

**SCHOOL ORGANISATION PLANNING: SECONDARY AND  
PRIMARY PROVISION IN THE WHITCHURCH AREA –  
CONSIDERATION OF OPTIONS**

**REPORT OF CORPORATE DIRECTOR (SOCIAL)  
AGENDA ITEM: 8**

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**PORTFOLIO: EDUCATION & LIFELONG LEARNING**

**Reason for this Report**

1. At its meeting on 2 July 2009, the Executive received a report outlining three options in relation to the proposal for a reorganisation of English-medium and Welsh-medium education in the Whitchurch area. At that meeting the Executive agreed that the options in the report should proceed to consultation.
2. This report informs the Executive of the responses received to the consultation on those three options and the responses received to a further modified option (Option 4).
3. The report presents an evaluation of the consultation responses to enable the Executive to consider the next steps and, if appropriate, approve the publication of statutory notices.

**Background**

4. For all of the original three options the proposal for secondary provision was to establish Whitchurch High School as 9FE on its existing two sites (reduced from 12FE) from September 2012 with no changes to its catchment area.
5. The three primary school options were as follows:

**Primary School Proposals- Option 1**

6. To close Eglwys Newydd and Eglwys Wen Primary Schools and replace these with a new 2FE English-medium primary school with nursery on the Heol Don site which adjoins the Whitchurch High (Upper) School site.

7. Ysgol Melin Gruffydd to become a 2FE Welsh-medium Primary School with Nursery in permanent buildings on the current shared site.

#### Primary School Proposals- Option 2

8. To close Eglwys Newydd and Eglwys Wen Primary Schools and replace these with a new 2FE English-medium primary school with nursery on the Eglwys Newydd Primary School site. Ysgol Melin Gruffydd to become a 2FE Welsh-medium Primary School with Nursery in permanent buildings on the current shared site.

#### Primary School Proposals- Option 3

9. To close Eglwys Newydd and Eglwys Wen Primary Schools and replace these with a new 2FE English-medium primary school with nursery on the Eglwys Newydd Primary School site.
10. To build a new 2FE Welsh-medium primary school with nursery on the Heol Don site which adjoins the Whitchurch High (Upper) School site to be occupied by Ysgol Melin Gruffydd.
11. In consideration of further information and as part of the ongoing consultation process officers considered it necessary to seek views on a further modified option which had emerged during the process.

#### **Issues**

12. Public consultation on the first three options was held between 9 October 2009 and 18 December 2009. Parents, and others in the local community, together with staff and Governors of the affected schools were invited to respond to the consultation. Schools were also invited to arrange School Council meetings so that their views could be submitted.
13. The consultation process involved:-
  - distribution of a 'Consultation Document', outlining background, rationale and implications. This document has been distributed to all parents, staff and governors at the affected schools, local childcare providers, Heads and Chairs of Governors of nearby schools, all Members plus other stakeholders. The documents offered consultees the opportunity to comment on the proposals through;
  - a series of meetings at each school, for staff, governors and parents, at which the proposals were explained and questions answered;
  - meetings with School Councils where Council Officers were invited by a school;
  - public drop in sessions and exhibitions at Whitchurch Library and Llandaff North Library; and

- a consultation response slip for return by post or e-mail, attached to the consultation document.
14. Views expressed at Council organised meetings and on paper or electronically through the appropriate channels, have been recorded. In total, 19 meetings and 8 drop in sessions were held as part of the consultation to ensure a wide and proper process of engagement.
  15. Formal responses were received from the Governing Bodies of Whitchurch High School, Eglwys Newydd Primary School, Eglwys Wen Primary School and Ysgol Melin Gruffydd. Formal responses were also received from Whitchurch and Rhiwbina Ward members, Assembly Member Jonathan Morgan and Member of Parliament Julie Morgan.
  16. These responses are detailed along with the responses of other key stakeholders in Appendix 1.
  17. In total, 1020 individual responses were received. Copies of the responses are available for inspection and will be available at the EBM.
  18. Of these, 511 responses were against all three options. However, the majority of these expressed support for investment in Welsh-medium provision.
  19. 486 responses were content with any of the three options which was expressed as a desire for something to be done. The vast majority of these responses were expressions of support for Ysgol Melin Gruffydd and a desire to see improved facilities for the school.
  20. 23 responses gave support to a specific option (7 supported option 1; 10 supported option 2 and 6 supported option 3).
  21. A petition organised by Whitchurch Councillors received 2,141 signatures registering their objection to all 3 options.
  22. Additionally, 23 pieces of correspondence were received that did not include the sender's name and address or were unreadable and have therefore not been considered. Should the Executive require sight of these they have been retained and would be made available upon request.

### **Summary of responses to Options 1- 3:**

#### ***Opposition to the reduction in size of Whitchurch High School***

#### **Views Expressed**

23. Reducing the capacity of Whitchurch High School would dramatically reduce educational opportunities for the children of Whitchurch and the wider area. The proposal would impact on the diverse curriculum and out of school opportunities Whitchurch currently offers.

## **Appraisal Of Views Expressed**

24. Analysis of capacities as at January 2008 show that although Whitchurch High School had no surplus places, 247 pupils (13.7%) aged 11-16 were from outside its catchment area. Projections indicate that this trend, and thus the possible threat to other schools in other communities, is likely to increase if nothing is done. The proposals will ensure sufficient capacity is available to meet demand for English-medium secondary provision in the Whitchurch catchment area whilst retaining an appropriate amount of spare capacity. Other secondary schools in the Cardiff area, of a smaller size to Whitchurch, are able to provide a full and broad curriculum. Furthermore, reducing Whitchurch High School to 9FE (options 1-3) or 10FE (option 4) will still mean that Whitchurch High School is amongst the largest secondary schools in Wales, and will retain the capacity to deliver a wide and varied curriculum that responds to the needs of its pupils and their aspirations.

## ***Opposition to changing the organisation of English-medium schools in Whitchurch***

### **Views Expressed**

25. There is no educational rationale behind the proposals. Whitchurch schools are successful, effective schools, delivering an excellent standard of education. The proposals cannot guarantee that the 600 pupils denied a place at Whitchurch High School would receive the same or better educational opportunities. The Council should leave Whitchurch High School, Eglwys Newydd and Eglwys Wen as they are and invest in Ysgol Melin Gruffydd.
26. Strongly disagreed with the closure of two successful primary schools that provide an excellent standard of education and are much loved by the community. The proposals cannot guarantee that the new English-medium primary school would deliver same standard of education.
27. Expressed concern that the reduction of English-medium places under these proposals restricts the statutory right to parental choice

### **Appraisal of Views Expressed**

28. Because of the compact nature of Cardiff, each proposal around the city has an impact on neighbouring areas. As such, the educational rationale is concerned not only with those schools directly included in the proposals. The impact is on a wider family of schools. Neighbouring primary and secondary schools also provide a good standard of education. However, the viability of these schools is endangered by the out-flow of pupils from their catchments to other schools, including schools in Whitchurch. Therefore, the reduction of school capacities under the Whitchurch proposals are part of a Cardiff-wide strategy to establish all schools at an appropriate size so that they become sustainable and viable by serving the demand for places from within their catchment area. To achieve this aim proposals have already been put

forward for the Llanrumney/Rumney and Llanedeyrn/St Teilos areas of the city. Whitchurch is therefore not being treated any differently. The West of Cardiff will be addressed in the future.

29. There is no reason to believe that a new primary school, benefiting from considerable investment, should not be able to deliver standards of education of at least the same quality as the existing two schools.
30. There is no statutory right to parental choice. However parents do have a statutory right to express a preference for the school at which they wish their child to be educated.

### ***Opposition to the sale of school land***

#### **Views Expressed**

31. There was a strong view that school playing fields and open spaces should not be sold for commercial development. A pro forma response completed by 43 people expresses the opinion that “The sale of land is an immoral, short-term fund-raising opportunity that has an irreversible impact on the leisure environment”. Concerns were also raised about the impact of the loss of open space on community and children’s health.

#### **Appraisal of Views Expressed**

32. This was taken on board as it was expressed at every consultation meeting. Officers took the view that if this matter was so significant to the community, consideration should be given to an Option that did not require a significant sale of land. Option 4 was subsequently presented which removed the need to sell any school land in Whitchurch. However, option 4 requires a different configuration to the investment package in order to remove the dependence on land sales to fund the project.

### ***Concerns over the suitability of the Heol Don site***

33. Concerns that a school on the Heol Don site would exacerbate current traffic congestion which in turn would put pupils walking into school at risk.

#### **Appraisal of Views Expressed**

34. If a proposal is agreed, then the planning application would have to include more detail on how traffic issues would be addressed.

### ***Questions over the accuracy of the Council’s data***

#### **Views Expressed**

35. The Council’s projections do not take into account the projected increase in the birth rate. It is argued that there will be insufficient English-medium places in the future if any of these options are progressed.

## **Appraisal of Views Expressed**

36. The birth rate is in constant fluctuation. A rise or fall in the birth rate will not be uniform across Cardiff. The school age population in Whitchurch does not necessarily vary with the changing birth-rate for Cardiff as a whole. A significant factor in planning school places in Whitchurch is that families move into the Whitchurch area during their child's time in full time education. This is largely due to the value of properties in the area and the wider perception of Whitchurch as an attractive place to live. These considerations had been factored in by Officers prior to consultation, and were additionally influenced by further evidence during consultation.
37. Whenever data was disputed, an open invitation was presented to all who suggested that they had alternative data to that present by officers at the consultation, to provide their data for evaluation. No data was submitted which required a re-appraisal of the Council's data.
38. Of the views expressed at consultation meetings regarding the potential numbers of children progressing from primary to secondary in the Whitchurch area, these were predominantly predicated upon the previous model of 'feeder schools' which has not been used in Cardiff since 2001 when the model was superseded by a 'Catchment model'.

## **Views Expressed**

39. The current and projected out of catchment figures are based on out of date data. Recent data submitted by the Council to the Welsh Assembly present a different picture.

## **Appraisal of Views Expressed**

40. SOP proposals are planned on catchment projections and not the trend based figures recently submitted to WAG. The trend based figures presented at consultation meetings were valid at the time they were calculated and the methodology used to produce the figures has been scrutinised by the Audit Office, ESTYN and Cardiff Council's Scrutiny Committee and agreed to be appropriate for this purpose. Option 4 allows additional flexibility in terms of future proofing that reflects the very latest data on birth rates and positive cohort survival ratios.

## ***Concerns about the transition period***

## **Views Expressed**

41. Concerns were raised about the possibility of children spending the whole of their primary education in temporary accommodation under option 2 and the disruption this could cause. A new school on the Eglwys Newydd site would initially be unable to accommodate all of its pupils within the permanent accommodation. Arrangements would have to be made for additional temporary accommodation during the transition period.

## **Appraisal of Views Expressed**

42. One of the options will require demountables as a temporary arrangement to aid transition to a 2FE English-medium school. The anticipated time period before the removal of the last demountable could in fact have been six years. However, given that they would be reduced each year as the population of the school would stabilize at 2FE, rather than the current 3+FE, it would be most unlikely that any child would spend six years in demountable accommodation. The percentage of accommodation being classified as 'demountable' would be considerably less at all times than the current position for schools in Whitchurch. Option 4 was later presented to reduce the anxiety about use of demountable accommodation.
43. At present, the number of demountable units at the existing primary schools total 17 (double units counted as 2). However, following the full implementation of any one of the options, both schools should operate at a 2 form entry in permanent accommodation. The proposals therefore are seeking to reduce the need to use demountable classrooms.

