ELECTRICAL			
	Dec 14	July 15	Oct 15	Jan 16
Community Centres	29	0	0	68*
Corporate Property	172	0	0	0
Economic Development	177	117	37	0
Sheltered Accommodation	115	232	230	135
Social Services	275	52	79	2

\*New inspections carried out in Community Centres – Jan 16



**Table 2. Legionella tasks which are outstanding (over 90 days) – P2s**

	LEGIONELLA			
	Dec 14	July 15	Oct 15	Jan 16
Community Centres	38	34	34	12
Corporate Property	72	2	2	6
Sheltered Accommodation	90	13	14	4
Economic Development	25	3	3	2
Social Services	183	8	2	7

**Table 3. Gas Remedial Tasks which are outstanding (over 90 days) – P2s**

	GAS REMEDIAL TASKS	
Community Centres	29/36 sites have completed their remedial tasks	7 Sites have outstanding tasks
Social Services	16/28 sites have completed their remedial tasks	12 Sites have outstanding tasks
Pavilions	58/62 Sites have completed their remedial tasks	4 sites outstanding
Libraries	16/19 sites have completed their remedial tasks	3 sites outstanding
Leisure Centres	2/10 sites have completed their remedial tasks	8 sites outstanding

### Going forward

The report clearly shows that, through effective asset management, improvements and savings have been made over the last few years. The age when services occupied buildings in isolation from each other is gone, or at least going, and the continuing focus will be to maximise the use and efficiency of our existing building stock.

A culture of smarter working, supporting a robust programme of efficient space utilisation, and disposal of surplus property and land, will steer the way we manage our property portfolio in the coming years. We should continue to challenge whether all our assets are required, are fit-for-purpose and provide value for money to meet current and future needs.

We must continue to seek views of service users, and communities, to inform reviews of the asset base. For property assets, there should be a comprehensive programme of property reviews. Under-performing, or surplus, assets should be rationalised, or disposed of, in ways that deliver best value, and through an appraisal of the options that strike a balance between cost and income and the delivery of outcomes for local communities.

By working with the principles set out in this report, we can deliver better services, achieve higher savings and better manage rationalisation of our estate, releasing land for new homes and jobs.

In the last few years, our Building Consultancy team has been involved in a number of high profile new-build and refurbishment projects to provide state-of-the-art facilities for the residents of Caerphilly County Borough. Amongst them, the new Ystrad Mynach Centre of Sporting Excellence, Islwyn West Comprehensive School and St. Ilan Comprehensive School.

The work we have completed at the former St. Ilan School (Y Gwyndy) is a fine example of the specialist expertise that exists within the authority, and this expertise has been transferred to the Islwyn West School project. So much so, that the appointed external Project Manager for the Islwyn West project (Aecom) has recognised the quality of the design team as being amongst the best he has worked with, across both the public and private sector.

Attached at Appendix 1 is a case study detailing the project carried out at Y Gwyndy, which highlights the work involved in completing this BREEAM Excellent rated project.

BREEAM is an environmental standard that rates the sustainability of buildings in the U.K. It measures sustainable value in a series of categories, ranging from energy to ecology. Within each category, developments score points, or credits, for achieving targets, and their final total determines their rating.

Caerphilly strives to meet this standard in all new build and refurbishment projects.

## Project Delivery Case Study

### Y Gwyndy, 3 – 18 Welsh Medium School, Caerphilly



#### **Overview**

- Started 2012, will be completed 2016.
- Total project budget £20m.

#### **Strategic objectives:**

- To provide for the growing demand for Welsh-medium 11-18 education within the County Borough;
- To provide fit for purpose accommodation for the existing YGG Caerffili 3-11 school.

#### **Project objective:**

To create a BREEAM Excellent 1,350 pupil 3-18 Welsh medium school.

#### **Scope of the project:**

- a derelict 1,654 sq.m Grade 2 Listed Building was brought back into use;
- a derelict 2,396 sq.m 1980's teaching block was brought back into use;
- 6,536 sq.m of new build accommodation was added;
- new parking, bus drop-off and play areas were added;
- a state of the art 3G rugby pitch will be delivered in 2016.

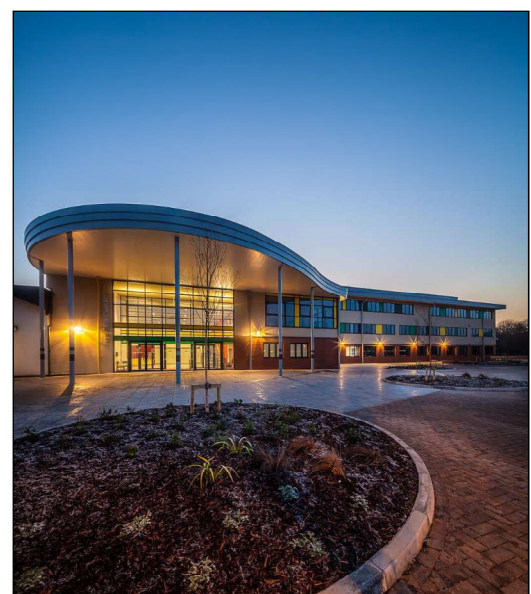
Designed, administered and project managed by our Building Consultancy.



## Description

The challenge was to sympathetically rejuvenate derelict buildings plus to add new build wings and link buildings to create a 3-18 school fit for the 21st Century.

The design team worked closely with school staff and governors, together with other stakeholders and contributors, to develop the design and liaised closely with Cadw to return the Listed Building element back to its former glory, albeit subtly adapted to provide size compliant teaching areas and to improve insulation levels.



The new build elements carry architectural details over from the existing buildings, and the result is a successful blend of different architectural styles which are brought together to create an inspiring and interesting learning environment.

Close collaboration with the school staff, and other stakeholders, helped ensure the end result was fit for purpose and user satisfaction was high. Pupils were encouraged to have an influence on the design. Indeed, pupils were given colour pallet options and chose the colour schemes.

A strong, site based client team proactively worked with the contractor's team and attended meetings with key sub-contractors to resolve detailing issues. This close collaboration meant issues were swiftly resolved in a way that was acceptable to CCBC.

The project was delivered in phases but centralised boilers, sprinkler tanks and kitchen serve the whole development.

Phase 1 - which could accommodate 200 11-18 pupils, was opened on time in September, 2013.

Phase 2 - a 450 place 3-11 school (replacement Ysgol Gynradd Gymraeg Caerffili) was similarly opened on time in September, 2015.

Phase 3 - (additional 700 11-18 places) was completed in the Autumn, 2015.

Phase 4 - 3G pitch and external play areas will be completed in Autumn 2016.

The project will be delivered within budget.

Staff and pupils are delighted with their new facilities and the school was officially opened by the First Minister, Carwyn Jones, in December, 2015.

Gadewir y dudalen hon yn wag yn fwriadol



**CABINET – 13TH JULY 2016**

**SUBJECT: FEDERATION OF SCHOOLS**

**REPORT BY: ACTING DIRECTOR CORPORATE SERVICES AND SECTION 151 OFFICER**

- 
- 1.1 The attached report was presented to the Education for Life Scrutiny Committee on the 5th July 2016.
  - 1.2 The recommendations of the Education for Life Scrutiny Committee will be reported at the meeting.

