

21st Century Schools Objection Report

YSGOL GYMRAEG CWM GWYDDON



Proposal : **Relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School**

Formal Statutory Objection Period : 11th January 2021 – 7th February 2021

This report is published in line with the requirements of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2018.



Ysgolion a Cholegau yr 21ain Ganrif
21st Century Schools and Colleges



Llywodraeth Cymru
Welsh Government

TABLE OF CONTENTS	
Introduction <ul style="list-style-type: none"> ➤ Executive Summary ➤ Statutory Obligations ➤ Purpose of the Objection Report 	<div style="background-color: red; height: 15px; width: 100%;"></div> Page 3 Page 3 Page 3
Proposal <ul style="list-style-type: none"> ➤ What are we proposing to do? 	<div style="background-color: orange; height: 15px; width: 100%;"></div> Page 4
Statutory Process and Decision Making <ul style="list-style-type: none"> ➤ The Statutory Process ➤ Cabinet Response to Consultation Report ➤ Decision Making 	<div style="background-color: yellow; height: 15px; width: 100%;"></div> Page 5 Page 6 Page 7
Statutory Notice <ul style="list-style-type: none"> ➤ Statutory Notice - Consultation Process ➤ Statutory Notice - Consultation Information ➤ Stakeholder Engagement ➤ Implications of Covid19 	<div style="background-color: lightgreen; height: 15px; width: 100%;"></div> Page 7 Page 7 Page 8 Page 9
Statutory Objection <ul style="list-style-type: none"> ➤ Responses ➤ Reasons for the Objection and Council Clarification 	<div style="background-color: cyan; height: 15px; width: 100%;"></div> Page 9 Page 10
Other Considerations <ul style="list-style-type: none"> ➤ Learner Voice ➤ Integrated Impact Assessment ➤ Local and National Strategies 	<div style="background-color: darkblue; height: 15px; width: 100%;"></div> Page 13 Page 13 Page 13
Next Steps <ul style="list-style-type: none"> ➤ Publication of Objection Report ➤ Cabinet 'Objection Report' Decision ➤ Recommendation ➤ Decision Notification 	<div style="background-color: purple; height: 15px; width: 100%;"></div> Page 14 Page 14 Page 15 Page 15
Supporting Information <ul style="list-style-type: none"> ➤ Annex 1 : Consultation Document / Consultation Report ➤ Annex 2: Statutory Notice Notification Letter / Published Statutory Notice ➤ Annex 3: Statutory Objections Statement ➤ Annex 4: Objection Report Notification Letter 	<div style="background-color: black; height: 15px; width: 100%;"></div> Page 16 Page 16 Page 17 Page 17



INTRODUCTION

Executive Summary

Caerphilly County Borough Council aspires to continue to raise school standards and improve the quality of the learning environment to create fit-for-purpose 21st century schools and give every child in Caerphilly the best possible start in life.

Ysgol Gymraeg Cwm Gwyddon has been identified as one of the first priority projects for the 21st Century Schools and Colleges Band B programme in the Borough.

At their remote meeting held on the 9th December 2020, Council Cabinet agreed the proposal to progress to Statutory Notice phase, in-line with the School Organisation Code 2018 in relation to:

- **The relocation of Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School**

In accordance with the Council's Constitution, the above mentioned decision was subject to a challenge process. The decision notice was circulated to all Members and appropriate officers. The executive decision came into force at 5pm on Monday 14th December 2020. Please note that this decision was not 'called in'.

Statutory Obligations

This report is published in line with the requirements of the [School Standards and Organisation \(Wales\) Act 2013](#) and the [School Organisation Code 2018](#).

Purpose of the Objection Report

In accordance with the School Organisation Code 2018, the Council must publish a summary of the statutory objections and the Council's responses to those objections ("the Objection Report"). The purpose of the Objection Report is to provide Cabinet with the necessary information to make an informed decision through reflection, review and assessment as to whether to implement the proposal.

The Report is divided into several sections with the aim to:

- Outline the Statutory processes undertaken
- Provide clarification in relation to the information provided and consultee engagement
- Summarise each of the Statutory Objections raised by consultees
- Respond to the Objections raised by means of clarification, with supporting reasons

Full details of the decision making process and the stages of the proposal as outlined in the School Organisation Code 2018 have been published as part of the Consultation Documentation and are publicly available via the Council's website with hardcopies made available on request.



PROPOSAL

What are we proposing to do?

