



Report of the Cabinet Member for Education Improvement, Learning & Skills

Cabinet – 17 December 2020

Delivery Update on Welsh Medium Provision for YGG Tan-y-lan and YGG Tirdeunaw

Purpose:	To consider the revised timeline for implementation of increased capacity for YGG Tan-y-lan and YGG Tirdeunaw and to seek approval to revise the implementation date, as required by the School Organisation Code.
Policy Framework:	QEd Programme, Corporate Plan
Consultation:	Access to Services, Finance & Legal.
Recommendation(s):	It is recommended that: 1) Cabinet note the revised timeline for the new school buildings for YGG Tan-y-lan and YGG Tirdeunaw; 2) Cabinet approve a revised implementation date to increase the capacity of YGG Tan-y-lan and YGG Tirdeunaw, from 1 January 2021 to 22 February 2022.
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1. Background

- 1.1 Cabinet have previously considered the next steps required to progress the approved commitments within the Welsh Education Strategic Plan (WESP), as reflected in the approved 21st Century Schools Band B programme, and approved the commencement of formal statutory proposals where this was appropriate.

- 1.2 Statutory proposals took place, as required by the School Organisation Code, to formally increase the pupil capacity of YGG Tan-y-lan and YGG Tirdeunaw. The statutory process aligned with the successful bid for capital grant under Band B to build new and enlarged buildings for these two primary Welsh-medium schools.
- 1.3 Following consultation and the publication of Statutory Notices, Cabinet approved the increased capacity of YGG Tan-y-lan and YGG Tirdeunaw at their meeting on 21 March 2019. The implementation date in the Statutory Notices was 1 January 2021.
- 1.4 Construction of the new school buildings has been delayed due to a range of factors that became apparent as the projects developed. Construction is now on site but the schools will not be available for occupancy until February 2022.

2. Change of Implementation Date

- 2.1 The School Organisation Code requires an implementation date to be attached to each proposal and Statutory Notice. 2.2 Under s55 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code, if a proposer (in this case Swansea Council) is satisfied, after consultation with the governing body, that a proposal would be unreasonably difficult to implement on the original implementation date, or that circumstances have so altered since the proposal was approved that its implementation on the original date was inappropriate, it may modify the proposal so that its implementation is delayed by up to three years. Where a proposal has been determined by the local authority under section 53 of the 2013 Act the local authority itself may determine to delay, bring forward or abandon the proposal.
- 2.2 Consultation meetings were held with both governing bodies as follows:
YGG Tirdeunaw – 1:30pm, 11 November 2020
YGG Tan-y-lan – 4:00pm, 11 November 2020
- 2.3 Both governing bodies recognised the need to delay the implementation of the proposal to increase the capacity of the schools until a time when the new buildings were ready for handover i.e. 22 February 2022 (after the February half term holiday).
- 2.4 Both governing bodies were also aware that the associated school catchment area changes that had been approved in the original Statutory Notice would continue to be implemented on 1 September 2021, as they also affect other Welsh-medium schools in Swansea. YGG Tirdeunaw did not see this as a problem and YGG Tan-y-lan were confident that they could manage any increase in admissions for the period between September 2021 and the move to the new school in February 2022.

- 2.5 Cabinet will need to determine if the proposal to increase the capacity of the schools is delayed until 22 February 2022. If approved, notification of the determination to delay must be given to relevant parties including the Welsh Ministers, Estyn, and the governing bodies, parents, pupils and staff of any affected school, as appropriate, within seven days of it being made.

3. Financial Implications

- 3.1 The overall capital envelope for Band B of the 21st Century Schools Programme is unchanged by this delay.
- 3.2 Schools have a delegated revenue budget and will use this to support all learners on roll. The overall delegated budget for schools is unchanged by this delay.
- 3.3 There are no current transport costs to YGG Tan-y-lan. When the school moves to the new site there could be a few children living at the extremities of the new catchment area that could require transport to school. The delayed implementation will delay these costs. There is no change to the original financial implications for the YGG Tirdeunaw transport i.e. costs will remain the same when the school moves to the new site.

4. Legal Implications

- 4.1 Reorganisation of school provision requires consultation and the publication of statutory notices in accordance with the School Standards and Organisation (Wales) Act 2013 (“the Act”) and the Welsh Government’s School Organisation Code. The legal implications relating to a delay in implementing proposals are set out in paragraph 2.2 of this report.

5. Equality and Engagement Implications

- 5.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.

Our Equality Impact Assessment process ensures that we have paid due regard to the above.

- 5.2 Detailed Equality Impact Assessments were carried out during the consultation process and were updated to take full account of outcomes and responses from stakeholders.

5.3 A screening has been undertaken on the delay, and the outcome demonstrates that there is no impact as the delayed timeline does not reduce the ability of either school to admit additional pupils seeking a Welsh-language education.

Background Papers:

- Report to Cabinet 21 June 2018
- Report to Cabinet 20 December 2018
- Report to Cabinet 21 March 2019
- School Standards and Organisation (Wales) Act 2013
- Welsh Government School Organisation Code (Circular 006/2013)
- School Standards and Framework Act 1998

Appendices:

Appendix A - EIA Screening