



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Y Pwyllgor Deisebau

Adroddiad Cwblhau

**Crynodeb o ystyriaeth y Pwyllgor Deisebau o P-03-089 Ysgolion
Cymunedol Powys
Ebrill 2009**

Derbyniwyd y ddeiseb

Tachwedd 2007

Dyfarnwyd yn dderbyniadwy

20 Tachwedd 2007

Ystyriaeth gychwynnol

6 Rhagfyr 2007

Ystyriodd y Pwyllgor y ddeiseb am y tro cyntaf ac ysgrifennodd at y deisebwyr yn gofyn iddynt ddarparu datganiad byr yn amlinellu'r camau yr hoffent i Lywodraeth Cynulliad Cymru eu cymryd

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 6 Rhagfyr 2007)

Ystyriaeth bellach

17 Ionawr 2007

Ystyriodd y Pwyllgor y wybodaeth ychwanegol a ddarparwyd gan y deisebwyr a chytunodd ar y camau gweithredu canlynol:

- Ysgrifennu at y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau yn gofyn am eglurhad o bolisi Llywodraeth Cynulliad Cymru
- Gwahodd y deisebwyr i roi tystiolaeth yn y cyfarfod ar 21 Chwefror

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 17 Ionawr 2008 ac Atodiad 2 am y llythyr a anfonodd y Cadeirydd at y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau)

21 Chwefror 2008

Clywodd y Pwyllgor dystiolaeth lafar gan y deisebwyr ac ystyriodd ymateb y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau, a chytunodd ar y camau gweithredu canlynol:

- Gofyn i Estyn egluro ei ddehongliad o'r canllawiau presennol, a'r rôl ac mae'n bosibl y byddai Estyn wedi ei chwarae o ran cau ysgolion ym Mhowys
- Ysgrifennu at yr Is-bwyllgor Datblygu Gwledig a'r Pwyllgor Menter a Dysgu yn gofyn iddynt ystyried rhinweddau Polisi Addysg Gwledig drawsbynciol
- Gofyn i'r Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau am amserlen ar gyfer diwygio Cylchlythyr 23/02

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 21 Chwefror 2008, Atodiad 2 am ymateb y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau a'r llythyr dilynol a anfonwyd at y Gweinidog, Atodiad 3 am y llythyr a anfonwyd at Estyn, Atodiad 4 am y llythyr a anfonwyd at yr Is-bwyllgor Datblygu Gwledig ac Atodiad 5 am y llythyr a anfonwyd at y Pwyllgor Menter a Dysgu)

10 Ebrill 2008

Ystyriodd y Pwyllgor lythyrau gan yr Is-bwyllgor Datblygu Gwledig ac Estyn a chytunodd i aros am ganlyniadau ymchwiliad yr Is-bwyllgor Datblygu Gwledig ac anfon copi o ymateb Estyn at y deisebwyr

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 10 Ebrill 2008, Atodiad 3 am yr ymateb gan Estyn ac Atodiad 4 am yr ymateb gan yr Is-bwyllgor Datblygu Gwledig)

24 Ebrill 2008

Ystyriodd y Pwyllgor ymateb gan y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau a chytunodd i aros am ganlyniadau ymchwiliad yr Is-bwyllgor Datblygu Gwledig

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 24 Ebrill 2008 ac Atodiad 2 am yr ymateb gan y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau)

13 Ionawr 2009

Ystyriodd y Pwyllgor adroddiad yr Is-bwyllgor Datblygu Gwledig ar ei ymchwiliad i ad-drefnu ysgolion yng nghefn gwlad Cymru a chytunodd i aros am ymateb i'r adroddiad gan Lywodraeth Cynulliad Cymru

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 13 Ionawr 2009 ac Atodiad 4 am lythyr a gafwyd gan Gadeirydd yr Is-bwyllgor Datblygu Gwledig)

10 Chwefror 2009

Ystyriodd y Pwyllgor ymateb Llywodraeth Cynulliad Cymru i adroddiad yr Is-bwyllgor Datblygu Gwledig a chytunodd ei fod wedi mynd â'r ddeiseb mor bell ag y gallai

(Gweler Atodiad 1 am y dyfyniad perthnasol o drawsgrifiad cyfarfod 10 Chwefror 2009 ac Atodiad 6 am yr ymateb gan Lywodraeth Cynulliad Cymru)

Clerc y Pwyllgor Deisebau Ebrill 2009

Atodiad 1

Trawsgrifiadau o gyfarfodydd y Pwyllgor Deisebau

6 Rhagfyr 2007

Val Lloyd: The third new petition is the Powys Community School schools action call for the Welsh Assembly to sustain the communities of Powys. I think that it should say the 'Welsh Assembly Government'.

Michael German: I think that we should invite them in, Chair, if possible.

Val Lloyd: I had great problems when I first read this. I just wish to put that on record. I had great sympathy with the subject matter, but it was not written in a helpful way.

Michael German: Perhaps we could invite the petitioners to be more focused, in asking them to make a presentation about precisely what they are asking for.

Val Lloyd: They need to be more focused, because they made many suppositions without backing things up. It was all ifs and buts—well it was not all like that, but there were many points where they asserted that people or organisations were doing things without clarifying or backing it up.

Michael German: In the first instance, perhaps we could write to the petitioners to say that we are considering whether to invite them to committee, but that we need a more focused statement on precisely what they want the Welsh Assembly Government to do.

Val Lloyd: I would agree with that, because I made a note that they are identifying irregularities, and that they need to go to the monitoring officer in the first instance for that.

Michael German: True.

Bethan Jenkins: We have talked about the responsibility of local government and the decisions made. Do we need to clarify that, or is that something that we can do anyway? What I am trying to say is that we may get another petition from another area of Wales saying, 'We are not happy with this school closure'.

Val Lloyd: There is also conflicting evidence. The petitioners cited evidence, and I have actually read the document—I have a copy of it here—and it is not quite what they say it is. The whole thing needs to be tightened up, but I think that you are right, Bethan, that we have to mention that at the same time. They refer to pressure from Estyn, directly or indirectly, and from the Welsh Assembly Government, but they do not substantiate that. They need to be more focused and realise that we may not be able to deal with the issue, as it may not be within our powers. However, we will give it due consideration. I think that that is the message to send.

Michael German: Give them some help to focus.

Val Lloyd: Yes.

17 Ionawr 2008

Val Lloyd: Petition P-03-089 is the letter of clarification from Powys Community Schools Action, which,

'calls upon the Welsh Assembly Government to "sustain the communities of Powys" and to "halt and reverse the pressure on Powys County Council to close the schools"'.

There is a letter from the school's action committee, I suppose.

Michael German: If I recall rightly, we asked the petitioners to be clearer about their ambitions in this petition and they have laid out three things in the letter that they want to see happening. I wonder whether this is a suitable case for calling the petitioners in to explain to us their three requests: a moratorium on all closures; a review of all aspects of community schools; and a rural education policy.

Val Lloyd: I think that there were some inaccuracies in the original letter. It says there,

'Officers of Powys County Council told governing bodies of the schools... that this was something which the Council had to do; that if it did not do so, the Welsh Assembly Government would impose a similar programme of closures and would, meanwhile, withhold grants'.

Michael German: I have heard that before, and not just from this local authority. Some local authorities say that, under guidance from the Welsh Assembly Government, they have to reduce their numbers of empty places and that if they do not do that they will be penalised financially.

Val Lloyd: They would be penalised financially because the numbers for their schools would be fewer. It is not a case of penalising; it is a case of getting your grant according to the basis for that grant.

Michael German: Whatever, but this is a reinterpretation of that point, and I have heard it very often.

Val Lloyd: It is a way of phrasing it, is it not?

Michael German: Yes.

Val Lloyd: You get grant according to numbers and whatever else is operational for that grant.

Bethan Jenkins: Should we not first ask Jane Hutt for a clarification of that policy?

Val Lloyd: Yes, perhaps we could do that.

Bethan Jenkins: We would then have a basis for what is being said.

