

Objection Report

On the proposal to transform English medium secondary education in Barry by:

1. Establishing two mixed sex 11-18 English medium comprehensive schools on the current sites of Barry Comprehensive and Bryn Hafren Comprehensive schools;
2. Establishing a joint sixth form, provided across both schools; and
3. Closing the existing single sex English medium Barry Comprehensive and Bryn Hafren Comprehensive schools in Barry;

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Background

Consultation on a proposal to establish two mixed sex 11-18 English medium comprehensive schools on the current sites of Barry Comprehensive and Bryn Hafren Comprehensive schools commenced on 05 September 2016 and concluded on 17 October 2016.

The consultation document explained the Council's proposal to transform English medium secondary education in Barry by:

1. Establishing two mixed sex 11-18 English medium comprehensive schools on the current sites of Barry Comprehensive and Bryn Hafren Comprehensive schools;
2. Establishing a joint sixth form, provided across both schools; and
3. Closing the existing single sex English medium Barry Comprehensive and Bryn Hafren Comprehensive schools in Barry;

The consultation process followed Welsh Government guidelines and was an opportunity for local people to learn about the proposal and for the Council to hear the views of all those with an interest so that they can be taken into account before decisions are made.

Consultation Report

A consultation report was published following the consultation exercise. The consultation report was considered by the Council's Cabinet on 12 December 2016. The Cabinet determined to proceed with the proposal and to the publication of a statutory notice.

Statutory Notice

A statutory notice on the proposal was published on 3 January 2017 for a period of 28 days to allow for objections. The statutory notice period expired on 31 January 2017.

The notice was published on the Vale of Glamorgan Council's website (http://www.valeofglamorgan.gov.uk/en/working/education_and_skills/schools/Consultations/Transforming-English-Medium-Secondary-Education-in-Barry.aspx) and posted at the main entrances and surrounding area of both school sites. Copies of the notice were distributed to pupils, parents, carers and guardians, governors and staff members. All other organisations and consultees required under the School Organisation Code 2013 were either provided with a hard copy or e-mailed a link to the published notice on the council's website. All email recipients were provided with a copy of the notice as an attachment to the email as well as a link to the notice on the website.

Where objections are received to the statutory notice, an objection report must be published summarising the statutory objections and the proposer's response to those objections.

Objections to the proposal

The authority received 3 individual objections by the statutory notice closing date. A summary of the key themes and issues raised by respondents and the response from the Vale of Glamorgan Council can be found at Annex A.

The objections received are, in the main, resubmitted comments received during the consultation period. These comments will be familiar as members have already read the consultation responses contained in the consultation report. Members are reminded that an individual is able to resubmit their previous comments as objections. Therefore members should ensure that these comments submitted as objections are reconsidered.

All objections received during the objection period have been made available in the Members room at The Vale of Glamorgan Council Offices, Holton Road, Barry together with the consultation report for further perusal.

This appendix summarises the key issues raised during the statutory notice period. The issues present an overview of response themes and are not intended to be verbatim. All written objections have been made available to Cabinet members.

Issue 1

School closures

The NASUWT questioned the need to close the schools, stating that the proposal could be realised without closing and renaming schools.

Council's response to the concerns raised

An Advisory Board was established in January 2016 that was chaired by the Cabinet Member for Regeneration and Education, and included the Director of Learning and Skills and other senior managers from the Council, the headteachers and chairs of governors of the affected schools, the Principal and Chief Executive of Cardiff and Vale College and a range of professionals from across the education sector to review options for establishing mixed sex English medium schools in Barry.

The Board's first priority was to develop an engagement strategy that ensured the views of students, teachers, parents, governors and trade unions would be at the centre of the development of any new proposals.

In order to achieve the scale of transformation required to meet the desired outcomes for mixed sex secondary education Barry, it is considered necessary for new, mixed sex schools to be established, which includes a rebranding of the school. This rebranding is not limited to the school name, as a number of changes will be necessary to ensure inclusion of both sexes, regardless of school sites, and to facilitate new joint working, especially across sixth form provision.

This option would best meet the desired outcomes identified by the board to;

- Enable further improvements to educational outcomes, including attendance, the performance of pupils entitled to free school meals and GCSE and Post-16 qualifications.
- Support an increase in the proportion of pupils progressing to further and higher education and reduce the proportion who become NEET, with the possible involvement of Cardiff and Vale College in post-16 provision.
- Provide learning environments that support and challenge individual children to succeed, including students with additional learning needs.
- Create learning environments that promote innovation, creativity and can be adapted to respond to curriculum change.

- Build the reputation and popularity of the English medium secondary schools in Barry and reduce the number of young people that travel out of the town to go to school.
- Increase the satisfaction levels of students and staff.
- Maintain and increase the level of community access to the schools' facilities.
- Ensure that there is a sustainable balance between the supply and demand for school places, including in the long term.
- Include transition arrangements that minimise any disruption to learning or teaching.
- Reduce the use of energy, be cost effective and achievable, having full regard to the availability of finance.

