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Dear *Kat*

**SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013 – PROPOSAL TO DISCONTINUE YSGOL DEWI SANT, YSGOL BRO DEWI CHURCH IN WALES VOLUNTARY AIDED SCHOOL AND SOLVA COMMUNITY SCHOOL AND TO ESTABLISH A NEW 3-16 CHURCH IN WALES VOLUNTARY AIDED SCHOOL ON THE EXISTING SITES**

1. Kirsty Williams AM, Cabinet Secretary for Education, one of the Welsh Ministers, has considered Pembrokeshire County Council's (the Local Authority) proposal to discontinue Ysgol Dewi Sant, Ysgol Bro Dewi Church in Wales Voluntary Aided School and Solva Community School and establish a new 3-16 Church in Wales Voluntary Aided School on the existing sites. Proposals to end sixth form provision at maintained schools require the approval of the Welsh Ministers under section 50 of the School Standards and Organisation Act 2013 ("the 2013 Act"). Proposals that are related to proposals to introduce or end sixth form provision also require approval under this section. The former Minister decided that this proposal was related to the proposal to end sixth form provision at Ysgol Bro Gwaun. The proposals have therefore been considered together.
2. The Welsh Ministers exercise their school reorganisation functions in accordance with the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code ("the Code") made under it. Where proposals require their consideration the Welsh Ministers must decide to approve, reject or approve the proposals with modifications.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

3. I am directed by the Cabinet Secretary to say that she has considered the consultation document, the consultation report, the statutory objections, the objection report, advice from Estyn, and additional information provided by the local authority for the purposes of consideration of the relevant factors set out in the School Organisation Code.
4. In exercise of her powers under Section 50 of the 2013 Act the Minister has decided to approve the proposal.
5. Paragraphs 1.3 to 1.14 of the Code set out the factors which should be taken into account by the Welsh Ministers when exercising their functions of determining school organisation proposals. The relevant factors are set out below and are followed by an analysis of how far the Cabinet Secretary believes the factors have been “satisfied”.

## **QUALITY AND STANDARDS IN EDUCATION**

### **Outcomes (standards and wellbeing)**

6. The Cabinet Secretary believes that for pupils aged 3-16 the proposals have potential to contribute to higher outcomes by such measures as having a single governing body, focusing resources on improving outcomes, reducing transition between phases, the teachers jointly developing policies and procedures and setting common targets. Cabinet Secretary considers that while none of the schools is currently very high performing, there is a reasonable expectation that they could improve further prior to the implementation of the proposal, as a result of monitoring and support and that the adoption of best practice could contribute to better outcomes for pupils once a new school is established. She notes the views of Estyn that the proposal is likely to at least maintain the current standards of education in the area and that there is scope for the proposal to contribute to improving outcomes. Estyn school inspection reports indicate that pupils with additional learning needs are reasonably well provided for, with scope for improvement. It could reasonably be expected that the new school would be able to build on current good practice.
7. The Cabinet Secretary considers that, for post 16 pupils, it is reasonable to assume that the greater range of courses and the larger viable and more stimulating classes, which will be available at the proposed sixth form centre at Pembrokeshire College, will be beneficial to post 16 learners and would support good outcomes at key stage 5. She notes that comments provided by Estyn during the consultation show that they consider that the local authority has set out a strong case for reorganising sixth form provision.
8. The Cabinet Secretary considers that there is no evidence to suggest that the quality and standard of 11-16 education at the new 3-16 school will be less good because the school will not have a sixth form. Without a key stage 5 the school will be able to concentrate on raising standards in all of the other stages up to key stage 4.

