



Report of the Cabinet Member for Education and Learning

Cabinet - 15 February 2024

Quality In Education (Qed) – Emerging Proposals and Investment Priorities for the Sustainable Communities for Learning Strategic Outline Programme (Rolling)

Purpose:	To consider and endorse the Sustainable Communities for Learning Strategic Outline Programme (Rolling) for submission to the Welsh Government.
Policy Framework:	<ul style="list-style-type: none">• Corporate Plan 2023/2028• QEd programme• Abertawe 2028
Consultation:	Education, Finance, Legal and Access to Services, Corporate Building Services and Corporate Property Services
Recommendation(s):	It is recommended that Cabinet: <ol style="list-style-type: none">1) Re-affirms the key aims and focus of the Strategic Outline Programme previously supported by the Welsh Government2) Endorses the proposed future capital investment priorities for the Sustainable Communities for Learning Strategic Outline Programme (Rolling), recognising that there is no absolute commitment to the funding on either Council or Welsh Government as it is approved in due course on a case-by-case basis even if the SOP is otherwise approved by both Council or Welsh Government.3) Notes the scale of the overall funding ask and proposed funding strategy to meet Council's local contribution, recognising the future detailed funding and affordability decisions will be for future Councils, future budgets and medium term plans in the early 2030's.
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1.0 Background

- 1.1 The purpose of this paper is to consider and endorse the future proposals and investment priorities for the next phase of the Sustainable Communities for Learning Programme, previously known as the 21st Century Schools Programme, for submission to the Welsh Government.
- 1.2 In July 2017 Cabinet endorsed the council's Band B of the 21st Century Schools Strategic Outline Programme and the proposed capital investment priorities. Since the initial approval there have been several other changes within the programme. The Welsh Government capital grant intervention rate was set at 50% for Band B, but Welsh Government announced on 21 November 2018, that the Band B intervention rate for capital projects would be increased to 65%, and for special schools and PRUs to 75%. The intervention rate for voluntary aided projects remained unchanged at 85%. In September 2023, Cabinet endorsed an uplift to the programme envelope to £176m, with a switch to wholly capital funding (instead of using the Mutual Investment Model for some of the projects).
- 1.3 Since 2017, the remaining Band A project - a new build for Gorseinon Primary School - has been completed. The completed Band B projects are new builds for the Pupil Referral Unit (Maes Derw), YGG Tan y lan and YGG Tirdeunaw, and new blocks and refurbishment and remodelling for Ysgol Gyfun Gwyr and Bishopston Comprehensive School.
- 1.4 In January 2022 the Programme was renamed 'Sustainable Communities for Learning (SCfL)' by the Welsh Government (WG) to make a clear statement about its commitment towards the environment, community cohesion, and our future generations. This Programme is expected to see a further £2.3 billion investment in school and college infrastructure utilising both public capital and revenue.
- 1.5 Band B ends on 31 March 2024 and councils are now required to submit a new Strategic Outline Programme (SOP) to WG for a rolling programme by 31 March 2024.
- 1.6 The nine-year capital programme, including an indicative funding forecast for the nine years, is required to be submitted to the Welsh Government for consideration towards providing a commitment and support for the first three years along with in-principle support for years 4, 5 and 6. Years 7 to 9 will reflect the longer-term project pipeline. Band B projects not yet completed can be included at the beginning of the nine-year capital programme.
- 1.7 The submission must include any changes to the strategy previously set out in Swansea's Strategic Outline Programme and the council's future investment priorities, demonstrating how these link to local and national

priorities such as the Wellbeing of Future Generations (Wales) Act, Welsh medium and childcare strategies.

- 1.8 If approved, each of the investment priorities will be subject to detailed business case development, further WG approvals, together with separate reports to Cabinet for decision. Some of the priorities may require statutory consultation and catchment area reviews. These will be the subject of separate Cabinet reports.
- 1.9 The grant rate for the new rolling programme remains unchanged and the report will consider the proposed funding strategy.