Val Lloyd: That is a reasonable idea. We could get clarification and then move towards getting the petitioners in.

Andrew R.T. Davies: I think that we should do those things in parallel, because this is such a short term. I believe that it is agreed that it would be desirable to have the petitioners in, so perhaps we could put that in motion as well as getting the clarification from Jane Hutt. Blink and you will miss this term.

Val Lloyd: We have another meeting in a fortnight's time. We need to have the information back from the Minister. Perhaps we could provisionally ask the petitioners to come to the first meeting after half term, which is the meeting after next. Do you think that we would have the information from the Minister by then?

Mr Sanchez: I would have thought so.

Val Lloyd: I think that that is reasonable, and then we will be in a better position to take this forward.

21 Chwefror 2008

Val Lloyd: I welcome Kirsty Williams to the meeting. It is a great pleasure to have you here, Kirsty. I also welcome the petitioners. This is a petition on Powys community schools. Before we start, please introduce yourself.

Ms Garratt: My name is Ros Garratt, and I come from south-east Radnorshire, which is a deeply rural part of the county of Powys. I would like you to note that we are all parents, some of us are governors, and we all live in rural communities in Powys and understand the issues that affect them. We all believe—

Val Lloyd: At the moment, I just need your name; this introduction will not be coming from your allotted time. I apologise if I did not make myself clear. Just give your name and tell us if you are a parent, or whatever.

Dr Blunden: I am Roger Blunden. I am from the far north of Powys, and I am a school governor.

Mr Smith: I am Bob Smith. I am also from the north of Powys, and I am a parent and a governor. We are all ordinary citizens; we are not experts in politics, education or anything. In other words, we do not have all the answers.

Val Lloyd: Thank you, it is a great pleasure to welcome you. I will outline the procedure for you, so that you are aware of it. You have up to 15 minutes, from when I say 'Please start', and how you divide that time between you is entirely up to you. As your Assembly Member, if she wishes to contribute, Kirsty has up to five minutes. We have set up this procedure for all petitioners, with the aim of ensuring that everyone gets their fair share, so to speak. After that, there will be up to 15 minutes of questions or comments, and then we will ask you to adjourn to the public gallery. We will not begin our deliberations until you are in the public gallery, so that you will be able to hear everything. Do you have any questions on procedure? No, I see that it is clear. It is up to you to begin when you are ready.

Mr Smith: We thank you for accepting our petition and for giving us the opportunity to present our case in person. We have already introduced ourselves, but I should say that, although I am playing centre forward today, that does not make me the captain. As a group, we try to do everything by consensus—we do not have a leader as such, but someone's name had to appear on the petition, and it just happened to be mine.

In the time available to us, we will not be able to do more than outline the bare essentials of the many points that we have made in our two written submissions. You should have in front of you a summary of those essentials as a set of bullet points. We had hoped that we might get some brownie points by giving you a piece of paper, rather than inflicting another PowerPoint presentation on you.

Our starting point, as it says in the first bullet point, is the belief in the importance to Wales of its rural communities. The worth and importance of those communities is sometimes underestimated, as is the importance to those communities of rural schools. The problem is that both the communities and the local schools are under attack.

In Powys, we have been faced by an inept and damaging approach to primary school reorganisation from the council. The casualties of that approach will be the children and their families, the communities in which they live, the environment, and the language and culture of Wales. Given that the organisation of education provision is a local responsibility, the question arises of why we are bringing this to the Assembly. There are four reasons. First, Powys County Council consistently claims that it is being forced into its programme of closures by the Welsh Assembly Government and Estyn. That is not our claim, it is the county's; we are merely repeating what the county is saying. It is also important to understand that pressure can come from several different places.

We have seen the recent letter from Jane Hutt, and she has made it clear that the guidance that has been issued includes no pressure to close particular schools. However, pressure can arise from a number of different sources and in Powys, in particular, a lot of that pressure has come from Estyn. We do feel that that is most inappropriate for our national inspection body. Rightly or wrongly, the blame is being placed firmly on national bodies.

Secondly, the Welsh Assembly Government is in a position to create a national vision and to communicate that in the form of guidance to local authorities. It is its responsibility to provide a national context for local decisions. Thirdly, many of the issues that I mentioned, such as community, the environment, the Welsh language and culture, are issues of national, not just local, concern. Finally, what is happening in Powys is also happening in other counties, although the timing and the approach may differ. Again, it is a national issue.

Why is the closure of a community school a problem, particularly if it helps to balance the budget, which seems to be the main, or even the sole, motivator for this activity? Educationally speaking, community schools are as good as their larger cousins and, very often, they are actually better. In Wales, the best results at A-level and beyond generally come from those counties with the highest proportion of small rural schools, and we do not think that that is a coincidence. There is also a lot of evidence that the particular atmosphere in community schools helps to give children more confidence and greater personal and interpersonal skills. Also, children who are in some way different are often teased or bullied at larger schools, but within their own community, they are accepted without question. Also, in a small school every child gets to participate in every activity.

Close its school and a village becomes just a place to sleep, so that the young and the economically active are discouraged, leading to an ageing population, which brings its own problems. The school means life and future to the community and the school itself is greatly enhanced by the community's intimate involvement in it. Area

schools are not without their merits, but they necessarily destroy the rich and valuable two-way relationship.

Most Welsh-medium schools are community schools and they are doing a brilliant job of nourishing the language and culture of Wales, not only for the traditional needs of the indigenous population, but in encouraging incomers to integrate fully. In my case, my own children are fluent Welsh speakers and I am an enthusiastic Welsh learner only because our local school happened to be a Welsh-medium school. We would not have gone looking for one. If these schools are allowed to close, the language and culture will suffer enormously.

When a school closes, the inevitable response is school transport and, in our view, the widespread bussing of young people about the countryside is little short of an abomination. It is not a solution; it is a problem. In fact, it is a series of problems: it brings out the worst in many children, to the detriment of all; it is a poor and unhealthy substitute for walking or cycling; it prevents participation in before-school and after-school activities; it removes parents' informal contact with each other and with the school; and it is simply disrespectful to treat young children as a raw material to be carted around the countryside. On top of that, of course, transport is no longer cheap. As we now know, to our cost, it never was good for the environment, but with peak oil approaching and climate change already upon us, bussing as a solution is a disaster, both economically and environmentally. Even in the past, when transport costs were lower, studies have shown that costs are such that only marginal savings accrue from closing schools. There is also the point that sustainability is enshrined in the Welsh constitution, and we look to the Welsh Assembly Government to demonstrate leadership by rejecting such backwards steps as this one.

Community schools are already delivering much of what you, as politicians, look for, such as small classes, personal attention, local and global citizenship, a relative absence of problems relating to drugs, truancy and exclusions, community viability, promotion of the Welsh language and culture and local service delivery as a plank of sustainability. Why throw away something that is already working well?

From all points of view, the community schools of Wales should, we believe, be nurtured and not attacked. We ask the Welsh Assembly Government to take the lead on this. I will now hand over to Roger to develop that theme.

Val Lloyd: You have around seven minutes left.

Dr Blunden: I will press on straight away. I want to cover two issues to develop the relationship between local authorities and the Welsh Assembly Government and to summarise what we would like to happen as a result of our petition.

Bob has just spelled out how the future of education in small communities is too important to leave to individual local authorities. We believe that Jane Hutt's letter to you, Chair, illustrates or supports our view that there is confusion between what the Assembly Government says and how local authorities interpret that. Again, as Jane Hutt acknowledges, there is a need for some updated guidance. The current guidance is circular 23/02 and, of course, it is right to tell local authorities to be cost effective, but the emphasis on surplus places in the absence of broader community issues enables authorities to claim that they are under pressure from the Welsh Assembly Government to close schools. Powys is a case in point.

We would have expected Powys, in its plans, to have done its homework and, as Jane Hutt said, to strategically review provision. She also said that it should look at

local knowledge and local needs. In fact, it did neither of those. Powys County Council drew up a list of schools in order of size, picked off the six smallest and said that those were the schools to be closed. Three of those schools happened to be Welsh-medium schools, because, as Bob has already said, they often serve small, local communities.