As outlined in the [Consultation Document](#) and [Consultation Report](#), both of which have been published and are available via the Council's website or in hardcopy on request, Caerphilly County Borough Council (CCBC) has embarked upon an exciting but challenging journey of improvement and change.

Schools in Wales need to be in good condition and suitable for the delivery of education. In some cases, schools can be modernised, repaired, refurbished, extended, or partially rebuilt to meet the standards needed for contemporary teaching and learning. However, some existing schools are no longer in the right place and in such cases, we might propose new schools or changes to existing schools.

The 21st Century Schools and Colleges programme is a major, long-term, strategic capital investment programme. It is jointly funded by the Welsh Government and local authorities and aims to create a generation of 21st century schools in Wales with the priority areas being:

- Reduce the number of poor condition schools
- Ensure that we have the right size schools in the right location
- Provide enough places to deliver Welsh and English medium education
- Ensure the effective and efficient use of the educational estate

We are proposing to:

- **Relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School (Cwmcarn, NP11 7NG) with an anticipated occupation date of September 2023**
- It is proposed that the new building will incorporate a primary facility with Childcare, Special Resource Base (SRB), Nursery, Rising Threes and main school classrooms, main assembly hall, food technology space, a library and IT space
- The identified site will have sufficient accommodation to facilitate a new building that will provide accommodation for approximately 420 pupils plus 60 nursery places and 16 SRB places and ensure equality of access by promoting and supporting the development and delivery of inclusive education through delivery of the full curriculum to pupils in a modern, safe and inspiring learning environment
- The new building will provide a stimulating teaching and learning environment with 21st Century facilities including improved ICT facilities. The design will be centered on the learning, self-esteem and well-being of all pupils and improve lifelong learning opportunities for members of the community to strengthen and safeguard the promotion of the Welsh language, culture and heritage across Caerphilly East
- The new building will improve the outside learning space offering external play areas, a tarmac MUGA area and access to a grass pitch. The usage of sporting facilities will also be considered for the community at suitable times in keeping with the curriculum timetable

- The proposed project will take into account the desire to encourage and facilitate community use of the asset. The design process will seek to include measures to enable safe 'zoning' of parts of the new school building, including the hall and a multi-functional classroom compliant space which could be adapted for community use

STATUTORY PROCESS AND DECISION MAKING

The Statutory Process

The School Organisation Code 2018 is made under Sections 38 and 39 of the School Standards and Organisation (Wales) Act 2013 and applies to proposals in respect of maintained schools as defined at Section 98 of the 2013 Act. That is a school in Wales, which is a community, foundation or voluntary school, a community special school or a maintained nursery school. This does not include pupil referral units (PRUs).

The School Organisation Code 2018, provides clear statutory guidance as to the processes that need to be adhered to and the stages to follow:

1) Changes that require a proposal

- Identifying the proposal
- Development of proposal

2) Consultation

- Publishing a Consultation Document
- Notification letter sent to stakeholders (as prescribed by the code)
- Undertaking a consultation exercise
- Consultation with children and young people
- Publishing a Consultation Report
- Notification letter sent to stakeholders

3) Publication of Statutory Proposals

- Publishing a Statutory Notice
- Notification letter sent to stakeholders

4) Determining Proposals

- Publishing an Objection Report
- Notification letter sent to stakeholders
- Approval by Local Authority or Welsh Minister (dependent on nature of proposal)
- Decision Notification
- Notification letter sent to stakeholders

5) Implementing Proposals

- Carrying out agreed actions

The planning and development of effective school organisation proposals is crucial to the Welsh Government's goal of transforming education in Wales and providing better educational outcomes. The aim is to ensure that proposals support the Welsh Government's commitment to increase school effectiveness, and narrow inequalities in achievement between advantaged and disadvantaged areas, groups and individuals.

When formulating a proposal, there is a need to clearly identify the reasons for formulating the proposal. Factors to be taken into account in preparing, publishing, approving or determining school organisation proposals include Quality and Standards in Education, the need for places and impact on accessibility, resourcing of education and other financial implications. These factors are outlined in the [Consultation Document](#) and further addressed in the [Consultation Report](#).

