

21st Century Schools Objection Period Summary Report

LLANCAEACH JUNIOR SCHOOL / LLANFABON INFANTS SCHOOL



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

Formal Statutory Objection Period : 1st February 2022 – 28th February 2022

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



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INTRODUCTION

Executive Summary

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

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

Considered by the Education Scrutiny Committee on 10th January 2022, at their remote meeting held on the 26th January 2022, Council Cabinet unanimously agreed the proposal to progress to Statutory Notice phase, in-line with the School Organisation Code 2018.

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

a) The contents of the report be noted.

b) The information in the consultation report be considered.

c) The recommendation to proceed to Statutory Notice in relation to the proposal to create a new Primary School provision through the amalgamation of Llancaeath Junior School and Llanfabon Infants School on the existing Llanfabon Infants School site be approved.

Notice of Decision

[Item 7: 21st Century Schools and Colleges Band B Programme - Consultation Report: Llancaeath Junior School/Llanfabon Infants Schools](#)

Statutory Obligations

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

Purpose of the Objection Period Summary Report

In accordance with the School Organisation Code 2018, the Council must publish a summary of the statutory objections and the Council's responses to those objections ("the Objection Report"), 2013 when objections have been received.

As outlined in the [Statutory Objection](#) Section of this document, no objections were received during the Statutory Objection period. As no statutory objections were received, there is no requirement to publish an Objection Report. However, for consistency and transparency, an Objection Period Summary Report has been compiled.

The purpose of this Objection Period Summary Report is to provide Cabinet with the necessary information to make an informed decision through reflection, review and assessment as to whether to implement the proposal.

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

- Outline the Statutory processes undertaken
- Provide clarification in relation to the information provided and consultee engagement
- Summarise the Statutory Objections position
- Provide recommendations in relation to the next stages for the proposal

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



PROPOSAL

What are we proposing to do?

As outlined in the [Consultation Document](#) and [Consultation Report](#), both of which have been published and are available via the Council's website or in hardcopy on request, Caerphilly County Borough Council (CCBC) has embarked upon an exciting but challenging journey of improvement and change.

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

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

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

We are proposing to:

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



STATUTORY PROCESS AND DECISION MAKING

The Statutory Process

The School Organisation Code 2018 is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 and applies to proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school. This does not include pupil referral units.

The School Organisation Code 2018, provides clear statutory guidance as to the processes that need to be adhered to and the stages to follow:

- 1) Changes that require a proposal
 - Identifying the proposal
 - Development of proposal
- 2) Consultation
 - Publishing a Consultation Document
 - Notification letter sent to stakeholders (as prescribed by the code)
 - Undertaking a consultation exercise
 - Consultation with children and young people
 - Publishing a Consultation Report
 - Notification letter sent to stakeholders
- 3) Publication of Statutory Proposals
 - Publishing a Statutory Notice
 - Notification letter sent to stakeholders
- 4) Determining Proposals
 - Publishing an Objection Report where objections have been received
 - Notification letter sent to stakeholders
 - Approval by Local Authority or Welsh Minister (dependent on nature of proposal)
 - Decision Notification
 - Notification letter sent to stakeholders
- 5) Implementing Proposals
 - Carrying out agreed actions

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

When formulating a proposal, there is a need to clearly identify the reasons for formulating the proposal. Factors to be taken into account in preparing, publishing, approving or determining school organisation proposals include Quality and Standards in Education, the need for places and impact on accessibility, resourcing of education and other financial implications. These factors are outlined in the Consultation Document and further addressed in the Consultation Report.

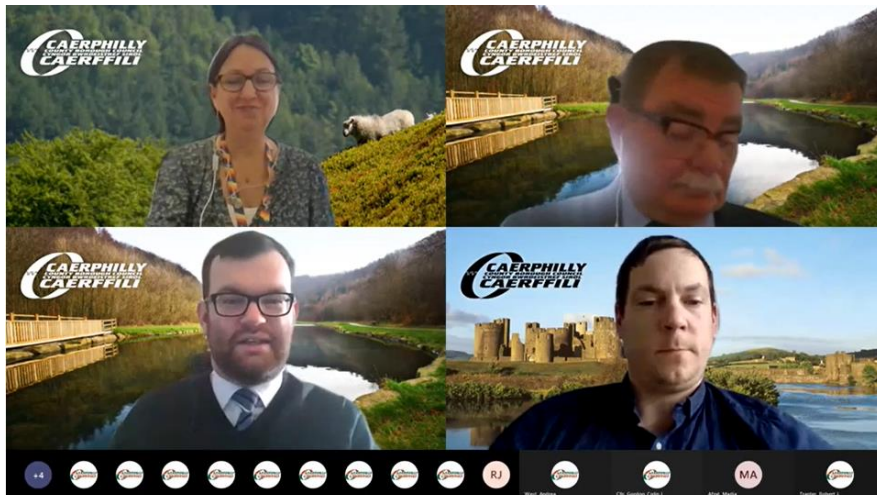
Cabinet Response to Consultation Report

A digital meeting via Microsoft teams took place on Wednesday 26th January 2022 at 10.30am.