Author: A. Dredge, Committee Services Officer  
Ext. 3100

Appendices:  
Appendix 1 Federation of Schools

Gadewir y dudalen hon yn wag yn fwriadol





## EDUCATION FOR LIFE SCRUTINY COMMITTEE – 5TH JULY 2016

**SUBJECT: FEDERATION OF SCHOOLS**

**REPORT BY: CHIEF EDUCATION OFFICER**

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

1.1 To seek the views of Members prior to its consideration by Cabinet on 13 July 2016.

### **2. SUMMARY**

2.1 The report provides a background to the Welsh Government's regulations introduced in 2014.

### **3. LINKS TO STRATEGY**

3.1 The report considers provision of school places to ensure the Council's key strategies are best achieved.

3.2 The report links directly to the Education for Life, sustainability, regeneration and equality strategies. The report also links to the Learning theme of Caerphilly Delivers, the Local Service Board single integrated plan.

### **4. THE REPORT**

#### **Background**

4.1 The Welsh Government's policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships and is the principal initiative for achieving formal partnership working amongst schools to improve performance and narrow the attainment gap for deprived pupils.

#### **Summary of Regulations**

4.2 The federation of schools is a legal process which enables schools to work together through a formal structured process by sharing a governing body that will make decisions in the best interest of all the schools, staff and pupils in that federation.

4.3 The term federation describes a formal and legal agreement by which a number of schools (between two and six) share governance arrangements and have a single governing body.

4.4 The most important reason for considering federation must be the benefits such an arrangement would bring for children and young people in the federating schools by enhancing educational provision.

- 4.5 A federation can provide a foundation for sustainable long term development and improvement.
- 4.6 To be successful, federation needs to be based on a commitment to work as a group of schools and a willingness to do things differently for the added benefit of all pupils, their well-being and achievements.
- 4.7 One of the advantages of federation is that schools that federate remain in their communities and keep their individual identity. However the existing governing bodies will be dissolved and replaced by a new, single governing body which will have oversight of, and equal responsibility for, the work of all schools within the federation.
- 4.8 The membership of a governing body for a federation of schools is almost identical to the membership of an ordinary governing body with all stakeholders being represented although there is more flexibility in the proportions of representation of each category of governor. This means that a governing body of a federation can choose a constitution and membership which suits their particular circumstances as long as they have a minimum of 15 governors and no more than a maximum of 27 governors and adhere to the minimum and maximum numbers of governors set out in the regulations.
- 4.9 Schools in a federation will also be able to maintain their own delegated budget, name, character, school uniform and ethos, but will be able to explore the advantages of sharing resources such as facilities, IT, staff, school buildings etc.
- 4.10 A decision to federate by either schools or LAs will not override the need for a LA to intervene or act on school improvement or school organisation issues.

**Key facts :**

- 4.11 There will be a single governing body with strategic oversight of all schools within the federation.
- 4.12 Each school retains its name, category, budget, staff and remains in its community.
- 4.13 Each school can retain its headteacher if it wishes although if a single headteacher and deputy headteacher post is created to manage all of the schools in the federation, those posts do not have to be advertised nationally if one of the headteachers or deputy headteachers expresses an interest in the post.
- 4.14 Each school has its own Estyn inspection, though increasingly these are co-ordinated to happen at the same time for all schools within the federation to minimise stress and disruption.
- 4.15 The governing body of a federation can use budget, resources and staff across the federation to improve the educational outcomes for all pupils.
- 4.16 An audit trail must be kept and separate accounts produced for each school in the federation.
- 4.17 The governing body of a federation cannot require existing staff to work across all schools within the federation, but they can negotiate with the school staff unions over whether flexible contracts can be introduced.
- 4.18 New staff can be appointed to work across schools in the federation.
- 4.19 It is a statutory requirement to seek the views of stakeholders on federation proposals, whether the federation has been proposed by the respective school governing bodies or the LA.

- 4.20 Local authorities must allow the governing bodies and school councils of small schools, 20 school days (excluding inset days) to respond to proposals and cannot establish a federation until a period of at least 100 days has expired from the date they publish proposals.

### **Appendices**

- 4.21 3 appendices have been attached to the report, namely:
- Appendix 1 – Benefits of federation, keys to a successful federation and disadvantages of federation.
  - Appendix 2 – Step-by-step guide to establishing federations.
  - Appendix 3 – Frequently asked Questions (extracted from regulations).
  - Appendix 4 – Draft Consultation document – Proposed Federation of Bedwas Junior and Rhydri Primary Schools.

### **Proposed Pilot Arrangements**

- 4.22 The present position with all 6 governing bodies is as follows:

#### **Bedwas Junior/Rhydri Primary**

Agreed to proceed with formal federation proposal and a draft consultation document has been produced. This is attached as Appendix 4.

#### **Pengam/Fleur De Lis Primary Schools**

Both schools have agreed to explore moving to the next stage, i.e. consultation process. However they would like it noted that the following three caveats are included:

1. The schools retain their individual and financial identity.
2. We are not forced to federate with other schools without prior approval of the governing body.
3. The Local Authority will take full responsibility for managing the introduction and integration of the proposed federated governing body.

#### **Cwmfelinfach/Ynysddu Primary Schools**

A joint governing body meeting was convened for 24 March.

- The Director's offer to trial Federation is accepted.
- Both existing governing bodies agree that the process of Federation will be conducted in an open and transparent way to all parties that may be affected by the process (i.e. parents/carers, staff and governors).
- Parents/carers of both schools are to be provided with an information letter/leaflet explaining the process and benefits of Federation.
- The Director of Education be informed of the schools decision.

- 4.23 The categorisation of the schools is very positive with 4 categorised as green, 1 as yellow with an improving situation at Rhydri from red to amber category.
- 4.24 The proposed next stage is to commence consultation processes for all 3 groups of schools to include a consultation document in each case.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 Equality impact assessments will be developed as part of the consultative processes.

## **6. FINANCIAL IMPLICATIONS**

6.1 These will be dependant upon specific proposals.

## **7. PERSONNEL IMPLICATIONS**

7.1 These will be dependent upon specific proposals.

## **8. CONSULTATIONS**

8.1 The draft report was distributed as detailed below. All comments received have been reflected in the report.

## **9. RECOMMENDATIONS**

9.1 Members views are sought on the proposals for future federation of schools to inform Cabinet in due course.

## **10. REASON FOR THE RECOMMENDATION**

10.1 To apprise Members of proposals for future federation of schools.

## **11. STATUTORY POWER**

11.1 Federation of Maintained Schools (Wales) Regulations 2014  
School Organisation Code 2013 (Welsh Government)  
School Standards & Organisation (Wales) Act 2013

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Councillor Derek Havard, Cabinet Member, Education & Lifelong Learning  
Councillor Wynne David, Chair of Education Scrutiny Committee  
Councillor James Pritchard, Vice Chair of Education Scrutiny Committee  
Gail Williams, Interim Head of Legal Services & Monitoring Officer  
Lynne Donovan, Head of People Management and Development  
Jane Southcombe, Financial Services Manager  
David A Thomas, Senior Policy Officer (Equalities and Welsh Language)

Background Papers:  
School Places Plan 2013/14-2023/24  
Starting School 2016/17  
21<sup>st</sup> Century Schools Strategic Outline Programme.