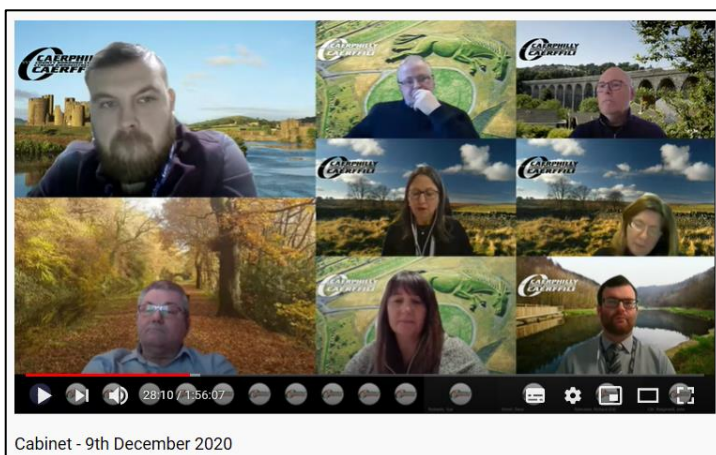
Cabinet Response to Consultation Report

A digital meeting via Microsoft teams took place on Wednesday 9th December 2020 at 5.30pm.

As part of this meeting, the 21st Century Schools and Colleges Band B Programme and consultation in respect of Ysgol Gymraeg Cwm Gwyddon was discussed. All Consultation Documentation was made available to members as part of the agenda reports pack including the [Consultation Report](#) and original responses in the format received from all parties within the consultation period which ran from the 14th September to the 26th October 2020. Officers linked to the proposal were available to take questions.

It was noted that the matter was previously considered by Education Scrutiny Committee on the 26th November 2020 at which the recommendation to proceed to the Statutory Notice stage was agreed.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded. Cabinet Members voted unanimously *'that for the reasons contained in the Officers Report to Cabinet, agree the proposal to progress the project to the Statutory Notice phase, in-line with the School Organisation Code 2018.'*



A recording of the session is available on YouTube: [Cabinet – 9th December 2020](#)

The agenda item linked to the 21st Century Schools proposals start at 28 minutes in to the recording.

The [Notice of Cabinet Decisions](#) document is also available to view on the Council's website.

Decision Making

Progression at each stage is subject to scrutiny, review and approval by Cabinet Members and in addition, Welsh Government are engaged in the process as one of the key delivery partners and co-funders.

When approving proposals, Cabinet must:

- consider whether there are any other related proposals
- ensure that the statutory consultation has been conducted in accordance with this Code (the requirement to consult does not apply to proposals relating to Pupil Referral Units)
- ensure that the proposal has been published in accordance with the Code and the notice contains all the required information
- consider the [Consultation Document](#) and [Consultation Report](#)
- consider the objections and the objection report and any responses to the notice supporting the proposals

This Objection Report has been produced as the next stage in the process following the Statutory Objection Period as defined by the School Organisation Code 2018. This Objection Report will be subject to initial scrutiny as part of discussions at an Education Scrutiny Committee meeting whereby Members will be asked to note the information contained in the Objection Report and to seek views on the recommendations made within this the Objection Report prior to consideration by Cabinet on 7th April 2021.

Cabinet will then make the final determination relating to the proposal and decide whether or not to proceed to implementation as recommended. Full details are outlined in the [‘Next Steps’](#) section.

STATUTORY NOTICE

Statutory Notice - Consultation Process

The consultation process has followed the Welsh Government requirements as set out in the School Organisation Code 2018.

As the proposal relates to a ‘regulated alteration’ to a Maintained school under Section 42 of the School Standards and Organisation (Wales) Act 2013, the proposals have been published on the Council’s website.

Following the decision by Cabinet outlined above to proceed to Statutory Notice, anyone wishing to make an objection to this proposal was able to do so. To be considered as a statutory objection, objections had to be made in writing or by email and sent to the Council within the 28 days of the date on which the proposal was published. This is referred to as the “objection period” and ran from the 11th January 2021 to the 7th February 2021.

Statutory Notice - Consultation Information

The School Organisation Code 2018 states that when undertaking a consultation process in connection with a school proposal, the Council must publish information to enable transparent, balanced and open decision making.

The Statutory Notice was published on a school day and consultees were given 28 days to respond to the document, with at least 15 of these being school days as defined by Section 579 of the Education Act 1996. The objection period opened on Monday 11th January 2021 (a school day) and concluded at midnight on Sunday 7th February 2021.

Notices were published on the 11th January 2021 as follows:

- On the [council website](#)
- On or near the main entrance of the school which was subject to the proposal
- The school was provided with hardcopies of the Statutory Notice to distribute to pupils, parents/carers and staff.
- Prescribed consultees as listed in the School Organisation Code 2018 were notified in writing via email/letter
- Social Media Messages were released on Facebook and Twitter to advise of the publication of the Notice and direct interested parties to the Council website

All documentation was published in Welsh and English, complying with the requirements of the Welsh Language Standards. Information was also available in other languages and formats on request.