As part of this meeting, the 21st Century Schools and Colleges Band B Programme and consultation in respect of the proposal to create a new Primary School provision through the amalgamation of Llancaeath Junior School and Llanfabon Infants School was discussed. All Consultation Documentation was made available to members as part of the agenda reports pack including the original responses in the format received from all parties within the consultation period which ran from the 20th October 2021 to the 1st December 2021. Officers linked to the proposal were available to take questions.

It was noted that the matter was previously considered by Education Scrutiny Committee on the 2nd November 2021 (in their capacity as a consultee group) and subsequently on the 10th January 2022 at which the recommendation to proceed to the Statutory Notice stage was unanimously agreed.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded. Cabinet Members voted unanimously *‘The recommendation to proceed to Statutory Notice in relation to the proposal to create a new Primary School provision through the amalgamation of Llancaeath Junior School and Llanfabon Infants School on the existing Llanfabon Infants School site be approved.’*



Cabinet 26th January 2022 20220126 103016 Meeting Recording

A recording of the session is available on YouTube: [Cabinet –26th January 2022](#)

The agenda item linked to the 21st Century Schools proposal starts at 41.40 minutes in to the recording.

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

Decision Making

Progression at each stage is subject to scrutiny, review and approval by Cabinet Members and in addition, Welsh Government are engaged in the process as one of the key delivery partners and co-funders.

When approving proposals, Cabinet must:

- consider whether there are any other related proposals
- ensure that the statutory consultation has been conducted in accordance with this Code
- ensure that the proposal has been published in accordance with the Code and the Statutory Notice contains all the required information
- consider the Consultation Document and Consultation Report
- consider the Objection Report and any responses to the Statutory Notice (where applicable)

This Objection Period Summary Report has been produced as the next stage in the process following the Statutory Objection Period as defined by the School Organisation Code 2018. This Objection Period Summary Report will be subject to initial scrutiny as part of discussions at an Education Scrutiny Committee meeting whereby Members will be asked to note the information contained in the Objection Period Summary Report and to seek views on the recommendations made within this the Objection Report Period Summary prior to consideration by Cabinet on 6th April 2022.

Cabinet will then make the final determination relating to the proposal and decide whether or not to proceed to implementation as recommended. Full details are outlined in the [‘Next Steps’](#) section.



STATUTORY NOTICE

Statutory Notice - Consultation Process

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

Following the decision by Cabinet outlined above to proceed to Statutory Notice, anyone wishing to make an objection to this proposal was able to do so. To be considered as a statutory objection, objections had to be made in writing or by email and sent to the Council within the 28 days of the date on which the proposal was published. This is referred to as the “objection period” and ran from the 1st February 2022 to the 28th February 2022.

Statutory Notice - Consultation Information

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

The Statutory Notice was published on a school day and consultees were given 28 days to respond to the document, with at least 15 of these being school days as defined by Section 579 of the Education Act 1996.

Notices were published on the 1st February 2022 as follows:

- On the council website
- On or near the main entrance of both schools subject to the proposal
- The schools were provided with hardcopies of the Statutory Notice to distribute to pupils, parents/carers and staff
- Prescribed consultees as listed in the School Organisation Code 2018 were notified in writing via email/letter

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request.

Stakeholder Engagement

Consultees were advised of the proposal and availability of the Statutory Notice and all prior documentation published relating to the proposal, when it went live on the 1st February 2022 via letter/email and were therefore invited to take part in this stage of the statutory consultation.

The School Organisation Code 2018 prescribes those individuals/groups considered key consultees in the consultation process. As per section 4.1 of the code, the list below presents the consultees engaged with relevant to proposals of this nature for the Caerphilly Borough.

Table 1: Consultee List	
Pupils and Pupil Councils*	Welsh Ministers
Parents, prospective parents, guardians and carers*	Assembly Members and Members of Parliament representing the area served *
Headteacher, Staff and Governing bodies*	Local CCBC Members
Directors of Education for Neighbouring Authorities	Local Town and Community Councils
Teaching and Support Staff Associations	Estyn
Parent Network	Welsh Education Forum
Diocesan Directors / Boards of Education	South East Wales Consortium (EAS)
Gwent and South Wales Police and Crime Commissioners	South East Wales Transport Alliance (SEWTA)
Early Years Development and Childcare Partnership	Mudiad Meithrin, Menter Iaith and voluntary nursery providers

In addition, any consultee who had previously expressed concern/indicated they wished to be contacted as part of their consultation response during the period of 20th October 2021 and 1st December 2021 were also notified.

Implications of COVID19

Section 4.1 of the School Organisation Code 2018 states that a Statutory Notice has to be published on a school day and consultees given 28 days to respond to the document, with at least 15 of these being school days in addition to the day it was published, as defined by Section 579 of the Education Act 1996.

The publication date of the 1st February 2022, falls within the definition of a 'School day' and the Statutory Objection period proceeded within the scope and requirements as prescribed by the School Organisation Code 2018.