Powys claims that it is under pressure from the Welsh Assembly Government and I have three one-line quotations from a recent public meeting that illustrate that. A highly placed representative of Powys County Council said that,

'One of the big drivers from the Welsh Assembly is to reduce surplus places.'

It was also said that,

'The Welsh Assembly Government is saying that it is really hard to make a school of 24 or 25 viable, so why are you going ahead with plans for that?'

and that

'The Assembly are saying that you have to deal with surplus places or you will not get funding.'

We could argue the correctness of that interpretation, but our point is that Powys claims that it is under pressure from the Assembly Government to close schools and it is blaming you for doing so.

So, we think that there is a need for issuing updated guidance to local authorities, which Jane Hutt has recognised; she said that a review of current guidance was under way. We welcome that, but hope that it will be wide-ranging and will include the relationship between schools and local communities. We also welcome the commitments in 'One Wales' and in 'The Learning Country', but these focus on narrow, educational issues and we are looking for joined-up thinking, looking at the relationship between schools and communities.

In England, there is a presumption against school closure—that is an official policy. In Scotland, the Scottish Government has made several decisions to overturn the proposed closures of schools, interestingly, partly because of the effect on community regeneration.

We also think that there is a strong case for a rural education policy in Wales. We are surprised, in a way, that such a rural country does not have a rural education policy. There are many constructive ideas to build on. Cymdeithas yr Iaith Gymraeg has proposed some innovative ways of funding school buildings and we were interested to see the Assembly Government do some work on a rural health plan and commissioned research on that. Our argument is that rural education deserves equal attention. The guidance to local authorities does need to be strengthened, and we believe that there is a strong case for a rural education policy for Wales.

We are asking for action at the national level, and that is needed urgently; Powys is not only closing six schools at the moment—we have heard that it is proposing to add, astonishingly, a further 42 to the list for closure. So, we want your help to achieve three things. The first is the immediate clarification of policy and good practice guidance. Ideally, we would like a moratorium on school closures until there is a proper policy. If not, we would certainly like a statement of presumption against

closure, as in England. We hope that the review of the circular 23/02 guidance will encourage authorities to acknowledge the benefits of community schools.

Secondly, we would like a comprehensive review of education in rural communities. We have had various conversations with Alun Davies over the last few months, and we understand that the Rural Development Sub-committee would be more than happy to undertake such a review, probably in conjunction with the Enterprise and Learning Committee. So, that is one possible avenue.

Val Lloyd: Your time is up; you need to wind up.

Dr Blunden: Okay. The third point is to develop a rural education policy for Wales. We would like to see some work on the development of such a policy. We think that there is a tremendous opportunity for the Welsh Assembly Government to show leadership and joined-up thinking in doing this.

Val Lloyd: I am terribly sorry, Mrs Garratt, but the 15 minutes is up.

Ms Garratt: That is fine; everything has been said.

Val Lloyd: I am pleased to call Kirsty Williams to address us.

Kirsty Williams: I thank you and the committee for extending the courtesy of allowing me to attend this meeting to speak in support of the petition and the presentation given by Bob, Roger and Ros.

Members of the committee will be more than aware of the huge amount of public concern expressed during the Assembly election with regard to the reconfiguration of community hospitals. As a result of that concern, the Government recognised the need to step in and take a look at how these policies were affecting rural communities. It initiated an immediate moratorium on all potential closures of rural community hospitals. It understood that the delivery of services in rural areas is often very different to the delivery of services in the more urban areas, and that access and other issues of that kind can have a huge impact. It therefore decided to embark on research and consultation to develop a rural health policy. I share the petitioners' concerns that education in rural areas deserves nothing less than what is being done for rural health services.

In urban and rural constituencies alike, local authorities are under huge pressure to tackle the issue of surplus places. I believe, however, that many councils are implementing their policies in the absence of adequate guidance from the Welsh Assembly Government, with insufficient sharing of good practice and research in this particular area. In rural areas, we need a look at how education can be delivered in what would, perhaps, be very different ways to how education needs to be delivered in urban areas. I therefore impress on the committee the points made by the petitioners, in that we need a moratorium on all proposed closures that are objected to. I acknowledge that, in some communities, closures are proposed without objection, but there should be a moratorium on closures where significant objections have been made.

We need to work with the Government to produce more up-to-date guidance. The Minister has acknowledged, in meetings with us, that the guidance is lacking and is in need of updating, and in her refusal to support Mike German's motion, the need to improve guidance was mentioned. Also, work is needed to spread good practice. The Welsh Local Government Association has done some work in this regard, particularly

in Pembrokeshire, but there is no evidence that that has been taken up by other local authorities. We would like to see that developed. All this adds to the development of a rural schools policy.

As you have heard, we understand that the Rural Development Sub-committee is quite willing to undertake this work. In the forward look of the Enterprise and Learning Committee, some consideration has been given to the need to carry out a review of schools and the implementation of schools reorganisation policy in rural and urban settings. So, both those committees recognise the need to further develop policy in this area. We hope that the recommendations that your committee could make to those committees and to the Welsh Assembly Government will give us the space to create policy that will ensure that school closure programmes in the future are carried out on the basis of sound evidence rather than on knee-jerk reactions to tight budgetary pressures.

Val Lloyd: We now have 15 minutes in which Members can question the petitioners.

Michael German: I will address the issue of the 23/02 circular, which you raised with us. What do you believe are its principal deficiencies, and what do you think should be in it?

Dr Blunden: I think that it focuses too narrowly on budgetary and educational issues. It does not give space for issues around community regeneration and the place of the school in the local community. Those issues get a sideways mention, but they do not feature very strongly in that guidance.

Michael German: So, it does not talk about the non-educational issues. Would you expect a Minister for education to talk about things that are not to do with education? Perhaps part of the problem is that this is a circular from the Minister for education, which is not about rural regeneration and communities, which come under the portfolio of another Minister. Do you agree?

Dr Blunden: Yes. The phrase 'joined-up government' comes to mind. I think that education and rural communities are broader than just the narrow educational focus.

Andrew R.T. Davies: Thank you for your evidence; it is much appreciated. The one thing that I would highlight from your evidence, Roger, is that you state that we have the divine power; we do not—the Welsh Assembly Government is separate from the Assembly. It is a common occurrence for petitioners to think that when they come here, but the committee only takes evidence, and the Assembly Government delivers policy and is the Executive. You seem to think that there is a chain of command that emanates from this building, or the Assembly Government's building, to shut small schools in Powys, and that Estyn, the executive body, is conspiring with that policy. Why do you think that Estyn is involved in this?

Dr Blunden: Perhaps Bob can answer that. We are not saying that there is a conspiracy, but local authorities—Powys, in particular—are telling us that they are under pressure from the Welsh Assembly Government to close schools on the basis of surplus places and that they will be financially penalised if they do not. We understand that that might not be correct, but that is what they are saying.

Andrew R.T. Davies: So, that is what councils are telling you. It is a problem across all areas—Cardiff supposedly has 8,500 surplus places—so it is not just happening in rural areas. I concur with your sentiments that we should look at it more closely. If you go to a school, it is not necessarily empty desks that is the key problem; it is the

use of that building within the community. However, there is that budget problem. You can look into it all that you want, but schools are expensive to run, and when you are faced with difficult challenges, how do you reconcile the budgetary aspect with the community aspect? That is what you have to balance. Unless you are prepared to put money into it, how are you going to secure the long-term future of these schools?

Dr Blunden: It may require some additional money, but closing small schools that have a relatively small number of places does not make a huge budget saving. If it is just being driven by money, I do not think that this is a particularly effective way of saving money.

Val Lloyd: I will bring Kirsty in on this point, but I wish to say that I support Andrew's comments; it is not only happening in Cardiff, but in Swansea and other places too. It is down to the falling birth rate—I know that it has improved slightly this year, but it is continuing to fall. So, it is a problem across the whole of Wales.

