



CABINET - 3RD APRIL 2024

**SUBJECT: SCHOOL ORGANISATION CODE 2018 - STATUTORY
OBJECTION REPORT: PROPOSAL FOR THE CLOSURE OF
CWM GLAS INFANTS SCHOOL**

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

1. PURPOSE OF REPORT

- 1.1 The purpose of the report is to update Scrutiny Members in relation to the proposal in respect of the closure of Cwm Glas Infants School, effective from the 20th July 2024.
- 1.2 Members are asked to consider the information contained in this update report and approve the recommendations, outlined in 3.1, via vote, to proceed to full implementation.

2. SUMMARY

- 2.1 Further to Cabinet approval gained 13th December 2023, a Statutory Notice for the proposal to close Cwm Glas Infants School, effective from the 20th July 2024 was published, and the formal objection period ran between 8th January 2024 and the 5th February 2024.
- 2.2 Under Section 49 of the School Standards and Organisation (Wales) Act 2013 when objections have been received proposers must publish a summary of the statutory objections and the proposer's response to those objections ("the Objection Report").
- 2.3 No statutory objections were received for this proposal, hence there is no requirement to produce an Objection Report in this instance.
- 2.4 However, to discharge the Council's duty under the School Organisation Code 2018, there is still a requirement for Cabinet members to give due regard to the outcome of the objective period and make a final determination as whether to implement the proposal as outlined in section 3.1 of this report.
- 2.5 Should Cabinet authorise progression of the project to full implementation, a Decision letter will be published setting out clearly the reasons for the decision with reference to the School Organisation Code 2018 and Cwm Glas Infants School will close, effective from the 20th July 2024.

3. RECOMMENDATIONS

3.1 Cabinet Members are asked to: -

- a) Consider the information contained in this update report
- b) Approve the recommendation, via vote, to proceed to full implementation

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To ensure Members are updated on the progress of proposal for the closure of Cwm Glas Infants School, effective from the 20th July 2024.
- 4.2 To seek Member approval on the recommendations outlined in 3.1 and for Cabinet to make a final determination in respect of the proposal.
- 4.3 To assist the Council in discharging its duties in line with the requirements of the Welsh Government's School Organisation Code 2018.

5. THE REPORT

Cwm Glas Infants School

- 5.1 Cwm Glas Infants School provides education to pupils between the ages of 3 and 19 and has a published capacity figure of 57 places with a published admission number of 19.
- 5.2 The current pupil roll is 33 pupils (Full Time Equivalent) with over 50% of these pupils residing outside of the catchment area of the school.
- 5.3 Surplus places are currently at 47.37% rising to 56.14% in September 2024 and projected to increase in future years as the number of pupils predicted to attend the school is anticipated to decline linked to a reduction in live birth rates in the area and parental preference.
- 5.4 The projected pupil numbers and resultant financial outlook for the school provides a significant challenge to the ability of the Head and School Governors to agree a balanced budget to maintain the school and an appropriate staffing level which has led to a request to the local authority to consider closing the school at the end of the academic year, effective from the 20th July 2024.
- 5.5 Under the School Funding (Wales) Regulations 2010, Individual school budgets are determined using a locally agreed funding formula in accordance with factors which are learner led. Schools must be able to demonstrate via a financial action plan that the school will work to deliver a balanced budget. However, the Head Teacher and Governing Body have acknowledged that Cwm Glas Infants School is facing a significant financial deficit with pupil numbers projected to further decrease moving forward.
- 5.6 Reasonable alternatives to closure, such as reduction in the number of classes, collaboration, federation and colocation were considered by the Head Teacher and Governing Body in partnership with the Local Authority but deemed not viable or sustainable.