### ***Views on Welsh-medium provision***

#### **Views Expressed**

44. The vast majority of responses, supported the need to address Welsh-medium provision and just under half of the responses asked for Welsh-medium issues to be addressed without further delay.
45. Just over half of the responses suggested that Welsh-medium provision should be considered as an issue in its own right. A number of respondents believed that the proposals were causing tensions by addressing Welsh-medium provision at the expense of successful English-medium primary schools.
46. A number of responses questioned the evidence for rising Welsh-medium demand

## **Appraisal of Views Expressed**

47. All four options address the issues recognised by respondents regarding the need for urgent solutions to Ysgol Melin Gruffydd's accommodation. Evidence was presented at consultation meetings showing the increase in demand over a period of years for places in Melin Gruffydd and the increase in demand for WM places by families within the catchment of Ysgol Melin Gruffydd.
48. The issues relating to surplus capacity in English-medium, the number of sites available for development and the lack of capacity in Welsh-medium are inextricably linked. It is inevitable that all these issues needed to be considered as a package for the resolution of issues in the Whitchurch area.

49. In recent years it has been necessary for additional temporary classrooms to be sited at Ysgol Melin Gruffydd in order for the Council to meet the demand for Welsh-medium education in the area. It has not been possible for these pupils to be admitted to other Welsh-medium schools in the surrounding area as these schools are also experiencing increases in demand for places and are fully subscribed for the 2009 Reception intake. The Council has had to admit 37 pupils above the Admission Number into Reception at Ysgol Melin Gruffydd between 2007 and 2009
50. If the demand for Welsh-medium education is not met, concerns could be raised around equality of access when compared to access to English-medium provision. Insufficient Welsh-medium places would mean some parents having to travel out of the area to access a Welsh-medium school. English-medium parents on the other hand would continue to be able to access a local English-medium school. We are therefore seeking to ensure that both sectors are treated equally in having sufficient capacity to meet local demand.

***Concerns over the future of the Playstation wrap-around care facility on the Eglwys Newydd Primary School site***

**Views Expressed**

51. As the proposals made no reference to the current pre-school and after school care on the Eglwys Newydd site, concern was expressed that the loss of such provision would have a serious and adverse effect on many families. It would be virtually impossible for working parents to find the same level of childcare in the immediate vicinity. The Playstation is a very successful facility that operates as a separate entity (not owned by the Council).

**Appraisal of Views Expressed**

52. Many schools in Cardiff operate, in partnership with the private or third sector, a range of after school activities. We would expect provision that is considered to be valuable by parents and Governing Bodies to survive a change of location if desired. Additionally, the population of the new English-medium school in the Whitchurch area would be greater than Eglwys Newydd Primary School as it currently stands, and for that reason, such provision might be able to cater for greater numbers of children in the new arrangement.

***Criticism of the consultation process***

**Views Expressed**

53. A number of responses were critical of the consultation process, suggesting late arrival of documentation, lack of publicity and range of consultation, selective and partial presentation of information, use of out-of-date information and an inadequate consultation response form.



## Appraisal of Views Expressed

54. The process was consistent with consultations undertaken for other school organisation proposals. The attendance at meetings (especially at primary phase) was very good. Key stakeholders, particularly those affected within the school community were well informed – both of the options proposed and the opportunities for engagement with the Council.
55. Information was presented based on the case being made, and a consistent presentation was made to all the schools most significantly affected by the proposals. Further information was presented in response to specific requests from consultees, and made available to schools and the wider public via the Council website.

## Option 4

56. Officers also sought views on a fourth modified option based on the feedback from consultation meetings, consideration of the issues raised regarding Options 1-3 above, and as part of the ongoing consultation process.
57. Details of this option are as follows:
  - Whitchurch High School to be reduced in size from 12 forms of entry (FE) to 11 FE from September 2012 and then to 10 FE from September 2015 with no further reduction proposed beyond this. No change of catchment area is proposed. An investment programme of £5.6m would result in the removal of poor quality/ demountable accommodation and refurbishment/adaptation of permanent school buildings. This does not involve any sale of land or increased sharing of land on the school's 2 sites.
  - Eglwys Wen and Eglwys Newydd Primary Schools to be closed and replaced with a new 2.5FE English-medium primary school with nursery on the site currently shared between Eglwys Wen and Ysgol Melin Gruffydd from September 2012, with no sale of land now proposed. An investment programme of £2.2m would result in refurbishment and adaptation/extension to the permanent buildings, without the need for any additional demountable classrooms during the transition period. Furthermore, all existing demountable classrooms would be removed on a phased basis until the proposal is fully implemented. It is proposed that the new school would serve the combined catchment areas of the two existing schools.
  - Ysgol Melin Gruffydd to transfer to the site currently occupied by Eglwys Newydd as a 2FE Welsh-medium school from September 2012. An investment programme of £4.9m would result in refurbishment and adaptation/extension to the permanent buildings including the provision of a nursery. All demountable/substandard buildings, including additional provision needed during the transition period, will be removed on completion of the building works.

## Comparison of options 1- 4

58. **Table 1 Comparison of options 1-4**

	Option 1	Option 2	Option 3	Option 4
Whitchurch High School	9FE	9FE	9FE	11FE and then 10FE
English-medium primary school	2FE Heol Don site	2FE Eglwys Newydd site	2FE Eglwys Newydd site	2.5FE Eglwys Wen/Ysgol Melin Gruffydd site
Welsh-medium primary school	2FE Eglwys Wen/Ysgol Melin Gruffydd site	2FE Eglwys Wen/Ysgol Melin Gruffydd site	2FE Heol Don site	2FE Eglwys Newydd site
School land made available for disposal	c.7.45 acres	c.5.5 acres	c.8.15 acres	None
Heol Don site	Retained	Available for disposal	Retained	Available for disposal

59. A comparison of the investment proposed for each option is outlined in the financial implications section of this report.
60. The consultation process relating to Option 4 involved distribution of a letter, outlining background and implications specific to this option. This was distributed to all parents, staff and governors at the affected schools, local childcare providers, Heads and Chairs of Governors of nearby schools, all Council Members, union representatives and all respondees that provided a written response Options 1-3 (with readable address details. In addition copies of the letter were distributed to both Llandaff North and Whitchurch libraries.
61. Formal responses were received from the Governing Bodies of Whitchurch High School, Eglwys Wen Primary School, Eglwys Newydd Primary School, Ysgol Melin Gruffydd Primary School and Llanishen Fach Primary School. Formal responses were also received from Whitchurch and Rhiwbina Ward members, Assembly Member Jonathan Morgan and Member for Parliament Julie Morgan. These responses along with those of other key stakeholders are detailed in Appendix 2.

62. In total 729 (of these 21 were not logged owing to incomplete or unreadable contact details) individual responses were received following the letter sent to stakeholders seeking their views on a fourth modified option.
63. Of the 708 responses registered 562 were objections.
64. Of the remaining 146 responses 144 expressed a conditional preference for option 4 over options 1, 2 or 3.
65. The remaining 2 responses expressed support for one or more of the original options.

#### **Summary of responses to option 4**

66. A significant majority respondents welcomed the fact that no land would be sold under Option 4.
67. However, the following views that were expressed in response to Options 1-3 also featured in response to Option 4:
  - Opposition to the reduction of Whitchurch High School
  - Opposition to changing the organisation of English-medium schools in Whitchurch
  - Questions over the accuracy of the Council's data
  - Concerns about the transition period
  - Differing views on how to address Welsh-medium education
  - Concerns over the future of the Playstation wrap-around care facility on the Eglwys Newydd Primary School site
  - Criticism of the consultation process
68. Concerns specific to option 4 were as follows:

- ***A significant number of responses felt there was insufficient information and time to consider the fourth modified option.***

It is acknowledged that a shorter period was given to the consideration of the fourth modified option. This Option however is a variation of Options 1-3 and seeks to resolve the same issues. The background information had been in the public domain for 3 months. The public were therefore able to consider the modified option with prior knowledge of the issues being addressed. Option 4 was made public on 9 February, and the closing date was 5 March, later revised to 12 March following discussions with local members and governing bodies. It is significant that 750 responses were received, which suggests a high level interest in

and response to Option 4. This does not support the view that there was insufficient information and time to consider the fourth modified option.

For the fourth modified option, in addition to the blanket method of publicising the proposal, officers were also able to write individually to those who corresponded on the first three options to invite their views of the modified option.

- ***Respondents expressed concern about the transition arrangements and the numbers of pupils potentially affected***

The majority of school organisation proposals involve a transition period. It is the Council's intention to keep the transition period as short as possible, causing the minimum of disruption, whilst securing investment in improved premises to benefit children's education. Officers accepted that Options 1-3 would entail an extended period of transition. Option 4 was presented in response to matters raised by consultees, and could be introduced in a far shorter time frame, causing less disruption to pupils' education.

Likewise the secondary proposal was adapted in option 4 to involve a smaller reduction, and that over a phased period in order to minimise possible disruption to the school.

- ***Believed that a 2.5 FE English- medium primary school would be too small and that a 3FE English-medium primary should be considered.***

All evidence available to the Council suggests that a 3FE would not assist with the removal of surplus places across the city. A 2.5 FE school in Whitchurch would provide sufficient spare capacity in Whitchurch itself for a potential future growth in the population, whilst additionally assisting with the removal of surplus places elsewhere in neighbouring areas.

- ***A number of respondents indicated that a reduction in the capacity of English-medium primary provision would be acceptable if the two existing schools were retained. This suggestion includes retaining Ysgol Melin Gruffydd on its existing site.***

The retention of two English-medium primary schools reduces the capital available for investment realised through prudential borrowing that would result from the reduction of the number of establishments. Furthermore when compared with options 1-4 it would be more difficult to provide properly for all children to be educated on the site currently shared by Ysgol Melin Gruffydd and Eglyws Wen Primary School. This results from the diseconomy of retaining two separate schools and thus the need to duplicate core

facilities such as staffrooms, libraries etc and also the larger pupil numbers on the site.

This proposal would result in English-medium primary schools of 1FE and 1.5FE respectively. This is educationally more challenging when compared to the opportunities offered by schools of 2/2.5FE. Moreover, such additional challenges are unnecessary given that one school of a larger size could readily serve such a compact geographical area.

- ***Concerned about the suitability of transferring Ysgol Melin Gruffydd as a 2FE school onto the Eglwys Newydd primary school site***

Eglwys Newydd Primary School currently attracts half of its pupils from outside its own catchment area. Increasingly, the pupils of Melin Gruffydd are attracted from within Whitchurch itself, and it is anticipated that this proportion will rise still further as the Welsh-medium school located in Gabalfa grows and its catchment area is determined.

The size of the Eglwys Newydd site would limit Ysgol Melin Gruffydd's ability to expand in the future, however, 2 FE is sufficient for Ysgol Melin Gruffydd in the wider context of Welsh-medium provision in Cardiff and in the light of the development at the Gabalfa Primary School site.

As the Welsh-medium school at the Gabalfa Primary School site grows to take up to 30 pupils a year this will relieve traffic congestion at Ysgol Melin Gruffydd as its catchment becomes more compact. If a proposal is agreed traffic issues would be addressed in more detail as part of any planning application. This would include exploration of opportunities to improve access.

- ***The current relationship between Whitchurch High School and Eglwys Newydd would be lost.***

There are excellent transition arrangements between primary and secondary schools regardless of whether they are located in close proximity to each other. If Option 4 were to be implemented, the new school would be within the same community as Whitchurch High School and it would be reasonable to expect that the staff at the new school would seek to ensure effective transition arrangements in the interests of the pupils concerned.

- ***Suggested that staff posts are ring-fenced to avoid the inappropriate use of public money on staff redundancies. Amalgamation instead of closure would guarantee the job security of staff, and voluntary redundancy with enhancement should be offered for those wishing to leave or retire. There would then be much greater job security for***

***teachers in a 2.5 form entry school rather than the previously planned 2 form entry school.***

Cardiff Council has developed an HR framework for School Organisation Planning in consultation with Trade Unions. The same procedures and principles are applied evenly and equally across the city.

