



APPENDIX A

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

18TH DECEMBER 2023

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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1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise Members of the outcome of the recent consultation in respect of the proposal to:

Close Rhigos Primary School with pupils transferring to Hirwaun Primary School by no later than September 2024.

2. RECOMMENDATIONS

- 2.1 It is recommended that Members:

2.1.1 Note the content of this report.

2.1.2 Note the information contained within the attached Consultation Report, attached as Appendix A to this Cabinet Report, which includes a summary of correspondence received during the consultation, including the full response from Estyn, feedback received from the online survey, and notes of the meetings held.

2.1.3 Note the feedback from Education and Inclusion Scrutiny Committee which met on 14th December 2023 provided by the Service Director of Democratic Services and Communication.

2.1.4 Agree to progress the proposals to the next stage of the consultation process by issuing an appropriate Statutory Notice which will trigger the start of the Objection Period.

3. REASONS FOR RECOMMENDATIONS

- 3.1 To progress the proposal in accordance with the process outlined in the Welsh Government's (WG's) legislative guidance the School Organisation Code (2nd Edition) (011 / 2018).

4. BACKGROUND

- 4.1 Members will recall that, at the meeting of the Cabinet held on 18th September 2023, approval was given to begin a statutory process to formally consult on the proposal to close Rhigos Primary School with pupils transferring to Hirwaun Primary School by no later than September 2024. The justifications for doing so were:

- 4.1.1 RCTCBC 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.

- 4.1.2 Rhigos Primary School is RCTCBC's smallest school and 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.

- 4.1.3 Allowing surplus places to remain high through inaction would directly and negatively affect the future financial viability of Rhigos Primary School and impact children's education in the future. Rhigos Primary School's budget, with a diminishing income would 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.

- 4.1.4 To continue to effectively manage the education provision available in the Cynon Valley area of Rhondda Cynon Taf (RCT). The proposal would extend and expand upon the positive outcomes delivered through the WG'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.

- 4.1.5 To continue to deliver on the objectives included within the WG'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.

- 4.1.6 To continue to deliver the mission of RCTCBC's [Directorate of Education and Inclusion Services' Strategic Plan](#) for the years between 2022 and 2025 to ensure '*Equity and Excellence in Education and Enhanced Wellbeing for All*'.

5. EQUALITY AND DIVERSITY IMPLICATIONS

5.1 An Equality Impact Assessment was prepared in respect of the proposal and published on Rhondda Cynon Taf County Borough Council's (RCTCBC's) website together with a Consultation Document that outlined the proposal in further detail in accordance with the requirements of the WG's School Organisation Code (2nd Edition) (011 / 2018). This Assessment has been updated following a review of the responses received.

5.2 The outcome of Equality Impact Assessment identified:

- Positive and neutral impacts, and no negative impacts, upon the protected characteristics.
- Hirwaun Primary School is fully compliant with the Equality Act 2010 thereby ensuring that no pupil, staff member, parent / carer or member of the wider community is prevented from fully accessing the whole extent of the new facilities.
- There would be positive impacts on the Welsh language as, despite Hirwaun Primary School being an English medium primary school, it provides improved facilities to assist with the delivery of Welsh as a key element of the curriculum and in line with Cymraeg 2050 and RCTCBC's WESP, as we aim for the teaching of Welsh as a second language in English medium schools, to be of the highest quality.
- Hirwaun Primary School has first class facilities that ensure that all families who wish to access places at the school can be accommodated. The excellent facilities on offer may encourage more parents / carers to choose their catchment school, including the families of learners with ALN. The capacity may assist armed forces personnel and carers who may move to the area mid-academic year.

5.3 It was considered that no negative impacts were identified within the Equality Impact Assessment which would prevent approval to be sought to continue to implement the proposal. To confirm, the Action Plan included within the Equality Impact Assessment would continue to be reviewed throughout the duration of the proposal's delivery period.

5.4 In accordance with the Equality Act 2010 and the Public Sector Equality Duties, RCTCBC has a legal duty to look at how its decisions impact on people because they may have particular characteristics. So as part of seeking views on the proposal, the consultation also included the following question:

1.How would RCTCBC's proposal affect you because of your:

- Sex.
- Age.
- Ethnicity.
- Disability.
- Sexuality.