2.0 A Long Term, Evolving and Flexible Strategy

- 2.1 The Council's QEd/21st Century Schools Band A and B Programmes focused on:
- Learning environments for children and young people aged from 3 to 19 that will enable the successful implementation of strategies for school improvement and better educational outcomes;
 - Greater economy through better use of resources to improve the efficiency and cost-effectiveness of the education estate and public service provision; and
 - A sustainable education system with all schools meeting a 21st century schools standard and reducing the recurrent costs and carbon footprint.
- 2.2 The priority investment projects for Band A and B were identified through a range of complementary objective criteria, these have been revised and updated and a new objective assessment undertaken considering the following investment objectives:
- a. Address surplus capacity/sufficiency
 - b. Maintain or reduce revenue running costs
 - c. Maintain or improve Education provision
 - d. Maintain or improve ALN provision/alignment with ALN strategy
 - e. Positive impact on Welsh-medium, and alignment with the Welsh Education Strategic Plan (WESP)
 - f. Maintain or reduce travel times/distances
 - g. Reduce backlog maintenance
 - h. Improve condition/suitability
 - i. Supports carbon reduction
 - j. Alignment with interdependencies eg other priority areas/Local Development Plan (LDP).
 - k. Increased flexibility of assets/community use
 - l. Capital receipt
- 2.3 The robust basis of the council's programme has been repeatedly scrutinised by the WG and subject to their ultimate approval. As with any plan it is not a static document, and indeed, the whole programme has

required successive reviews in the light of the changing timescales and financial parameters for the programme. It has also continued to evolve in the light of changing demands (demographic trends and condition and business continuity issues), political priorities, capital resourcing, and fresh opportunities such as the LDP.

- 2.4 The proposed submission to the WG reflects the natural development of the previously approved long-term strategy but reflects further consideration of changes in demands and priorities. The detail of specific projects within the programme will be further developed in the light of the level of WG funding available and more detailed discussions with schools, governing bodies and other stakeholders at that time. The programme will be reviewed every three years, with years 4-6 becoming years 1-3 and so on, which will allow the programme to flex and develop in line with the needs of our learners in Swansea.

3.0 Outline of proposed submission

- 3.1 The investment needs reflect the challenges remaining across our schools, despite the considerable impact already of the schools' investment programme which has seen, for example:
- Transformed learning environments supporting the positive educational standards across Swansea schools;
 - A significant reduction in backlog structural maintenance and removal of the worst structural condition needs previously identified;
 - Significant additional Welsh-medium primary and secondary places to respond to the aims of the WESP; and
 - The removal of surplus places
- 3.2 The submission reflects a consistent objective assessment and prioritisation of condition, suitability and sustainability issues as well as areas of basic need for additional provision. Consideration has also been given to the deliverability of potential options.
- 3.3 It also remains consistent with local policies, priorities and commitments, as well as the priorities and specific criteria set down by the WG for the rolling programme as follows:
- Transforming learning environments and learner experience
 - Meeting demand for school places
 - Improving condition and suitability of the education estate
 - Developing sustainable learning environments
 - Supporting the community
- 3.4 The council's submission will also need to demonstrate deliverability, particularly the nature of any statutory processes still to be undertaken and/or legal or land ownership complexities to be resolved, which might otherwise significantly delay, or place at risk, delivery of the projects.

- 3.5 The council is required to rank in order of priority the investment needs within its submission and the expectation is that this will fit with the aims and objectives of the WG. Consequently, the first challenge is to develop the strongest possible submission, consistent in both nature and ranking with the WG criteria, to gain in-principle approval to the largest possible (and affordable) share of the available national funding for the rolling programme.
- 3.6 Due to the nature of the programme, despite strategic infrastructure funding being committed over several years, the WG and the SCfL team still manage the budgets on an annual basis. As the programmes are introduced at different stages it will be incumbent upon the SCfL team to manage the programme effectively in line with the demands of individual SOPs and to smooth out any peaks or troughs of budget pressures, ensuring that funding is available to all delivery partners at whatever time they submit their new SOP.
- 3.7 The proposed submission includes.

3.7.1 Delivering commitments within the Welsh Education Strategic Plan (WESP)

Our vision is to increase the percentage of pupils opting for Welsh-medium education, to between 23% and 27% of Year 1 pupils by the end of the plan and apply the principles of the 15-minute neighbourhoods to ensure that all learners have access to Welsh-medium education within a reasonable distance of their homes. Our target is set out in the following table:

	2019/2020		2030/2031 Target			
			Lower Range		Upper Range	
Swansea	Number	Percent	Number	Percent	Number	Percent
	390	15.4%	590	23%	695	27%

Welsh-medium primary places

When we prepared our ten-year WESP, the number of Year 1 children being taught through the medium of Welsh (January 2021) was 388, representing 15.1% of that year’s cohort in Swansea and by April 2021 it was 383 – 14.9%. The admission number for our Welsh-medium primary schools in September 2021 was 495. This meant that there was capacity for an additional 107 children to be taught through the medium of Welsh in the Year 1 cohort.