Human resources strategies and action plans specific to each reorganisation proposal have been developed to support governing bodies and staff working in schools, with the ultimate aim of minimising compulsory redundancies. Each strategy and action plan will be further developed so that they meet the needs of individual schools.

The vast majority of schools have signed up to the Redeployment and Redundancy Policy and Procedure. This will maximise opportunities for school staff to secure employment in other schools in Cardiff, and in particular, in new schools which are established as a result of the agreed proposals. This is a good indication of the commitment across Cardiff schools to supporting each other through school reorganisation. Comprehensive guidance has also been developed to support the practical organisation, management and administration of the redeployment process.

Therefore, although the proposals for the schools could potentially have a significant effect on staff, the proposal to establish a new primary school and the anticipated vacancies in the Primary sector in Cardiff would provide potential opportunities for the redeployment of staff. Some staff would be able to access their retirement benefits should they so wish. If managed appropriately, this could further minimise the need for redeployment or potential redundancies. It also has to be noted that a reduction in staff numbers in schools across Cardiff is an inevitable consequence of falling pupil numbers in any event. Reorganising schools allows us to better manage this process rather than letting it happen in a haphazard manner.

- ***Under options 1-3 the proposals were to be partially funded through the sale of school land. Respondents questioned where this funding would come from now that all school land would be retained?***

The financial model has been adapted for Option 4 to enable the required investment to take place without the need to sell school land. The overall investment is reduced, however, the criteria for investment in the schools will still be met.

- ***Questioned the inequality of investment across the community and reduced investment for Whitchurch High School***

Investment has been allocated on the basis of what is required to deliver each option. Investment is worked out in relation to Building Bulletin guidance and standards, resolving issues around Disability Access and Priority 1 maintenance issues. In this case, the levels of investment needed to achieve these standards are greater for the Eglwys Newydd site than for the Ysgol Melin Gruffydd and Eglwys Wen Primary School Newydd site. The levels of investment therefore reflect the individual premises rather than the medium in which children are taught.

### **Reason for Recommendations**

69. To present to the Executive with a way forward for achieving a better match between the supply and demand for English-medium and Welsh-medium school places in the Whitchurch area.

### **Human Resource and Staffing Implications**

70. The new options for the proposals regarding Eglwys Newydd and Eglwys Wen Primary Schools will still entail the closure of both schools and such a proposal will have a significant effect on staff. The proposal to establish a new primary school will provide redeployment opportunities for staff affected by school organisation. The Staffing Regulations which used to prescribe that Headteacher and Deputy Headteacher posts must be subject to national advertisement have been changed to allow the governing body to ring fence the posts to the Headteachers and Deputy Headteachers from the schools affected, where they express a written interest. The aspirations of the Headteachers and Deputy Headteachers will be sought. Depending on their aspirations and the outcome of recruitment processes there is the potential for the redundancy of one or more of the Headteachers and Deputy Headteachers.
71. It is proposed that subject to the agreement of the temporary governing body established to oversee the opening of the new school, the recruitment process for other posts will be undertaken on a ring fenced basis, in the first instance to staff affected by Primary School closures. It is anticipated that vacancies in the Primary sector in Cardiff will also provide potential opportunities for the redeployment of staff from Eglwys Wen Primary School and Eglwys Newydd Primary School with the aim of avoiding compulsory redundancies. Some staff would be able to access their retirement benefits should they so wish and if managed appropriately, this could further minimise the need for redeployment or potential redundancies. Staff may choose to move on in the period leading up to closure and although this may coincide with any need to reduce staffing levels year on year, this may present recruitment needs for which temporary arrangements can be made.
72. The amended proposal to reduce Whitchurch High School from 12 to 11 then to 10 forms of entry would still have an impact on staff. However, any increase in pupil numbers in neighbouring schools could provide redeployment opportunities for staff affected by school organisation. It is

anticipated that a large number of staff would be able to access their retirement benefits should they so wish and if managed appropriately, this could minimise the need for redeployment or potential redundancies. If the proposal is agreed then based on the timescales for the reduction in forms of entry, officers will work with the school senior management to anticipate the curriculum and staffing needs and determine the level of staffing reductions required year on year.

73. The proposal to increase the size of Ysgol Melin Gruffydd will not significantly affect staff at that school other than in terms of enabling them to move into permanent buildings on the Eglwys Newydd site.
74. For school staff, details relating to Human Resource Management issues will be available in schools and from the Council's People and Organisational Development service.

### **Financial Implications**

75. This report brings forward the results of consultation on a number of options within the Whitchurch area, including the responses received to a modified option which emerged during the process. Table 2 below shows the costs and resources for the modified option, option 4, in comparison to the original 3 options.

<b>Table 2: Costs &amp; Resources for Whitchurch Proposals</b>		<b>ORIGINAL OPTIONS</b>			<b>MODIFIED OPTION</b>
		<b>Option 1 £M</b>	<b>Option 2 £M</b>	<b>Option 3 £M</b>	<b>Option 4 £M</b>
<b>Capital Investment</b>					
	Whitchurch High School	7.935	7.935	7.935	5.547
EM Primary	New 2 FE EM School on Heol Don Site	6.402			
	Alt/Extension to Eglwys Newydd 2FE		4.775	4.435	
	Alt/Extension to Eglwys Wen 2.5FE				2.164
WM Primary	Alt/Extension to Melyn Gruffydd 2FE	0.971	0.971		
	New 2 FE WM on Heol Don Site			6.402	
	Alt/Extension to Eglwys Newydd 2FE				4.775
	Other Associated Works	0.414	0.114	0.577	0.195
<b>Total Capital Investment</b>		<b>15.722</b>	<b>13.795</b>	<b>19.349</b>	<b>12.681</b>
	Organisational Restructure Costs	1.000	1.000	1.000	0.600
<b>TOTAL COSTS</b>		<b>16.722</b>	<b>14.795</b>	<b>20.349</b>	<b>13.281</b>



<b>Scheme Specific Resources</b>	7.705	5.655	8.055	2.555
<b>General Resources</b>	9.017	9.140	12.294	10.726
<b>TOTAL RESOURCES</b>	<b>16.722</b>	<b>14.795</b>	<b>20.349</b>	<b>13.281</b>

76. It should be noted that whilst the modified option 4 has the lowest total cost of £13.281M, the requirement from general resources is still £10.726M as a result of a reduced level of scheme specific resources identified for this option.

77. The general resource requirement can be identified from the consolidated financial model, but we must be mindful, as proposals are being dealt with on an incremental basis, of the overall financial exposure of the consolidated financial model which is subject to the risks detailed below

78. The financial model for these proposals, as detailed in Table 2, is made up of the following: Capital Investment, based on Initial Development Appraisals (IDA's) with an allowance for a 10% contingency sum, and adjusted for estimated construction cost inflation; Organisational Restructure Costs to allow for the additional revenue costs associated with the restructure; Capital Receipts from the disposal of sites; Revenue Release Savings identified as a result of reducing the number of primary schools from 3 to 2. Further detail is contained within the original report to the Executive Business Meeting dated 2 July 2009.

79. Financial Risks

A number of financial risks are attached to these SOP proposals which will need to be regularly monitored and mitigation steps taken wherever possible. Key general risks include:

- changing scope of work following the design process;
- the management of cost over-runs and building inflation exceeding contingency levels;
- potential for underachievement of capital receipt values;
- potential for revenue costs of closing schools and opening others to be higher than estimated;
- potential for the underachievement of revenue savings;
- the cash flow impact in the timing of expenditure and income;
- the additional risks attached to taking an incremental approach to the implementation of the schools organisational proposals.

**Legal Implications**

80. Where a Local Education Authority (LEA) proposes to establish a new community school, or to make any prescribed alteration to an existing community school (such as a transfer to a new site), the LEA must publish its proposals in a statutory notice. The proposals must contain such information, and be published in such manner, as may be

prescribed by section 28(3) of the School Standards and Framework Act 1998.

81. The proposals may, if the LEA thinks fit, specify an age below 10 years and six months and an age above 12 years, and provide that the school to which the proposals relate is to be a school providing full-time education suitable to the requirements of pupils whose ages are between the ages so specified. Before publishing any such proposals, the LEA must consult such persons as appears to it or them to be appropriate; and in discharging this duty the LEA must have regard to any guidance given from time to time.
82. The LEA must send a copy of the published proposals, and such information in connection with those proposals as may be prescribed, to the National Assembly for Wales.
83. Similarly where an LEA proposes to close a community school, the LEA must publish its proposals in a statutory notice. The proposals must comply with the requirements of Section 29(3) of the School Standards and Framework Act 1998. Before publishing any such proposals the LEA must consult such persons as appear to it to be appropriate; and in discharging this duty the LEA must have regard to any guidance given from time to time.
84. The LEA must send a copy of the published proposals, and such information in connection with those proposals as may be prescribed, to the National Assembly for Wales. The published notices would allow a period of two months from the date of publication of the notice, for formal objections to the proposals. If there are no formal, written objections the Council would confirm its decision to proceed unless the Welsh Assembly Government indicated to the Council that it wished to determine the proposal. If there are objections, the Council would address the objections to the Assembly and the Welsh Assembly Government would take the final decision.
85. Some basic requirements of the consultation process are essential if it is to have a sensible content.
  1. The consultation must be at a time when the proposals are still at a formative stage, ie before the mind of the Executive becomes unduly fixed.
  2. Sufficient reasons must be given concerning any proposal so that intelligent consideration and responses is permitted.
  3. Adequate time must be given to for consideration and response.
  4. Proper regard must be had to the outcome of the subject of consultation before making a final decision about the proposals.

86. Failure to comply with the duty to consult – or to consult in a proper manner - may be held by the Courts to render an action or decision ultra vires and void.

***Consultation should not be a referendum.***

87. There is a difference between consulting in circumstances where there is an explicit statutory right to be consulted and where there is a 'legitimate expectation' of consultation. The duty of the LEA to consult appropriate persons under section 28 of the School Standards and Framework Act 1998 for the establishment and alteration of schools does not give parents a statutory right to be consulted. However, in the interests of fairness, it does give rise to a legitimate expectation that they will be given a fair opportunity to constructively criticise the proposal and express their own preferences about it. It should also be noted that a failure to consult in the case of a 'legitimate expectation' could be cured in the Welsh Assembly Government's later decision making process. [R v Gwent County Council ex p Bryant [1988]]

***The legal implications as they relate to the current proposals:***

88. The consultation process in relation to the original three options has been carried out.
89. The feedback from this exercise included a number of alternative suggestions and also the expression of a number of concerns. In consideration of this further information and as part of the ongoing consultation process views were sought on a further modified option (option 4). These views have been considered and summarised in conjunction with the responses on the original proposals as part of this report so that the Executive can fulfil its responsibility of considering all options and responses before coming to a final decision on the proposal which will be the subject of a statutory notice.

***Relevant Considerations***

90. Where the Local Authority exercises its powers for proper purposes it must take into account relevant considerations and must not take into account irrelevant considerations. If the Local Authority fails in this duty it could face a legal action in Judicial Review. The courts will identify the relevant considerations germane to the exercise of a statutory power, and will quash such exercise if those considerations are ignored or if irrelevant considerations are taken into account.
91. What is or is not a relevant consideration in any case will depend on the statutory context. The Local Authority must have regard to matters material to its statutory obligation not to act in a way which is incompatible with human rights. The financial cost implications of the Local Authority's action or proposed action will be relevant. The courts will also require the Local Authority to have regard to an implied fiduciary duty owed to rate payers in respect of the funds at the Local Authority's disposal.