- Religion/Belief.
- Gender Identity.
- Relationship Status.
- Pregnancy.
- Preferred Language.

5.5 Of those respondents that answered this question, the majority, 136 (92.5%), gave no answer to this question. However, 4 (2.7%) commented that the proposal could negatively impact them due to their age whilst 7 (4.8%) commented that the proposal could negative impact them due to their disability.

6. WELSH LANGUAGE IMPLICATIONS

6.1 A Welsh Language Impact Assessment was prepared in respect of the proposal and was published on RCTCBC's website together with a Consultation Document that outlined the proposal in further detail in accordance with the requirements of the WG's School Organisation Code (2nd Edition) (011 / 2018). This Assessment has been updated following a review of the responses received.

6.2 The outcome of the Welsh Language Impact Assessment identified:

- Hirwaun Primary School has recently benefitted from a £9.6M investment via the WG's Sustainable Communities for Learning Programme, delivering a brand new school with a high quality, 21st 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.
- Rhigos Primary school is also within the catchment of the Welsh medium provision at Ysgol Gynradd Gymraeg Penderyn, and tailored and individual support would be available from the Council's Welsh Language Immersion Team for any pupils wishing to continue their education, at Penderyn, through the medium of Welsh.
- Although Hirwaun Primary School is an English medium primary school, Welsh is taught as part of the curriculum and all pupils would benefit from having the opportunity to be taught in brand new facilities fit for the 21st century.
- RCTCBC aims to embed positive habits and attitudes towards the Welsh language through purposeful planning to promote the informal use of the Welsh language amongst pupils inside and outside schools. Facilitating the use of the Welsh language across the curriculum and in wider contexts in schools, to ensure a continuum of linguistic progression to support pupils in the transition between key stages, offers all pupils the opportunity to become fully bilingual and aligns with the Curriculum for Wales 2022. Pupils attending Hirwaun Primary School would continue to be encouraged and supported to do this through the achievement of the 'Cymraeg Campus' Welsh Language Charter, a framework to promote and increase the use of Welsh.

- Hirwaun Primary school is a fully accessible and fully integrated community school. A dedicated area has been designed within so that the local community are allowed to safely use the facilities, both during and after the school day. The headteacher of the Hirwaun Primary School will continue to be encouraged and supported to consider using these facilities to increase participation in the Welsh language by offering the opportunity to parents/carers and other members of the community to attend Welsh medium learning classes for adults and/or other opportunities for community engagement through the medium of Welsh.
- This could contribute towards the Welsh Government's ambitious goal of creating a million Welsh speakers in Wales by 2050 and the WESP.

6.3 It was considered that no negative impacts were identified within the Welsh Language Impact Assessment which would prevent approval to be sought to continue to implement the proposal. To confirm, the Action Plan included within the Welsh Language Impact Assessment would continue to be reviewed throughout the duration of the proposal's delivery period.

6.4 In accordance with the Welsh Standards (No.1) Regulations 2015 and in compliance with RCTCBC's statutory obligations, the consultation included the following questions:

1. Do you think the proposal could impact opportunities for people to use and promote the Welsh Language (Positive or Negative)?
2. Do you think the proposal in any way treats the Welsh Language less favourably than the English Language?
3. How positive effects on the Welsh Language could be increased, or negative effects be decreased?

6.5 A summary of the responses received in relation to these questions can be found in the Consultation Report.

7. CONSULTATION/INVOLVEMENT

7.1 The consultation processes in respect of the proposal have been undertaken under the arrangements outlined in the WG's School Organisation Code (2nd Edition) (011 / 2018). These arrangements stipulate that a Consultation Report must be prepared prior to the publication of any Statutory Notice which will progress the proposal. It further states that Statutory Notices be published within 26 weeks of the end of the consultation should a decision be made to progress with the statutory process.