Stakeholder Engagement

Consultees were advised of the proposal and availability of the Statutory Notice and all prior documentation published relating to the proposal, when it went live on the 11th January 2021 via letter/email and were therefore invited to take part in this stage of the statutory consultation.

The School Organisation Code 2018, prescribes those individuals/groups considered key consultees in the consultation process. As per section 4.1 of the code, the list below presents the consultees engaged with relevant to proposals of this nature for the Caerphilly Borough.

- Parents, prospective parents, guardians and carers of all pupils of schools directly affected by the proposal
- Headteacher, staff and governors of schools directly affected by the proposal
- Pupils/Pupil Councils of schools directly affected by the proposal
- Directors of Education of all bordering LAs – Blaenau Gwent, Caerphilly, Cardiff, Merthyr Tydfil, Newport, Powys, Rhondda Cynon Taf, Torfaen
- Catholic Diocesan Board of Education
- Church in Wales Diocesan Board
- Local Standing Advisory Council on Religious Education (SACRE)
- Governing body of other schools which the proposer considers are likely to be affected by the proposal
- Local CCBC Members
- All Assembly Members and Members of Parliament representing the area served by the schools directly affected by the proposal
- Welsh Ministers
- ESTYN
- Teaching Associations
- Support Staff Associations
- South East Wales Consortium (EAS)
- South East Wales Transport Alliance (SEWTA)
- Gwent and South Wales Police and Crime Commissioners
- Local Town and Community Councils
- Menter Iaith

- Early Years Development and Childcare Partnership
- Parent Network
- Welsh Education Forum
- Any consultee who has previously expressed concern as part of their consultation response during the period of 14th September 2020 – 26th October 2020.

In the case of proposals affecting Welsh Language provision, the Welsh Language Commissioner is also considered a consultee and was contacted in relation to this proposal.

Implications of COVID19

Section 4.1 of the School Organisation Code 2018 states that a Statutory Notice has to be published on a school day and consultees given 28 days to respond to the document, with at least 15 of these being school days in addition to the day it was published, as defined by Section 579 of the Education Act 1996.

In light of Covid restrictions imposed at the time of publication, Welsh Government issued a modification to the School Organisation Code 2018 on the 8th January 2021 which temporarily modified section 4.1 of the Code in respect of the manner of publication of the statutory notice, as if the references to 'school day' now includes a day on which there would have been a school session, but for any restriction on the attendance of pupils at the school in connection with the prevalence of coronavirus.

In addition, the School Effectiveness Division of Welsh Government confirmed that if a school was open to support keyworker or vulnerable pupils, as was in the case of all the schools in Caerphilly at this time, this would also be accepted as a 'school day' for the purposes of discharging this requirement under the code.

Therefore, in light of the information above, the publication date of the 11th January 2021, falls within the definition of a 'School day' and the Statutory Objection period proceeded within the scope and requirements as prescribed by the School Organisation Code 2018.

STATUTORY OBJECTION

Responses

Overall a total of 2 Statutory Objections were received during the Statutory Notice stage of the consultation process.

To be considered as a statutory objection, objections had to be made in writing or by email and submitted within the Objection Period. All objections submitted, regardless of whether the respondent was classified as a consultee as per the School Organisation Code 2018 have been included in the figures reported. All responses have been individually read, reviewed and summarised in this report and original copies of all correspondents are available to Cabinet Members as part of the decision making process.

It should be noted that this process as prescribed by Welsh Government, provides no opportunity for inclusion of responses in support of the proposal.

Of the prescribed methods for providing a response during the consultation period:

- 0 responses received via letter
- 2 responses received via email

0 responses (0%) were returned in the medium of Welsh with the remaining 2 responses (100%) in English.

The 21st Century Schools Team received 0 requests for the documentation to be provided in another format or language.

Reasons for the Objection and Council Clarification

The following table provides a summary of the Statutory Objections received during the objection period as per the requirements of the School Organisation Code 2018

Area of Objection:	Overview
Prioritisation of Welsh Medium Education	Respondents queried the justification for the proposal prioritisation of Welsh Language provision in the area and the perception of discrimination against non-Welsh speaking children.
Need for New Secondary School in area	Both respondents expressed concerns relating to the capacity of local secondary school provision in the area and the need to create a new secondary school on the proposed site for development.

In accordance with Section 5.1 of the School Organisation Code 2018, the Council, as the proposer, must publish its response to the summarised objections. The table below provides a non-verbatim description from the objections received of the individual areas requiring further clarification and the Council's response to each in turn.