The option to close both schools was endorsed by Cabinet on 4 July 2016 (minute no C3230) and by the Learning and Culture Scrutiny Committee on the 3 October September 2016.

As both of these schools will be new schools, each school would have a new governing body. Initially this will be set up as a temporary governing body prior to formal opening of the two new schools on 01 September 2018. The first role of the temporary governing bodies will be to advertise and recruit the headteacher. The appointment of the two headteachers will be decided upon by the temporary governing bodies of the two new schools.

This approach will ensure that there is the opportunity to strengthen leadership where necessary and will help dissociate any existing historical perceptions which could impede progress, with the aim of improving the learning environment and securing the future of both schools. This will ensure a sustainable balance between the supply and demand for secondary school places across Barry for the long term. Changes to leadership and governance will fall to the new schools providing an opportunity to reflect the needs of the new learning environments, joint sixth form and each school's operational requirements.

Issue 2

Staffing

NASUWT expressed that terminating contracts of every member of staff and embarking on a process of dismissal and engagement is not acceptable.

UNISON expressed the same view and that members expected all jobs to be ring-fenced. UNISON also highlighted the Council's duty of care to all staff as outlined in the Staff Charter.

Council's response to the concerns raised

The Council is fully supportive and compliant with the values outlined in its Staff Charter.

Implications on job security for staff resulting from the proposal have been a key concern for all stakeholders, and the focus of discussion between the Council, school staff, parents, pupils and trade unions as part of the Council's ongoing engagement process. Decisions regarding changes to staffing structures within schools are a matter for the respective school's governing body, and not within control of the Council. The Council has been clear, however, that it will strongly recommend ring fencing posts (both teaching and support staff) to both schools, seeking expressions of interest from current staff, **and will not support** plans to dismiss and re-engage staff or to advertise externally, with the exception of the Headteacher and Deputy Headteacher positions. The Council has stated that should governing bodies choose not to follow this recommendation, it would be limited in its ability to provide support.

The ring-fencing of posts is not seen as a dismissal and re-engagement exercise, as staff would transfer on existing terms and conditions. The Council recognises the need to retain as many of the existing staff as possible, in the best interests of pupils and pastoral support. Whilst the closing of both schools will require staff to express an interest for posts, it is anticipated that there will be no redundancies as a result of the proposal. The focus of this proposal is on improving provision and educational outcomes for pupils in Barry, and it is not a cost-savings exercise.

The Council appreciates that this proposal will create a great deal of uncertainty for the current staff of the schools. It is clear that the ambition to transform educational outcomes needs the very best staff to remain working in the schools. The Council has sought to reassure teachers and other employees that the aim of the proposal is not to reduce the amount of staff or to save costs, but rather to improve secondary provision within Barry. A programme of training and development will be, where appropriate, provided to staff throughout the transition and in working within the new schools.

The Council will support the governors, headteachers and staff at all schools with any changes that maybe required. With the establishment of two new mixed sex English medium secondary schools the first task for the new governing bodies would be to appoint the Headteachers and develop new staffing structures to be ready for the opening of both schools from September 2018. Changes to staffing would be subject to full consultation with staff and the relevant trade unions.

The Council recognises anxiety that staff may experience as a result of this proposal and has provided staff of both schools with the following communication:

“Although it is the responsibility of the governing bodies to decide staffing structures and the process for appointing to posts, the Local Authority will strongly advise the governing bodies to adopt the following approach:

Both governing bodies should work together in order to ensure the best mix of staff for each of the new schools. The aim would be to enable some degree of consistency for pupils' pastoral support, while offering staff the opportunity for mobility, in line with the needs across both schools."

How would the process for expressing interest in a post work?

Staff should be encouraged to express an interest in posts at both of the schools and to identify their preference. Wherever possible, staff will be matched to posts which would mean that there is no need for those staff to apply for positions or to be interviewed.

It is possible that there will be competition in some areas as a result of the restructuring, for example, there could be fewer Teaching, Learning Responsibility [TLR] posts. In such circumstances interviews would be necessary. In the event of a reduction in Senior Management Team [SMT] / TLR posts, salary protection would apply in line with the School Teachers Pay and Conditions Document. Support staff will have one year's salary protection in the event of changes to staffing structures affecting grading.

Staff who take up posts in the new schools will have a letter confirming details of new school reporting lines but service will be counted as continuous and there will be no changes to terms and conditions/pension arrangements.

Will there be redundancies and/or packages made available to staff?

It is not anticipated that there will be redundancies as a result of the proposal but if there is a genuine redundancy, provisions of the Schools Redundancy Procedure would apply. There is no intention to offer 'packages' to staff who do not want to work in either school – our wish is to retain as many staff as possible."