### **Provision (learning experiences, teaching, care, support and guidance, and the learning environment)**

9. The Cabinet Secretary notes that as three schools will close and one school would open under the proposal, a new staff structure would be devised and recruitment would take place. Whilst the existing workforce may have a reasonable expectation that they would be considered for posts, the proposal would provide an opportunity to select the best staff with the relevant skills and qualifications to serve the new school, and deliver as wide a curriculum as effectively as possible. As recent performance on teaching is mixed amongst the 3 schools, there is reason to suppose that provision in terms of teaching and learning experiences will be at least as good if the proposal is implemented, as the governing body would be able to consider the suitability of all staff.
10. The Cabinet Secretary believes that it is reasonable to assume that learning experiences will be improved for post 16 pupils by the creation of the sixth form centre which will provide an increased number of viable options at one location.
11. The Cabinet Secretary notes that some concerns were raised during consultation about the potential lack of pastoral care at the sixth form centre in comparison with that currently provided by Ysgol Dewi Sant. However, she was reassured that when Estyn inspected Pembrokeshire College it had a comprehensive health and well being strategy and a wide range of support and services and multi agency partnerships to support the strategy. She believes that it is reasonable to assume that care and support will be extended to the sixth form centre, and she is satisfied that the responses to this issue provided by the local authority during the consultation period indicate that they have considered this matter.
12. The Cabinet Secretary is satisfied that the proposal will improve overall provision for post 16 pupils and for pupils with special educational needs, taking into account the investment in school and college buildings.

### **Leadership and management (leadership, improving quality, partnership working and resource management)**

13. The Cabinet Secretary notes that the proposal to combine provision in a single school will provide an opportunity to have a larger senior management team representing all phases of compulsory education. The Cabinet Secretary considers that existing schools will have scope to improve in terms of leadership and management, and there will be potential to choose staff from within existing staff or further afield to lead the new school. There is no reason to believe that there would be an adverse impact on leadership.

### **NEED FOR PLACES AND THE IMPACT ON THE ACCESSIBILITY OF SCHOOLS**

#### **Whether alternative school-based provision will have sufficient capacity and provide accommodation of at least equivalent quality, for existing and projected pupil numbers**

14. The Cabinet Secretary notes that there will be sufficient capacity for pupils and the local authority has plans, as yet unfunded to reduce capacity so as to better fit the expected number of pupils.

#### **With reference to the nature of the schools subject to proposals, whether the alternative school-based provision is sufficient to meet existing and projected demand for schools of the same:**

15. The Cabinet Secretary notes that the reshaped provision will provide education of the same linguistic category. The proposal will increase provision of places in schools with a religious character.

**the nature of journeys to alternative provision and resulting journey times for pupils, including SEN pupils, in particular whether primary school pupils will have one-way journeys in excess of 45 minutes or secondary school pupils one way journeys of over an hour**

16. The proposal to establish a 3-16 school will have little or no impact on pupils of school age unless they choose to attend a different school. Post 16 pupils will have a relatively short journey to Pembrokeshire College in Haverfordwest.

**Whether proposals will improve access for disabled pupils in accordance with requirements under the Equality Act 2010.**

17. The Cabinet Secretary notes that the local authority will carry out minor works to some buildings as part of the proposal, with funding proposed from the 21<sup>st</sup> Century Schools programme and has undertaken to improve accessibility, as evidenced in the equality impact assessment undertaken by the local authority.

**Where a new school, increase in capacity or age range expansion is proposed;**

**That there is evidence of current or future need/demand in the area for additional places, with reference to the school or proposed school's designated religious character;**

18. The Cabinet Secretary acknowledges that the proposed religious character of the new school has been a matter of contention amongst those who objected to the proposal, although the number of objections was relatively few. She noted, however, that evidence for demand for a school with a religious character was identified in the support for the campaign group "Schools for the Future" which in response to the local authority's first round of consultation held in 2015 promoted an alternative option of establishing a Church in Wales voluntary aided 3-16 school to serve the St David's area. Some 500 responses were lodged in favour of the plan issued by the campaign group, and considering the relatively rural nature of the area, the Cabinet Secretary is satisfied that this represented reasonable evidence of demand for a school of this type. She also considers that the local authority's response to objectors who claim the proposal reduces the choice of access to community schools is reasonable. Those who prefer could access community schools at Roch and at Fishguard or Haverfordwest.
19. The Cabinet Secretary notes that there will be sufficient capacity for pupils and the local authority has plans to reduce capacity so as to better fit the expected number of pupils.
20. The Cabinet Secretary notes that, in terms of journeys, the proposal will have little or no impact on pupils of school age unless they choose to attend a different school. Post 16 pupils will have a relatively short journey to Pembrokeshire College in Haverfordwest.

