



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**PRIVATE CABINET**

**11<sup>TH</sup> SEPTEMBER 2023**

**STATUTORY SCHOOL ORGANISATION – PROPOSAL TO CLOSE RHIGOS  
PRIMARY SCHOOL WITH PUPILS TRANSFERRING TO HIRWAUN PRIMARY  
SCHOOL**

**REPORT OF THE DIRECTOR OF EDUCATION AND INCLUSION SERVICES IN  
DISCUSSION WITH THE CABINET MEMBER FOR EDUCATION, YOUTH  
PARTICIPATION AND WELSH LANGUAGE (COUNCILLOR R LEWIS)**

**AUTHOR(S):**

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Andrea Richards, Service Director of 21<sup>st</sup> Century Schools and Transformation

**1. PURPOSE OF REPORT**

The purpose of the report is to:

- 1.1 Seek formal approval to begin the relevant and required statutory school organisation consultation to close Rhigos Primary School in line with the requirements of the Welsh Government's School Organisation Code (2nd Edition) (011/2018); and
- 1.2 To extend the catchment area of Hirwaun Primary School to incorporate the current catchment area of Rhigos Primary School.

**2. RECOMMENDATIONS**

It is recommended that Members:

- 2.1 Note the content of this report.
- 2.2 Give formal approval to commence a statutory consultation with relevant stakeholders on the proposal to close Rhigos Primary School and extend the catchment area of Hirwaun Primary School to incorporate the current catchment area of Rhigos Primary School.
- 2.3 Subject to 2.2 above, give formal approval to report back to Cabinet to consider the Consultation Report and determine whether to publish the Consultation Report and approve the publication of the proposal in the form of a Statutory Notice.

- 2.4 Subject to 2.2 and 2.3 above, give delegated authority to the Director of Education and Inclusion Services to make any minor changes required to the draft Consultation Document (attached at Appendix A) prior to its publication and the statutory consultation commencing.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 The Council has a statutory duty through its approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of the community and makes best use of public funding.
- 3.2 The number of pupils joining Rhigos Primary School has been in steady decline and pupil numbers are forecast to continue to fall in the next five years.
- 3.3 Allowing surplus places to remain high through inaction would directly and negatively affect the future financial viability of the school and impact children's education in the future. The school budget with a diminishing income will have less money for staff salaries, curriculum activities, equipment, running costs and maintenance of the school estate and would therefore struggle to maintain their current good education offer.
- 3.4 To continue to effectively manage the education provision available in the Cynon Valley area of Rhondda Cynon Taf. This proposal will extend and expand upon the positive outcomes delivered through Welsh Government's Sustainable Communities for Learning Programme, enabling more pupils to benefit from this significant investment which has included the provision of the new Hirwaun Primary School building.
- 3.5 To continue to deliver on the objectives included within Welsh Government's Sustainable Communities for Learning rolling programme, specifically:
- Transforming learning environments and learner experience;
  - Meeting demand for school places;
  - Improving condition and suitability of the education estate;
  - Developing sustainable learning environments;
  - Supporting the community.
- 3.6 To continue to deliver the mission of the Education and Inclusion Service's Strategic Plan to ensure '*equity and excellence in Education and enhanced wellbeing for all*'.

### **4. BACKGROUND**

- 4.1 Rhigos Primary School is an English medium primary school located at Heol-y-Graig, Rhigos with a capacity of 65 pupil places. It is the smallest school in Rhondda Cynon Taf, with just 3 classrooms at the school accommodating pupils from 8 year groups, from nursery up to year 6.