Kirsty Williams: I will assist Andrew in terms of the questions that he asked. On Estyn, Powys County Council was subject to a local education authority report by Estyn—rather than providing individual reports on its schools, Estyn looked at how Powys County Council dealt with education, corporately. The Estyn inspectors made it clear to Powys County Council that, unless they saw immediate action on surplus places, it would be given a lower grading than would be the case if it demonstrated that it was doing something. There was what I would describe as genuine panic in the council about the need to be seen to be doing something quickly, to report back to Estyn prior to the publication of its grading. I am in no doubt that Estyn put a huge amount of pressure on the council to move in this particular direction, with the threat of a less-than-glowing report on the performance of the education authority. As we have seen in other areas, that can have dire consequences for an education authority.

On the issue of financing, work done by the WLGA notes that anticipated savings as a result of school closures are often not accrued. I point the committee to that evidence in that regard.

Val Lloyd: May I clarify the Estyn point? Was that clear in the report? I understand that Estyn examined the local authority, because all our local authorities have the same inspection in their turn, but was it spelt out in the report? I ask so that we can access that evidence and review it; we have not yet had it.

Kirsty Williams: No, you cannot access it, because the report was published after the council made the decision to go ahead with the consultation on the closure of the six schools. However, I am sure that, if you write to councillors in Powys, they could corroborate what I said. It is a well-known and understood fact within the council that it was under huge pressure from Estyn, and I can supply you with the names of councillors who will support what I have just said.

Val Lloyd: I do not doubt a word that you said, Kirsty, you know that. It is just that the committee has to look at the written evidence, if there is any.

Kirsty Williams: I know, but that demonstrates how difficult it is for parents, teachers and constituents, who are not party to these discussions. They are not party to Estyn saying to the council, 'You will get this grade, unless we see you do something, in which case you will get this grade'. That is what is so frustrating for the petitioners. They cannot engage in that kind of debate. That is why the Welsh Assembly

Government's needs to address guidance and to develop policy in this particular area that will allow ordinary people, up and down Wales, to contribute. At the moment, they cannot contribute to what Estyn is saying or to what the Welsh Assembly Government is saying, because we are not subject to a wholesale policy review, which would allow communities and individuals to participate and help shape policy in this particular area.

Bethan Jenkins: I have just a few questions. Thank you for your report today. During the meeting with the Minister, did you raise these concerns? Did you say that you would like to see an expansion of the policy on a rural education plan initiated by the Welsh Assembly Government?

Dr Blunden: Yes, we did. The response that we got was, 'Thank you, we are very interested. Thank you and goodbye'. Certainly, the Minister did not reject what we were saying, and remained open to our offer to contribute to a new review.

Bethan Jenkins: Has there been any correspondence since then, beyond what was received at that meeting?

Dr Blunden: We have had a report of the meeting—there were minutes of the meeting.

Bethan Jenkins: Have you been in discussion with other campaign groups in other parts of Wales that are having similar problems? Perhaps there would then be evidence in Estyn reports that you could compare with your experience.

Mr Smith: We have certainly been in touch with organisations with similar interests, and we named those organisations in our original submission; the National Association for Small Schools is obviously interested in this and has a wealth of information and detail about the worth of small schools, which we would call upon if necessary. We have also talked to the Association of Communities in Wales with Small Schools, which is a partnership of large organisations, such as the Farmers Union of Wales and the Women's Institute and so on, that are very concerned with these issues. We have been in touch with people in Carmarthenshire, Pembrokeshire and Gwynedd, so we are reasonably aware of what is going on elsewhere.

We have not specifically spoken to any of those organisations about the Estyn issue. I think that we would not want to make too much of that, in one sense. If I had had a chance—if the 15 minutes had not elapsed—in my summing up, I was going to say that we would like to see the process that we have initiated being co-operative and constructive rather than confrontational. We would rather start from where we are today and look for creative solutions to national and local problems, rather than picking over what has happened in the past and pointing the finger of blame. Equally, it has to be said that we are concerned about the role of Estyn, particularly, as Kirsty has said, because it is going on behind closed doors and people are not aware of what is happening and the pressures that are being applied. We think that that is something that the Welsh Assembly Government would be well advised to look into.

Val Lloyd: I have a quick question for you. Could I just clarify something? Have you engaged directly, or in any other way, with your local authority on this issue? I am not certain from your evidence whether you have had any direct discussions with the authority.

Mr Smith: The answer to that, I think, is 'no'. The reason for that is a practical one. Several of us are involved with schools that are directly affected by the council's

proposals, which makes it very difficult for us to swap hats. Also, some members of the group, by their position and perhaps their relationship with the council, would not be able to engage in that kind of dialogue. It is not an ideal situation, but, to date, the opportunity has not really arisen for us to engage the council in a way that would be useful.

Andrew R.T. Davies: I understand that you are asking for a moratorium, which is clearly not in the gift of this committee. The only person who has that in her gift is the Minister, as it is a governmental decision. You talked of six schools that are under threat of closure now, with the possibility of a further 42 or 46 being under threat—I cannot remember the number. So, without that moratorium coming into place, a proportion of those schools will close, irrespective of any review that would be undertaken by any committee of this institution. Would I be correct in saying that?

Dr Blunden: Yes. That is our fear.

Andrew R.T. Davies: That would mean the six schools that you mentioned, with the potential to move on to the 42 or 46, or whatever you said that the number was.

Dr Blunden: Plans for the closure of the six schools are now well under way.

Andrew R.T. Davies: Would that be for the new academic year, in September?

Dr Blunden: Yes. I think that two of them will close in the next academic year.

Kirsty Williams: My understanding is that notices for closure have already been issued for two of the schools. They have been objected to and will be determined by the Minister, but there is the potential for closure at the end of the summer—they would not reopen in September. The other four schools are subject to further discussions at county level. As they are Montgomeryshire schools, I am not so aware of their exact fate, but for the two schools in Brecon and Radnorshire, official notices have already been issued.

Andrew R.T. Davies: That gives me a feel for what you are talking about. Two different parts of this institution are involved in this: there is the Government side and then there is the scrutiny side of this institution that could shine a light onto what you are asking for, if we were so minded.

Val Lloyd: We have a little time left. Do you have any direct evidence that the local authority is, as you say, simply following orders? The meeting that you had with the Minister and the letter that we have had from the Minister—

Ms Garratt: We do not suggest that the local authority is following orders, but we do suggest that our local authority—it is probably the case for other local authorities in Wales too—is interpreting Welsh Assembly guidance to enable it to take the easiest route to deal with its budgetary constraints. That is how I would put it.

Val Lloyd: Thank you; that is a very clear answer.

Andrew R.T. Davies: On evidence that we have had from Estyn, it is clear, through its report, that it believes that schools must be closed, otherwise there will be consequences.

Ms Garratt: Kirsty has told us that she knows that that has happened—that Estyn has told our local authority to close schools and to reduce surplus places. My

argument is that it interprets that instruction in its own way. It immediately looked at its list of the smallest primary schools in the county in the remotest areas—the ones that several generations of officials have probably been wanting to close because they do not have much interest in them. It is a historic approach by local authority officials.

Val Lloyd: We are out of time, Kirsty, but I will allow you to make one last comment.

Kirsty Williams: While trying not to belittle the problems that face the council, the petitioners are saying that the way in which the council has gone about choosing the schools to close is not, perhaps, as robust and logical as it could be. However, from my perspective and that of the petitioners, this is not necessarily about saving individual schools. It is, ultimately, about developing policy in a way that means that robust decisions can be made. We understand, collectively, the problems that it faces. We cannot do much about the birth rate—although some of us have done the best that we can to do something about it—but any future reorganisation of schools should be done on the basis of good practice and strong guidance and it should be set in the context of Welsh Assembly Government policy.

Val Lloyd: Thank you. I must now draw this discussion to a close, because we have run over by two minutes. I thank Mrs Garratt, Dr Blunden and Mr Smith for the presentation. We will await your arrival in the gallery before we begin our discussion, so that you can hear it in its entirety.

The petitioners have now reached the gallery, so we will resume our discussion.