The communication above has been shared with staff and has provided a measure of reassurance to allay any fears over jobs in future.

Issue 3

School Catchment Areas

UNISON commented that the catchment areas need to be equitable to both schools.

The NASUWT stated it is not convinced that the proposed catchment areas will achieve the authority's aims of increasing educational standards.

Council's response to the concerns raised

Changes to the catchment area will be required as both schools currently share the same catchment area.

It is important to recognise that catchment areas only play a part in determining destination schools as part of the Council's admissions policy when schools are fully subscribed. Where capacity exists, parental choice will always be the determining factor.

The Advisory Board considered a number of catchment area options for the schools, with the preferred option providing as much parity as possible in relation to the number of pupils residing in each catchment area, relative levels of deprivation and the distance pupils would have to travel to school. Existing headteachers, chairs of governors and feeder primary school representatives all contributed to, and agreed, the final proposal. The preferred catchment area option also follows logical geographical boundaries.

The proposed catchment areas follow the majority of existing primary school catchment boundaries with ease of accessibility to each campus within the designated catchment boundaries. The majority of pupils in Barry live within three miles of each campus.

While the proposals do reduce the overall capacities of the schools, this is only to bring the current high levels of surplus capacity to a more reasonable level. With current and projected pupil numbers, the schools will still have surplus capacity to meet additional demand.

Barry also benefits from a number of regeneration projects and new housing developments which will continue to reduce socioeconomic divide within student demographics across both schools.

The establishment of the new schools and associated catchment areas will provide schools with an opportunity to rebrand themselves.

Issue 4

Funding

Concern was raised by UNISON that there have been no guarantees or securement of funding to date. Without funding in its entirety, the schools will be inadequately prepared.

NASUWT expressed concern that there is no guarantee that funding to invest in new and existing school buildings will be provided by the Welsh Government.

Council's response to the concerns raised

The estimated cost of the scheme is £44m. This comprises £11.5 million for the scheme on the Bryn Hafren site and £32.5 million for the new school building and behavioural centre on the Barry Comprehensive site. It is anticipated that part-funding would be provided by the Welsh Government under Band B of its 21st Century Schools Programme. The remainder of the capital funding would be contributed by the Council

The Council has already set aside £22m towards the estimated cost of the scheme and will be bidding for match funding through Band B of the Welsh Government's 21st Century Schools Programme. The Welsh Government is starting to prepare plans for Band B of the programme.

Welsh Government is actively encouraging local authorities which have schemes scheduled to start in 2019/20 to submit a business case a year in advance. By preparing a clear vision to transform secondary schools in Barry the Council will be best placed to access Band B funding.

The Council has been successful in all of our applications for funding to Welsh Government for Band A of the 21st Century School investment programme. As we provide sound reasoning and strong delivery of all of our school building projects we are confident that we have the same successful outcomes for our Band B school investment projects.

Whilst the Council has a strong track record on securing 21st Century Schools funding from the Welsh Government, it is acknowledged that this cannot be guaranteed. If funding is not available from the Welsh Government, it may not be possible to provide a new building and extensive refurbishment of the other school building as described in the consultation document. In these circumstances, it would be necessary to review the investment options for delivering improvements to the school buildings. This will not alter the Council's commitment to establishing mixed secondary education in Barry.

A comprehensive cost option appraisal has been undertaken. The Council is confident that the level of investment identified will be sufficient to transform the secondary school buildings. The investment will provide the right number of school places, raise standards of learning and improve buildings that are in a poor condition.

Issue 5

Transition Plan

The NASUWT is not fully convinced as to the integrity of the transition plan if the proposal is approved as some subjects begin GCSE courses during year 9.

Council's response to the concerns raised

Transitional arrangements were identified as a key element for improvement from the previous proposal to create mixed sex education in 2015. The current proposal outlines specific details on staff and pupil arrangements to address this, with a specific programme of work having been undertaken by the Advisory Board to inform the proposal put forward. If the proposal is approved the aim is to open the two new schools in September 2018.

The comments contained within the consultation report address the issues raised as follows:

It is essential that effective plans are in place to ensure the effective transition from the current single-sex secondary schools to two new mixed sex secondary schools in September 2018.

Feedback from stakeholders indicates a desire to move to mixed-sex education as soon as practically possible whilst minimising disruption for pupils, particularly those who are due to sit GCSE's and A levels in the summer of 2019.

Barry and Bryn Hafren Comprehensive Schools already operate a joint 6th form with some mixed sex classes. Pupils starting year 13 in September 2018 would continue their studies in single sex classes where relevant.

Pupils entering year 11 in September 2018 would also continue to be taught in the single sex classes at the school site they attended in year 10 thereby minimising disruption.