- 4.2 The school site includes the original school building, which is over 100 years old, two mid 1960s brick extensions for toilets, and a hall to the right of the original building that was built in the 1980s. There is also a 1950s prefabricated metal construction classroom block which accommodates the nursery children which has come to the end of its useful life.
- 4.3 The overall school site is graded as C for condition and C for suitability, where A is the highest and D is the lowest performing building respectively. The buildings are in poor condition with significant refurbishment work required. The backlog maintenance figure for the school is circa £184,790, however this figure does not include costs for further improvements to enable the school to meet 21<sup>st</sup> Century Schools standards or to become energy efficient.
- 4.4 The site itself and the school building does not comply with the Equality Act 2010 given the inaccessibility of the site. The location of the school, in a residential area, makes drop off and pick up times challenging, with inadequate parking and turning arrangements available for parents.
- 4.5 Currently there are 58 statutory age pupils at the school, and as the table below indicates, pupil numbers are projected to drop by 36% in the next 5 years. Of the 58 statutory aged pupils, 7 live out of catchment. There is very little house building planned in the school's community area to help grow the birth rate which means that in-area demand for places at the school will remain low.

<b>Table 4.1</b>							
<b>Rhigos Primary School – Pupil Forecasts</b>							
	<b>Capacity</b>	<b>2022/23 Actual</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
<b>Statutory aged pupils</b>	65	58	54	52	46	42	37
<b>Nursery pupils</b>		4	6	6	5	6	6

- 4.6 In 2019, Rhigos Primary School was judged by Estyn as Good in all inspection areas.

## **5. PROPOSAL**

- 5.1 This consultation proposes that Rhigos Primary School closes with pupils from the school moving to Hirwaun Primary School, however in accordance with the School Admissions Code (005/2013) this will be subject to parental choice. To note Rhigos Primary School is also within the catchment of the Welsh medium provision at Ysgol Gynradd Gymraeg Penderyn, and tailored and individual support is currently available from the Council's Welsh language Immersion Team for any pupils wishing to continue their education, at YGG Penderyn, through the medium of Welsh.

- 5.2 Hirwaun Primary School has recently benefitted from a £9.6M investment via the Welsh Government’s Sustainable Communities for Learning Programme, delivering a brand new school with a high quality, 21<sup>st</sup> Century teaching and learning environment, enriching the teaching and learning experiences for both pupils and staff. The school opened its doors to the English medium pupils previously attending Penderyn Community Primary School in September 2021. It is a fully accessible school building which wholly complies with the Equality Act 2010.
- 5.3 Hirwaun Primary School has a capacity of 391 pupil places, and the table below shows the current pupil numbers plus projections for the next 5 years. The following data shows that the pupils currently attending Rhigos Primary School can be easily accommodated within Hirwaun Primary School.

<b>Table 5.1</b>							
<b>Hirwaun Primary School – Pupil Forecasts</b>							
	<b>Capacity</b>	<b>2022/23 Actual</b>	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>
<b>Statutory aged pupils</b>	391	233	231	232	229	219	228
<b>Nursery pupils</b>		39	41	38	36	38	36

- 5.4 As well as a brand new school building, as a result of the significant investment successfully delivered, the wider site at Hirwaun Primary School has also been greatly improved. External teaching, learning, sports and recreation facilities are spacious and of a high standard and are well-used by both the school and community. In addition, as part of this investment there was a particular focus on enhancing the onsite and offsite traffic management arrangements. Onsite, the new school project included improved staff parking and the creation of a dedicated home to school transport drop off area; while offsite, a community car park was constructed providing additional parking spaces for parents and carers during busy periods.
- 5.5 In 2019, Hirwaun Primary School was judged by Estyn as needing Significant Improvement, however following a 12 month monitoring period Estyn deemed that the school had made significant progress and removed the school from the list of schools requiring Significant Improvement.
- 5.6 Rhigos Primary School is 2.8miles from the new Hirwaun Primary School. Therefore, all pupils currently residing in the Rhigos Primary School catchment area will be eligible for home to school transport to Hirwaun Primary School. There will be a cost associated with this which will be met by the Council. Costs will be confirmed following a competitive tender process should the proposal go ahead.
- 5.7 Providing education for the pupils currently attending Rhigos Primary School in a larger, new, purpose built 21<sup>st</sup> Century English medium primary school at Hirwaun, amongst other benefits, would offer:

- Greater flexibility and opportunity for pupils within a modern, more enhanced educational environment in which they can learn and grow;
- Potential for financial savings in terms of services which accrue within a larger school which can be reinvested for the benefit of all pupils;
- More professional and progression opportunities for the teaching and support staff which are provided by a larger school;
- Less demand on staff as responsibilities for developing the Areas of Learning and Experience as part of the Curriculum for Wales, and ALN statutory obligations, will be shared;
- More opportunities and scope for extra-curricular activities;
- Pupils being taught, in the main, with their year group (all classes in Rhigos Primary School are currently mixed year groups, with some classes accommodating pupils over 3-year groups); and
- Greater opportunities for learners to socialise and interact with larger numbers of their year group peers.