Area of Objection:	Prioritisation of Welsh Medium Education
Areas requiring clarification:	Council's Response
<ul style="list-style-type: none"> • Reasoning for Welsh Medium school investment 	<p>The Welsh Language (Wales) Measure 2011, the School Standards and Organisation (Wales) Act 2013 and the Legislation (Wales) Act 2019, places a statutory duty on the Council to assess the demand for Welsh medium education in the area and develop a 5 year Welsh language strategy, with the aim of increasing the number of Welsh speakers and the use of the Welsh Language within the county borough.</p> <p>The Welsh in Education Strategic Plan (WESP) sets out Caerphilly's commitment to the Promotion of Welsh language and the provision of quality, attractive educational facilities, striving to stimulate demand for Welsh medium education. The Council is dedicated to providing educational facilities that meet the needs of our pupils and local communities and has identified a need to invest in Ysgol Gymraeg</p>

<ul style="list-style-type: none"> Prioritisation of Ysgol Gymraeg Cwm Gwyddon Proposal Investment in local English medium provision Equality Impact Assessment 	<p>Cwm Gwyddon, meeting the increasing demand for education through the medium of Welsh</p> <p>Proposals have been prioritised based on a number of factors including building condition and overall suitability as well as local and national drivers, however, the delivery of the curriculum and the Educational agenda remains at the core.</p> <p>When comparing primary provision in the area:</p> <table border="1" data-bbox="448 495 1441 790"> <thead> <tr> <th>Primary School Name</th> <th>Taught Medium</th> <th>Condition Rating</th> <th>No. of Class rooms</th> <th>Size Compliant Class rooms</th> <th>Demountables</th> <th>Overall Suitability</th> </tr> </thead> <tbody> <tr> <td>Abercarn</td> <td>English</td> <td>B</td> <td>10</td> <td>6</td> <td>2</td> <td>B</td> </tr> <tr> <td>Cwmcarn</td> <td>English</td> <td>C+</td> <td>12</td> <td>6</td> <td>1</td> <td>A</td> </tr> <tr> <td>Wauanfawr</td> <td>English</td> <td>B</td> <td>7</td> <td>7</td> <td>0</td> <td>A</td> </tr> <tr> <td>Cwm Gwyddon</td> <td>Welsh</td> <td>C</td> <td>11</td> <td>4</td> <td>2</td> <td>C</td> </tr> </tbody> </table> <p>Ysgol Gymraeg Cwm Gwyddon ranks lowest in condition and suitability. In addition, at its current location, the school has reached its capacity in relation to any further developments on the existing grounds, whereas the local English medium provisions have that opportunity moving forward should the demand be required.</p> <p>The Council is dedicated to providing all learners with quality learning opportunities. The 21st Century Schools programme is only one mechanism for infrastructure investment in our Schools. The Council continuously improves the quality of school buildings through the Capital Investment Programme. Schools are invited to submit applications annually to support improvement works. Any works that are identified via the Health and Safety team are also undertaken.</p> <p>An Equality and Welsh Language Impact Assessment has been carried out in relation to this proposal and this will be further reviewed as required.</p>	Primary School Name	Taught Medium	Condition Rating	No. of Class rooms	Size Compliant Class rooms	Demountables	Overall Suitability	Abercarn	English	B	10	6	2	B	Cwmcarn	English	C+	12	6	1	A	Wauanfawr	English	B	7	7	0	A	Cwm Gwyddon	Welsh	C	11	4	2	C
Primary School Name	Taught Medium	Condition Rating	No. of Class rooms	Size Compliant Class rooms	Demountables	Overall Suitability																														
Abercarn	English	B	10	6	2	B																														
Cwmcarn	English	C+	12	6	1	A																														
Wauanfawr	English	B	7	7	0	A																														
Cwm Gwyddon	Welsh	C	11	4	2	C																														
<p>Area of Objection:</p>	<p>Need for New Secondary School in area</p>																																			
<p>Areas requiring clarification:</p>	<p>Council's Response</p>																																			
<ul style="list-style-type: none"> Cwmcarn High School demolition 	<p>Reference to the former Cwmcarn High School on the proposed site has been made as part of an objection. In line with the School Standards and Organisation (Wales) Act 2013, the Governing Body of Cwmcarn High School made the proposal to discontinue the school in October 2018 based on a number of deciding factors. This decision was not based on any 21st Century Schools proposals.</p>																																			