Appendices:

Appendix 1 - The Benefits of Federation  
Appendix 2 - Step-by-Step Guide to Establishing Federations  
Appendix 3 - Frequently Asked Questions  
Appendix 4 - Draft proposal re Federation of Bedwas Junior and Rhydri Primary Schools.

**The benefits of federation :**

Consistency of teaching and learning methodology, especially cross-phase.

Reduced transitional dips in pupil performance.

Streamlining of policies and structures.

Sharing of good practice, preparation materials and resources.

Enhanced opportunities for pupil activities.

Enhanced opportunities for staff professional development.

Increased opportunity for middle management development.

Schools have options to choose a senior leadership structure to suit their circumstances leading to easier recruitment of staff and headteachers particularly if there have been difficulties.

Opportunities for school leadership beyond a single school.

Opportunities to maximise resources and professional expertise and achieve financial efficiencies from economies of scale.

Promotes the broader welfare of students by offering potential for bringing together pastoral, health, careers, youth and other services to meet their all-round needs.

Support for schools in difficulty. Schools with strengths can contribute to the learning of others.

Supports school improvement by enabling schools to draw on the resources of other schools to tackle problems, share expertise, raise expectations and address the needs of particular groups of pupils.

Possible easier recruitment of governors with fewer governor vacancies.

Small schools in particular can additionally benefit by: Developing networks for personal support. Sharing expertise and resources. Organising professional development. Arranging joint pupil activities.

### **Keys to a successful federation**

Building of trust between LAs, governors and school communities which is fundamental to the success of federations and must be fostered at every level of management.

Commitment of time and resources from all schools involved.

Shared vision and a common purpose of what needs to be done and how for improving attainment and achievement at all level.

Shared identity between schools e.g. geographical proximity and having common aims on curricular and non-curricular activities

Clear leadership and management structures.

Sufficient time for all parties to be at ease with the proposed changes.

All to feel like equal partners.

Sense of ownership of process by the schools.

Good communication with parents and staff over the changes brought by federation.

### **Disadvantages of federation**

Increased workload for governors during inception and first year.

Potential loss of experienced governors.

Initial mistrust amongst governors, parents and staff – time needed for federation to bed down.

Single headteacher not sharing time fairly amongst schools.

**Step-by-step guide to establishing federations**

Step 1: Exploration

Step 2: Preparation

Step 3: The report and seeking views

Step 4: Defining

Step 5: Action after seeking the views of stakeholders

Step 6: Implementation

Step 7: Evolution

Step 8: Embedding

Step 9: Strategic Development

Gadewir y dudalen hon yn wag yn fwriadol



## **Frequently Asked Questions**

Q1. What is a Federation?

A federation is a legal governance structure where between two and six schools share a single governing body. The schools will retain their individuality, their own name, ethos, budget and school uniform but could share resources, facilities and good practice.

Q2. Why should schools federate?

Working together through a single governing body structure enables schools to raise standards and maintain local education provision by sharing resources, staff, expertise, and facilities and sharing best practice. A single governing body also provides an effective and accountable mechanism for schools to pool resources, including staff and budgets, release capacity in the senior management team and gain economies of scale and efficiencies.

Q3. What are the benefits of federation?

Federation will allow schools to more easily :

- extend the breadth and quality of provision
- respond to pupils' wider needs
- facilitate the release of our strongest school leaders teachers and governors to assist poorer performing schools
- widen opportunities for staff professional development
- deliver greater value for money.

Q4. Why might small schools benefit from federation?

Federation can help small rural primary schools to remain sustainable within their communities. The shared governing body provides an effective and accountable mechanism for schools to pool resources and staff, gain economies of scale and efficiencies that enable them to remain viable. Smaller schools in more rural and isolated areas could also gain as federation could open up opportunities to share management, governing body responsibility and curriculum expertise. For small primary it would allow them to deliver an enriched primary education by for example, sharing a specialist language teacher or drama teacher.

Q5. Can different categories/types join the same Federation or form a Federation?

No. Community schools may not federate with VA, VC or foundation schools. As set out on pages 35 and 36 of the guidance, the governing bodies of VA, VC and foundation schools are considered charitable trusts which must only give consideration to their charity. VA, VC and foundation may federate together, provided that they meet the legal requirements set out for charity mergers. LAs can only propose a federation of VA, VC and foundation schools if they have firstly sought the consent of the relevant diocese (Church in Wales or Roman Catholic) or the person(s) who appoint foundation governors and sought advice from the Charities Commission.

Q6. Could there be a Federation between two faith schools of different faiths?

In principle yes if they have similar charitable trusts and ethos. If any schools are considering this they should discuss their ideas with the relevant LA and diocesan authority. They should also consult the Charities Commission.

Q7. Could schools in different LAs in Wales federate?

In principle yes. Any schools or LAs considering this would wish to discuss their plans with the LAs involved to avoid burdening themselves with two sets of reporting arrangements. Where governing bodies decide to federate with schools in another LA area they will need to know which LA will 'take the lead' for responsibility of the federation and what the funding and budgetary arrangements will be.

Q8 Could two schools federate just to address a single issue, for example, two secondary schools wanting to work together only on 14-19 issues?

No, this is not the purpose of federation which is schools coming together under a single governing body for the benefit of all the pupils in the schools and to improve school performance of all the schools not just a select group or for a single focus. Schools wanting to work closely with another school or schools on specific issues should consider doing so formally by collaborating under the Collaboration Between Education Bodies (Wales) Regulations 2012.

Q9. Can independent schools join a Federation?

No, these schools may work collaboratively with maintained schools but they cannot join a federation.

Q10. Can FEIs join a Federation?

No, but they can work together under formal collaborative arrangements particularly to deliver the 14-19 curriculum to give pupils more opportunity to access a broader curriculum.

#### Q11. What are the benefits and risks of Federation?

There are a number of benefits for schools from being within a federation including broader learning and social experiences for children leading to improvement in pupil performance. Schools will be able to share resources, best practice, facilities and expertise. There can be further emphasis on strategic leadership and management structures, and staff will have new opportunities to work together and reduce isolation. Duplication of effort can be avoided and there is an opportunity to promote better economies of scale.

Some of the risks include the potential organisational difficulties in providing a curriculum across a number of schools. Communication with parents and staff at different schools may present a challenge. Travel costs may be higher if staff and pupils move between schools to meet curriculum needs. There may also be relationship and trust issues for governors, headteachers and staff working across schools. The federated governing body should be aware of the potential risks and have strategies and actions to mitigate them.

#### Q12. Will my school lose its identity within a Federation?

Schools within a federation will not lose their individual identity though they will share a single governing body. The schools retain their separate legal status and have their own budget allocations and will be subject to their own Estyn Inspection. The schools will also remain in their community and retain their own character, name, ethos and school uniform. Whilst each school receives and must account for its own separate budget, there is scope, through the single governing body, to use pooled budgets across the schools in the federation. Federation works on the basis that all schools have their own particular strengths and advantages, whether it is facilities, staff or resources.