5.8 The Council's school modernisation programme has been successfully making excellent progress in modernising its school estate, meeting and rationalising demand for school places, delivering efficiencies, and ensuring the education portfolio is in the best possible position to help the Council deliver on its carbon reduction targets. This proposal builds upon the successful progress already made.

5.9 Should the proposal go ahead, the Council recognises the important role that vibrant community facilities can play in maintaining strong communities and is conscious that the possible closure will be a loss to the village. However, if the proposal progresses the Council will actively explore with residents alternative community uses that could be developed. This would then be the subject of a further report to Cabinet. A separate consultation exercise will be undertaken to seek the views of the local community should developing this site become a viable option.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

6.1 The Council must satisfy its public sector duties under the [Equality Act 2010](#) (including specific Welsh public sector duties). Pursuant to these legal duties Councils must, in making decisions, have due regard to the need to:

- Eliminate unlawful discrimination;
- Advance equality of opportunity;
- Foster good relations based on protected characteristics.

6.2 An Equality Impact Assessment is being prepared in respect of the proposal and will be published on the Council's website together with a Consultation Document that outlines the proposal in further detail in accordance with the requirements of the Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#).

## 7. WELSH LANGUAGE IMPLICATIONS

- 7.1 A Welsh Language Impact Assessment is being prepared in respect of the proposal and will be published on the Council's website together with a Consultation Document that outlines the proposal in further detail in accordance with the requirements of the Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#).

## 8. CONSULTATION/INVOLVEMENT

- 8.1 The consultation processes in respect of the proposal will be undertaken under the arrangements outlined in the Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#). These arrangements stipulate that consultation must be undertaken when the proposals are at a formative stage and that Consultation Documents must be prepared and circulated to prescribed consultees, as well as being published on the Council website.
- 8.2 The draft Consultation Document for the proposal outlined in this report is attached at Appendix A, although it should be noted that this remains a working document which may be subject to some minor changes before the Consultation Document is formally published and the consultation process commences.
- 8.3 The proposed consultation period, if it is agreed to progress this matter, would run from Monday 2<sup>nd</sup> October 2023 until Friday 17<sup>th</sup> November 2023.
- 8.4 The proposed consultation timetable for completion of each action is set out in the table that follows:

<b>Proposed Consultation Timeline</b>		
<b>Action</b>	<b>Detail</b>	<b>Dates</b>
Cabinet Permission to Consult	Cabinet to consider the proposal and give approval to commence consultation	25 <sup>th</sup> September 2023
Public Consultation	A Consultation Document would be published on the Council's website for a minimum of six weeks	2 <sup>nd</sup> October 2023 to 17 <sup>th</sup> November 2023
Report back to Cabinet	Cabinet would consider the Consultation Response Report and determine whether to publish the Report and approve the publication of the proposal in the form of a Statutory Notice	December 2023
Publish Statutory Notice	The Statutory Notice must be published for a 28 day period (if approved by Cabinet)	January 2024
Decision by Cabinet	Report back to Cabinet on outcome of Statutory Notice period and details of (any) objections received, with an appropriate recommendation	February 2024
Implementation	In accordance with Cabinet decision either status quo or implementation of proposal	September 2024

## **9. FINANCIAL IMPLICATIONS**

- 9.1 There will be no capital funding implications should the proposal go ahead and revenue savings accrued from the closure will be reinvested into supporting children's education in Rhondda Cynon Taf.
- 9.2 Additional revenue implications resulting as a consequence of the closure, including the increase in home to school transport costs, will be identified as the proposal is developed and incorporated into the Council's Medium Term Financial Planning arrangements.
- 9.3 Financial projections show that progressing with the proposals will have a positive impact upon the budgetary position of Hirwaun Primary School. Further information on the current and projected budgetary positions of both schools affected by the proposals are included in the consultation document at appendix A.