Michael German: I am trying to work out where we would want to take this and how far we should go. It seems that there are several strands to this. First, if Estyn is giving that strong and powerful advice to local authorities, we need to be clear about Estyn's role and how it views its role as an interpreter of the current circular. So, there are questions for Estyn that need to be answered.

The nub of this seems to be a desire for a policy and, subsequently, a new circular. As was the case with the post offices issue, this is about the relationship with communities as well as with the education sector. They tie together. I do not know how much of an offer was made, but it may be that both committees could conduct a review—whether that would be just a quick, sharp and short one, I have no idea—of rural education policy and its impact on communities. We would want to see and encourage that. Should we write to the Chairs of those committees, to ask whether they are content to work together to produce guidance on these issues, or to review them, with the aim of leading to a strengthened circular? I do not know what the timescale is for the Minister to tell us when she will produce a new circular, but—

Val Lloyd: It is under review.

Michael German: So, it might be useful to have that go from one to the other. I would favour having a rural education policy and some sort of review of the impact on the communities that a school serves, if that can be achieved by the two committees. I would also like some answers from Estyn as to how far it interpreted the current circular in what it says to local authorities, and how far that affects its scoring of them. It does not seem to be the best approach to policy for local authorities to be told that they will get a black mark for not doing something, but if they do it, it is fine and they will not get a black mark.

Val Lloyd: I agree that we ought to concern ourselves with that aspect of Estyn. It is not really how you would expect a public body to conduct its business, if that is the case.

Andrew R.T. Davies: The wording of the petition clearly refers to the pressure on Powys council. We heard the Member for Brecon and Radnorshire refer in graphic terms to the pressure applied via an Estyn report. If it is within this committee's remit, would it be opportune to invite Estyn here to talk to that report? Let us have sight of that report, because it is quite an accusation to make about Estyn's conduct. It might be that Powys is not an isolated case, but we can look at only the one petition at a time. I think that you, madam Chair, and my good self have school place issues in our constituencies, but that is a wider issue. However, this petition specifies that pressure is being brought to bear on a local authority. We heard that that is contained in a particular report that interprets Government policy, and I would like the opportunity to address the matter with Estyn. I think that a hearing would be beneficial in that regard.

I concur with Mike German that there is benefit in seeking the approval of the Chairs of the relevant committees to take the matter forward, because there is a wider issue to be addressed, and good scrutiny, jointly or by either committee, would be beneficial. We saw yesterday in Plenary what can happen when two reports are presented on similar problems; in that instance, it was to do with the fallout from the foot-and-mouth disease outbreak. Many of the issues were diluted or lost, and so a joint report from the relevant committees looking at the rural and urban aspects of educational establishments would be beneficial.

Val Lloyd: Thank you. Are there any comments on that?

Bethan Jenkins: I agree that the committee should perform that, but I am concerned about the timescale. This is taking place now across Wales, and is not just affecting Powys. I am also concerned about whether this will bear fruit with regard to the consultation that the Minister is due to undertake on the circular. We may want to raise that concern if we do write to the committees.

On the back of Andrew R.T. Davies's request that someone from Estyn come in, the petitioners have told us that they have not really discussed the matter directly with the local authorities. Is Estyn then able to give an overview of the authority's opinion, if we were to write to it, or if it were to send a representative to the committee?

Val Lloyd: I do not think that Estyn could give an overview of the authority's opinion; that would have to come from the authority. Estyn can speak only on behalf of itself and its own actions. I think that we need to approach Estyn seriously, but perhaps we should first send a letter outlining what we have heard today, and offering it an opportunity to reply in writing or to come to talk to us, rather than just saying, 'Come to talk with us'. That would be its choice, but I think that we do need to give it the opportunity to clarify the issue. So, are we agreed on that point? I see that we are. It is quite clear that the committee feels that it should ask the rural affairs committee and the education committee—

Michael German: They have posh titles now.

Val Lloyd: I was going to say the Education and Lifelong Learning Committee, but that was its title in the second Assembly.

Kirsty Williams: It is the Enterprise and Learning Committee.

Val Lloyd: I will use the shorthand version, as it is quite clear for this purpose. We will ask them to conduct a joint inquiry into the issues that have been raised. Bethan, we can write to the Minister to ask her for the timescale for the revision of this guidance. Her letter was very helpful.

Michael German: It depends on the replies from the two Chairs. If you receive quite a quick reply from them saying that they are prepared to have a go at this, it would be useful for the Minister to know their timescale, so that she can take on board what is said, rather than issuing a circular before the report comes from the committees only to have to revise it again. We should try to get the timing right, if we can.

Val Lloyd: Out of courtesy to the Minister for education, we will write to her to say that we are asking for that inquiry, and that we will write to her again once we have the timescale, so that everyone is fully in the frame.

10 Ebrill 2008

Val Lloyd: Regarding Powys community schools action, we had a very interesting letter from Estyn.

Bethan Jenkins: I think that there is a Rural Affairs Sub-committee report on this now.

Val Lloyd: We will have to wait, because we have passed it on to that committee, so we will have to await its response.

Michael German: Can we make sure the Estyn response gets to the petitioners? I presume that it will do so, but I want to make absolutely sure that we do that.

Val Lloyd: I am sure that that has been heard.

24 Ebrill 2008

Val Lloyd: Powys Community Schools Action—

Mr Sanchez: Sorry, Val, but may I clarify that you have agreed to close it?

Val Lloyd: Yes.

We also received a letter on this issue from the Minister, Jane Hutt, on 2 April, and we have circulated it. We passed this matter to the Rural Development Sub-committee for an inquiry, and I suggest that we wait until we have its report before we close this petition.

13 Ionawr 2009

Val Lloyd: The first update is on P-03-089, Powys Community Schools Action. We have been considering this since it first arrived in December 2007. The committee did a review on this, and has published its report, and we await the Government's response to that. Should we wait until we get that response before we take this any further?

Michael German: We should indeed.

Val Lloyd: It would be a bit previous to suggest a course of action before we saw the Government's response.

Andrew R.T. Davies: I note that the report has had wide publicity and complimentary coverage. Hopefully, the way that this is progressing—not to prejudge the Minister's response—will offer some comfort to people in Powys and across rural Wales, because the Rural Development Sub-committee gave this detailed consideration.

Val Lloyd: Yes, indeed. We will put this on hold and wait for the response

10 Chwefror 2009

Val Lloyd: The first update is on petition P-03-089, the Powys Community Schools Action. We have been considering this since 6 December 2007. A committee was set up to produce a report on the reorganisation of rural schools, and that is now being debated by the Assembly. I think that we have probably taken the petition as far as we can. Are there any other ideas?

Michael German: Can we ensure that Powys Community Schools Action receives all the Record of Proceedings transcripts, the report of the Rural Development Sub-committee, and the Minister's response? I think that that would be helpful. There is a substantial amount of documentation as a result of the petition that it could receive. I think that we have taken the petition as far as we can, and anything further to come from it would require a separate petition.

Val Lloyd: Yes, I agree with that. Is everyone agreed? I see that you are. So, we will close the petition but ensure that the petitioners are sent every piece of documentation that applies. Thank you very much.

Atodiad 2

Y Pwyllgor Deisebau

Petitions Committee

Jane Hutt AM
Minister for Children, Education, Lifelong
Learning and Skills
Welsh Assembly Government
Cardiff Bay
CF99 1NA



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-089

31 January 2008

Dear Jane

PETITION – POWYS COMMUNITY SCHOOLS

The Petitions Committee considered this petition for the first time on 17 January 2008. The petitioners assert that the Welsh Assembly Government's policy on school reorganisation is:

- To place an obligation on local authorities to close small schools.
- To impose a programme of school closures in Powys, whilst withholding grants, if Powys County Council does not initiate its own programme of school closures.

The Committee agreed to ask you for the Welsh Assembly Government's current policy position in relation to this issue.

The Committee is taking oral evidence from the petitioners at its meeting on 21 February 2008. To help inform this session, the Committee would very much welcome a swift response from you on this matter.