#### Q13. What are the Inspection arrangements for Federated Schools?

Estyn's document 'When will the next school inspection take place?' sets out guidance on inspecting federated schools. The Education (School Inspection) (Wales) Regulations 2006 require Estyn to inspect maintained schools every six years and produce an individual report for each school. This would also apply to schools in the federation. Estyn cannot move a school inspection to later than six years but may carry out inspections in a way that the schools in a federation are inspected in the same term, especially where the schools have the same headteacher. Estyn would also consider requests from a governing body or LA to inspect schools in the same term. Estyn would also try to ensure that the inspection teams for the schools in a federation have overlapping membership.

Q14. What happens to staff within a federation? Will their Conditions of Service change?

In a federation, all staff would be employed on the same conditions of service as now and by the same employer. Whoever is the employer of staff will continue to be the employer under the contract of employment. For community, voluntary controlled, community special schools and maintained nursery schools, the LA is the employer under the contract of employment although the governing body of the federation retains responsibility for certain staffing functions i.e. staff grievance, capability, redundancy, staff disciplinary and dismissal matters and appointments. The governing body is the employer under the contract of employment for staff in voluntary aided and foundation schools.

Combined strategic and financial planning should mean that jobs can be better protected in any combined period of contraction and that specialist staff can be used to best effect, recognising that all support and teaching staff have specialist skills and knowledge. Staff would be able to learn from each other within a coherent approach to deliver professional learning communities that use data and the National Model to focus on school improvements that link to national priorities and their school development plans.

The governing body of a federation would also be able to appoint new staff to work within all schools in the federation. This could include the appointment of a single headteacher with responsibility for all the schools in the federation, or the appointment of a Bursar or person with financial management skills and/or business management skills to oversee the non teaching aspects of the federation business.

Q15. Can a federation have a single headteacher with responsibility for all the schools in that federation?

Yes, if that is what the schools wish to have and this might be a viable option in a federation of small rural primary schools. Where this option is chosen for a larger federation of up to six schools, ie a secondary school and its feeder primary schools where each of those schools has a large number of pupils, governing bodies and local authorities should consider how this arrangement could be managed and any support structure a single headteacher might require. For example, consideration could be given to implementing a management structure that addresses the individual needs of each of the schools whilst also supporting curriculum continuity across the federation. This could mean having staff in each school whose purpose is to focus on teaching and learning supplemented by a structure of posts that work across the federation, all of which would be managed by a single headteacher.

Another option governing bodies and local authorities may consider is for the federating schools to retain headteachers in each of the schools instead of appointing a single headteacher.

From a day to day operational perspective schools may wish to adopt a third option which would be to appoint a head of the federation and retain a headteacher in each of the schools. If this arrangement was agreed, from a governance perspective only, the overarching headteacher in charge of the federation, if such an appointment is made, would be a member of the governing body. If no such appointment is made the headteachers of all the schools may be governors.

Q16. Would the 'headteacher' with overall responsibility for the federation be responsible for managing headteachers of each school in the federation if that is the agreed structure? .

The governing body may choose to appoint a single head of the federation with full responsibility for all of the schools in the federation and have only a senior teacher or deputy headteacher in charge of each school. If the teacher in charge is not a qualified headteacher carrying out the full range of statutory duties of a headteacher, then the head of the federation would be responsible for the performance management of those staff. The governing body would be responsible for the performance management of the head of the federation.

Q17. How should heads of federations be paid?

Following a recommendation from the School Teachers' Review Body (STRB) the Department for Education in England is currently updating the Teachers' Pay and Condition document to reflect interim payments for head teachers who take responsibility for more than one school.

Q18. Are parent governors elected by the parents from their school only or from parents across all schools in the federation?

The proposal for federation should state the number of parent governors from each school which in law is that every school must have at least one parent governor elected by the parents (or appointed by the governing body if no parent stands for election), at that school but no more than two parent governors per school. It is reasonable therefore that once a decision has been made as to how many parent governors each school would have, the parents of only that school should vote in the parent governor elections. If the decision is that a school should have two parent governors each, and no parents in a particular school stand for election or only one parent stands for election, the federated governing body may appoint parent governors in accordance with Schedule 2 of the 2014 Federation Regulations. This means that the governing body could appoint a parent of a registered pupil at the school; or the parent of a registered pupil from another school in the federation; or the parent of a child of compulsory school age (or under compulsory school age for a nursery school).

Q19. Can a Federation be time-limited?

A federation should be seen as a long term commitment and not as a quick fix. The LA or respective governing bodies will have considered in depth the benefits and risks of establishing a federation in relation to the impact on children and young people's achievements. A federation would put in place strategic and operational plans to insure the sustainability and development of the schools. That will require medium to long term planning. Nonetheless, the 2014 Federation Regulations do allow individual schools to leave a federation and for a federation to be dissolved.

Q20. What are the differences between school federation and school mergers?

If two schools merge they may remain open in their community but they become one multiple site school with a single name, governing body, headteacher, ethos, budget, character and school uniform. In a merger there would only be one headteacher and it is possible there would be redundancies or staff would have to re-apply for posts in the new single school. In a multi site schools the LA could also close one of the school sites and transfer the pupils to the other sites without the need to go through statutory proposals.

In a federation, the schools remain open in their communities but they also retain their own individuality, name, ethos, character budget and school uniform. Staff would also keep their jobs and may have wider opportunities for further professional development by working across the schools in the federation. Headteachers may also remain in post although some federations may only have a single headteacher. Schools in a federation can be closed as part of school organisation proposals but the LA would have to apply the statutory proposals process to do this.

Q21. What may influence schools in deciding whether to merge and become a single school or federate?

The LA may have long term plans for school organisation within their area and schools would need to consider these and discuss with their LA, which option is more beneficial for them and fits in with the LA's overall plans.

Q22. Should we be working collaboratively as a first step with schools we may be thinking of federating with?

If you work collaboratively with other schools it may help you to create trust between the schools and will enable you to foster a good working relationship which will make it easier for the schools to take the next step and federate. Federation will be successful where the staff and governors are committed to working together for the benefit of the school communities.

Q23. Can schools establish a joint governing body before formally federating?

No – the governing body of the federated schools comes into being on the date the federation comes into force which must be at least 125 days from the date the federation proposals are published (or 100 days if small schools are being federated). This means that the governing bodies of the schools that are federating will have to have held elections for the core governors i.e. parents, teacher and staff and the LA will have to have appointed their LA governors. On the date the federation comes into force the newly constituted single governing body can meet and appoint their community governors. The schools may however set up a joint working group or committee of governors to oversee the federation process if they wish.

Q24. If two small rural primary schools federate could they be re-organised so that all the pupils in one key stage attend school X whilst the others attend school Y?

Depending on the category of schools it would be for the LA (in respect of community and voluntary controlled schools and the governing body (in respect of voluntary aided and foundation schools) to make proposals to change the age range of a school, following consultation with parents and other interested parties. This would entail the schools going through a statutory process in order to make such a change.

Q25 What happens if a pupil is excluded from one school in a federation? Could they be placed in another school in the same federation?

Yes – although schools are federated and share a governing body the schools remain as separate entities so a pupil could not be turned away by one school because he/she had been excluded from another school in the same federation.