92. Fairness to persons (rate payers) affected by a proposal will be a relevant consideration to be taken into account. The weight to be given to a relevant consideration is a matter for the Local Authority, however the Local Authority is always open to legal challenge by way of Judicial Review if the Local Authority has acted unreasonably.
93. All of the above must be taken into account when determining which of the options is preferred.

## **Conclusion**

94. Officers have considered the consultation responses and recommend that the Executive agree to proceed with Option 4. This option achieves the original objectives set by the Council, keeps all existing school land in use for school purposes, facilitates a smooth transition to new arrangements, allows for flexibility to respond to any future growth in pupil numbers and delivers a level of capital investment proportionate to the scale of the re-organisation now proposed.

## **RECOMMENDATIONS**

The Executive is recommended to approve the publication of a statutory notice to:

- (1) Reduce the size of Whitchurch High School in size from 12 forms of entry (FE) to 10 forms of entry (FE) from September 2015 with a first phase of implementation to 11 FE from September 2012.
- (2) close Eglwys Wen and Eglwys Newydd Primary Schools and replace these schools with a new 2.5FE English-medium primary school with nursery by investment in the premises currently shared between Eglwys Wen and Ysgol Melin Gruffydd, from September 2012
- (3) transfer Ysgol Melin Gruffydd Primary School into the premises currently occupied by Eglwys Newydd, with investment, as a 2FE Welsh-medium school, with nursery, from September 2012.

## **NEELAM BHARDWAJA**

Corporate Director  
30 March 2010

*The following appendices are attached*

- Appendix 1- Formal Response to Options 1 – 3
- Appendix 2 - Formal Response to modified Fourth modified option

### **Formal Response to Options 1 - 3**

1020 responses were received. The breakdown of these is as detailed in paragraphs 10 -17 of the report.

Outlined below are the main points contained in responses from key stakeholders either elected to represent the Whitchurch community, schools in the area or specific interest groups.

The points raised in these responses reflect the main points raised in all of the consultation responses received.

Formal responses were received from:

The Whitchurch High School Governing Body  
The Whitchurch High School, School Council  
The Eglwys Newydd Primary School Governing Body  
The Eglwys Wen Primary School Governing Body  
The Eglwys Wen School Council  
The Ysgol Melin Gruffydd Governing Body  
The Ysgol Melin Gruffydd School Council  
Save Eglwys Newydd Action Group  
Playstation  
Julie Morgan (MP)  
Jonathan Morgan (AM)  
Cllr Mike Jones-Pritchard  
Cllr Linda Morgan  
Cllr Brian Griffiths  
Rhiwbina Ward Members  
LLAIS  
RhAG  
FIT Cymru  
Sports Council for Wales

### **The Whitchurch High School Governing Body**

#### The Reduction of Whitchurch High School

The school recently received an excellent Estyn Inspection report. All three options would condemn a successful school to a shrinking revenue budget which would affect standards, morale of staff, pupils, parents and the wider community.

The proposals impair the choices of pupils remaining at the school as current curricular and extra curricular options could not be maintained.

The proposals cannot guarantee that the 600 pupils denied a place at Whitchurch would receive the same or better educational opportunities.

No updated school improvement, inspection or expected educational outcomes have been considered in either the primary or secondary sector when considering the school organisational proposals for Whitchurch.

### Sale of land

The proposals would see the loss of school playing fields in an area already without sufficient green spaces. The fields are used extensively by the community. There is no other facility in the area to meet this level of demand. The loss would have an impact on the number of games lessons the school could deliver.

### Pupil Data

The Council's projections do not take into account the massive growth in population that is due to occur until mid 2031 (National Statistics Office in Autumn 2008). The Governing Body are convinced of the need for a 12FE Whitchurch High School.

The Council's policy of Local Schools for Local Children is not applied consistently and is not backed up with evidence of educational improvement. Schools that have large numbers of surplus places and out of catchment pupils are ignored yet the authority is seeking to reduce successful, popular, achieving schools. Whitchurch High School has one of the lowest out of catchment rates across the County.

Less than 10% of the pupils at Eglwys Newydd and Eglwys Wen Primary Schools are outside of the Whitchurch catchment area. The Council has skewed figures by stating that those attending Eglwys Newydd and living in the Eglwys Wen catchment area are out of catchment, and vice versa. In an urban setting the nearest school can often not be the catchment school. Also, all these pupils are from within the Whitchurch catchment area.

The Council has consulted on out of date pupil projection figures (January 2008) when it had supplied the Welsh Assembly with more recent data. The most recent data (July 2009) held by the Welsh Assembly Government shows a continued need for two English medium schools. A reduced size primary would result in the additional pupils being sited in temporary accommodation.

The Governing Body's figures show that the projected numbers in the Whitchurch High School feeder primary schools require the school to remain at 12FE. As a Year Group moves through primary schools in the area, the numbers increase as families move into Whitchurch. The projections for 2014 will therefore increase year on year.

The Council uses the Cohort Survival Methodology that reduces the number of pupils coming into Whitchurch High School from the primary schools by 10% - ignoring primary schools information regarding families moving into the area. The Council has admitted that individual school projections become less accurate the further in the future they project. The Governing Body would suggest that schools are in a better place to project their pupil numbers.

## Welsh-Medium Provision

The Governing Body supports the need for quality accommodation at Ysgol Melin Gruffydd but not at the expense of English medium schools in the area, or the loss of land and facilities in Whitchurch.

### **The Whitchurch High School, School Council**

The School Council expressed concerns regarding a reduced income for the school, a reduction in the number of staff, fewer subject choices being available for pupils. They were also concerned that catchment children would be unable to get a place at the school and where non-catchment children would go.

### **The Eglwys Newydd Primary School Governing Body**

#### Educational rationale

The Governing body believe that the consultation has been focussed on numbers and not education provision. There is no express reference to educational benefits for EM educational provision. Instead the reasons stated for the proposals are better matching supply with local catchment demand and improving facilities available in local schools.

Given the lack of rigour in how the LEA's case has been presented it seems the Council's imperative is to be seen to be doing something. The Council is reacting to criticism in the past on lack of progress made with school reorganisation and is trying to meet the policy imperative of addressing WM provision, without proper concentration on proposal development.

#### Closure of two successful primary schools

Eglwys Newydd, Eglwys Wen and Whitchurch High School as well as being local schools for local children, are popular and effective schools.

The Governing Body is unable to see how the proposals will benefit EM educational provision in Whitchurch. Implementation will adversely affect provision.

The closure or reduction in size of popular and effective schools does not make educational sense upon serious analysis. There is no guarantee that new EM primary school will replicate current standards. In the transition period of six years when the school will at one point have 630 learners (when designed for 420) there must be concern about how current standards will be maintained.

#### Sale of land

The Governing Body find it unacceptable that each proposal contemplates the sale of a substantial amount of land to finance change. This would impact on the current ability of schools to deliver inclusive sport and recreation programmes. There is a increased risk of flooding, the Whitchurch area already has a deficit of open space and the disposal of land has the potential to adversely affect the health and well-being of the community. This is not

consistent with WAG policies such as Health Challenge Wales or Climbing Higher.

### Pupil Data

The Governing body believe that the LEA's confidence in the robustness of its data is misplaced when looking at the projected population growth in Cardiff until 2031. The LEA admits that the accuracy of projections at the level of an individual school can never be 100% accurate.

The LEA projections do not take into account new residential development in the Whitchurch area. WAG guidelines require that there should be some surplus capacity. How will this surplus be secured?

The LEA asserts that 41.1% of pupils at the school are from out of catchment and this poses a 'possible threat to the viability of (other) schools'. No evidence is presented to sustain such a claim.

No evidence has been presented to tie in the 'northward drift' of learners with those attending Eglwys Newydd.

Based on the LEA's own figures, only 8% of learners attending Eglwys Newydd and Eglwys Wen live outside of the Whitchurch High School catchment. If the compact and local nature of Whitchurch is taken into account, with the often illogicality of catchment demarcation, it is unsustainable to justify the need to reduce English-medium primary places because of out of catchment attendance.

The very nature of the exercise of parental choice means that learners will attend schools out of catchment. Both primary schools have similar profiles to other schools across Cardiff for the number of pupils who attend from out of catchment.

Reducing the number of English-medium places at primary and secondary level will restrict parental choice (the exercise of a statutory right). This could potentially introduce selection as competition for places could see people unable to move into the catchment area due to lack of means. This also has potential to undermine the genuine comprehensive nature of current EM educational provision in Whitchurch.

There is no discussion about what is meant by local schools for local children and it seems to have a different meaning depending on whether Eglwys Newydd/Eglwys Wen or Ysgol Melin Gruffydd is being considered.

The LEA's own figures state that Ysgol Melin Gruffydd has 28% from outside its catchment yet this is not mentioned in the consultation document. This is an example of selective presentation of the LEA's case.

The Governing Body is unable to see how the proposals will address the problem of surplus places found elsewhere in Cardiff.

The LEA acknowledges that the combined level of surplus places at Eglwys Newydd and Eglwys Wen is fairly low. The level of spare capacity is



insignificant when compared with available figures for other schools in Cardiff. Furthermore, policy guidance provides for an element of spare capacity to allow for fluctuations in learner numbers.

Demand for WM has been identified on the basis of trend based data. No evidence has been presented from any survey to establish actual need. Wales Audit Office on the LEA's methodology, '*Current techniques have had limited success in predicting the rapidly increasing demand for Welsh-medium education...*'

Demand can of course stabilise or decrease as well as increase.

### Welsh-medium provision

Whilst the Governing Body support the need for investment in Welsh-medium education this should be dealt with separately. Improving WM educational provision should not be at the expense of harming successful EM schools.

### Transition period

The temporary arrangements for six years during the transition period has the potential for learners to be accommodated away from their peers and the main school building. Learners face possibly the whole of their primary school life in an overcrowded school disrupted by ongoing building and demolition.

### Consultation

The Governing Body have concern with a number of aspects concerning the LEA consultation including, late arrival of documentation, selective and partial presentation of information, use of out-of-date information, an inadequate consultation response form, lack of publicity and range of consultation.

Furthermore, the Playstation breakfast and after school club that provides wrap around care was not involved by the LEA in the consultation process. The latest inspection highlighted that the club provides "a stimulating, caring environment for the children attending". At worst the proposals could mean the closure of the business and staff redundancies.

### Alternative options

- Establish a permanent Welsh-medium school at Gabalfa – this would allow Ysgol Melin Gruffydd to remain at its current size.
- Redevelop Eglwys Wen and Ysgol Melin Gruffydd on their current site.
- A new-build school for either Eglwys Wen or Ysgol Melin Gruffydd on the Heol Don site. The costings for the Whitchurch proposals indicate that between £9 million and £12 million would come from general resources.
- Leave Eglwys Newydd, Eglwys Wen and Whitchurch High School to continue to be the deliverers of English-medium educational excellence. Invest in them as well.

## **The Eglwys Wen Primary School Governing Body**

### Educational rationale

The Governing Body believe that the authority has failed to take into account the current standard of education available at the local primary schools in Whitchurch and the possible detrimental educational outcome of these proposals.

### Sale of land

The Governing body totally oppose any proposal that would result in the loss of school playing fields. There is already a lack of green space and the Council would be very short sighted in bringing forward such proposals when significant population increase is projected by the National Statistics Office.

The playing fields at the primary schools are used extensively by the community. There is no other local provision which could meet this level of demand. Cardiff Council's proposals would have a detrimental impact upon the community.

### Pupil Data

The authority consulted on out of date projection figures (January 2008). The most recent pupil projection figures (July 2009) show a continued need for both Eglwys Wen and Eglwys Newydd. Replacing the two existing schools with a single two form entry school would result in a lot of pupils having to be sited in temporary accommodation – an unacceptable situation.