7.2 The Consultation Report, prepared in respect of the proposal contains:

- Information in respect of meetings held to discuss the proposal, with copies of the notes taken at these meetings.
- Estyn's response to the proposal and the clarification to the response.
- A summary of the responses received during the consultation period and where required the appropriate clarification to any issues raised.

- The response received by the ‘Save Rhigos Primary School’ action committee established on behalf of the community of Rhigos.
- 7.3 As stated above, Estyn’s full response can be found within the consultation report however, in summary, Estyn considered that the proposal is likely to, at least, maintain the standard of education provision and outcomes for pupils in the area. The response further states that the *‘local authority has set out a clear rationale for its proposal. It outlines strongly the many advantages of closing Rhigos Primary School, with all pupils transferring to Hirwaun Primary school’*.
- 7.4 The ‘Save Rhigos Primary School’ action committee, established on behalf of the community of Rhigos, undertook three separate petitions to the proposal. In total, 784, 974, and 65 signatures were added to the petitions respectively by the consultation deadline, these will be counted as three responses. In addition, 236 written responses were received, 89 in writing / or via email and 147 via online survey.
- 7.5 Governing Body and staff meetings outlined in the Consultation Report were held virtually face-to-face. Notes of the meetings were taken and are attached as Appendix 2 (A to B) to the Consultation Report.
- 7.6 School Council meetings outlined in the Consultation Report were held in the corresponding schools. Pupils were given a children and young people’s version of the Consultation Document and Consultation Response. Notes of the meetings were taken and are attached as Appendix 3 (A to B) to the Consultation Report.
- 7.7 Two drop in sessions were also arranged so that members of the public could discuss the proposal with Officers from RCTCBC’s Directorate of Education and Inclusion Services and provide any feedback at the session. They took place in Rhigos Primary School and Hirwaun Primary School on Monday 6th November 2023 at 15:00 to 18:00 and Tuesday 7th November at 15:00 to 18:00 respectively. Attendees were asked to complete and submit a Consultation Response Form.
- 7.8 Out of the 239 responses were received, 3 (1.3%) were in favour of the proposal, 226 (94.5%) were against the proposal, 1 (0.4%) was unsure and 9 (3.8%) did not provide an answer. This is outlined in the table that follows.

Summary of Consultation Responses		
Determination	Number	%
In Favour	3	1.3
Against	226	94.5
Unsure	1	0.4
Not Answered	9	3.8
Total	239	100.0

- 7.9 To confirm, **all** of the comments and issues raised during this consultation have been reviewed by RCTCBC’s Cabinet Members.

8. THE STATUTORY PROCESS

- 8.1 The Statutory Notice for the proposal would refer to the:
- 8.1.1 Closure of Rhigos Primary School with pupils transferring to Hirwaun Primary School by no later than September 2024.
- 8.2 If agreed, and subject to the matter not being called in for consideration by Scrutiny, the Statutory Notice would be published in January 2024, and would allow for a minimum 28 day period for objections.
- 8.3 If any objections are received during this period, in accordance with the WG's School Organisation Code (2nd Edition) (011 / 2018), an Objection Report would be prepared. This matter would then be reported to a future meeting of the Cabinet for Members to consider.

9. FINANCIAL IMPLICATIONS

- 9.1 There will be no capital funding implications should the proposal go ahead, and revenue savings accrued from the closure of Rhigos Primary School would be reinvested into supporting pupils' education in Rhondda Cynon Taf.
- 9.2 Given the 2.8 mile distance between Rhigos Primary School and Hirwaun Primary School, all pupils residing in the Rhigos catchment area would qualify for home to school transport to Hirwaun in line with the statutory provision as identified within Learner Travel (Wales) Measure 2008. Additional revenue implications resulting as a consequence of the closure of Rhigos Primary School, including the increase in home to school transport costs, would be identified as the proposal is developed and incorporated into RCTCBC's Medium Term Financial Planning arrangements.
- 9.3 Financial projections show that progressing with the proposals would 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 were included in the Consultation Document presented to Cabinet on 18th September 2023.

10. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 10.1 Powers for Councils to develop school organisation proposals are governed by the:
- The School Standards and Organisation (Wales) Act 2013.
 - The WG's School Organisation Code (2nd Edition) (011 / 2018).
- 10.2 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 WG's School Organisation Code (2nd Edition) (011 / 2018) and must have regard to any relevant guidelines contained in it.