## **RESOURCING OF EDUCATION AND OTHER FINANCIAL IMPLICATIONS**

### **Whether the proposals will ensure a fairer more equitable distribution of funding between mainstream schools within the local authority's area**

21. The Cabinet Secretary notes that the local authority has identified savings resulting from the proposal. As the current schools will be combined, and there will be some revenue savings, and a more equitable distribution will be promoted. The local authority will use savings to the benefit of the education service as a whole. In addition, the proposals should ensure that funding for pupils of compulsory school age will not be spent on post 16 provision.

### **What effect proposals will have on surplus provision in the area**

22. The Cabinet Secretary notes that proposals will have a small effect on reducing surplus provision as remodelling will be undertaken so as to reduce capacity. However the exact amount is difficult to quantify at present, although together with the proposals for the Fishguard area, there will be an overall reduction of more than 500 places.

### **Whether proposals form part of the local authority's 21<sup>st</sup> Century Schools Investment Programme and contributes to the delivery of sustainable schools for the 21<sup>st</sup> Century and to the better strategic management of the school estate through the removal of maintenance backlogs and school buildings which are inefficient or in poor condition.**

23. The local authority has applied for funding to improve condition and suitability of those buildings that require this action. The Cabinet Secretary does not agree with objectors who have suggested that the local authority has adopted a piecemeal approach to the development of the education service. She is aware of the local authority's protracted consideration of the area as a whole, and revisions to plans as a result of consultation. The local authority could have had a greater impact on the strategic management of the estate by removing the Solva primary school building, but declined to take this action following the consultation period. Whilst the local authority has dismissed claims by the objectors that the Solva building could be removed, it would be open to decision makers in future to make such changes, subject to any statutory procedures necessary. However the willingness of the local authority to invest in the building through the 21<sup>st</sup> Century Schools Capital programme supports the view that it is committed to its retention.

### **The recurrent costs of proposals over a period of at least 3 years and whether the necessary recurrent funding is available.**

24. The Cabinet Secretary notes that the local authority estimates that the proposal will lead to savings of around £134,000 net of transport costs.

### **Additional transport costs incurred as a result of proposals**

25. The Cabinet Secretary notes that the local authority has suggested that there would be increased travel costs but that the revenue savings will more than cover these costs.

## **The capital costs of the proposals and whether the necessary capital funding is available**

26. The total cost of work to Ysgol Dewi Sant has been estimated as £4million. The Diocese of St David's will provide £0.60 million and has submitted a request to the 21<sup>st</sup> Century Schools Programme for the remaining £3.4 million.
27. The total cost of work to Pembrokeshire College to provide the Sixth form Centre has been estimated as £6.6 million and has submitted a request to the 21<sup>st</sup> Century Schools Programme for the remaining £3.3 million.

## **The scale of any projected net savings**

28. The Cabinet Secretary notes that the local authority estimates there will be revenue savings worth around £134,000 net of transport costs.

## **Whether, without the proposals, the school affected would face budget deficits**

29. The Cabinet Secretary notes that the schools have carried forward balances in recent years. There appears to be no immediate danger that schools would face budget deficits.

## **Whether any savings in recurrent costs will be retained in the local authority's local schools' budget;**

30. The local authority will use savings for the education service.

## **Whether the proceeds of sales (Capital receipts) of redundant sites are to be made available to meet the costs of the proposal or contribute to the costs of future proposals which will promote effective management of school places.**

31. There will be no redundant sites.

## **OTHER GENERAL FACTORS**

### **What impact proposals will have on educational attainment among children from economically deprived backgrounds**

32. The Cabinet Secretary welcomes the strategies the local authority has set that could improve the attainment of children from deprived backgrounds, such as breakfast and homework clubs and increased access to IT and which they believe would all be more readily affordable in a 3-16 school. Also the better range of post 16 courses which could assist in meeting the aspirations of all pupils, including those from less affluent backgrounds.