If the pupil is subsequently permanently excluded from the second school within the federation it is recommended that the pupil discipline committee that meets to consider the exclusion consists of members of the governing body un-associated with the consideration of the first exclusion.

This recommendation is in order to avoid possible bias that could be considered with relation to the first exclusion. Whilst it may not always be possible to provide a complete discipline committee of new governing body members any such circumstances should be discussed with the LA in the first instance.

Q26. Can we change the name of the school and or give all the schools in the federation the same name?

One of the key drivers and benefits for federation is that schools do not lose their individuality, name and identity and remain as separate establishments. The names of all the schools in the federation will appear on the new instrument of government as well as the name of the federation. The process for revising the instrument of government and changing details such as the names of the schools is set out in the Government of Maintained Schools (Wales) Regulations 2005. The LA and the governing body should reach an agreement on the proposed changes. If they cannot the final decision rests with the LA who will want to ensure that any changes are not misleading.

All schools in a federation must retain their individual reference number and budget and it could become quite complex and confusing if all the schools decided to change their name and adopt a single name when they have to account for separate budgets.



# **Proposal to Establish a School Federation**

## **Incorporating Bedwas Junior and Rhydri Primary schools**

### **Consultation Document**



**Caerphilly County Borough Council (Education and Lifelong Learning)**

**Governing Body, Bedwas Junior School**

**Governing Body, Rhydri Primary School**

**July 2016**

## **FOREWORD**

Both Bedwas Junior and Rhydri Primary schools have worked on a collaborative basis since February 2015 and have shared a headteacher.

This collaborative approach continues to impact positively on both schools.

This arrangement is fully supported by the Local Authority (Caerphilly County Borough Council).

In recent months the governors and LA have worked on seeking to establish a formal federated arrangement for both schools for the future.

Caerphilly County Borough Council is responsible for promoting high educational standards and for delivering efficient primary and secondary education. Having effective leaders in our schools is considered central to this and is a challenge facing councils across Wales.

This consultation document sets out the case for a change to the leadership and governance arrangements at Bedwas Junior and Rhydri Primary schools.

The main purpose of this document is to provide information and to gather the views of identified stakeholders.

We look forward to receiving your views on the proposal.

Nicholas Jones  
Chair of Governors  
Bedwas Junior School

Judith Rees  
Chair of Governors  
Rhydri Primary School

Keri Cole  
Chief Education Officer  
Caerphilly County Borough Council

## Table of Contents

<b>Section</b>	<b>Description</b>	<b>Page(s)</b>
<b>1</b>	<b>The Proposal</b>	<b>4</b>
<b>2</b>	<b>Background</b>	<b>5-6</b>
<b>3</b>	<b>Federation (Wales) : A Summary</b>	<b>7</b>
<b>4</b>	<b>Key Facts</b>	<b>8</b>
<b>5</b>	<b>Consultation Process</b>	<b>9-10</b>
<b>6</b>	<b>Admission Arrangements &amp; Composition of the Governing Body</b>	<b>11</b>
<b>7</b>	<b>Benefits and Challenges of Federation</b>	<b>12-13</b>
<b>8</b>	<b>Frequently Asked Questions</b>	<b>14-19</b>
<b>9</b>	<b>Response Form</b>	<b>20</b>

The governing bodies of Bedwas Junior and Rhydri Primary schools propose to use the powers granted to it by the Federation of Maintained Schools (Wales) Regulations 2014 to establish The Federation of Bedwas Junior and Rhydri Primary schools.

The governors of both Bedwas Junior and Rhydri Primary schools have consulted with the Local Authority (Caerphilly County Borough Council) and all parties are in support of the proposal.

The aim of the Federation is for the schools to work in partnership to:

- develop the excellent shared practice that guarantees outstanding experiences and increased opportunities for pupils and staff
- develop the common goals and reflective approaches to teaching and learning that will ensure that both communities benefit from a quality education.

This will ensure significant positive outcomes and improved standards for all.

The term 'Federation' describes a formal and legal agreement by which the schools involved work together in formal partnership under a single governing body. The existing governing bodies will be dissolved and replaced by a new, single governing body with strategic oversight of both schools.

The proposed name of the Federation is 'The Federation of Bedwas Junior and Rhydri Primary Community Schools'.

If the proposal is accepted, the Federation will come into being on 1 April 2017.

## Background

Attainment and achievement at Bedwas Junior School has steadily improved over the last four years. There is an established, effective leadership team and a committed staff with a shared vision for the school. This has impacted positively on standards in teaching and learning.

In September 2013, Rhydri Primary School was placed in special measures by Estyn following an unsatisfactory inspection. During this period, standards of learning and the quality of provision continued to decline. In addition, the school was faced with a number of challenges with regards to staffing which resulted in high absenteeism for teachers and the school leadership team. The school was also faced with an increasing deficit budget.

As a result of the above, both schools have worked on a collaborative since February 2015 and have shared a Headteacher. This resulted in a successful Estyn inspection in July 2015 where Rhydri Primary was considered to have made significant progress and therefore no longer needed to be identified as a school in special measures.

This collaborative approach remains in place and continues to impact positively on both schools.

**Bedwas Junior School** is an English Medium, 7-11, mixed, community school.

The school characteristics (2015) are as follows:

Capacity	173
Admission Number	43
Pupils on roll (September 2015)	168
School budget per pupil	£2720
Free School Meals (FSM) – 3 year average (2012-2015)	15.2%
Pupil Teacher ratio	24.4
Attendance during the year	95.7%
Pupils achieving the expected level in the core subjects at key stage 2	92.9%
Support Category (2015)	Green

Bedwas Junior School is a categorisation green support category. This means it is a highly effective school which is well run, has strong leadership and is clear about its priorities for improvement. This school has a track record in delivering excellent outcomes for their pupils and have the capacity to support other schools to do better.

**Rhydri Primary School** is an English Medium, 3-11, mixed, community school.

The school characteristics (2015) are as follows:

Capacity	91
Admission Number	13
Pupils on roll (September 2015)	73 (plus 7 nursery)
School budget per pupil	£2995
Free School Meals (FSM) – 3 year average (2012-2015)	4.4%
Pupil Teacher ratio	16.4
Attendance during the year	96%
Pupils achieving the expected level in the core subjects at key stage 2	90.9%
Support Category (2015)	Amber

Rhydri Primary School is in the amber category for requiring support. It is a school in need of improvement which needs help to identify the steps required to improve or to make change happen more quickly.

The two schools are located only 2.9 miles apart.

The two schools are moving towards a shared ethos, the leadership team has the support of the staff of both schools who are working to raise standards.

By entering into a federation, the two schools can work together under shared leadership to utilise their strengths to improve standards across the federation and together address areas in need of improvement.

By federating under one governing body, the climate of trust, openness and willingness to work together that already exists can be further enhanced. The governing body will ensure there is fairness in the share of the budget allocated to each school.

## **Federation (Wales) : A Summary**

### **Policy :**

The Welsh Government's policy objective is to promote collaboration between all parts of the education system to improve outcomes. School federation is a more formal way of extending collaboration and promoting closer working relationships.