- 5.7 Cwm Glas Infants School is a feeder school for Coed Y Brain Primary at Key Stage 2. Both schools share the same catchment area and are both located in Llanbradach within circa 1 mile of each other. Should the decision be taken to close Cwm Glas Infants School, based on current and future projections for both schools, all pupils could be accommodated within Coed Y Brain Primary School, subject to parental preference.
- 5.8 Further to Cabinet approval gained 13th December 2023, a Statutory Notice for the proposal to close Cwm Glas Infants School with effect from July 2024 was published on the 8th January 2024.
- 5.9 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.
- 5.10 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.
- 5.11 A prescribed list of recipients as outlined in the School Organisation Code 2018 were written to and a Statutory Notice was published electronically on the Council's website.
- 5.12 Hardcopies of the Statutory Notice were made available at both Cwm Glas Infants School and Coed Y Brain Primary School and displayed in the school foyers and on/in close proximity to the entrance gates. In addition, the school's internal communication network with parents and pupils was used to raise awareness of the process and publication of the Statutory Notice.
- 5.13 The objection period ran from Monday 8th January 2024 (a school day) and concluded at midnight on Monday 5th February 2024 to provide adequate time for response and conscientious consideration to any responses received.
- 5.14 No objections were received during the Objection Period.
- 5.15 Under Section 49 of the School Standards and Organisation (Wales) Act 2013 when objections have been received proposers must publish a summary of the statutory objections and the proposer's response to those objections ("the Objection Report").
- 5.16 As no statutory objections were received, there is no requirement to publish an Objection Report.
- 5.17 At its meeting of the 12th March 2024, the Education and Social Services Scrutiny Committee considered the information contained in the Objection Report and endorsed the recommendation to Cabinet, via vote, to proceed to full implementation.
- 5.18 Once Cabinet has made the final determination, a Decision Notice will be published electronically on the Sustainable Communities for Learning page on the Council's website. All consultees will be notified via email/letter and hard copies will be available on request.

5.19 Conclusion

Pursuant to the requirements of the School Organisation Code 2018, the formal statutory objection period has now concluded. No objections were received negating the requirement to produce an Objection Report in this instance. This report has been compiled to provide Members with the necessary information to make an informed decision as to the final determination on the proposal to close Cwm Glas Infants School with effect from 20th July 2024.

6. ASSUMPTIONS

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

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

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

Original [Link to IIA](#)

Updated [Link to IIA](#)

8. FINANCIAL IMPLICATIONS

- 8.1 Under the School Funding (Wales) Regulations 2010, Individual school budgets are determined using a locally agreed funding formula in accordance with factors which are learner led.
- 8.2 Schools must be able to demonstrate via a financial action plan that the school will work to deliver a balanced budget.
- 8.3 The Council's Education Finance Team have been working closely with the school for a number of years, however, the Head Teacher and Governing Body have acknowledged that Cwm Glas Infants School is facing a significant financial deficit with pupil numbers projected to further decrease moving forward and are unable to demonstrate via a financial action plan their ability to reverse the deficit.

9. PERSONNEL IMPLICATIONS

- 9.1 This will be dependent on specific proposals and will be considered as part of the process.
- 9.2 The Council's Human Resources Team will work closely with all relevant parties to ensure that processes are adhered to, and support is provided as required.

10. CONSULTATIONS

10.1 School Organisation Code 2018 - Statutory Objection Report: Proposal for the closure of Cwm Glas Infants School

Members noted that there were no statutory objections received. A Member stated that the report advises that all pupils at Cwm Glas Infants could be accommodated at Coed y Brain Primary school which is an excellent school, therefore the children who will be transferring there will be well looked after.

Following the debate the recommendations were moved and second and supported by the majority present – 15 For and 1 Abstention

11. STATUTORY POWER

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

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Consultees: Dave Street, Deputy Chief Executive
Richard Edmunds, Corporate Director of Education and Corporate Services
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Gareth Jenkins, Interim Director for Social Services
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Councillor Teresa Parry, Chair, Education and Social Services Scrutiny
Committee
Councillor Brenda Miles, Vice Chair Education and Social Services Scrutiny
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Sue Richards, Head of Transformation, Education Planning and Strategy and
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Appendices:
None