### **Equality impact assessment**

33. The Cabinet Secretary notes that the equality impact assessment identified only positive effects on both disability and belief. Whilst objectors do not favour the establishment of a Church in Wales voluntary aided school, there was substantial support for a plan incorporating this development. Alternative schools without a religious character would be available to parents.

**Whether the school or schools involved are subject to any trust or charitable interests which might be affected by the proposals, for example in relation to the use or disposal of land.**

34. As one of the schools involved is voluntary aided there will be a need for the local authority to provide land for the new school and to ensure that land issues are taken into account. The Cabinet Secretary notes that the local authority has acknowledged this, and has confirmed its liability. There will not be a need to dispose of the current land on which Ysgol Bro Dewi is situated, as it will form part of the premises of the new school.

## **SPECIFIC FACTORS IN THE CONSIDERATION OF SCHOOL CLOSURES**

**Whether the establishment of multi-site schools might be considered as a means of retaining buildings, or the reasons for not pursuing this option; whether alternatives to closure, such as clustering, collaboration or federation with other schools, might be considered (taking account of the scope for use of ICT links between school sites) or the reasons for not pursuing these as an alternative;**

35. The Cabinet Secretary considers that the local authority did not clearly consider federation but has considered another option, that of multi site school, relevant to the closure of schools in more rural areas, and adopted it as a basis for the proposals. It should be noted that regulation 4 of the Federation of Maintained Schools (Wales) Regulation 2014 does not allow for voluntary aided and the community schools to be federated. The local authority is pursuing the option of a multi site school through these proposals.

**Whether the possibilities of making fuller use of the existing buildings as a community or an educational resource could be explored; the overall effect of a closure on the local community (including the loss of school based facilities which are used by the local community), particularly in rural areas or those receiving funding as part of regeneration activity.**

36. The Cabinet Secretary notes that there will be no loss of facilities as all schools are to be retained, facilities could be enhanced in the secondary school buildings and there is an intention to allocate space in one of the schools for a community playgroup.

**How parents' and pupils' engagement with the alternative school and any facilities it may offer could be supported (e.g. how pupils; particularly any less advantaged pupils) will be helped to participate in after school activities).**

37. The Cabinet Secretary considers that as all sites will be maintained, there should be no difficulty in engaging with after school activities.

## **SPECIFIC FACTORS TO BE TAKEN INTO ACCOUNT FOR PROPOSALS TO REORGANISE SECONDARY SCHOOLS OR TO ADD OR REMOVE SIXTH FORMS**

**Whether proposals will lead to an improvement in the educational or training achievements of persons who are above compulsory school age but below the age of 19**

38. The Cabinet Secretary agrees with the local authority which believes that the proposal will lead to an improvement in the educational or training achievements of post 16 pupils as larger sixth forms provide more course options and in their view are characterised by higher attainment levels.

**Whether proposals will contribute to an appropriate range of relevant courses and qualifications and high quality, employer informed, vocational learning routes targeted at pupils of all abilities, whilst maintaining GCSE, AS/A level and other established courses, as required under the Learning and Skills (Wales) Measures 2009 for 14-19 year old learners**

39. The Cabinet Secretary agrees with the local authority that Ysgol Dewi Sant is unlikely to sustain the variety and quality of post 16 courses needed to satisfy the Learning and Skills (Wales) Measure 2009 because of the low number of pupils on roll. While Estyn found that as a partner of the North Pembrokeshire Federation schools were able to provide a suitable number of and range of post 16 options to meet statutory requirements, few pupils took up courses offered at other establishments.
40. The Cabinet Secretary is satisfied that the Pembrokeshire College will provide the variety and quality of courses required to satisfy the Learning and Skills (Wales) Measure 2009.