### **Legislation :**

The Federation of Maintained Schools (Wales) Regulations 2014.

### **Summary :**

The federation of schools is a legal process which enables schools (between two and six) to work together through a formal structured process by sharing a governing body that will make decisions in the best interest of all the schools, staff and pupils in that federation.

The most important reason for considering federation must be the benefits such an arrangement would bring for children and young people in the federating schools by enhancing educational provision.

A federation can provide a foundation for sustainable long term development and improvement.

To be successful, federation needs to be based on a commitment to work as a group of schools and a willingness to do things differently for the added benefit of all pupils, their well-being and achievements.

One of the advantages of federation is that schools that federate remain in their communities and keep their individual identity. However the existing governing bodies will be dissolved and replaced by a new, single governing body which will have oversight of, and equal responsibility for, the work of all schools within the federation.

The membership of a governing body for a federation of schools is almost identical to the membership of an ordinary governing body with all stakeholders being represented although there is more flexibility in the proportions of representation of each category of governor. This means that a governing body of a federation can choose a constitution and membership which suits their particular circumstances as long as they have a minimum of 15 governors and no more than a maximum of 27 governors and adhere to the minimum and maximum numbers of governors set out in the regulations.

Schools in a federation will also be able to maintain their own delegated budget, name, character, school uniform and ethos, but will be able to explore the advantages of sharing resources such as facilities, IT, staff, school buildings etc.

A decision to federate by either schools or LAs will not override the need for a LA to intervene or act on school improvement or school organisation issues.

**Key facts :**

There will be a single governing body with strategic oversight of all schools within the federation.

Each school retains its name, category, budget, staff and remains in its community.

Each school can retain its headteacher if it wishes although if a single headteacher and deputy headteacher post is created to manage all of the schools in the federation, those posts do not have to be advertised nationally if one of the headteachers or deputy headteachers expresses an interest in the post.

Each school has its own Estyn inspection, though increasingly these are co-ordinated to happen at the same time for all schools within the federation to minimise stress and disruption.

The governing body of a federation can use budget, resources and staff across the federation to improve the educational outcomes for all pupils.

An audit trail must be kept and separate accounts produced for each school in the federation.

The governing body of a federation cannot require existing staff to work across all schools within the federation, but they can negotiate with the school staff unions over whether flexible contracts can be introduced.

New staff can be appointed to work across schools in the federation.



## Consultation Process

It is a statutory requirement to seek the views of stakeholders on federation proposals, whether the federation has been proposed by the respective school governing bodies or the LA.

This document represents the responsibility under The Federation of maintained Schools (Wales) Regulation 2014 to consult with appropriate stakeholders.

The main purpose of this document is to provide information and to gather the views of identified stakeholders.

The Governing Bodies will seek the views of the following stakeholders :

- Pupils, staff, governors and parents/guardians of both schools
- Parents/guardians of Bedwas Infants School
- Teaching and support staff associations

The consultation document will also be distributed to the following :

- Bedwas High and St Martins Comprehensives and their feeder Primary schools
- Local CCBC Members \*
- Local Town and Community Councils \*
- Local and Regional Assembly Members \*
- Member of Parliament (Caerphilly constituency)
- Local CCBC Libraries \*
- CCBC Youth Forum
- ESTYN
- Catholic Diocesan Board of Education
- Community groups using either school premises.

A copy of the proposal will also be published on the Council's website.

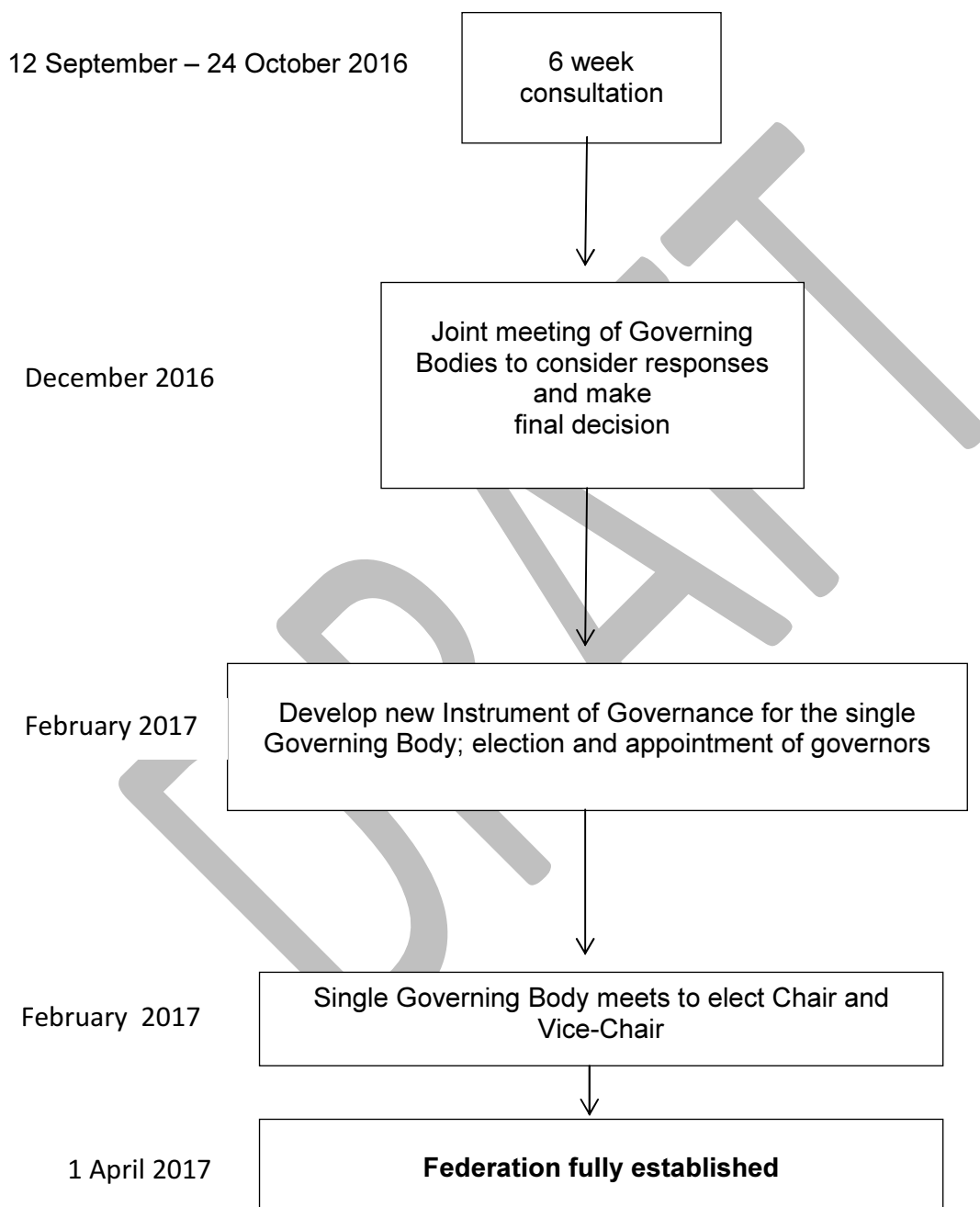
A copy of the proposal will also be available for inspection at all reasonable times at both schools in the proposed federation.