We have committed to exploring opportunities for the opening of at least an additional three forms of entry (subject to capital funding and statutory consultation processes). Any new builds would consider a supporting

Mudiad Ysgolion Meithrin setting and the requirements for specialist provision to support pupils with additional learning needs.

In September 2024 the admission number for our Welsh-medium primary schools will be 499. Our proposals would deliver 137 additional Year 1 places, almost four forms of entry, taking Swansea's Welsh-Medium admission number up to 636.

During the past year we have undertaken a strategic review considering options for school organisation and investment.

With regard to Welsh-medium our work has focused on mapping our whole offer across Swansea and prioritising what can be delivered in the next decade, focussing on providing an appropriate spread of provision across the county.

The four locations that we have identified as deficient are:

- a. Gorseinon/Penllergaer
- b. Sketty/Dunvant/Killay
- c. Townhill/Mayhill/Waun Wen/Plasmarl
- d. St Thomas/Port Tennant

We have undertaken a full review of options to deliver our WESP commitments and have arrived at a series of preferred options.

In examining priorities and options for all objectives and policy areas we have appraised the impact on Welsh-medium so that the programme as a whole is consistent with the aims and objectives of the WESP.

We have considered possible short and medium-term direct impacts on Welsh medium, but also sought to consider interdependencies between clusters, and sought to avoid risking any potential future opportunities.

Pupil numbers are currently projected to fall, and so we aim to reflect that in any organisation proposals avoiding creating surplus capacity in the English-medium sector, also mindful of the impact on the English-medium sector of increased Welsh medium take up.

Any options that have a negative impact on Welsh-medium have been discounted.

Welsh-medium secondary places

The increasing demand for places within primary schools will feed through to secondary schools and add to the pressures already apparent. Ysgol Gyfun Gymraeg Bryn Tawe will deliver a further 248 secondary school places, and support the complementary strategies set out in our WESP including the wider marketing strategy to promote the benefits of being bilingual, through the creation of flexible spaces enabling after-school activities, pre-school immersion, and the potential

for late comers' provision. This outcome will make the secondary offer more attractive to families considering 3-19 options and further encourage transition between primary and secondary Welsh-medium sectors.

3.7.2 English-medium primary provision:

Condition and Suitability - Whilst Band A and B has delivered a real impact there are also a number of primary schools with a need for investment to address split sites and poor accommodation, both in terms of condition as well as poor suitability to support effective learning environments. These needs will again need to be prioritised to reflect the scale of investment funding available.

Sustainability - There are a number of potential opportunities to both enhance the quality of facilities available to pupils and address condition issues, as well as supporting future sustainability, through the amalgamation of neighbouring schools, subject to the availability of the necessary scale of capital investment.

A new priority has been brought forward. Clydach Primary School which is on a split site, this has been brought into scope for a possible rationalisation of sites.

3.7.3 English-medium secondary provision:

Condition and Suitability – Band B has delivered a new build and remodelled main block for Bishopston Comprehensive School, however there is still a need for a continuing programme of replacement and remodelling works to address significant condition and suitability needs, including for the remaining Band B projects for Gowerton and Olchfa and possible new projects for Bishop Gore, Pontarddulais and Penyrheol (annex). They will need to be phased and prioritised to reflect the areas of greatest need, take account of demographic changes and the available capital investment.

3.7.4 Aided Sector needs:

Bishop Vaughan Catholic School and St Joseph's Cathedral Primary School, both suitability category D schools, originally featured in the potential Band C and Band B of the programme respectively. Since the last submission, the strategy has been reviewed in conjunction with the Diocese of Menevia, and the projects reprioritised so that Bishop Vaughan Catholic School is delivered first.

There have been extensive discussions with the Diocese of Menevia, and the Bishop Vaughan Catholic School, considering options to address the significant condition, suitability and accessibility issues at the current school site and delivery options. We have now reached a position that a new build for Bishop Vaughan Catholic School on the former Daniel

James site is the preferred way forward, subject to an approved business case. Furthermore, subject to formal Cabinet approvals, it is expected that Swansea Council will support the 15% contribution to the future project, subject to the capital receipt from the sale of the existing site.

This will support the regeneration of that locality and release the existing site for development, which will in turn link with the development of the new special school build opposite the existing site, and the release of the existing Ysgol Pen-y-Bryn site.