STATUTORY OBJECTION

Responses

Overall, a total of 0 Statutory Objections were received during the Statutory Notice/Objection stage of the consultation process.

To be considered as a Statutory Objection, objections had to be made in writing or by email and submitted within the Objection Period.

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

- 0 responses received via letter
- 0 responses received via email

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

The 21st Century Schools Team received 0 requests for the documentation to be provided in another format or language.

Reasons for the Objection and Council Clarification

In accordance with Section 5.1 of the School Organisation Code 2018, the Council, as the proposer, must publish its response to the summarised objections.

No objections were received as part of this process.

The Council appreciates the level of support shown in relation to this proposal and the general consensus that the amalgamation of Llancaeach Junior School and Llanfabon Infants School to create a new Primary School on the existing Llanfabon Infants School site will benefit pupils, their families, and the wider community.

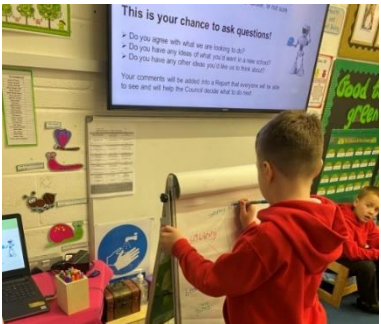


OTHER CONSIDERATIONS

Learner Voice

Learner voice is about involving the children and young people as active participants in the development, delivery, management, and improvement of their educational experience.

Throughout every stage of the process, children and young people at the proposed affected school has been involved in the planning and consultation process as outlined and demonstrated in the Consultation Document and Consultation Report.



However, as outlined previously, at this stage in the process as prescribed by Welsh Government, reporting relates to Statutory Objections at this stage only. Members are urged to be mindful of this as part of their deliberations moving forward.

Integrated Impact Assessment

Local authorities are already under a duty to carry out equality impact assessments and this is recognised by Welsh Government as part of the School Organisation Code 2018.

A new socio-economic duty set out in section 1 of the Equality Act 2010, came into force on 31st March 2021 and an initial Integrated Impact Assessment (IIA) for this proposal was undertaken forming part of the outline consultation pack which is published on the Council's website. This exercise was undertaken to support Cabinet Members in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010
- Well-being of Future Generations (Wales) Act 2015
- Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles

The Integrated Impact Assessment was then subsequently reviewed to include any additional elements highlighted through the statutory consultation process. The purpose of this further assessment is to take account of any additional information that has come forward through the consultation or otherwise.

Copies of both documents can be found on the Council's website and links have been included in the [Annex Section of this Report](#)



NEXT STEPS

Publication of Objection Period Summery Report

Under section 49 of the School Standards and Organisation (Wales) Act 2013, when objections have been received the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report").

As no statutory objections were received, there is no requirement to publish an Objection Report. However, for consistency and transparency, an Objection Period Summary Report has been compiled.

- The Objection Period Summary Report will be published and posted on the Council's website with hard copies available on request.
- The Consultees as identified on page 8 of this report will be advised by letter or email of the availability of the Objection Period Summary Report.

Cabinet 'Objection Report' Decision

Where a local authority's proposals have received objections, objections must be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in the School Organisation Code 2018.

Further to review at Education Scrutiny Committee on the 29th March 2022, this document will be considered in full at a Cabinet meeting due to be held on 6th April 2022.

At this meeting the following documentation will be made available to Members.

- a copy of the Consultation Document
- a copy of the Consultation Report
- a copy of the Published Statutory Notice and Notification Letter sent to Consultees
- a copy of the original and updated Integrated Impact Assessment
- a copy of the Objection Period Summary Report

Cabinet Members will be asked to review the proposal and make the final determination as to whether to implement the proposal as outlined below:

Amalgamate Llancaeath Junior School and Llanfabon Infants School to create a new Primary School provision on the existing infants school site for those aged 3-11 years with an anticipated completion date of September 2024.

Recommendation

It is the recommendation of this Objection Period Summary Report that in line with the processes outlined in the School Organisation Code 2018 and the information gathered and reviewed as part of the consultation phase and formal objection period, Members:

- a) Consider the information contained in the Objection Period Summary Report.
- b) Members approve the recommendation to proceed to Planning Application Stage
- c) Members approve the recommendation to proceed to Full Business Case

Decision Notification

Decisions (in relation to proposals which require approval or determination) must be made and issued in the form of a decision letter. The decision letter must set out clearly the reasons for the decision with reference to the School Organisation Code 2018.

The Decision letter will be published electronically on the Council's website and the consultees as outlined in Section 5.6 of the School Organisation Code will be advised by letter/email of the availability of the document.



SUPPORTING INFORMATION

Annex 1 :

[Consultation Document](#)

[Consultation Report](#)

Annex 2:

[Integrated Impact Assessment](#) (Original)

[Integrated Impact Assessment](#) (Updated)

Annex 3:

[Statutory Notice Notification Letter](#)

[Statutory Notice](#)

Annex 4:

Statutory Objections Statement

Cabinet Members will be provided with full copies of all the objections received in their original format where applicable.