The comments received from the consultation process will be reported to Cabinet for determination.

The consultation period for this proposal will be 6 weeks from 12<sup>th</sup> September 2016 to 24<sup>th</sup> October 2016.

During this period, you may express your views in writing to Keri Cole, Chief Education Officer, Caerphilly County Borough Council, Ty Penallta, Ystrad Mynach, Hengoed, CF82 7PG, or by completing the response form on page 20 and returning to the above address or e-mail to [COLEK@caerphilly.gov.uk](mailto:COLEK@caerphilly.gov.uk)

The timeline for the proposed Federation is shown in the following diagram:



## Admission Arrangements

The admission arrangements for each school will remain unchanged. The Local Authority is the admissions authority for each school. Parents will apply for a place for their child at the school of their choice, not at the Federation, as each school in the federation is a separate school. If the child is not given a place in the school they choose, a separate application will have to be made to attend a different school. This is the case even if the second school applied for is the other school in the federation.

## Composition of the Governing Body:

	<u>Bedwas Junior</u>	<u>Rhydri Primary</u>
LA appointed	2	2
Headteacher	← 1 →	
Teacher	1	1
Staff	1	1
Parent Governor	4	3
Community Governor		
- appointed by community	1	1
- appointed by governing body	3	2
<b>TOTAL</b>	<b><u>12 *</u></b>	<b><u>10 *</u></b>

\* plus headteacher (joint).

## Future School Place Planning

It is likely that there will be new housing developments within the vicinity, as evidenced by the proposals within the Council's Local Development Plan (LDP). In the event of these occurring there may be a need to review future school places and school catchment areas. Any future changes would be subject to consultation and, wherever applicable, statutory processes.

This Federation arrangement does not propose any change to the existing school catchment areas or feeder school arrangements.

## **The benefits of federation :**

- Consistency of teaching and learning methodology, especially cross-phase.
- Reduced transitional dips in pupil performance.
- Streamlining of policies and structures.
- Sharing of good practice, preparation materials and resources.
- Enhanced opportunities for pupil activities.
- Enhanced opportunities for staff professional development.
- Increased opportunity for middle management development.
- Schools have options to choose a senior leadership structure to suit their circumstances leading to easier recruitment of staff and headteachers particularly if there have been difficulties.
- Opportunities for school leadership beyond a single school.
- Opportunities to maximise resources and professional expertise and achieve financial efficiencies from economies of scale.
- Promotes the broader welfare of students by offering potential for bringing together pastoral, health, careers, youth and other services to meet their all-round needs.
- Support for schools in difficulty. Schools with strengths can contribute to the learning of others.
- Supports school improvement by enabling schools to draw on the resources of other schools to tackle problems, share expertise, raise expectations and address the needs of particular groups of pupils.
- Possible easier recruitment of governors with fewer governor vacancies.
- Small schools in particular can additionally benefit by: Developing networks for personal support. Sharing expertise and resources. Organising professional development. Arranging joint pupil activities

## **Keys to a successful federation**

- Building of trust between LAs, governors and school communities which is fundamental to the success of federations and must be fostered at every level of management.
- Commitment of time and resources from all schools involved.
- Shared vision and a common purpose of what needs to be done and how for improving attainment and achievement at all level.
- Shared identity between schools e.g. geographical proximity and having common aims on curricular and non-curricular activities
- Clear leadership and management structures.
- Sufficient time for all parties to be at ease with the proposed changes.
- All to feel like equal partners.
- Sense of ownership of process by the schools.
- Good communication with parents and staff over the changes brought by federation.

## **Challenges of federation**

- Increased workload for governors during inception and first year.
- Potential loss of experienced governors.
- Initial mistrust amongst governors, parents and staff – time needed for federation to bed down.
- Single headteacher not sharing time fairly amongst schools.

DRAFT

## Frequently Asked Questions

Q1. What is a Federation?

A federation is a legal governance structure where between two and six schools share a single governing body. The schools will retain their individuality, their own name, ethos, budget and school uniform but could share resources, facilities and good practice.

Q2. Why should schools federate?

Working together through a single governing body structure enables schools to raise standards and maintain local education provision by sharing resources, staff, expertise, and facilities and sharing best practice. A single governing body also provides an effective and accountable mechanism for schools to pool resources, including staff and budgets, release capacity in the senior management team and gain economies of scale and efficiencies.

Q3. What are the benefits of federation?

Federation will allow schools to more easily :

- extend the breadth and quality of provision
- respond to pupils' wider needs
- facilitate the release of our strongest school leaders teachers and governors to assist poorer performing schools
- widen opportunities for staff professional development
- deliver greater value for money.

Q4. Why might small schools benefit from federation?

Federation can help small rural primary schools to remain sustainable within their communities. The shared governing body provides an effective and accountable mechanism for schools to pool resources and staff, gain economies of scale and efficiencies that enable them to remain viable. Smaller schools in more rural and isolated areas could also gain as federation could open up opportunities to share management, governing body responsibility and curriculum expertise. For small primary it would allow them to deliver an enriched primary education by for example, sharing a specialist language teacher or drama teacher.

Q5. What are the benefits and risks of Federation?

There are a number of benefits for schools from being within a federation including broader learning and social experiences for children leading to improvement in pupil performance. Schools will be able to share resources, best practice, facilities and expertise. There can be further emphasis on strategic leadership and management structures, and staff will have new opportunities to work together and reduce isolation. Duplication of effort can be avoided and there is an opportunity to promote better economies of scale.

Some of the risks include the potential organisational difficulties in providing a curriculum across a number of schools. Communication with parents and staff at different schools may present a challenge. Travel costs may be higher if staff and pupils move between schools to meet curriculum needs. There may also be relationship and trust issues for governors, headteachers and staff working across schools. The federated governing body should be aware of the potential risks and have strategies and actions to mitigate them.

Q6. Will my school lose its identity within a Federation?

Schools within a federation will not lose their individual identity though they will share a single governing body. The schools retain their separate legal status and have their own budget allocations and will be subject to their own Estyn Inspection. The schools will also remain in their community and retain their own character, name, ethos and school uniform. Whilst each school receives and must account for its own separate budget, there is scope, through the single governing body, to use pooled budgets across the schools in the federation. Federation works on the basis that all schools have their own particular strengths and advantages, whether it is facilities, staff or resources.

Q7. What are the Inspection arrangements for Federated Schools?

Estyn's document 'When will the next school inspection take place?' sets out guidance on inspecting federated schools. The Education (School Inspection) (Wales) Regulations 2006 require Estyn to inspect maintained schools every six years and produce an individual report for each school. This would also apply to schools in the federation. Estyn cannot move a school inspection to later than six years but may carry out inspections in a way that the schools in a federation are inspected in the same term, especially where the schools have the same headteacher. Estyn would also consider requests from a governing body or LA to inspect schools in the same term. Estyn would also try to ensure that the inspection teams for the schools in a federation have overlapping membership.

Q8. What happens to staff within a federation? Will their Conditions of Service change?