## **10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 10.1 Section 315 of the [Education Act 1996](#) requires Councils to ensure that ALN provision is kept under review. In addition, the [ALNET Act 2018](#) requires councils to keep under review the arrangements for supporting pupils with ALN within their area and consider whether these are sufficient.
- 10.2 Powers for councils to develop school organisation proposals are governed by the:
- The [School Standards and Organisation \(Wales\) Act 2013](#);
  - The Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#).
- 10.3 Council's must, when exercising functions under Part 3 of the [School Standards and Organisation \(Wales\) Act 2013](#), act in accordance with any relevant requirements contained in the Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#) and must have regard to any relevant guidelines contained in it.

## **11. LINKS TO THE COUNCIL'S CORPORATE PLAN, NATIONAL PRIORITIES AND THE FUTURE GENERATIONS (WALES) ACT 2015**

- 11.1 There are links between Education's School Modernisation Programme and 'Making a Difference', the Council's Corporate Plan for the years between 2020 and 2024, specifically:
- **People:**
    - Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing:
      - Delivering new indoor and outdoor sporting facilities and enhancing existing sporting facilities such as changing rooms and outdoor play areas.
    - Improving services for children and young people and ensuring the needs of children are considered in everything we do:



- Improving the social, emotional, and mental health and wellbeing of children and young people by increasing the range of specialist services available.
- **Places:**
    - Ensuring RCT is one of the safest places in Wales, with high levels of community cohesion where residents feel safe:
      - Supporting the voluntary, community and faith sectors to help build active communities, creating the capacity for meeting the needs of residents within their communities.
  - **Prosperity:**
    - Ensuring we have good schools, so all children have access to a great education:
    - Helping people into work and better paid employment:
      - Offering employment schemes and apprenticeships in the Council, on the regeneration sites, and through other Council contractors.
- 11.2 There are links to the Council's Directorate of Education and Inclusion Services' Strategic Plan for the years between 2021 and 2024, specifically:
- **Strategic Priority 3:**
    - Ensuring equity and support for vulnerable pupils and their families.
  - **Strategic Priority 5:**
    - Delivering 21<sup>st</sup> century learning environments and innovative services for our pupils and communities.
- 11.3 The proposal in this report will lead to a more efficient use of the education estate supporting the Council's Climate Change Strategy 2022-25 'Think Climate RCT'. The closure of an energy inefficient school will contribute towards achieving the overarching objective of the Council's carbon reduction targets to become a net zero Council by 2030. It also aligns with Welsh Government's commitment for Wales to become a net zero carbon nation by 2050. The investment at Hirwaun Primary School has seen a number of sustainable technologies incorporated into the design including a rainwater harvesting system, photo-voltaic panels, electric vehicle charging facilities and biodiversity areas on the school site.
- 11.4 Due regard has been made to all seven wellbeing goals and the five ways of working, as contained within the [Wellbeing of Future Generations \(Wales\) Act 2015](#) which requires the Council to think about the long-term impact of decisions on communities to prevent consistent issues such as poverty, health inequalities and climate change.
- 11.5 The proposal could contribute towards achieving some of the seven wellbeing goals by:
- **A Healthier Wales** – Accommodation at Hirwaun Primary School consists of enhanced outdoor spaces and sports facilities. As well as supporting the full range of curriculum activities these facilities are also available for community use.