The preferred way forward reflects national and local objectives, considering the short-term and long-term needs, risks and potential opportunities, including pupil projections, Welsh-medium strategies and impact on English-medium, current and potential changes in additional learning needs, local regeneration plans including the Penderri Regeneration Strategy, and future local developments.

Specific considerations have included wider local developments and the substantial strategic development site adjacent, and the opportunities for shared community use, integrating with the adjacent PureFootball and Treboeth AFC. We have had ongoing and extensive discussions with the school and the Diocese for many years considering options for both the secondary school and options for one of its feeder schools St. Joseph's Cathedral Primary School.

It was previously proposed to build new accommodation and facilities for St Joseph's Cathedral Primary School, addressing existing condition, suitability and business continuity issues. However, following extensive discussions over the last decade, and the absence of a suitable alternative nearby site, and the desire to retain the school in the community that it is serving, it is now proposed that the school is refurbished and remodelled on its existing site.

These two projects will be supported with the 15% contribution from the council, recognising that any land sales or other financial benefits that we can recover from the diocese would go towards this 15%.

The Diocese of Swansea and Brecon, considers Christchurch Church in Wales Primary School, also a suitability category D school, to be a high investment priority, especially given its suitability and sufficiency shortcomings.

3.7.5 Additional Learning Needs

Swansea Council is currently consulting on a proposal as part of a wider review of specialist teaching provision across the local authority to:

- Amalgamate Ysgol Pen-y-Bryn and Ysgol Crug Glas from 1 September 2025 on existing sites, in order to facilitate the transition to one school when the build is completed.

- Build a new Special School for 350 pupils at Mynydd Garnllwydd Road on land close to the existing Ysgol Pen-y-Bryn site which will be ready for occupation in April 2028.

Swansea Council will determine the proposal, taking account of objections received. Cabinet may wish to approve, reject or amend the proposal on 18 April 2024.

A further 100 special school places on a new single site will reduce the number of placements in the independent sector and out of county, thus enabling the more effective allocation of funding to meet the needs of more pupils with additional learning needs and enable Specialist teaching Facilities (STFs) to target their resources more appropriately.

3.7.6 Wider Area Transformation:

There are likely to be changes in population and demand presented by LDP strategic sites but this will not emerge until the sites are at least partially developed. The difficulty is to demonstrate deliverability without greater certainty regarding the timescales for such sites.

In examining options to respond to potential major strategic developments forming part of the new LDP, the following were considered;

- Planning and strategic regeneration priorities
- Planning placemaking
- Capacity of existing schools to accommodate additional pupils
- Avoidance of adding additional schools into the estate
- Schools in the right place and active travel and transport considerations
- Other benefits for example improving the condition and suitability of the education estate.

This programme includes four new school builds on LDP strategic sites in Garden Village, Penllergaer, Cefngyfelach and Pontarddulais.

4.0 What happens next?

- 4.1 The Strategic Outline Programme, which must be submitted before the 31 March 2024, will be scrutinised by WG policy teams and it will take several months before the council is notified of the outcome.

5.0 Integrated Assessment Implications

- 5.1 **The council is subject to the Equality Act (Public Sector Equality Duty** and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

5.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

5.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

5.4 An Integrated Impact Assessment (IIA) screening has been completed for the programme. The programme is expected to have a positive impact on school and wider communities. However, each scheme is / will be subject to an individual Integrated Impact Assessment and is / will be subject to full engagement and in some cases statutory consultation with stakeholder groups.

6.0 Financial Implications

6.1 The total estimated capital cost of the submission is £416,746,197, with the total WG funding being estimated at £304,606,433 if approved, and the local funding contribution being estimated at £112,139,764.

6.2 The local funding contribution is estimated for the full nine year rolling programme and the first three years of that represents the remaining projects from Band B for which the revised local funding contribution was agreed in principle by Cabinet in September 2023.

6.3 The estimated local funding contribution will be made up of a combination of sources including developer contributions, capital receipts, voluntary aided contributions and prudential borrowing.