A copy of the original petition, and additional information supplied by the petitioners is attached to this letter.

Yours sincerely

Val Lloyd
Chair, Petitions Committee

Enc.
Petition and additional information

Jane Hutt AC/AM

Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau
Minister for Children, Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-071
Ein cyf/Our ref JH/00158/08

Val Lloyd AM
Valerie.Lloyd@Wales.gov.uk

Dear Val,

12 February 2008

Thank you for your letter of 31 January 2008 about the petition submitted by Powys Community Schools Action. The group asserts that the Welsh Assembly Government is placing an obligation on local authorities to close small schools. It also asserts that a programme of closures will be imposed on Powys County Council, whilst withholding grants, unless action is taken. You ask for clarification of our policy on school reorganisation.

Our policy on school reorganisation is set out in Circular 23/02. This can be found on the Welsh Assembly Government website as follows

<http://new.wales.gov.uk/topics/educationandskills/publications/circulars/circular-no-2302?lang=en>

This document makes it clear that we expect funding for education to be used cost effectively. The circular highlights the fact that some surplus places are necessary to enable schools to cope with fluctuations in numbers of pupils, but excessive numbers of unused places mean that resources are tied up unproductively. There is an expectation that where surplus places are excessive, authorities should review their provision, and where feasible, make proposals for their removal especially where a school has significant levels of surplus. In respect of rural schools, the document states that the case for closure must be robust and the proposals must be in the best interests of educational provision in the area.

The Powys Community Schools Action group is well aware of this policy and they had an opportunity to give me their views on policies for rural schools, at a meeting held in October 2007, when Kirsty Williams AM was also present.

I advised the group on that occasion that Circular 23/02 would be reviewed in the future. That review is currently underway within the Welsh Assembly Government, and consultation with stakeholders will take place in due course. The review is necessary at this time both to reflect policy developments such as 14-19 Learning Pathways and the Foundation Phase, but also in the light of the pressing need to make the most efficient use of resources for education in order to raise standards.

Bae Caerdydd • Cardiff Bay
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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Whilst local authorities such as Powys may initially focus their attention on smaller schools, this is not as a result of a specific directive from the Welsh Assembly Government. The responsibility for deciding what schools are needed to serve different areas rests with local education authorities and decisions must be taken in the light of local knowledge and local needs. I fully expect that in rural areas, some small schools will continue to be required, and the One Wales document indicated clearly that small and rural schools would continue to be supported with additional grants, which were first established in 2002.

I welcome the action that Powys has taken to strategically review provision, but cannot comment on any specific actions which are currently being undertaken as a result of that review. Changes to school organisation normally requires statutory procedures including consultation and the publication of notices, with the opportunity to object. As statutory proposals which result in objections come to me for determination I cannot comment on any individual cases. I have not yet seen any papers on the proposals published by Powys in the Autumn, but all have attracted objections. When they are submitted to me for determination, I will consider each on its merits and consider in close detail whether each one is likely to contribute to improved standards of education for current and future pupils.

The Welsh Assembly Government has powers under the School Standards and Framework Act 1998 to direct local authorities to bring forward proposals for school reorganisation where it is concluded that there is either surplus or insufficient provision. There are also powers for the Welsh Assembly Government to bring forward its own proposals to deal with overprovision or insufficiency. I am not currently considering an instance where such powers would be required.

One of the assertions made in your covering letter seems to be connected with grants for school buildings. Since 2002, all local education authorities have received a share of School Building Improvement grant (SBIG) distributed according to an established formula. In addition since 2005-06 each authority has been able to draw on an additional £9million each, to be spent on major projects up to 2009/10. Powys has almost completed its draw down of this additional funding and the last major project is due to be completed in 2008/09. Powys will receive a share of formula SBIG next year which amounts to over £2 million.

From 2009/10, it is likely that there will be some changes in the way any additional funding is allocated. In the policy document *The Learning Country: Vision into Action*, published in October 2006, the Welsh Assembly Government signalled an intention to develop links between the allocation of capital funding for schools and effective strategic planning by LEAs that reflected local demand for school places. We are moving forward on this so as to encourage more strategic use of capital funding and to provide an incentive to effective school reorganisation planning. This initiative is still at an early stage and there will be wide consultation in due course. I anticipate however, that all local authorities will continue to receive formula shares of SBIG.

Y
Yours,

Jane

Y Pwyllgor Deisebau

Petitions Committee

Jane Hutt AM
Minister for Children, Education, Lifelong
Learning and Skills
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-089

14 March 2008

Dear Jane

Petition from 'Powys Community Schools Action' – closure of rural schools

At its meeting on 21 February 2008, the Petitions Committee agreed to write to you in relation to the above petition.

The committee agreed to write to you to request a timescale for revising Circular 23/02.

I look forward to your response, which will be considered by the Committee at a future meeting.

Yours sincerely,



Val Lloyd,
Chair, Petitions Committee

Jane Hutt AC/AM
Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau
Minister for Children, Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref
Ein cyf/Our ref JH/00376/08

Val Lloyd AM
Valerie.Lloyd@Wales.gov.uk

2nd April 2008

Dear Val,

Petition from "Powys Community Schools Action" – closure of rural schools

Thank you for your letter of 14 March 2008 following an action agreed at the Petitions Committee on 21 February 2008. You asked for a timescale for revising Circular 23/02, our current circular on school reorganisation.

A revised draft of the circular has been prepared and circulated for comment internally within the Department of Education Lifelong Learning and Skills. It is currently being modified as a result of that consultation. In addition, Conferences on the School Effectiveness Framework were held in February and workshops on school reorganisation were included in agendas for the events: feedback will inform the redrafting of the guidance.

My officials have now reached the point when a modified draft can be circulated for comment to other departments within the Welsh Assembly Government, in order to ensure that there is a cross portfolio approach to future policy.

I note that the petitions committee is also to refer the matter of rural education to the Rural Development and Enterprise and Learning Committees. I will follow those considerations with interest.

I currently aim to issue the revised circular for wider consultation with all stakeholders before the end of the summer term.

Bert Hisker,

Jane

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Wedi'i argraffu ar bapur wedi'i ailgylchu (100%)

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Atodiad 3

Y Pwyllgor Deisebau

Petitions Committee

Chief Inspector
Estyn
Anchor Court
Keen Road
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CF24 5JW

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: PET-03-089
Your ref:

14/12/08

Dear Sir/Madam

Petition from 'Powys Community Schools Action' – closure of rural schools

I am writing to you following my Committee's consideration of the above petition from PCSA which calls for pressure being put on Powys County Council to close small rural schools to be reversed.

PCSA assert that although it is the responsibility of the local education authority to determine the allocation of education funding, Estyn have had an instrumental role in applying pressure on Powys County Council to force school closures where there are surplus places.

To examine this issue, the Committee has:

- Corresponded with the Education Minister, Jane Hutt requesting clarification of the Government's policy on school reorganisation
- Invited petitioners to present evidence to the Committee on 21st February – their evidence was supported by Kirsty Williams AM

In support of the petition, Kirsty Williams AM said:

'Estyn looked at how Powys County Council dealt with education corporately. The Estyn inspectors made it clear to Powys CC that unless they saw immediate action on surplus places, it would be given a lower grading than would be the case if it demonstrated that it were doing something [...] I am in no doubt that Estyn put a huge amount of pressure on the council to move in this particular direction with the threat of a less-than-glowing report on the performance of the education authority'

The Committee resolved to invite Estyn to respond to these allegations. I would therefore be pleased to receive any representations you wish to make in writing or in person to the Committee.

A complete version of the verbatim transcript is available on our website:

<http://www.assemblywales.org/bus-home/bus-committees/bus-committees-third-assem/bus-committees-third-pc-home/bus-committees-third-pc-agendas.htm>

I should be grateful if you could inform me as soon as possible if you would like to present to the Committee. We shall be meeting again in the summer term, probably on 10th and 24th April (dates to be confirmed), and I shall ask the Committee Clerk to make arrangements if these dates are convenient to you.