The Council's policy of Local Schools for Local Children is not applied consistently and is not backed up with evidence of educational improvement. Schools that have large numbers of surplus places and out of catchment pupils are ignored yet the authority is seeking to reduce successful, popular, achieving schools. Whitchurch High has one of the lowest out of catchment rates across the County.

Less than 10% of the pupils at Eglwys Newydd and Eglwys Wen Primary Schools are outside of the Whitchurch catchment area. The Council has skewed figures by stating that those attending Eglwys Newydd and living in the Eglwys Wen catchment area are out of catchment, and vice versa. In an urban setting the nearest school can often not be the catchment school. Also, all these pupils are from within the Whitchurch catchment area.

The Council uses the Cohort Survival Methodology that reduces the number of pupils coming into Whitchurch High from the primary schools by 10% - ignoring what primary schools tell us about families moving into the area.

The Council's projections do not take into account the massive growth in population that is due to occur until mid 2031 (National Statistics Office in Autumn 2008).

### Welsh medium provision

The Governing Body fully support the need for Welsh medium education, however this should not be at the expense of the English medium schools in the area, or involve the loss of land and facilities in Whitchurch.

The Authority has not measured parental demand for Welsh medium education and the growth in Welsh medium provision is reactionary rather than strategic. If parents demand Welsh medium education then it is created whether or not there is sufficient demand to maintain and sustain the provision (e.g. the Welsh starter class in Gabalfa Primary with only 6 pupils).

### **The Eglwys Wen School Council**

The School Council does not want “*our fantastic school*” to close. The school has just been awarded the ICT Mark, has three green Eco flags and are going for a fourth, a Healthy Schools Award, the Silver Cardiff Arts Mark and is an an ‘Investors in People’ school.

The School Council like the idea of a brand new English medium school but it would need to be big enough for all the children in the area.

### **Save Eglwys Newydd Action Group (SENAG)**

#### Educational rationale

Eglwys Newydd Primary School is an extremely effective, successful and happy community school. The last Estyn Inspection Report clearly substantiates this.

There is no guarantee of an equally successful school and an equally excellent education for children at the proposed new school.

According to Welsh Assembly Government guidance, one of the key considerations in school organisation proposals is ‘the effect in the standard of education to be provided in the area’. The sole benefit quoted for English medium education is ‘greater stability for school in other areas of the city’. SENAG believe this reasoning is unacceptable and appears to contravene WAG guidelines.

Under option 1 and 3 a new primary school would be located at the Heol Don site. It is unacceptable to have children aged 4 sharing facilities with children aged 16 plus.

The SENAG believe that the negative effect of years of disruption, a reduced curriculum at Whitchurch High School and the loss of sports pitches would damage the education of thousands of children.

#### Reduction of Whitchurch High School

All proposals involve the reduction in size of Whitchurch High School. Why have alternative options not been considered? Elsewhere in the city, high schools have expanded their catchment areas to include pupils previously out of

catchment. Any change to Whitchurch High School will effect Cathays High and vice versa. The question remains as to why Cathays High is yet to be included in any school reorganisation plan.

### Sale of land

The sale of school land is unacceptable to parents and the community as a whole. Whitchurch already suffers from a lack of recreational space.

Whitchurch High School currently has fewer playing fields per pupil than any other High School in Cardiff. These resources are currently used by over 31 school-based and community groups and teams outside of school hours, at weekends and during the evenings. Many international sporting stars “cut their teeth” at Eglwys Newydd and then Whitchurch High School.

The SENAG believe the proposals contradict policies such as “Climbing Higher” and the Healthy Schools Programme.

The SENAG objects to the loss of playing fields as there is a deficit of open space in Whitchurch, it would be a loss to the community, the community would lose areas of floodplain and the drainage system is at its optimum level. It is highly likely that the capital receipt estimated by the council will not be realised, at least in the short term. This will have an adverse impact on the amount of proposed investment.

### Pupil Data

The birth rate is set to increase. Some analysts argue that the surplus school places will be taken up by the rising population and that this is part of the natural rise and fall in population trends. If Cardiff Council reduce the number of places in Whitchurch, it is likely that there will be a shortage of places in the not too distant future.

The number of surplus places in Whitchurch is insignificant when compared to other areas of Cardiff.

There are no surplus places at Whitchurch High School and less than 10% at Eglwys Newydd and Eglwys Wen Primary Schools. Figures are well within the figures recommended by the Welsh Assembly Government to allow for fluctuations in pupil numbers, and in line with Council targets of 10%.

The Council acknowledges that Whitchurch has few surplus places but claims that there are significant out of catchment children attending Whitchurch schools. The governors of all three English medium schools dispute this. The figures do not take account of Whitchurch children attending other schools. The Whitchurch High School out of catchment figures include almost the entire SEN unit, therefore distorting the figures.

The Whitchurch High School Governing Body predict that a 12 form entry school is needed to accommodate local children and have proved this to be the case until at least 2014 via figures provided by local feeder schools.

Whitchurch High School has a less severe problem than other High Schools. Furthermore, Ysgol Melin Gruffydd has over 28% from outside its Welsh catchment area, yet it is not mentioned in the consultation document, giving a rather one sided picture. To exclude out of catchment children from selected schools only is a clear case of discrimination.

Catchment areas appear to have been adopted as a definition of 'local'. This is not strictly true as children who live physically closer to Eglwys Newydd are in the Coryton Primary catchment area. It is nonsensical to exclude a child living in Whitchurch from their closest Whitchurch school.

#### Welsh-medium provision

The SENAG whilst supporting the need for improved Welsh medium accommodation, argue that this should not be at the expense of successful English medium schools.

The council has presented no evidence of the rise in demand and is relying solely on trend information. It is known that recent trend information has been skewed by the threat to English medium schools in the area. The council is artificially increasing demand for Welsh medium education through the perception that Welsh medium schools will have more investment. Demand for Welsh medium education will no doubt increase in the short term as the proposed English medium school with temporary accommodation will be such an unattractive prospect for parents.

#### Childcare/Wraparound

There has been no consideration given to pre-school and after school care as there is no mention of this in the proposals. The Playstation which provides after school care is a very successful facility that operates as a separate entity on the Eglwys Newydd site. Should this provision be lost, it will have a serious and adverse effect on many families. It would be virtually impossible for working parents to find the same level of childcare in the immediate vicinity.

#### Transition period

The Council expect temporary arrangements to be in place for six years in the proposed new English medium primary school. This is both impractical and unacceptable. There will be overcrowding, years of disruption and children could be split from their peers and their siblings, causing unnecessary stress.

#### Parental choice

The council has not provided reassurances that the 600 children denied a place at the reduced 9FE Whitchurch High School would enjoy better, or at least a similar standard of education elsewhere in the city. The council will be effectively forcing children into schools where educational opportunities would not be the same.

If proposals are implemented, the council will be restricting parental choice within the English-medium sector in Whitchurch at both Primary and Secondary

levels. The proposals appear to increase the Welsh-medium provision within Whitchurch to serve other catchment areas. If this is the case, then English medium pupils are being discriminated against. This Right (parental choice) is enshrined by statute, yet it is being selectively denied in one area of the city: it is unjust and undemocratic.

Those pupils attending Whitchurch High School were portrayed to be the enemies of “local schools for local children”. There are numerous reasons for children to be attending schools other than their catchment one – childcare issues, proximity to parental work place etc. There is also the reason that parents have chosen Whitchurch High School as the best option for their child’s education.

### Traffic congestion

Combining two English medium schools will increase traffic congestion.

### Consultation

The Eglwys Newydd Governing Body expressed concern regarding a number of aspects concerning the LEA consultation including, late arrival of documentation, lack of publicity, selective consultation, poor translation at the Ysgol Melin Gruffydd meeting and misleading information (as explained earlier in this response).

### Alternative options

- Use Council general resources to improve accommodation at Ysgol Melin Gruffydd and solve Welsh-medium issues in the short term.
- Open a Welsh-medium school at Gbalfa to take demand from Gabalfa and Llandaff North, thus reducing the pressure on Ysgol Melin Gruffydd.
- Utilise the vacant Hawthorn Junior School site for a Welsh-medium school.
- Close Cathays High and re-distribute catchment area.

### **The Ysgol Melin Gruffydd Governing Body**

The Ysgol Melin Gruffydd Governing Body wish to register the continuing frustration felt by many members of the governing body at the delay in addressing school reorganisation in Whitchurch.

Ysgol Melin Gruffydd is not fit for purpose and needs significant capital investment in order to deliver the curriculum effectively. The majority of pupils are accommodated in demountable buildings.. Any further delay would be against the best interests of pupils and staff.

The proposed provision of £900,000 in order to upgrade Melin Gruffydd is not adequate or acceptable to parents, as it will not address the pressing challenges this antiquated site produces.

The Governing Body call for the LEA to consider the situation in Whitchurch in the light of the consultation process and allocate the new build (2FE) school in Whitchurch to Ysgol Melin Gruffydd on the current site. It does not make sense to have a Welsh-medium school, that feeds Ysgol Gymraeg Glantaf, built on the Whitchurch High School playing fields.

The Governing Body oppose the selling of school fields for building purposes.

Ysgol Melin Gruffydd was recently inspected and awarded the highest possible grade in all seven key questions. The popularity of the school and the demand for Welsh-medium education in Cardiff will continue to increase. The Council must act immediately to respond to this growth.

### **The Ysgol Melin Gruffydd School Council**

The children would like the school to remain on their current site as it is well located for providing Welsh-medium education. They would like all of the porta-cabins to be removed and to have a new garden and climbing frame built for Foundation Phase. They would like a new school to be built for Eglwys Newydd and Eglwys Wen on the Heol Don site.

### **Playstation (after school club based at Eglwys Newydd School)**

The Playstation club is a well established provider of wrap around care and has been operating as an independent viable business since 2001, employing 8 staff.

The Playstation club has not been considered in any of the proposals.

The club as a business must be considered as part of any proposals.

### **Julie Morgan ( MP for Cardiff North)**

#### Educational rationale

The proposals will not improve or maintain the quality of children's education in the area.

The uncertainty and disruption of these proposals will clearly have a negative impact on the education of the children as it has had a negative impact on the relationships between Welsh and English speaking families.

The linking of the Welsh language school's need for better accommodation to the general issue of surplus places has been potentially very divisive.

The proposals will limit parental choice which is a statutory right.

#### Reduction of Whitchurch High School

No obvious need to reduce the present numbers at Whitchurch High School.

There is no justification for reducing school places in Whitchurch in order to fill spaces in other areas of the city.

### Sale of land

The sale of the school land and playing fields to developers is completely wrong. Open spaces should be preserved for healthy use by children.

### The closure of two successful primary schools

Eglwys Wen and Eglwys Newydd are both happy, thriving schools with strong identities and are successful. The proposed new English-medium primary would not be big enough and would provide fewer places than the projected pupil numbers in the area. New housing development on the land proposed for sale will mean more school places being required.

### Traffic

Whitchurch has significant traffic problems, especially around the Heol Don site. Putting a school there or building houses will cause further difficulties and it is very dangerous.

It is quite some distance for the children at Eglwys Newydd to travel, especially as efforts are being made to encourage children to walk to school.

### Welsh-medium provision

Ysgol Melin Gruffydd is in need of investment however this should be addressed separately from the two English language schools.

### Alternative Option

- Look at the less successful schools and invest in them to help them to a better standard before looking at altering the Whitchurch Schools.

## **Jonathan Morgan AM**

### Educational rationale

This exercise has been based on figures and a rationale equally flawed and reliant on the problem of surplus capacity elsewhere in the city. At no point has the Council made a case for how this reorganisation will improve educational standards.