- 6.4 Whilst this report is seeking to endorse the proposed future capital investment priorities for the Sustainable Communities for Learning Strategic Outline Programme (Rolling), there is no absolute commitment to the funding on either Council or WG as it is approved in due course on a case-by-case basis even if the SOP is otherwise approved by both Council or WG.
- 6.5 The final approval of any capital allocation from the WG will be subject to the submission of further detailed business cases in respect of each specific scheme in accordance with an agreed phased programme for submissions
- 6.6 Cost estimates are in most cases based on the WG cost and size standards, applying the rate for the year when it is expected projects will be tendered. No allowance for inflation has been made for projects due to be tendered after 2028, but optimism bias (OB) has been applied based on HM Treasury guidance at 24 and 51% for new build and refurbishment/remodelling projects respectively.
- 6.7 The exceptions to this are YGG Bryn Tawe that has an approved SOC/OBC, the special schools project that has an approved SOC, and the Gowerton School project for which we anticipate we will be submitting a SOC next summer, which all have more refined cost plans and OB assessments in line with the WG assessment tool.
- 6.8 The development of business cases will continue to ensure that the efficiency and effectiveness of the programme is maximised, designing schools between the minimum and maximum of Building Bulletin guidance ranges. The levels of optimism bias will be reduced as project intelligence is increased and cost plans refined.
- 6.9 The submission of an updated Strategic Outline Programme does not commit the council to the indicative funding contributions set out above since the final approval of any capital allocation from the WG will be subject to the submission of further detailed business cases in respect of each specific scheme. If the Strategic Outline Programme is approved, the Authority will then have an approved programme subject to further Welsh Government approvals. Further reports will come to Cabinet at each stage of the process, which will include developed cost plans for each scheme following feasibility and detailed design.
- 6.10 Every opportunity will be taken to realise capital receipts and developer contributions towards the required local capital contribution, however, there will remain a significant local funding requirement which will fall to additional prudential borrowing (estimated at £75,672,020) should the full submission be approved by the WG). This submission includes two projects affecting voluntary aided schools that fall under the Roman Catholic Diocese of Menevia. It is proposed that Swansea Council provides the 15% contribution, subject to the contribution of the proceeds of the sale of any existing sites.

- 6.11 The proposed submission, even if curtailed in some way by the level of funding made available to the council by the Welsh Government, raises expectations as to the scale of the future programme to be delivered and funded. The proposals include explicit assumptions in relation to capital receipts generally and also the potential impact of the LDP. Shortfalls in those receipts or delays in disposal will add to unsupported borrowing at least in the short term. Even if progressed as fully assumed it also raises the expectation of significant future unsupported borrowing which will need to be programmed in and fully factored into future revenue budgets and medium-term revenue planning.
- 6.12 Some of the priorities will require statutory consultation, and catchment area reviews. These will be the subject of separate Cabinet reports.

7.0 Legal Implications

- 7.1 The various proposals will necessitate the legal implications to be reviewed and updated on a regular basis. Education, Highways, Planning, Property and Contracts/Procurement legal advice will need to be obtained as the proposals progress and more detail is available.
- 7.2 The establishment, alteration or discontinuance of maintained schools requires consultation and the publication of statutory notices in accordance with Chapter 2 and Schedule 2, of the School Standards and Organisation (Wales) Act 2013 (“the Act”) and the Welsh Government’s School Organisation Code (Circular 011/2018;) (the Code). The Code provides statutory guidance that a local authority must follow when seeking to make school organisation proposals, to education provision within a local authority area.
- 7.3 Catchment areas form part of the Local Authority’s (LA’s) admission arrangements. Where a Local Authority (LA) propose to revise the catchment areas for an existing school, the LA must publish and consult on those proposals in the same way as any other admission arrangements. The Local Authority must have regard to Section 89 of the School Standards and Framework Act 1998, the Education (Determination of Admission Arrangements) (Wales) Regulations 2006, and the Welsh Government’s Admissions Code (Circular 005/2013). These require Admission Authorities to consult and determine school admission arrangements annually. The Regulations set a timescale for the consultation and determination of admission arrangements.
- 7.4 Any offer of grant funding from the Welsh Government will be subject to terms and conditions which will be binding upon the Local Authority.

Background Papers:

- School Standards and Organisation (Wales) Act 2013;
- The Welsh Government's "School Organisation Code" Circular 011/2018; School Standards and Framework Act 1998, the Education Determination of Admission Arrangements) (Wales) Regulations 2006; Welsh Government's Admissions Code (Circular 005/2013)
- Cabinet report 20 July 2017 Quality in Education (QEd) – Emerging Proposals and Investment Priorities for the next band of the 21st Century Schools Programme
- Cabinet report 21 September 2023 Quality in Education (QEd) / The Sustainable Communities for Learning Strategic Outline Programme - Band B

Appendices:

Appendix A: An overview of the long-term Quality in Education strategy

Appendix B: IIA form