- **A More Equal Wales** – The wider catchment area for Hirwaun Primary School and the way the school is used will bring neutral or positive socio-economic impacts to all of the vulnerable groups over an extended area.
- **A Wales of More Cohesive Communities** – Hirwaun Primary School is a fully accessible and integrated community school with a dedicated area designed within so that the local community can safely use the facilities, both during and after the school day.
- **A Wales of Vibrant Culture and Thriving Welsh Language** – Although Hirwaun Primary School is English medium, Welsh is taught as part of the curriculum and all pupils will benefit from having the opportunity to be taught in brand new facilities fit for the 21<sup>st</sup> century (as is currently the case there is also the option to attend Ysgol Gynradd Gymraeg Penderyn and engage the support of the Welsh language Immersion Team to support transition, subject to parental choice).
- **A Globally Responsive Wales** – The new school at Hirwaun has been built to BREEAM excellent standards and the school can use sustainability features of the building, e.g. photo-voltaic panels, rainwater harvesting and biodiversity, to further develop extra-curricular activities which encourage healthy lifestyles for the school and wider community.

11.6 The proposal could contribute towards achieving some of the five ways of working by:

- **Long Term** – The proposal forms a part of the Council's wider 21<sup>st</sup> school organisation strategy and supports the better strategic management of the Council's education estate.
- **Prevention** – The Council believes that the proposal represents the best opportunity to safeguard and sustain educational standards for the future and provides a platform for further improvement.
- **Integrations** – Hirwaun Primary School is a fully accessible and integrated community school. A dedicated area is provided within the school so that the local community and parents/carers can safely use the facilities, both during and after the school day.
- **Collaboration** – The Council will continue to work effectively with internal and external partners to ensure the changes brought about by these proposals will meet the short and long term needs of pupils, parents/carers, staff and the wider community.
- **Involvement** – The proposal is made in accordance with the [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#) and seeks the views of a prescribed list of stakeholders including pupils, parents/carers, staff and the wider community. As such face to face meetings will be arranged with the staff, school councils and governing bodies.

11.7 As stated in 6.2, an Equality Impact Assessment which further details the contribution of the proposal to the [Wellbeing of Future Generations \(Wales\) Act 2015](#) is being prepared.

## **12. STRATEGIC OR RELEVANT TO ELECTORAL WARDS**

12.1 The proposal to close Rhigos Primary School with pupils transferring to Hirwaun Primary School (subject to parental choice) is relevant to the specific wards covered by these catchment areas.

## **13. CONCLUSION**

13.1 The Council has a statutory duty through its approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of the community and makes best use of public funding.

13.2 The number of pupils joining Rhigos Primary School has been in steady decline and pupil numbers are forecast to continue to fall in the next five years.

13.3 Allowing surplus places to remain high through inaction would directly and negatively affect the future financial viability of the school and could impact children's education in the future.

13.4 This proposal seeks to provide the opportunity for more pupils to benefit from the significant investment delivered via Welsh Government's Sustainable Communities for Learning programme in the Cynon Valley.

13.5 This consultation proposes that Rhigos Primary School closes and pupils from the school move to Hirwaun Primary School (subject to parental choice). To note, this school is also within the catchment of the Welsh medium provision at Ysgol Gynradd Gymraeg Penderyn, and pupils will be supported by the Council's Welsh Language Immersion team should they wish to transfer from English medium to Welsh medium to continue their education.

13.6 It is recommended therefore, that Members give approval to officers to commence the consultation processes necessary, in accordance with the Welsh Government's [School Organisation Code \(2<sup>nd</sup> Edition\) \(011/2018\)](#), to achieve the proposal outlined in this report.

### **Other Information:**

#### ***Relevant Scrutiny Committee:***

Education and Inclusion Scrutiny Committee

#### ***Contact Officer(s):***

Andrea Richards, Service Director for 21<sup>st</sup> Century Schools and Transformation  
Lisa Howell, 21<sup>st</sup> Century Schools Business and School Organisation Manager

**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**A DISCUSSION PAPER FOR A PRIVATE MEETING OF THE CABINET**

**11<sup>TH</sup> SEPTEMBER 2023**

**Item: STATUTORY SCHOOL ORGANISATION – PROPOSAL TO CLOSE  
RHIGOS PRIMARY SCHOOL WITH PUPILS TRANSFERRING TO  
HIRWAUN PRIMARY SCHOOL**

**Background Papers**

**Appendix A – Draft Consultation Document**

**Officer to contact(s):**

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Lisa Howell, 21<sup>st</sup> Century Schools Business and School Organisation Manager