<ul style="list-style-type: none"> • Demand for English Medium Secondary School 	<p>When considering any proposal for investment through the 21st Century Schools Programme, a holistic view of the educational estate is taken and information relating to pupils including current levels, school capacity, catchments and pupil projections from all schools in the Borough are taken into account. No additional English medium secondary provision has been identified in the Cwmcarn area as a result of the data analysis undertaken at present.</p>																		
<ul style="list-style-type: none"> • Newbridge / Risca Comprehensive school capacity 	<p>Queries relating to the capacity of the 2 geographically closest secondary schools were raised as part of the Consultation process and have been again as part of the Objection Period. As part of this proposal, both local English medium secondary schools were identified as having adequate provision at their current locations for their catchment pupils.</p>																		
<table border="1"> <thead> <tr> <th>School</th> <th>Capacity</th> <th>Number on Roll Sept 2020</th> <th>% Catchment pupils on roll</th> <th>% Out of Catchment</th> <th>% Out of County</th> </tr> </thead> <tbody> <tr> <td>Newbridge</td> <td>1017</td> <td>991</td> <td>65.59%</td> <td>17.46%</td> <td>16.95%</td> </tr> <tr> <td>Risca</td> <td>729</td> <td>661</td> <td>82.45%</td> <td>12.56%</td> <td>4.99%</td> </tr> </tbody> </table>		School	Capacity	Number on Roll Sept 2020	% Catchment pupils on roll	% Out of Catchment	% Out of County	Newbridge	1017	991	65.59%	17.46%	16.95%	Risca	729	661	82.45%	12.56%	4.99%
School	Capacity	Number on Roll Sept 2020	% Catchment pupils on roll	% Out of Catchment	% Out of County														
Newbridge	1017	991	65.59%	17.46%	16.95%														
Risca	729	661	82.45%	12.56%	4.99%														
<p>In addition, as part of the 21st Century Schools Band A programme, Newbridge School received an investment of £2 million to provide an additional 9 classrooms and ancillary facilities. Both schools also access investment into the building through the Council's Education Capital Investment Programme.</p>																			

OTHER CONSIDERATIONS

Learner Voice

Learner voice is about involving the children and young people as active participants in the development, delivery, management and improvement of their educational experience.

Throughout every stage of the process, children and young people at the proposed affected school has been involved in the planning and consultation process as outlined and demonstrated in the [Consultation video](#), [Consultation Document](#) and [Consultation Report](#).

However, as outlined previously, at this stage in the process as prescribed by Welsh Government, there is no opportunity for inclusion of responses in support of the proposal as part of this document. Members are urged to be mindful of this as part of their deliberations moving forward.

Integrated Impact Assessment

Local authorities are already under a duty to carry out equality impact assessments and this is recognised by Welsh Government as part of the School Organisation Code 2018.

An initial Equality and Welsh Language Impact Assessment for this proposal was undertaken alongside the original Consultation Document forming part of the outline consultation pack which is published on the Council's website.

A new socio-economic duty set out in section 1 of the Equality Act 2010, comes into force on 31st March 2021, therefore an Integrated Impact Assessment (IIA) template will be utilised to update the existing Equality Impact Assessment and include any additional elements highlighted through the statutory consultation processes. The purpose of this further assessment is to take account of any further information that has come forward through the consultation or otherwise.

The utilisation of the new IIA design will further help support Cabinet Members in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

- Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011
- Welsh Language (Wales) Measure 2011
- Socio-economic Duty – Sections 1 to 3 of the Equality Act 2010
- Well-being of Future Generations (Wales) Act 2015
- Statutory Consultation v Doctrine of Legitimate Expectation and Gunning Principles

Local and National Strategies

There are a number of local and national strategies that drive Educational reform and underline the rationale for the proposals being considered as part of the 21st Century Schools and Colleges Band B programme in Caerphilly.

- [Welsh Language Act 1993 / Welsh Language \(Wales\) measure 2011](#)
- [Additional Learning Needs and Educational Tribunal \(Wales\) Act 2017](#)
- [The Childcare Act 2006 \(Local Authority Assessment\) \(Wales\) Regulations 2016](#)
- [Well-being of Future Generations \(Wales\) Act 2015](#)
- [Welsh Government - Education in Wales: Our National Mission](#)
- [Welsh Government - Cymraeg 2050: Welsh Language Strategy Action Plan 2019- 2021](#)
- [Welsh Government - 21st Century Schools and Colleges Programme](#)
- [Caerphilly - 'Shared Ambitions' Education Attainment Strategy 2019 - 2022](#)
- [Caerphilly - #Team Caerphilly: Better Together Transformation Strategy](#)
- [Caerphilly - Welsh Education Strategic Plan](#)
- [Caerphilly - Welsh Language Strategy 2017-2022](#)
- [Caerphilly - Corporate Plan \(including Wellbeing Objectives 2018-2023\)](#)
- [Caerphilly – Education Other Than At School \(EOTAS\) Strategy 2020](#)
- [Caerphilly - Strategic Equality Plan 2020-2024](#)
- [Caerphilly - Communication and Engagement Strategy 2019-2022](#)