Yours faithfully,

A handwritten signature in dark ink that reads "Val Lloyd". The signature is written in a cursive, slightly slanted style.

**Val Lloyd,
Chair, Petitions Committee**



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a Hyfforddiant yng Nghymru

Her Majesty's Inspectorate
for Education and Training in Wales



Val Lloyd
Chair, Petitions Committee
The National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

25 March 2008

Dear Val

PETITION FROM 'POWYS COMMUNITY SCHOOLS ACTION' --closure of rural schools

Thank you for your letter of 14 March regarding the Committee's consideration of the above petition. It is not Estyn's policy to provide representation in person at this Committee. Please accept this letter as my written representation to the Committee.

As the Committee is aware Estyn inspected the quality of the education service provided by Powys County Council in March 2007. In summary, the inspection report found that Powys, at the time of the inspection, had the third highest proportion of surplus school places in Wales and that not enough had been done to address this issue.

Specifically, I would draw the Committee's attention to the relevant paragraphs on access and school organisation in the inspection report:

- The authority has the third highest proportion of surplus school places in Wales and this number is rising. Its progress in addressing surplus places has been slow. (Paragraph 50)
- The backlog on the maintenance of schools is increasing. The age, nature and condition of many primary school buildings limit the range of educational facilities that can be provided in them. (Paragraph 51)
- The authority has a firm commitment to modernise its schools in order to remove surplus places and improve buildings. It has embarked on an ambitious modernisation programme and there is a good understanding of the nature of the challenge that such



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BUDDSODDWR MEWN POBL
INVESTOR IN PEOPLE

a programme presents. The programme has a clear and agreed policy, and is supported by a project management approach. The authority has earmarked the funds to implement the modernisation programme. (Paragraph 52)

- There are some good prospects in the authority's work on access and school organisation, particularly as a result of the recent Board decision to implement the first stages of the school modernisation programme. However, there are many uncertainties and the authority has not had a significant impact on reducing excess places and improving buildings to date. (Paragraph 54)

The authority is rated grade 4, on a four-point scale, for its performance in access and school organisation. Grade 4 is the lowest grade which means that this aspect of the authority's work has shortcomings in important areas. However the local authority's prospects for improvement in its work on access and school organisation are grade 3, which means that it has some good prospects for improvement, but barriers in important areas need to be addressed.

A copy of the inspection report can be found on the Estyn website www.estyn.gov.uk

It may help if I explain Estyn's approach to the inspection of access and school organisation in our inspections of local authority education services where appropriate. Estyn recommends that local authorities take action to reduce spare places in order to improve school buildings and the quality of education. However, we do not tell local authorities exactly how they should go about doing this nor do we put any direct pressure on authorities to follow a particular course of action in that respect.

At no time during this inspection, did Estyn make any specific threat that the authority would receive a 'less-than-glowing' report if the authority did not move in any particular direction regarding its school organisation programme.

The inspection report certainly does not refer to the closure of any specific schools in Powys. Estyn only comments on the closure of individual schools when asked to do so by the Welsh Assembly Government in order to advise their officers about the likely educational impact of any proposed closure, amalgamation or federation.

The inspection criteria used by Estyn when making judgments about a local authority's performance over access and school places are publicly available on the Estyn website in the 'Guidance for the Local Authority Education Services in Wales from April 2006'.

The inspection criteria are agreed between Estyn, the Wales Audit Office and the Association of Directors of Education in Wales jointly. In reference to the provision of an appropriate range and number of school places, we judge whether the council has clear arrangements for the regular, pro-active review of trends across the authority and in individual schools. Further to this, we judge whether the authority is making good progress in:

- reducing the numbers of overfull schools;
- removing significant numbers of surplus places; and
- meeting the needs of the local authority

In addition, we judge the extent to which the authority links the provision of school places, asset management planning, admissions to schools and home-to-school transport are regularly reviewed and strike a conscious balance between quality of education, supporting parental choice and cost (value for money use of public funds).

I would like to take this opportunity to correct a misleading reference in the transcript of the Petitions Committee on 21 February 2008, attributed to Andrew R.T. Davis that Estyn is an executive body of the Assembly Government. The Welsh Assembly Government (WAG) funds Estyn but we are independent of WAG in terms of the management and accountability for our operational business. This means that there is no risk of political or ministerial influence affecting the evaluations and recommendations we publish in the course of any of our inspection work.

I hope that this letter has clarified the issue that you raised.

Yours sincerely



Dr Bill Maxwell

Her Majesty's Chief Inspector of
Education and Training in Wales

Atodiad 4

Y Pwyllgor Deisebau

Petitions Committee

Alun Davies AM
Chair of the Rural Development
Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-089

27 February 2008

Dear Alun

PETITION – POWYS COMMUNITY SCHOOLS ACTION

As you are aware, Powys Community Schools Action presented evidence to the Petitions Committee on 21 February 2008. The petition they have submitted is in relation to the closure of small schools in Powys.

In light of the evidence presented, the Committee agreed to ask that both the Rural Development and the Enterprise and Learning Committees consider the merits of a cross-cutting 'Rural Education Policy'.

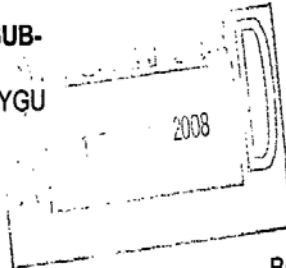
I look forward to your response to this request.

Yours sincerely



Val Lloyd
Chair, Petitions Committee

RURAL DEVELOPMENT SUB-
COMMITTEE /
YR IS-BWYLLGOR DATBLYGU
GWLEDIG



Cynulliad National
Cenedlaethol Assembly for
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14 March 2006

Dear Val,

**RURAL DEVELOPMENT SUB-COMMITTEE: CONSIDERATION OF
PETITION P-03-089 ON POWYS COMMUNITY SCHOOLS**

At its meeting on 13 March, the Rural Development Sub-committee considered petition P-03-089 on Powys Community Schools, which was referred by the Petitions Committee on 21 February. The Sub-committee agreed to conduct an inquiry into the general issues raised in the petition.

I will write to you with further details when the Sub-committee agrees a scoping paper and timetable for the inquiry.

Yours sincerely

Alun Davies AM
Chair, Rural Development Sub-committee

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20 MAR 2006
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**RURAL DEVELOPMENT SUB-
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3 December 2008

Dear Val,

Petition – P-03-089 Powys Community Schools

You wrote to me on 27 February 2008 suggesting that the Rural Development Sub-Committee may like to consider the issues arising from petition P-03-063, which called upon the Welsh Assembly Government to sustain the communities of Powys, the most rural of Welsh counties, and to halt and reverse the pressure on Powys County Council to close the schools which are the heart of those communities.

The Committee took a range of evidence from a number of relevant organisations, including academics, schools, parents and local government. The Committee also held two fact-finding visits to Hermon in Pembrokeshire and Nanternis in Ceredigion, as both areas had been through the process of school reorganisation and Members were keen to discuss their experiences with relevant organisations.

The Committee has now concluded its consideration of the issues and have published their report. The report contains a number of recommendations, in particular, in relation to the role of local authorities and the need for greater guidance and clarity on the process for school closure.

The Committee also expressed their thanks to the petitioners for putting forward this petition and to you and the Petitions Committee for the action you took in enabling a debate on this important topic to take place. I would be happy to attend a meeting of the Petitions Committee to present the report and to discuss with you the process we followed as a Committee and the recommendations that we made.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alun Davies', written in a cursive style.

Alun Davies AM
Chair, Rural Development Sub-Committee

Atodiad 5

Y Pwyllgor Deisebau

Petitions Committee

Gareth Jones AM
Chair of the Enterprise and Learning
Committee
National Assembly for Wales
Cardiff Bay
CF99 1NA

Bae Caerdydd / Cardiff Bay
Caerdydd / Cardiff CF99 1NA

Our ref: P-03-089

27 February 2008

Dear Gareth

PETITION – POWYS COMMUNITY SCHOOLS ACTION

Powys Community Schools Action has submitted a petition in relation to the closure of small schools in Powys. The petitioners presented evidence to the Petitions Committee on 21 February 2008.