In a federation, all staff would be employed on the same conditions of service as now and by the same employer. Whoever is the employer of staff will continue to be the employer under the contract of employment. For community, voluntary controlled, community special schools and maintained nursery schools, the LA is the employer under the contract of employment although the governing body of the federation retains responsibility for certain staffing functions i.e. staff grievance, capability, redundancy, staff disciplinary and dismissal matters and appointments. The governing body is the employer under the contract of employment for staff in voluntary aided and foundation schools.

Combined strategic and financial planning should mean that jobs can be better protected in any combined period of contraction and that specialist staff can be used to best effect, recognising that all support and teaching staff have specialist skills and knowledge. Staff would be able to learn from each other within a coherent approach to deliver professional learning communities that use data and the National Model to focus on school improvements that link to national priorities and their school development plans.

The governing body of a federation would also be able to appoint new staff to work within all schools in the federation. This could include the appointment of a single headteacher with responsibility for all the schools in the federation, or the appointment of a Bursar or person with financial management skills and/or business management skills to oversee the non teaching aspects of the federation business.

Q9. Can a federation have a single headteacher with responsibility for all the schools in that federation?

Yes, if that is what the schools wish to have and this might be a viable option in a federation of small rural primary schools. Where this option is chosen for a larger federation of up to six schools, i.e. a secondary school and its feeder primary schools where each of those schools has a large number of pupils, governing bodies and local authorities should consider how this arrangement could be managed and any support structure a single headteacher might require. For example, consideration could be given to implementing a management structure that addresses the individual needs of each of the schools whilst also supporting curriculum continuity across the federation. This could mean having staff in each school whose purpose is to focus on teaching and learning supplemented by a structure of posts that work across the federation, all of which would be managed by a single headteacher.

Another option governing bodies and local authorities may consider is for the federating schools to retain headteachers in each of the schools instead of appointing a single headteacher.

From a day to day operational perspective schools may wish to adopt a third option which would be to appoint a head of the federation and retain a headteacher in each of the schools. If this arrangement was agreed, from a governance perspective only, the overarching headteacher in charge of the federation, if such an appointment is made, would be a member of the governing body. If no such appointment is made the headteachers of all the schools may be governors.

Q10. Would the 'headteacher' with overall responsibility for the federation be responsible for managing headteachers of each school in the federation if that is the agreed structure? .



The governing body may choose to appoint a single head of the federation with full responsibility for all of the schools in the federation and have only a senior teacher or deputy headteacher in charge of each school. If the teacher in charge is not a qualified headteacher carrying out the full range of statutory duties of a headteacher, then the head of the federation would be responsible for the performance management of those staff. The governing body would be responsible for the performance management of the head of the federation.

Q11. How should heads of federations be paid?

Following a recommendation from the School Teachers' Review Body (STRB) the Department for Education in England is currently updating the Teachers' Pay and Condition document to reflect interim payments for head teachers who take responsibility for more than one school.

Q12. Are parent governors elected by the parents from their school only or from parents across all schools in the federation?

The proposal for federation should state the number of parent governors from each school which in law is that every school must have at least one parent governor elected by the parents (or appointed by the governing body if no parent stands for election), at that school but no more than two parent governors per school. It is reasonable therefore that once a decision has been made as to how many parent governors each school would have, the parents of only that school should vote in the parent governor elections. If the decision is that a school should have two parent governors each, and no parents in a particular school stand for election or only one parent stands for election, the federated governing body may appoint parent governors in accordance with Schedule 2 of the 2014 Federation Regulations. This means that the governing body could appoint a parent of a registered pupil at the school; or the parent of a registered pupil from another school in the federation; or the parent of a child of compulsory school age (or under compulsory school age for a nursery school).

Q13. Can a Federation be time-limited?

A federation should be seen as a long term commitment and not as a quick fix. The LA or respective governing bodies will have considered in depth the benefits and risks of establishing a federation in relation to the impact on children and young people's achievements. A federation would put in place strategic and operational plans to insure the sustainability and development of the schools. That will require medium to long term planning. Nonetheless, the 2014 Federation Regulations do allow individual schools to leave a federation and for a federation to be dissolved.

Q14. What are the differences between school federation and school mergers?

If two schools merge they may remain open in their community but they become one multiple site school with a single name, governing body, headteacher, ethos, budget, character and school uniform. In a merger there would only be one headteacher and it is possible there would be redundancies or staff would have to re-apply for posts in the new single school. In a multi site schools the LA could also close one of the school sites and transfer the pupils to the other sites without the need to go through statutory proposals.

In a federation, the schools remain open in their communities but they also retain their own individuality, name, ethos, character budget and school uniform. Staff would also keep their jobs and may have wider opportunities for further professional development by working across the schools in the federation. Headteachers may also remain in post although some federations may only have a single headteacher. Schools in a federation can be closed as part of school organisation proposals but the LA would have to apply the statutory proposals process to do this.

Q15. What may influence schools in deciding whether to merge and become a single school or federate?

The LA may have long term plans for school organisation within their area and schools would need to consider these and discuss with their LA, which option is more beneficial for them and fits in with the LA's overall plans.

Q16. Should we be working collaboratively as a first step with schools we may be thinking of federating with?

If you work collaboratively with other schools it may help you to create trust between the schools and will enable you to foster a good working relationship which will make it easier for the schools to take the next step and federate. Federation will be successful where the staff and governors are committed to working together for the benefit of the school communities.

Q17. Can schools establish a joint governing body before formally federating?

No – the governing body of the federated schools comes into being on the date the federation comes into force which must be at least 125 days from the date the federation proposals are published (or 100 days if small schools are being federated). This means that the governing bodies of the schools that are federating will have to have held elections for the core governors i.e. parents, teacher and staff and the LA will have to have appointed their LA governors. On the date the federation comes into force the newly constituted single governing body can meet and appoint their community governors. The schools may however set up a joint working group or committee of governors to oversee the federation process if they wish.

Q18. Can we change the name of the school and or give all the schools in the federation the same name?

One of the key drivers and benefits for federation is that schools do not lose their individuality, name and identity and remain as separate establishments. The names of all the schools in the federation will appear on the new instrument of government as well as the name of the federation. The process for revising the instrument of government and changing details such as the names of the schools is set out in the Government of Maintained Schools (Wales) Regulations 2005. The LA and the governing body should reach an agreement on the proposed changes. If they cannot the final decision rests with the LA who will want to ensure that any changes are not misleading.

All schools in a federation must retain their individual reference number and budget and it could become quite complex and confusing if all the schools decided to change their name and adopt a single name when they have to account for separate budgets.

DRAFT

## Response Form

### Proposal to Federate Bedwas Junior and Rhydri Primary Schools

Please note that we will make any comments that you make publicly available as part of the subsequent report. You are not asked to provide your personal details. All the information you provide will be handled in accordance with the Data Protection Act 1998.

Please provide your comments on the proposal to federate Bedwas Junior and Rhydri Primary schools:

Alternatively, you may wish to indicate which of the following most accurately reflects your views:

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

Print Name: \_\_\_\_\_

Category of respondent (e.g. parent) \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Postcode: \_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Once completed, please return to: Keri Cole, Chief Education Officer, Caerphilly County Borough Council, Ty Penallta, Ystrad Mynach, Hengoed, CF82 7PG.**

**The closing date for responses is Monday 24 October 2016.**