### The reduction of Whitchurch High School

The proposals would have a substantial negative impact on schools that are well subscribed, supported and produce a standard of education which should be the model to aspire to. A reduction in what the school could offer is contrary to Circular 021/2009 which outlines the factors to be taken into account by Welsh Ministers in deciding school organisation.



### Sale of land

Whitchurch already has a deficit of open space and the disposal of land is contrary to the promotion of policies such as Health Challenge Wales and Climbing Higher.

### Pupil Data

The accuracy of the Council's figures when looking at birth rates should be called into question. The birth rate is set to rise 5% every 5 years at least until 2031. The Council's own projections do not take account of new residential development in Whitchurch especially on the land proposed for sale to fund the change in Whitchurch.

The consultation document was published in the knowledge that the 2008 projection data did not match the 2009 data which projects more pupils the further into the future the projection. This could become more pronounced considering the trend of the birth rate. An audit by the Welsh Audit Office in 2006 found that "*projected pupil numbers for individual schools are... less accurate than those for the City as a whole*".

The proposed reduction in intake at Whitchurch High School to 9FE is not supported by the Council's own data.

There are no surplus places at Whitchurch High and less than 10% at Eglwys Newydd and Eglwys Wen. Whilst there are some outside of the catchment area this is in keeping with the Council and Welsh Assembly Government policy of parental preference. Circular 021/2009 states that significant levels of surplus would be defined as 25% or more of a school's capacity.

Even with reduced capacity, families from outside will still have an entitlement through parental preferences to apply for their children to attend Whitchurch schools.

### Welsh-medium provision

There is a need to increase the supply of WM places but the question is whether this should happen as a result of losing capacity within the EM sector.

## **Cllr Mike Jones-Pritchard**

### Sale of land

The proposals to sell off school land are completely unsustainable.

### Pupil Data

A premise of the proposed alterations is that Whitchurch High has too many pupils from outside of catchment but the percentage is less than, or in the same region as, Llanishen High and Cardiff High, yet there are no proposals to reduce the capacity of those schools. Other high schools, such as Cathays High

School, have very much lower levels in catchment percentage, some less than 40%.

#### Welsh-medium provision

Ysgol Melin Gruffydd needs appropriate accommodation. The proposals would not solve these problems and could result in the reduction of education achievement – contrary to the Strategic Framework aims.

#### Alternative option

- Combine two other high schools into a new facility, catering for both academic and vocational teaching (along the lines proposed for the East of the city).
- Primary provision to remain as at present however an appropriate alternative would be to retain all three schools on their existing sites but Eglwys Wen/Melin Gruffydd rebuilt and/or refurbished to serve a one form entry English-medium school and two form entry Welsh-medium school on the same site.

### **Councillor Linda Morgan**

#### Educational rationale

The proposal does not benefit education and has divided the community.

The uncertainty and disruption of these proposals will clearly have negative impact on the education of the children as it has had a negative impact on the relationships between Welsh and English speaking families.

The proposals will limit parental choice which is a statutory right.

There is no real justification to reduce places in Whitchurch in order to fill spaces in other areas of the city. Less successful schools should be invested in, in order to help them to a better standard before looking at altering the Whitchurch schools.

#### Sale of land

The sale of the school land and playing fields to developers is completely wrong.

Open spaces should be preserved for the healthy enjoyment of children and the proposal to sell off the playing fields in Whitchurch High is also not acceptable.

#### Pupil Data

The proposed new English medium primary school would not be big enough and would provide fewer places than the projected pupil numbers in the area. The current plans to sell off the surplus land and playing fields will increase the

number of houses in the area and many of those children would require English medium schools.

### Welsh-Medium Provision

Whilst supporting the need for a new school for Ysgol Melin Gruffydd or refurbishment and extra space as soon as possible, this cannot be at the expense of the English medium sector.

### Traffic

Whitchurch has significant problems with traffic, especially around the Heol Don site. Putting a school there or building houses is probably going to cause gridlock and it is very dangerous.

It is quite some distance for the children at Eglwys Newydd to travel, especially as efforts are being made to encourage children to walk to school.

## **Cllr Brian Griffiths**

### Educational rationale

There are five successful schools in Whitchurch. The damage that would be done to the education of the children attending these schools would be unacceptable.

The only change needed in Whitchurch is a school for the Welsh-medium sector. This could be carried out without any disruption to the present.

The present reorganisation proposals are causing a great deal of bad feeling between Welsh-medium and English-medium parents.

### Alternative option

- There is sufficient land at the Eglwys Wen site to accommodate another separate school. Finance is available for this by releasing the Heol Don site for housing development along with available grants from the Welsh Assembly. The loss of playing fields would not be required.

## **Rhiwbina Ward Councillors**

### Reduction of Whitchurch High School

There are no options proposed which would keep Whitchurch High School at 12FE and therefore acknowledging the great successes of this school.

If any of the options are pursued the education on offer at Whitchurch High School will be adversely affected. A principal behind every school reorganisation proposal is to improve the educational offer to pupils. Governors at the school have indicated that the size of the school is a major strength and extra-curricular activities could be threatened if the capacity of the school was reduced.

## Sale of land

All three options propose disposal of land. This is unacceptable as it will reduce what Whitchurch schools can offer to the community.

## Pupil Data

There is a significant danger that a reduction in the size of Whitchurch High School will mean a change in the catchment boundary so that some Rhiwbina parents will be forced into the catchment of another school.

If any option were to go ahead the Council will have no alternative but to alter primary catchments leading to Rhiwbina Primary School being reduced to 2FE or Llanishen Fach, currently a dual feeder school, will become a single feeder school. If the figures for those out of catchment attending Whitchurch High School are incorrect, as indicated by the Whitchurch High School Governors, then these changes would be necessary.

## **LLAIS**

LLAIS agrees very strongly that changes are necessary in the provision of Welsh-medium schools in the Whitchurch area of Cardiff. The local Welsh medium school, Ysgol Melin Gruffydd has seen a 16.3% rise in pupil numbers since 2006.

LLAIS is fully supportive of any option that ensures better facilities and buildings for Ysgol Melin Gruffydd and therefore is supportive of all three options.

LLAIS does have serious concerns and reservations regarding the funding proposed in Options 1 and 2 to bring the current site up to a standard equal to that offered to the proposed new school on Heol Don. LLAIS would hope that the Council is prepared to be flexible in its approach and offer a complete new build for Ysgol Melin Gruffydd on the present site.

LLAIS believes it is imperative that Cardiff City Council ensures the improvements to Ysgol Melin Gruffydd are a priority and there are no further unacceptable delays in the process, including re-consulting.

There is strong community support for better facilities and buildings for Ysgol Melin Gruffydd as voiced throughout the consultation period by members of the community and Governors of all four Whitchurch schools.

LLAIS believes very strongly that no attempt should be made to re-consult on plans to improve Welsh-medium education in Whitchurch.

LLAIS commend the Councils policy of local schools for local children. LLAIS also commends the objectives outlined in the Draft Welsh Education Scheme including ensuring equality of opportunity for every child regardless of language preference and ensuring Welsh-medium education is available to all children whose parents/guardians wish them to receive education through the medium of Welsh and within a reasonable distance of the children's homes.

## **RhAG**

RhAG recognises that the Council has the two problems of unused places and the need to meet the demand for Welsh-medium provision.

Those opposed to the union of the 2 EM primary schools make the argument that both schools are reasonably full and while these opponents are largely not opposed to proper provision being made for Ysgol Melin Gruffydd, they contend that this provision should not be made at the expense of Whitchurch children in the EM schools with the sotto voce implication that the pupils in Melin Gruffydd are not really Whitchurch children but arrive by bus from elsewhere.

In the region of 50% of the children at both EM schools are out of catchment, thereby contributing to the number of empty places in the schools for other catchment areas. Both schools are well subscribed but not in fact with Whitchurch children.

Ysgol Melin Gruffydd is meant to serve Whitchurch but in three years time it will be unable to meet demand from within the Whitchurch catchment area.

RhAG supports the Council in planning to reduce the number of places available to out of catchment children and reduce the number of surplus places by 400 by either expanding Melin Gruffydd on its current site or locating it in a new build on the Heol Don site.

RhAG also supports uniting the Whitchurch EM children in one 420 pupil school.

RhAG takes the view that Whitchurch High School is too large and draws on out of catchment children.

The principal concern of Ysgol Melin Gruffydd parents is that their school should have an adequate permanent building as soon as possible. They prefer Option 2 as it is the option most likely to take effect without further delay. Parents are very annoyed with the political jockeying between a number of parties, mainly Labour and Conservative, while the parents exempt the education officers from any such criticism.

## **FIT Cymru**

Due to the three options proposed, all involving a loss of playing fields in a community already recognised to be deficient of recreational space, FIT objects to the proposals.

The recommended levels of recreational space adopted by the Council are those devised by Fields in Trust.

## **Sports Council for Wales (SCW)**

SCW wishes to see all playing fields protected. Cardiff's Open Space Survey (September 2009) shows a deficit of recreational open space in Whitchurch.

## **Petition**

2,141 individuals signed a petition objecting to:

- The reduction in size of Whitchurch High School
- The reduction of two English medium Primary Schools to one
- The sale of School land for development
- The reduction of educational opportunities within Whitchurch

In addition to the objections above the petition supported:

- The need for quality Welsh medium education places
- The need for quality Welsh medium accommodation

### **In addition to the above a number of alternative options were put forward by other respondents:**

1. Build a new school on the Heol Don site for Ysgol Melin Gruffydd;  
Relocate Eglwys Newydd onto the Ysgol Melin Gruffydd site, adjacent to Eglwys Wen but do not initially vacate the nursery;  
Sell the Eglwys Newydd site;  
Progressively amalgamate the two English-medium schools as indicated by the actual application numbers. As the reduced intake works its way through then the nursery can become part of the main site and its land sold for housing.
2. Leave the English-medium primary and secondary schools alone and build a new build school for Ysgol Melin Gruffydd on the Heol Don site.
3. Leave Whitchurch High School alone and invest in less successful schools.
4. The issue is that too many neighbourhoods do not have Welsh-medium provision. The answer is not to expand Ysgol Melin Gruffydd but to make more facilities available in other areas – following the example of the new Gabalfa starter class.
5. Establish a permanent Welsh-medium school in Gabalfa;  
Maintain 1.5 FE WM and EM schools at Eglwys Wen site;  
Reduce Eglwys Newydd to 1.5 FE on existing site;  
Maintain Whitchurch at 12FE
6. Eglwys Wen at 1.5FE and Ysgol Melin Gruffydd to become a 2 FE school on their current site. (Remove portacabins and extend).  
Refurbish Eglwys Newydd but retains flexibility to change to 2FE if need.  
Whitchurch High to remain 12FE
7. New school for Melin Gruffydd on Heol Don site;  
Remove portacabins on Eglwys Wen site and refurbish for 1.5FE;  
Remove portacabins on Eglwys Newydd site for 1.5FE;  
Whitchurch High to remain 12FE

8. Build a new Welsh-medium school on the Glantaf site;  
Or, use disused Hawthorn Junior School for a Welsh-medium school;  
Or, invest in disused buildings on Gabalfa site and create a new Welsh-medium school there

## **Formal Response to modified Fourth modified option**

729 responses were received. The breakdown of these is as detailed in paragraphs 32 - 36 of the report.

Outlined below are the main points contained in responses from key stakeholders either elected to represent the Whitchurch community, schools in the area or specific interest groups.

The points raised in these responses reflect the main points raised in all of the consultation responses received.