NEXT STEPS

Publication of Objection Report

Under section 49 of the School Standards and Organisation (Wales) Act 2013, when objections have been received the Council must publish a summary of the statutory objections and the Council's response to those objections ("the Objection Report").

- The Objection Report will be published and posted on the Council's website with hard copies available on request.
- The Consultees as identified on pages 8/9 of this report will be advised by letter or email of the availability of the Objection Report.

Cabinet 'Objection Report' Decision

Where a local authority's proposals have received objections, objections must be conscientiously considered alongside the arguments in respect of the proposals and in the light of the factors set out in the School Organisation Code 2018.

Further to review at Education Scrutiny Committee on the 22nd March 2021, this document will be considered in full at a Cabinet meeting due to be held on 7th April 2021.

At this meeting the following documentation will be made available to Members.

- a copy of the [Consultation Document](#)
- a copy of the [Consultation Report](#)
- a copy of the [Published Statutory Notice](#) and [Notification Letter sent to Consultees](#)
- a copy of the updated Integrated Impact Assessment
- a copy of the Objection Report
- copies of all the statutory objections in their original format

Cabinet Members will be asked to review the proposal and make the final determination as to whether to implement the proposal as outlined below:

To relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School

Recommendation

It is the recommendation of this Objection Report that in line with the processes outlined in the School Organisation Code 2018 and the information gathered and reviewed as part of the consultation phase and formal objection period that Members endorse the proposal outlined above and permission is given as part of Cabinet's final determination to progress to implementation phase.

Decision Notification

Decisions (in relation to proposals which require approval or determination) must be made and issued in the form of a decision letter. The decision letter must set out clearly the reasons for the decision with reference to the School Organisation Code 2018.

The Decision letter will be published electronically on the Council's website and the consultees as outlined in Section 5.6 of the School Organisation Code will be advised by letter/email of the availability of the document.

SUPPORTING INFORMATION

Annex 1 :


[Consultation Document](#)
[Consultation Report](#)

Annex 2:

[Notification Letter sent to Consultees](#)


Ty Penallta,
Park Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG



Cyfarwyddwr Corfforaethol - Addysg a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services
www.caerphilly.gov.uk | www.caerphilly.gov.uk

Ysgolion yr 21ain Ganrif
21st Century Schools



Ref: LT/JS/AW
21st Century Schools
01443 864817

11th January 2021

Dear Consultee

In line with the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018, we are writing to inform you about the publication of a Statutory Notice.

The proposal is in connection with:

- **The relocation and expansion of Ysgol Gymraeg Cwm Gwyddon.**

Anyone wishing to make objections to this school organisation proposal now has the opportunity to do so. To be considered as a statutory objection, objections must be made in writing or by email, and received before the end of 28 day objection period which concludes on the 7th February 2021.

Objections by email should be sent to 21stCenturySchools@caerphilly.gov.uk

Objections in writing should be sent to Caerphilly County Borough Council, for the attention of the 21st Century Schools Team, Directorate of Education and Corporate Services, Penallta House, Tredomen Park, Ystrad Mynach, CF82 7PG.

It is recommended that you refer to the background information contained in the Consultation Document and Consultation Reports prior to submitting a response.

Full details and all relevant documentation in relation to the proposal can be found at: www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools

Regards

21st Century Schools Team
Caerphilly County Borough Council

Published Statutory Notice

Ty Penallta,
Park Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG



Cyfarwyddwr Corfforaethol - Addysg a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services
www.caerphilly.gov.uk | www.caerphilly.gov.uk

Statutory Notice
School Standards and Organisation (Wales) Act 2013

NOTICE IS HEREBY GIVEN in accordance with section 42 of the School Standards and Organisation Act 2013 and the School Organisation Code 2018 that Caerphilly County Borough Council, having consulted such persons as required by relevant legislation, proposes to make the prescribed alterations as follows:

Relocate Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school to be situated on the vacant site of the former Cwmcarn High School (Cwmcarn, NP11 7NG) with an anticipated occupation date of September 2023

The school is currently maintained by Caerphilly County Borough Council.