**Whether the proposals are likely to lead to increased participation in learning by pupils beyond compulsory school age, taking into account transport issues and costs to the learner and others, the affordability of such costs, and the likelihood of learners being willing to travel**

41. The local authority believes that increasing the number of courses is likely to increase the level of participation in learning by pupils beyond compulsory school age. The Cabinet Secretary has no reason to disagree with the local authority as the proposal will provide more opportunities and choices. Pembrokeshire College's policy of providing transport free of charge to full-time students may reduce the reluctance of some post 16 pupils to take up A level and vocational courses at a distance from their school, and the intention to provide some courses remotely on current school sites could further promote engagement. So long as this provision remains in place engagement should be promoted.

**The extent to which proposals contribute to the 14-19 agenda taking account of the views of local 14-19 networks and learning partnerships**

42. The Cabinet Secretary considers it probable that the proposal will contribute to the 14-19 agenda by improving the educational experience of students at post 16. Although currently the schools in mid and north Pembrokeshire collaborate with each other and Pembrokeshire College to provide A level and vocational courses, few pupils take full advantage of this arrangement to study courses at other schools. The Cabinet Secretary agrees with the local authority that the small sixth forms at Ysgol Bro Gwaun and Ysgol Dewi Sant are not sustainable and, what is in effect, the amalgamation of these sixth forms at the Pembrokeshire College Sixth Form Centre will create more viable and sustainable post 16 provision.

**The effect of proposals on 11-16 provision in schools**



43. The Cabinet Secretary agrees with the local authority that the proposal could have a positive effect on 11-16 provision in the new school as the budget for Key stages 3 and 4 will no longer be subsidising post 16 provision. This could result in smaller class sizes, improved choice of courses and more support for literacy. However, the removal of the sixth form could affect the long term viability of the school by reducing overall pupil numbers. Although the total number of pupils attending the new school will contain fewer secondary aged pupils than at present, the small increase in catchment area could increase the number of children captured by the school in due course.

**How proposals would affect the viability of institutions already providing good quality post-16 provision, including school sixth forms, Further Education institutions and private training organisations**

44. The proposals to end sixth form provision at Ysgol Bro Gwaun and close Ysgol Dewi Sant, Ysgol Bro Dewi, Solva Community School and establish a 3-16 school have in common that it is proposed Pembrokeshire College would provide all A level and vocational courses in future. The Cabinet Secretary agrees with the local authority that the more students that attend the Sixth Form Centre the more viable and sustainable it will be and that for a viable Sixth Form Centre, alongside college provision, it would be necessary for at least the sixth forms at Fishguard and St Davids to unite.

**How proposals might affect the sustainability or enhancement of Welsh medium provision in the local 14-19 network and wider area and promote access to availability of Welsh medium courses in post-16 education;**

45. The Cabinet Secretary considers that it seems unlikely that any pupils from the new English medium 3-16 school would seek post 16 provision through the medium of Welsh.

**The extent to which proposals will provide additional learner benefits compared with the status quo and other tenable options for post-16 organisation**

46. The Cabinet Secretary notes that whilst objectors have questioned the local authority's decision to abandon an independent recommendation to close Ysgol Dewi Sant, the local authority has refuted this. The local authority points out that this was not a recommendation of the independent report, and subsequent consultation about closing the school led to such a move being rejected by the Council as a result of public pressure. There is little or no evidence that current collaboration is leading to pupils accessing a wide range of subject options, including vocational options. As part of the proposal Pembrokeshire College students would receive new and improved facilities and be able to choose from a wide range of A level and vocational courses. The Cabinet Secretary is satisfied that post 16 students would benefit from better facilities and have access to a wider range of courses.

47. The Cabinet Secretary notes that it is intended that post 16 students would still be able to access the facilities at Ysgol Dewi Sant including information and communication technology suites for distance learning and that it may be possible to deliver some of the A level curriculum from Ysgol Dewi Sant.