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

11.1 There are links between RCTCBC's Directorate of Education and Inclusion Service's School Modernisation Programme and RCTCBC's Corporate Plan for the years 2020 to 2024, 'Making a Difference', specifically:

- **People:**
 - Encouraging all residents to lead active and healthy lifestyles and maintain their mental wellbeing:
 - Delivering new indoor and outdoor sporting facilities available for community use 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 on our school sites and within our communities.
- **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.

11.2 There are links to RCTCBC's Directorate of Education and Inclusion Services' Strategic Plan for the years between 2022 and 2025, specifically:

- **Strategic Priority 3:**
 - Ensuring equity and support for vulnerable pupils and their families.
- **Strategic Priority 5:**
 - Delivering 21st century learning environments and innovative services for our pupils and communities.

11.3 The proposal in this report would lead to a more efficient use of RCTCBC's education estate supporting RCTCBC's Think Climate, Making RCT Carbon Neutral by 2030, for the years 2022 to 2025. The closure of an energy inefficient school would contribute towards achieving the overarching objective of RCTCBC's carbon reduction targets to become carbon neutral by 2030. It also aligns with the WG's ambition of a carbon neutral public service by 2030 and the wider goal of a net zero carbon Wales by 2050 as set out in the WG's Net Zero Carbon Strategic Plan: 2022. 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 RCTCBC 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 would bring neutral or positive socio-economic impacts to all of the vulnerable groups over an extended geographical 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 would benefit from having the opportunity to be taught in brand new facilities fit for the 21st 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 parent/carer 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 RCTCBC's wider 21st Century School Organisation Strategy and supports the better strategic management of RCTCBC's education estate.
- **Prevention** – RCTCBC 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** – RCTCBC would continue to work effectively with internal and external partners to ensure the changes brought about by these proposals would 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 (2nd 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 were held with Governing Bodies, staff and School Councils of both Rhigos Primary School and Hirwaun Primary School.

11.7 As stated in paragraph 5.1 above, an Equality Impact Assessment which further details the contribution of the proposal to the Wellbeing of Future Generations (Wales) Act 2015 has been 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 RCTCBC 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 Rhigos Primary School is RCTCBC's smallest school and the number of pupils joining Rhigos Primary School has been in steady decline, pupil numbers are forecast to continue to fall in the next five years. To note, since the commencement of the consultation period in relation to this proposal, the number of statutory pupils at the school has reduced from 51 to 49.

13.3 Allowing surplus places to remain high through inaction would directly and negatively affect the future financial viability of Rhigos Primary School and impact children's education in the future. Rhigos Primary School's budget, with a diminishing income would 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.

13.4 The proposal seeks to provide the opportunity for more pupils to benefit from the significant investment delivered via the WG's Sustainable Communities for Learning programme in the Cynon Valley. Consultation outcomes suggest that there is strong opposition to the proposals but the rationale for change highlights many potential benefits.

Estyn confirmed that the proposal is likely to, at least, maintain the standard of education provision and outcomes for pupils in the area. The response further

states that the 'local authority has set out a clear rationale for its proposal. It outlines strongly the many advantages of closing Rhigos Primary School, with all pupils transferring to Hirwaun Primary school'.

- 13.5 It is recommended therefore, that Members consider the contents of the attached Consultation Report, and to give officers approval to publish an appropriate Statutory Notice in January 2024 which will trigger the Objection Period and progress this proposal.

Other Information:

Relevant Scrutiny Committee:

Education and Inclusion Scrutiny Committee.

Contact Officer(s):

Andrea Richards, Service Director for 21st Century Schools and Transformation.

Lisa Howell, 21st 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

CABINET

18TH DECEMBER 2023

**ITEM: PROPOSAL TO CLOSE RHIGOS PRIMARY SCHOOL WITH PUPILS
TRANSFERRING TO HIRWAUN PRIMARY SCHOOL**

Background Papers:

Appendix A – Consultation Report.