



Dear Cllrs Morgan, Andrews and Stenner,

We write to you regarding the Council's proposal to voluntarily terminate the current PFI agreement in place for Ysgol Gyfun Cwm Rhymni (Gellihaf site), as well as Lewis School Pengam.

As Governing Body, we have found the timescale involved in order to meaningfully contribute to this consultation challenging, at best, and at worst unachievable. Although we do not speak for Lewis School Pengam, we note that they have raised the same concerns - specifically:

*"The governors expressed concern as to the pace with which the process has been undertaken and felt that it would have been beneficial if more time had been available for the consideration of the proposal. There was a concern that some factors highlighted in the business case lacked detail and that ultimately there may be some future detriment to the experiences of the pupils, particularly as a result of the ending of lifecycle arrangements."*

As set out in our initial response to the consultation, as the Council has chosen to consult, the consultation must be adequate and fair. We are firmly of the opinion that has not been the case in this instance and as such do not believe that we have had the opportunity to adequately assess any impact on the school. As such, as I am sure that you will appreciate, we are extremely concerned that we are not able to appropriately fulfil our role as Governing Body for the school in relation to this matter.

We would like to emphasise once again that we are not absolutely opposed to the proposed voluntary termination, but have concerns which have not been addressed. The Council's late, partial response to our queries (received very close to the closing date for comments) has not been helpful. We are therefore unable to come to a proper conclusion and are unable to confirm our support at this time, in the very short timeframe set by the Council.

We would add that to date, we have not been provided with any version of the PFI agreement (redacted or otherwise). We have also not been provided with a copy of the contract (which is separate to the overarching PFI agreement) to which the school is a signatory. We kindly request once again that we are provided with a copy of the contract which was signed on behalf of the school. We see no reason to withhold this from us and believe the Council is acting unreasonably in withholding a copy of a contract from the signatory of that contract. We have not been given any adequate response as to why the contract we have signed cannot be provided.

We note the contributions from Council officers during the recent Joint Scrutiny Committee (Policy and Resources and Education Scrutiny Committees) meeting on 28 February 2023, specifically that:

1. Although an officer stated that officers met with the school about the proposals "*prior to the information being circulated*", we would note that those conversations have taken place over a period of weeks and not prior to that - this should be contrasted with the years during which the Council has been exploring these options. It is noted that although the officer refers to "*commercially sensitive information*", there have been several media reports on possible termination for over 2 years.
2. Although an officer gave their "*personal assurances*" that the school would be "*supported throughout*", that support has not been forthcoming so far. In order to properly consider this matter as a Governing Body, we have sought information that any reasonable person would

wish to have before responding to a consultation. As per our previous response, this lack of response means that it is difficult for us to provide an effective response.

3. We note that an officer said that “if the termination slips to the October half term, or indeed Christmas, it won’t materially affect the figures included in the business case” and that if the timeframe does slip, it “shouldn’t have a significant impact on the final savings”.

In view of these points we request that the current rate of progress is paused and that the Council meaningfully engage with the Governing Body regarding this matter. This will provide us with the necessary time in order for us to assess any impact on the school whilst also providing elected members with the appropriate information in order to make informed decisions.

We are aware that this proposal will be discussed at today’s (8th March 2023) Cabinet meeting and kindly request that the concerns and views of the Governing Body outlined in this letter are considered as part of this meeting. We note that our previous concerns (many of which remain unanswered) have been shared as part of the papers for the meeting. Although we would have preferred to have given you notice of our ongoing concerns before the day of the meeting, the speed at which this matter is being progressed by the Council means we have not had the ability to raise these points sooner.

We look forward to working collaboratively with the Council as we attempt to secure the very best for pupils that currently attend Ysgol Gyfun Cwm Rhywni, and also for pupils that will attend the school in the future.

Kind Regards,

Phil Bevan

(Chair of Governors on behalf of the Governing Body of Ysgol Gyfun Cwm Rhywni)