Formal responses were received from:

The Governing Body of Whitchurch High School  
The Governing Body of Eglwys Newydd Primary School  
The Whitchurch High School Governing Body / The Eglwys Newydd Primary Governing Body School (joint response)  
The Eglwys Wen Governing Body  
The Ysgol Melin Gruffydd Governing Body  
Save Eglwys Newydd Action Group  
Playstation  
Julie Morgan (MP)  
Jonathan Morgan (AM)  
Cllr A Robson: Chair of Governors, Llanishen Fach Primary School  
Welsh Conservative Councillors for Whitchurch & Tongwynlais  
Joint response from the Rhiwbina Ward Members  
The Staff of Eglwys Newydd Primary School  
RhAG

### **The Whitchurch High School Governing Body**

Inadequate period of consultation without full details of proposals

The additional week (notified to the Chair of Governors on the day the consultation was due to change) enabled no further opportunities to meet with staff, parents or the Authority. The Welsh Assembly Government recommends a 6 week consultation process

Inequality of investment

If Whitchurch needs a £7.9m investment as a nine form entry school why is there only a £5.5m investment planned?

Proposed reduction in size of the school

Pupil projections indicate a 12 form entry school is needed for Whitchurch High School for the foreseeable future.



The latest proposal would result in over £1.5m loss of revenue to the school in the period 2012-21; this would equate to around 2 staff redundancies each year.

#### Community matters

- Inappropriate use of public money on staff redundancies at Whitchurch High and local primary schools
- Changes would affect around 10,000 pupils in the Whitchurch area during the time it would take to finalise the processes and without any educational benefit
- Pupils still having to be taught in terrapin accommodation
- An inequality of investment across the community

The proposal still falls short of protecting the educational opportunities available to pupils at Whitchurch High School. The governors do not think we should be expected to compromise on pupils' education and cannot support this latest proposal.

#### Alternative Option:

- Whitchurch High and Eglwys Newydd to remain as they are and without significant investment at the current time.
- The Authority invests the capital budget into providing new English and Welsh medium schools on the current site of Ysgol Melin Gruffydd and Eglwys Wen Primary Schools. This shared site is an example of excellent practice from a teaching and learning point view and also of a community working together.

#### **The Governing Body of Eglwys Newydd Primary School**

The Governing Body objects to option 4 as it is not seen how implementation will result in benefit for EM educational provision in Whitchurch and address the problem of surplus places found elsewhere in Cardiff.

The Governing Body still considers that WM and EM educational provision should be separated out and dealt with independently of each other. WM should not be at the expense of harming successful EM schools.

The comments made on option 1-3 apply to the new option. Additionally, as the new option involves increased EM provision this suggests the LEA is not confident about its projections. The LEA has admitted potential inaccuracy about numbers for 'a particular area...or school'. The proposed increase in EM provision is implicit reaffirmation of this admission.

#### Welsh medium demand

There is a need for meaningful study to establish actual need, as carried out by other LEAs.

The Executive recently decided to consult on Gabalfa Primary School becoming a permanent site for a 1FE WM primary school. As the site is in close proximity to Ysgol Melin Gruffydd, it seems the proposed new school will accommodate some learners who would otherwise have attended Ysgol Melin Gruffydd. This will ease capacity concerns at Ysgol Melin G.

#### Consultation process

There was insufficient time allowed in which to meaningfully respond.

The short period of consultation and late notification (combined with half term) meant a de facto initial period of consultation of under two weeks i.e. post half term. The additional week (notified to EN the day before the initial consultation period was due to end) enabled no further real opportunity to meet and engage with those involved.

As to the nature of the new option, the letter of 9<sup>th</sup> February describes it as a further 'modified option'. It is difficult to see how it can be described as this as it is significantly different from the other 3 options. The LEA's own announcement describes the option in headline as 'new'. In light of this, that is all the more reason to have allowed a meaningful period for consultation.

As this is clearly a new option, why was the School's sub-committee not involved?

There was a request for extension of the consultation period by Whitchurch Councillors Julie Morgan MP and Johnathan Morgan AM. Yet the press release accompanying the last minute 7 day extension makes no reference to their representations: in fact it does not set out the reasons for the extension. This absence of reference suggests a lack of engagement on the LEA's part to meaningful consultation.

There is an absence of explanation accompanying the new proposal. No explanation is given for the changes from options 1-3.

Unlike for options 1-3, no meetings or drop-in sessions were convened whereby the LEA through officers, could explain matters and be tested. Officers were invited to the EN meeting but declined the invitation. No satisfactory reason was advanced for this refusal.

For consultation to be legally compliant there is requirement for it to be meaningful. This has not been the case and serious questions must be raised about the legal integrity of the exercise.

#### Proposed spend on new EM school and YMG

No substantive explanation has been given justifying the difference in proposed spend on the primary schools (new EM – £2.2million, YMG £4.9 million). At face value, the disparity is not justifiable and raises serious concerns.

#### Relocation of Ysgol Melin Gruffydd to Eglwys Newydd site

The proposal to relocate Ysgol Melin Gruffydd on the EN site is impractical since Ysgol Melin Gruffydd has a larger catchment area than the combined Eglwys Newydd/Eglwys Wen catchment area. Traffic travelling to and from the EN site will increase significantly. Glan y Nant Road is a no-through road. Concerns regarding child safety will also heighten.

The LEA has provided no evidence of having carried out appropriate traffic and environmental impact assessment.

Physical proximity between Whitchurch High School and Eglwys Newydd has facilitated excellent working relationships between the two schools. It has also fostered the development of transition and helped learners develop a shared identity.

The transition period

It has been suggested the changes would affect approximately 10,000 pupils in the Whitchurch area during the whole process. The lack of educational rationale for the change does not justify this.

Staff

Staffing of Maintained Schools (Wales Amendment No.2) Regulations 2009 (SI2009/3161 (W.275))

These regulations came into effect 1<sup>st</sup> January 2010. Their effect is that if Eglwys Newydd and Eglwys Wen are closed and a new EM primary school established, subject to new governing body agreement, the position of head and deputy head for the new school can be ring-fenced to those in these positions in EN and EW at the time of closure.

This change has not been notified by the LEA to Eglwys Newydd (and, in particular, to the staff directly affected by the change). The Governing Body is unaware of any attempt to correct the information contained in the consultation document.

During this period of uncertainty (with undoubted associated stress on staff) this absence of notification is lamentable and inexcusable – in particular, as the change does provide some comfort as far as potential job security is concerned.

It is assumed also that there was a similar failure to notify EW of this change.

Financing reorganisation

The new proposal reveals that the LEA has available money and that funding reorganisation does not require the sale of school land. The opposite was claimed before. It begs a further question about the overall robustness of the LEA's case.

## Whitchurch High School

Learner projection indicate that 12FE is needed for WHS for the foreseeable future. As the LEA is now proposing that WHS should reduce to 10FE (and not 9FE as the other options propose), as with EM primary projected provision, it raises concerns about the robustness of LEA projections.

If WHS needed £7.9million investment as 9FE why is there only £5.5million investment needed as 10FE?

### Equality of access

There is concern with current proposals about equality of access to EM educational provision when compared to WM provision (with potential related consideration to the application of article 14 of the European Convention on Human Rights (prohibition of discrimination) to the enjoyment of the right contained in article 2 of the First Protocol (right to education). The new option does not substantively assuage that concern.

### Alternative Option

- The LEA has sufficient money to fund investment in the current Eglwys Wen/Ysgol Melin Gruffydd site to bring both schools up to structural standard – leaving EN and WHS where they are and as they are. While those schools will need investment too, it is accepted that the greater part of available funding is directed as suggested. There is broad support for this and separating out the issues of EM and WM educational provision. It would also continue and develop the fine example set by Ysgol Melin Gruffydd and Eglwys Wen in fostering excellent working arrangements and community relations.

Such a way forward was suggested in the letter of 16<sup>th</sup> December 2009. The LEA is urged to take it forward and convene discussions with interested parties so that a consensus approach can be taken and the detail developed.

### Conclusion

As with previous options, there is no educational justification for what is proposed with respect to EM education, the closure of 2 excellent EM primary schools and the opening of a new EM schools does not guarantee continuation of excellence, There are also the associated issues of transitional arrangements (with substandard accommodation and wholesale disruption to educational delivery). The LEA's learner projection figures do not stack up, as it has implicitly conceded with the movement in the new option to increase EM provision (when compared with other options). Our children's educational best interests should be the driving force for any change

The Whitchurch High School Governing Body / The Eglwys Newydd Primary Governing Body (joint response)

Inadequate period of consultation without full details of proposals

There has been insufficient notification of the new proposal.

There has been an inadequate consultation period which has been further compounded by lack of details and information regarding the proposal. Why has the level of investment across the community changed so radically and why do pupils have to face several further years in terrapin accommodation?

### Community Matters

The proposals are not founded upon educational outcomes. The current proposals would affect around 10,000 pupils in the Whitchurch area and would curtail educational opportunities rather than enhance them.

### Alternative Option

- Whitchurch High and Eglwys Newydd to remain as they are and without significant investment at the current time.
- The Authority invests the capital budget into providing new English and Welsh medium schools on the current site of Ysgol Melin Gruffydd and Eglwys Wen Primary Schools. This shared site is an example of excellent practice from a teaching and learning point view and also of a community working together.
- This option provides school improvement opportunities through the delivery of quality accommodation to primary aged pupils which the authority could have in place within 18 months to 2 years.

### **Eglwys Wen Governing Body**

Eglwys Wen Governors expressed that they would look more favourably at Option 4 but only if the following criteria could be addressed:

We feel there would be no benefit in two school closures and an amalgamation of the schools would sit much easier with the staff, governors, pupils, parents and general community, this would also enable the Ring Fencing of both schools staff.

Much more detail is required as we feel the option as it stands gives only very sparse details

### **Save Eglwys Newydd Action Group (SENAG)**

The comments made in response to options 1-3 were made in response to option 4. However, the following additional points with respect to option 4 were made:

### Pupil Data

Option 4 suggests that a 2.5FE English medium primary school is required (as opposed to 2FE in the previous 3 options). Whilst SENAG agree that the previous proposals were unrealistic, the change in size with no explanation suggests that the council do not trust their own projections. This casts doubt on the reliability of all council projections and statistics.

## Welsh-medium demand

The council is artificially increasing demand for Welsh medium education through the perception that Welsh medium schools will have more investment. Demand for Welsh medium education will no doubt increase in the short term as the proposed English medium school with temporary accommodation will be such an unattractive prospect for parents.

The LEA has a duty to treat English and Welsh equally but there is clearly discrimination against English medium schools and English speaking children.

The council's Executive committee recently approved officers to consult on Gabalfa Primary becoming a permanent site or a 1FE Welsh medium primary school. As the site is less than a mile from Ysgol Melin Gruffydd, it is logical that the proposed new Welsh medium school would accommodate some pupils who would previously have attended Ysgol Melin Gruffydd. This will undoubtedly ease capacity concerns at Ysgol Melin Gruffydd, particularly if the new school results in a change in catchment areas in line with the Council's policy of 'local schools for local children'. It is therefore questioned whether there is any need to expand Ysgol Melin Gruffydd at all.

## Proximity to High School

Eglwys Newydd Primary school is currently located next to Whitchurch High School. By moving to the other side of the village, many advantages will be lost.

## Community relations

The latest proposal has been divisive and has caused friction between Welsh and English speakers in Whitchurch. The lack of transparency and detail for the investment packages has suggested inequality with the Welsh medium school being favoured.

## Traffic congestion

The current Eglwys Newydd site is situated at the bottom of a no through road with an unofficial one way system in operation via back lanes. There are obvious concerns both for increased congestion for local residents and the safety of children. There is also no indication to what extent the changes would impact on walk and bike to school initiatives.

## Consultation

The Council claims that a longer consultation period is not necessary as Option 4 is an amendment of the previous options. However, the letter 9<sup>th</sup> February clearly states 'NEW OPTION'. There has not been adequate time or sufficient information provided. Parents and staff have not been given the opportunity to pose questions to representatives. There have been no meetings or presentations and Council Officers declined an invitation to a public meeting held by parents at Eglwys Newydd.