The Council undertook a period of consultation before deciding to publish this proposal. A consultation report containing a summary of the issues raised by consultees, the proposer's responses and Edyn's full response is available on the Council website at: <https://www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools>

It is proposed to implement the proposal with an anticipated effective date being circa September 2023.

The current number of pupils at the school at present is 207 plus 31 nursery pupils, the present capacity of the school is 251 pupils.

The admission number for Ysgol Gymraeg Cwm Gwyddon in the first school year in which the proposals will be implemented will be 45 for each year group including nursery. However, this will be increased incrementally by 5 per year until it reaches the admission number of 60 pupils.

The proposed capacity once the proposal is implemented will be 395 in the first year, which will be increased incrementally by 5 per year group until it reaches the full capacity of 420 pupils, plus 60 nursery and 10 special resource base places.

It is proposed that the catchment area for Ysgol Gymraeg Cwm Gwyddon will remain unchanged as outlined in the Consultation Document (page 14)

The Council's policy on school transport, which provides eligible pupils of statutory school age free transport to the 'relevant' school (i.e. catchment or nearest school) if more than a distance of 1.5 miles from home to school remains unaffected.

Objection Period
Within a period of 28 days of the date on which the proposal was published, that is to say, between Monday 11th January 2021 and Sunday 7th February 2021, any person may object to the proposals in writing or by email to the proposer.

Objections by email should be sent to 21stCenturySchools@caerphilly.gov.uk
Objections in writing should be sent to Caerphilly County Borough Council, for the attention of the 21st Century Schools Team, Directorate of Education and Corporate Services, Penallta House, Tredomen Park, Ystrad Mynach, CF82 7PG.

The Council will publish a summary of any such objections made (and not withdrawn in writing) within the objection period, together with their observations thereon, at the time of notification to stakeholders of the determination of the proposal.

Richard Edmunds
Corporate Director for Education and Corporate Services

Ysgolion yr 21ain Ganrif
21st Century Schools



For Caerphilly County Borough Council
Dated: 11th January 2021

EXPLANATORY NOTE
(This does not form part of the notice but is intended to explain its general meaning)

Caerphilly County Borough Council proposes to relocate and expand Ysgol Gymraeg Cwm Gwyddon, (Gwyddon Rd, Abercarn, Newport NP11 5GX) with effect from the 31st August 2023 to a new proposed site.

With effect from the 1st September 2023, pupils in the existing school will transfer to the new school site of (Chapel Farm, Cwmcarn, Newport NP11 7NG).


Annex 3: Statutory Objections Statement

Cabinet Members will be provided with full copies of all the objections received in their original format.

Annex 4: Objection Report Notification Letter sent to Consultees


Tŷ Penallta,
Parc Tredomen,
Ystrad Mynach,
Hengoed CF82 7PG

Penallta House,
Tredomen Park,
Ystrad Mynach,
Hengoed CF82 7PG



Cyfarwyddwr Corfforaethol - Adlysgys a Gwasanaethau Corfforaethol
Corporate Director - Education and Corporate Services

www.caerphilly.gov.uk | www.caerphilly.gov.uk



Ysgolion yr 21ain Ganrif
21st Century Schools

Ref: LT/AW
21st Century Schools
01443 864817
15.3.2021

Dear Consultee

In line with the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2018, we are writing to inform you about the publication of the Objection Report in connection with the following proposal:

- > The relocation of Ysgol Gymraeg Cwm Gwyddon to a new purpose built Welsh-medium provision school

The Objection Report is a summary of the Statutory Objections received during the Objection period (11th January 2021 to the 7th February 2021) and the council's responses to those objections.

At a meeting to be held on 7th April 2021, Cabinet will consider the Objection Report in respect of the proposal to relocate Ysgol Gymraeg Cwm Gwyddon and determine the final outcome for the proposal.

Full details and all relevant documentation in relation to the proposal can be found at: www.caerphilly.gov.uk/Services/Schools-and-learning/21st-Century-Schools

A hard copy of all documentation is also available on request and can be obtained by telephoning the number at the top of this letter.

Regards
21st Century Schools Team
Caerphilly County Borough Council

Gallwch ohebu mesen unrhyw iaith neu fformat | Correspondence may be in any language or format
Ni fydd gobeithu yn Gymraeg yn creu unrhyw aeddi | Corresponding in Welsh will not lead to any delay