## **How proposals might affect the discretionary transport provision a local authority may provide to learners above compulsory school age**

48. Post 16 pupils currently attending Ysgol Dewi Sant would in future have to travel to the Pembrokeshire College sixth form centre. The Cabinet Secretary notes that Pembrokeshire College provides transport free of charge to full time students. Students who require transport to the Sixth Form Centre will be able to access Pembrokeshire Colleges' dedicated bus service.

## **SPECIFIC FACTORS TO BE TAKEN INTO ACCOUNT FOR PROPOSALS TO INCREASE PROVISION IN VOLUNTARY SCHOOLS OR ESTABLISH A NEW VOLUNTARY SCHOOL**

49. The Cabinet Secretary notes that the local authority has confirmed that it will meet its liability in terms of provision of premises and in accordance with the School Standards and Organisation (Wales) Act 2013.
50. There is no governing body in place at present but the diocesan authority has undertaken to support the school and the Cabinet Secretary considers it is reasonable to assume that they will continue to do so.

## **ADDITIONAL FACTORS TO BE TAKEN INTO ACCOUNT IN APPROVING/ DETERMINING SCHOOL ORGANISATION PROPOSALS**

### **Whether there are any other related proposals**

51. The Cabinet Secretary considers that the proposals to end sixth form provision at Ysgol Bro Gwaun and close Ysgol Dewi Sant, Ysgol Bro Dewi, Solva Community School and establish a 3-16 school are related for the reasons set out in the paragraphs above. The Cabinet Secretary has therefore considered the proposals together.

### **Whether the consultation has been conducted in accordance with the Code**

52. The Cabinet Secretary is satisfied that the consultation has been conducted in accordance with the Code.
53. Although objectors representing Solva Primary school allege that they had not been consulted about the closure of their school, this was clearly set out in the consultation document. Furthermore, as a result of the strong representations made on the basis of its retention, the local authority decided to retain the site and include the premises in the multi site school rather than dispose of it. For the same reason, the Cabinet Secretary believes that those who objected on the basis that the local authority did not consider other options cannot substantiate this view, as the local authority proceeded with the option of retaining the school buildings in response to representations.
54. The Cabinet Secretary is satisfied that the necessary impact assessments were carried out and were publicly available. She agrees with the local authority that there should not be any adverse impacts on groups with protected characteristics.

### **Whether the proposal has been published in accordance with the Code and the notice contains all of the required information**

55. The Cabinet Secretary is satisfied that the publication requirements have been complied with.

### **Consideration of the objections and local authority's responses to the objections**

56. The Cabinet Secretary considers that the local authority has responded reasonably to the objections. The proposal that was published met some of the concerns raised in consultation and as the local authority has committed to investing in the Solva site. The points raised by objectors have been evaluated in the foregoing paragraphs.

57. The Cabinet Secretary has decided to approve the proposal on the grounds that it will:

- be likely to maintain or improve the standard of education provision for pupils in the area surrounding Ysgol Dewi Sant by providing a more sustainable school, with a larger governing body and staffing complement better able to deliver a broad and balanced curriculum;
- promote efficient management of schooling in the St David's area, reducing duplication and complexity and facilitating smooth transition;
- provide young people who would have attended the sixth form at Ysgol Dewi Sant with a wider choice of post-16 provision provided by the Sixth Form Centre, Pembrokeshire College;
- contribute to the aims of the Learning and Skills (Wales) Measure 2009 by strengthening sustainable post-16 provision; and
- reduce school places and provide improved school buildings.

58. The Cabinet Secretary notes that this proposal is due to be implemented with effect from 1 September 2018. When the proposal is implemented the Cabinet Secretary looks to the local authority to ensure that the appropriate arrangements are put in place and the transfer of pupils is carried out with the minimum of disruption possible. The local authority should inform School Effectiveness Division when the proposal is implemented.

59. I am sending a copy of this letter to the Chief Executive of Pembrokeshire County Council and to the Diocesan Director of Education at St David's Diocese.

Yours sincerely



**STEVE VINCENT**  
**DEPUTY DIRECTOR: SCHOOLS EFFECTIVENESS DIVISION**