Much of the information issued by the council has been biased or misleading. For example, out of catchment figures and surplus places were not shown in the wider context of other schools in Cardiff, therefore not illustrating that by comparison, Whitchurch has less of a problem than other areas of Cardiff.

The change from a 2FE English medium primary to a 2.5FE school in option 4 suggests the council is no longer sure of its own projections. If projections are indeed inaccurate, children from the current catchment areas may be denied a place at their local schools.

#### Alternative Option

Use the majority of the proposed funding at the current shared Eglwys Wen /Ysgol Melin Gruffydd site to:

- refurbish/improve Eglwys Wen as a 1FE school
- provide sufficient fit for purpose accommodation for a 2FE Welsh medium school for Ysgol Melin Gruffydd
- retain Whitchurch High School and Eglwys Newydd on their current sites at their current capacities. Reduced level of investment to cover essential repairs and replacement including the removal of temporary accommodation at Whitchurch High School. Eglwys Newydd requires a nursery to ensure parity with other local schools and a new boiler to provide environmental and running cost benefits.

#### **The Governing Body of Ysgol Melin Gruffydd**

The Governing Body's position remains the same, in that its preferred option is to stay on the current site as a 2 form entry School with significant investment to develop the School buildings and to ensure the site is fit-for-purpose.

Option 4 in its present form presents considerable challenges:

Traffic congestion and associated safety risks along Glan Y Nant Road – increase vehicular access is a great cause for concern. The increase in pupils from 300 to 400+ accessing the site on a daily basis would increase the risk of accidents.

The significant reduction in accessible green spaces and the limited external space for hard standing play areas on the Eglwys Newydd site.

The concern of Ysgol Melin Gruffydd staff of the reduction in outside space for Foundation Phase on the Eglwys Newydd site.

The proximity to the neighbouring Secondary School, making it harder for the English medium to develop a campus.

Many parents are opposed to this option and the Governing Body has grave concerns. However, we urge the Council to ensure a viable solution is delivered, since the status quo is not sustainable. We are also anxious that the

funding allocated for Whitchurch School Organisation Plan is spent on solving the issues of Whitchurch Schools.

### **Cllr A Robson, Chair of Governors, Llanishen Fach Primary School**

The Governing Body believe that the new proposal does little to address the Body's main concerns as previously expressed. Concerns about the reduction of the size of Whitchurch High School remains paramount and the Governing Body therefore cannot support any of the four options.

By reducing the overall school size to 10 form entry by 2015 there would have to be a noticeable reduction in the number of extra-curricular courses and activities offered by Whitchurch High School. A reduction in size would be detrimental to the educational choice available to future Llanishen Fach pupils who live in the Whitchurch catchment.

Although the proposals are part of a wider strategy to reduce surplus places throughout Cardiff, a reduction in the size of WHS would undoubtedly have an impact upon the feeder primary schools. The Governing Body are worried that this would involve yet another proposal in the future to remove the "dual feeder" status of Llanishen Fach Primary School – a status which is both unique in Cardiff and a real strength of Llanishen Fach Primary School.

Whilst the Governing Body welcome that the new fourth proposal "does not involve any sale of land or increased sharing of land on the school's 2 sites" it also note that there is a capital receipt for £1million indicated in Table 1 of the letter of 9<sup>th</sup> February 2010 and is concerned that this could be funded through a disposal of school land.

### **Joint response from Councillors for the Rhiwbina Ward**

The Councillors welcome the fact that school land would not be sold under option 4. However, it was felt that the proposed reduction of Whitchurch High School to 10FE does nothing to address concerns expressed in their 14<sup>th</sup> December letter.

The Councillors still felt that any reduction in the size of Whitchurch High School would noticeably weaken the educational offer provided to their constituents and others living within the catchment area.

The Councillors object to the 4<sup>th</sup> option.

### **Playstation (after school club)**

The club were very disappointed when reviewing the latest proposal and have many concerns about options and the speed/timescales for objections/comments at which this latest NEW option has been given.

The club are very dissatisfied that a council worker has not acknowledged in writing even the existence of the club.



The Playstation Club has not been considered in any of the proposals 1-4 to date and the club is currently seeking legal advice as to its position as an independent viable business based in a school proposed to close.

We have 8 staff to consider and parents rely on the provision of quality “Wrap around Care” to work.

### **Welsh Conservative Councillors for Whitchurch & Tongwynlais**

Whilst supporting the need for appropriate accommodation for the pupils and teachers of Melin Gruffydd, the Councillors have the same view for the pupils and teachers of Eglwys Wen and Eglwys Newydd.

The following response is additional to the response to the first three options.

The change in the proposal that stops the sale of land is welcomed. The proposed reduction in Whitchurch to 10 form entry, up from 9, is an improvement but the premise of the proposed alteration is that Whitchurch High has too many pupils outside of catchment. However, the percentage is less than, or in the same region as, Llanishen High and Cardiff High yet there are no proposals to reduce the capacity of those schools. In fact, it is our understanding that their catchment areas are being increased. Other High Schools, such as Cathays High School, have very much lower levels of catchment percentage, some less than 50%. Will they be reduced in capacity?

Proposals for Whitchurch High should be considered more holistically along with proposals for adjoining areas. An option that retains the excellent educational opportunities of this school, at its current size along with the creation of new opportunities for the areas served by other schools – perhaps combining two other high schools into a new facility, catering for both academic and vocational teaching (along the lines proposed for the East of the city).

As for primary school provision, to close and merge the two historical community schools will be detrimental to those communities and we therefore suggest that both be retained, with, if necessary, a smaller intake. We note that the original report states two form entry but it prefaces this with “preferably” and we are aware that there are other schools in the area with one form entry that are very successful and manage well on their budgets, though we accept that it is a little more challenging.

Option four proposes that Melin Gruffydd moves out the current site of Eglwys Newydd and it is our view, and that of many of our constituents, that the larger catchment area of Melin Gruffydd will lead to greater car use in the vicinity of the site which would cause additional danger and disturbance and which we oppose. The current site of Eglwys Wen and Melin Gruffydd is on a through road, which is currently the subject of a Safe Routes to School scheme, and we understand that the site originally held over 700 pupils. If that is the case then the combined three forms of a one form Eglwys Wen and a two form Melin Gruffydd on the same site would provide for just 540 pupils, a figure that is well within the capacity of the site.

The Councillors do not accept any of the proposals but do accept some of the aims of the proposals and would suggest that an appropriate alternative would be to retain all three schools on their existing sites. The buildings for Eglwys Newydd can be retained and help with accommodation whilst the buildings on the Eglwys Wen/Melin Gruffydd site are rebuilt and/or refurbished, to serve both a one form entry English medium school and a two form entry Welsh medium school on the same site. The sale of the site on Heol Don, which is not school land and has already been built on, could then be sold in a sustainable way, to help finance the proposals. This option would appear both to meet the needs and desires of the community and the number of objectives of the Strategic Framework stated on page 4 of the earlier Consultation Document.

### **Julie Morgan MP**

The consultation period was too short for option 4.

The fact that no school land would be sold under this option is welcomed.

The increase in the proposed capacity for the English-medium primary school is welcomed but this capacity will still not be sufficient.

The need to reduce an excellent school like Whitchurch High School is questioned.

The MP suggests leaving the 3 schools where they are and using the capital money to improve the existing sites.

### **Jonathan Morgan AM**

The AM is concerned that the Council has provided just over three weeks for this additional option to be consulted on and would remind the Council of the guidance of the Welsh Assembly Government, Circular 9/99 Organisation of School Places, which states that you “should allow adequate time and provide sufficient information, for those being consulted to form a considered view on the matters on which they are being consulted.”

Beyond this current consultation, if the Council proceeds with this option the AM would like an assurance that the Council will ensure a full two month period for a statutory objection period as set out in Section 2.7 of the 9/99 Circular.

The proposal to alter the form of entry from 12 to 11 by 2011 and then to 10 by 2015, will reduce the size of each year group from 360 to 300. On your own projections (assuming a new 2.5FE English medium school) the high school would be able to provide places for the children from its current feeder schools.

Using the figures published by the Council each primary school's year 6 group (on average) would be as follows in 2014:

New 2.5FE school in Whitchurch	75
Coryton Primary school	25
Rhiwbina Primary school	89
Birchgrove Primary school	60
Hawthorn Primary school	29

Gabalfa Primary school	31
TOTAL	309

The Council's policy of parental preference also has to apply. Unless the Council is proposing to deny pupils from outside the current feeder schools the opportunity of attending the high school...the only conclusion I can draw is that the new proposals do not contain sufficient capacity to provide for pupils in and outside the current catchment area.

The AM would like the Council to explain what assessment has been made on the impact of the provision of education at the school as a result of removing 60 pupils per year. Paragraph 2.4 of Circular 021/2009 (in relation to secondary education) instructs that local authorities need to take into account factors such as "whether the proposed provision will contribute to the wider range of relevant courses and qualifications and whether the proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age."

The AM would like the Council to publish what analysis has been undertaken of the effect of this proposal, together with any additional information that has been provided to interested parties. If the Council cannot demonstrate compliance with the WAG Circulars then that the AM believes that this part of option 4 as it relates to Whitchurch High School is flawed.

A new 2.5FE English medium school

The AM is questioning how the Council has arrived at the proposed solution of a 2.5FE school. 3.5FE is needed at the very least.

In the AM's view this strengthens the argument for retaining two English medium primary schools in the centre of Whitchurch.

Ysgol Melin Gruffydd to move to current Eglwys Newydd site

A number of parents have raised concerns about the suitability and size of the current Eglwys Newydd site now being considered as part of option 4. What detailed analysis has been undertaken by the Council into the limitations of the proposed new site, taking into account the greater number of pupils arriving by car - what factors relating to safety and accessibility have been assessed before coming to the conclusion that the site is suitable.

The birth rate trend

The live birth rate has been increasing since 2001. The Welsh Assembly Government forecast that the population of Cardiff will grow by 9% by mid 2016 and 24% by mid 2031. This will clearly have an impact on demand in areas such as Whitchurch with a steady growth of reception age children throughout this period. I would ask the Council to outline what analysis has been undertaken of the latest birth rate data and projections.

### **Members of staff, Eglwys Newydd Primary School**

The staff do not believe, regardless of whether adding an option is legally acceptable, that the same spirit of consultation has been adhered to after the

introduction of this additional fourth modified option. The staff therefore have no option but to reject the inclusion of an additional option on the basis of lack of adequate consultation.

None of the proposals put forward explain how the authority intends to maintain the high standards of education we have established at Eglwys Newydd Primary School. The staff are still unclear why the school has been targeted for closure when the weight of evidence put forward at the consultation meetings in 2009 indicates that we are a successful, viable and sustainable school that is firmly at the centre of the Whitchurch community.

From meetings that have been held in school, many of which nobody from the authority has felt the need to attend, even after invitations have been issued, we feel the financial figures would be better spent in providing the necessary investment and resources that both English and Welsh medium schools in the Whitchurch area need, without the need for any school closure or the massive disruption that would be caused to all the children currently attending these schools.

### **RhAG**

The fourth proposal is as acceptable to the WM sector as any of the 3 earlier options. Our concern is that there should be provision in Whitchurch for a 2 form entry of children from Whitchurch whose parents wish to opt for Welsh medium education. Our concern is that in the interim up to 2012, Melin Gruffydd will be enabled by further demountable classrooms to continue with an intake of 60 pupils per annum rather than the 45 which is the nominal SAN which has had to be exceeded for a number of years.

It is noted that the authority has opened a starter class in the former Gabalfa Infants building to relieve pressure from adjacent schools including Pencae, Mynydd Bychan as well as Melin Gruffydd.