An educational professional was appointed on behalf of the Advisory Board to develop the transition plan. The proposed transition plan provides a clear focus on improving outcomes for all pupils affected.

What Transition might look like for pupils and parents

From March 2017	Pupils from both schools will have the opportunity to be involved in joint activities and joint school councils will be established.
September 2017	Parents/carers of pupils in year 6 of primary school will be required to apply for a secondary school place for the following September. Places at the new schools will be available through the normal admissions process.
September 2017	Parents and carers of pupils in years 7 to 10 apply for a place at the new secondary schools.
December 2017	Parents for pupils in years 6,7,8,9 and 10 will be informed which school they will be attending in September 2018. Pupils starting in Years 11, 12 and 13 from September 2018 will be registered at the school which opens on their current school site.
Spring 2018	Pupils in Year 9 at Barry and Bryn Hafren schools will chose their GCSE options in readiness for September 2018.
Spring 2018	Pupils in Year 11 will choose their A level subjects. Each school would specialise in specific courses. Pupils will be registered at the school which offers their choice of course. This may require pupils to continue to travel between

	campuses as is current practice.
July 2018	Barry and Bryn Hafren will close at the end of the summer term. The new mixed sex secondary schools will open in September 2018.
September 2018	The new schools opens Years 7,8,9,10 and 12 will be in mixed sex classes Year 11 will continue in their existing classes on their existing site for the 2018-19 school year only. Year 13 will continue in their current classes.
September 2019	All learners will be in mixed sex classes.

Careful planning will take place during the proposed period of change to reduce any risk of distraction or disruption that could impact on learning during transition and building work. The Council will be committing resources to employ a project manager to concentrate on supporting the new schools and the transition for pupils. A full transition plan will be developed with the senior leadership team and temporary governing bodies of both schools. The Council also recognises the importance of having a stable educational environment leading up to and during exam periods and will support the schools to minimise disruption during these times.

If the proposal is approved the aim is to open the two new schools in September 2018. Parents of pupils in years 7 to 10 will be asked to express a preference for a place at one of the new schools. Places will be allocated through the Council's admissions process. To avoid disruption in preparation for GCSE examinations pupils in year 11 will remain in their existing classes and will be registered at the school opening on the site of their existing school. Pupils entering years 12 and 13 will also be registered at the school opening on the site of their current school but will remain in their current classes for 2018-19.

Issue 6

Net savings

The NASUWT have expressed a view that the Local Authority has failed to properly take into account the scale of any net saving in accordance with paragraph 1.5 of the Welsh Governments School Organisation Code:

*“In relation to proposals where substantial upfront capital investment is required (for example to support a substantial remodelling, refurbishment or a new build project), the costs and savings of the proposals **should** be calculated over the lifespan of the relevant building, and compared against the costs and savings associated with the maintenance of the status quo.”*

Council's response to the concerns raised

The nature of this proposal goes beyond capital investment in school buildings, as it includes fundamentally transforming secondary education in Barry with the establishment of mixed-sex education. The key driver for this proposal is to improve educational outcomes for children and young people in all phases and help to narrow the inequalities in achievement between advantaged and disadvantaged groups and individuals.

Maintaining the status quo was discounted as an option as it would not address the need to establish mixed sex education, the reducing numbers at both schools, or the substantial deficiencies in the learning environments at both Barry Comprehensive and Bryn Hafren Comprehensive schools.

The council will be required to demonstrate the costs and savings over the lifespan of the buildings in the business case for funding which will be submitted to Welsh Government during 2018.

The scheme has the potential to ensure that pupils of both sexes have access to a broad curriculum and that some of our most vulnerable young people are supported to achieve their full potential through the provision of inspirational learning environments and specialist support.

This proposal will mean that significant capital investment will be made in establishing the new schools and developing state of the art facilities. The estimated cost of the scheme is £44 M. It is anticipated that part-funding would be provided by the Welsh Government under Band B of its 21st Century Schools Programme. The remainder of the capital funding would be contributed by the Council.

Issue 7

Status Quo

A respondent felt that Bryn Hafren Comprehensive School should stay as it is (girls only) as it is one of the few unique schools in Wales.

Council's response to the concern raised

The Council has undertaken comprehensive consultation over the past three years on transforming secondary education in Barry. The overwhelming response from the community is a desire for mixed sex education. Maintaining the status quo does not reflect the desire for mixed sex education in Barry.

Maintaining the status quo would not;

- Address the issue of surplus places found at both schools.
- Address the issue of the condition of school buildings and how we can modernise and improve the teaching and learning environment.
- Address the need to improve educational outcomes
- Address the desire for mixed sex education in Barry.

The buildings of both schools are generally not of a standard for 21st century teaching and learning and require significant investment. The proposal seeks to address this through significant financial investment by the Vale of Glamorgan Council in partnership with Welsh Government's 21st Century Schools Programme.