In light of the evidence presented, the Committee agreed to ask that both the Rural Development and the Enterprise and Learning Committees consider the merits of a cross-cutting 'Rural Education Policy'.

I look forward to your response to this request.

Yours sincerely

Val Lloyd
Chair, Petitions Committee

Atodiad 6

**Written Response to the Rural Development Sub Committee Report “Inquiry into the Reorganisation of Schools in Rural Wales”
by Jane Hutt AM, the Minister for Children, Education, Lifelong Learning and Skills**

January 2009

Executive Summary

I welcome this inquiry which was wide ranging and the report which is well balanced.

I have set out below my response to the Report’s individual recommendations.

Detailed Responses to the report’s recommendations are set out below:

The Committee recommends that the Welsh Assembly Government:

- 1 (i) provides clearer guidance to local authorities on how surplus places are to be defined and addressed;
- (ii) commissions further research on the actual cost of a surplus place.

Response: Accept part (i), Accept in principle part (ii)

I can accept the first part of this recommendation because action has already been taken to enable local authorities to consistently assess the capacity of their schools. Guidance Circular 09/2006 which was issued in July 2006 provides a consistent method of measuring the capacity of schools. Local authorities have gradually re-measured schools and are now in a better position to assess whether schools are of the right size for the number of pupils on roll. This important activity informs a local authority’s need to plan school places. Revised draft guidance on school organisation will indicate that the identification of surplus capacity can assist local authorities in carrying out strategic reviews of school provision so as to assess whether the pattern of provision is appropriate. The removal of surplus capacity is not an end in itself. Improving efficiency in the provision of education should be for the purpose of improving educational outcomes.

I can accept part (ii) in principle but this will be subject to discussion with a range of stakeholders on the need for and scope of such research.

Financial Implications – None.

Recommendation 2: That the Welsh Assembly Government, in any new guidance on surplus places, states clearly that it is the responsibility of each individual local authority to deal with issues of resource use and surplus places within their overall budget and education policy. It should be made clear that local authorities take these decisions and that the Welsh Assembly Government guidance is not designed and should not be taken to be pressure on individual authorities.

Response: Accept

I accept this recommendation. Revised guidance will make it clear that it is the role of the local authority to plan school provision in the light of local knowledge, in the interests of pupils, and with due regard for efficiency. The Welsh Assembly Government needs also to make it clear that resources available for education need to be used as cost effectively as possible, whilst protecting and where possible, improving standards of education.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets (in 2008/09 or 2009/10).

Recommendation 3: The Welsh Assembly Government should publish a clear vision for Welsh primary schools:

- To include a definition of what “fit for purpose” means;
- To define and describe a “School Standard for Wales”.

Response: Accept in principle

I can accept this recommendation in principle. The Welsh Assembly Government in line with its commitments set out in ‘One Wales’ has already begun work on creating and building a shared vision of 21st Century Schools, (both primary and secondary) by working in partnership with the Welsh local Government Association (WLGA) and all local authorities. Moving on from the concept of “fit for purpose”, a 21st Century School will be defined providing a consistent standard for local authorities to work towards. The WLGA and Local authorities will be involved in this process.

Financial Implications – None.

Recommendation 4: The Welsh Assembly Government should carry out a comprehensive audit of the school estate to establish how many school premises would comply with the standard and the amount of investment that will be needed in order to bring all Welsh schools up to this standard.

Response: Accept in principle

I can accept the principle of this recommendation, and local authorities are already taking action to meet that principle. Local authorities are required to have in place Asset Management Plans covering all their capital assets. A vital element of an Asset Management Plan is a comprehensive, structural audit of their physical assets; including school buildings. These audits are based on surveys of building condition, suitability and sufficiency and should be reviewed and updated.

In addition authorities are required to have Asset Management Plans for individual services. A robust Asset Management Plan for the education service should comprise a thorough analysis of condition and investment need. The Welsh Assembly Government accepts there is value in an aggregated and comprehensive knowledge base of the school educational estate in Wales; to enable national and local planning in relation to 21st Century Schools. The individual Asset Management plans will provide this.

Financial Implications – None.

Recommendation 5: That the Welsh Assembly Government establishes a clear strategy to ensure that all schools in Wales reach this standard within an agreed and published timescale.

Response: Accept in principle

I can accept this recommendation in principle. There is a need to recognise that not all Local Authorities are at the same position regarding the development of their school investment and re-organisation strategies. In line with Recommendation 3, the delivery of 21st century schools will implement a step change in the Welsh Assembly Government's capital investment programme. We will be taking a strategic approach to funding, design and procurement, including ICT integration, and we will be working in partnership with local authorities and assisting in the development of their capital investment programmes. 21st Century Schools will be a multi year, long term programme of investment recognising the differing stages that individual local authorities will be with regards to their school capital investment and re-organisation strategies.

Financial Implications – None.

Recommendation 6: That the Welsh Assembly Government does not need to define a small school in terms of enrolled pupil numbers at any one time – but does define a small school in terms of staff and the teaching load of its Head in order to provide and focus support on those schools where such support is most needed.

Response: Accept in principle

I accept that there is no need to define “small schools” for the purposes of planning school places. It is for a local authority to decide on the appropriate size of schools within the local context. It is however necessary to define such schools for specific practical purposes such as distributing targeted grants. The Welsh Assembly Government has provided additional grant funding for small and rural schools since 2002. In 2008/09, a total of £4.1 million is available. The Audit Commission identified a 90 (or fewer) pupil school as one which would cost proportionately more to run. Therefore when distributing funding targeted on small schools local authorities are instructed to prioritise schools with 90 or fewer pupils on roll. Part of the additional funding is also to be targeted on schools which have head teachers with a significant timetabled teaching commitment.

Financial Implications – None. Existing budgets cover activity related to the distribution of grants.

Recommendation 7: The Committee recommends that the Welsh Assembly Government develops a code of practice for consultation and meaningful community engagement which should be followed by local authorities in managing this process.

Response: Accept in principle

I can broadly accept this recommendation. Future practical guidance on bringing forward statutory proposals will aspire to extend the good practice on undertaking consultation that already exists. It may not be appropriate to be overly prescriptive and issue a code of practice, but it will be made clear that interested parties need sufficient information and sufficient time to make their views known when they are asked to respond to proposals for change.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

Recommendation 8: The Committee recommends that the Welsh Assembly Government guidance includes the need for openness and transparency by LEAs when consulting on school reorganisation proposals. The Committee expects that active informed and meaningful consultation is at the heart of this process.

Response: Accept

I accept the need for consultation to be of the highest possible quality. The revised circular indicates that the sufficiency of consultation is a consideration when I need to determine whether statutory proposals which have resulted in objections should be approved. Officials in my department are also responsible for providing practical guidance to local authorities who are considering changes to schools. Revised guidance is currently under development. Consultation issues form part of that guidance.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

Recommendation 9: The Welsh Assembly Government in their revised guidance should clarify and formalise the roles of all stakeholders in the closure process. The revised guidance should be clear in expecting local authorities to proactively inform local communities and then to help those communities to participate in a debate on the future configuration of primary education in any given area.

Response: Accept in principle

Guidance recently subject to consultation is the broad policy guidance which sets out the principles that are relevant to considerations about reorganising schools. Guidance on procedural matters such as consultation and engagement with interested parties is due to be revised within the next year. That guidance will include examples of good practice on consultation with interested parties and will aim to share that practice amongst authorities. I expect local authorities to engage thoroughly with the main stakeholders when consulting on proposals to change school provision. The key stakeholders will vary according to the nature of the proposal. Some changes might have relatively little impact beyond the parents, pupils and schools involved whilst in other cases, impacts will be far-reaching. The revised guidance will encourage authorities to carefully consider the question of who would be affected by change so as to ensure engagement with all relevant parties.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2009/10)

Recommendation 10: The Committee recommends that the Welsh Assembly Government commissions research into the academic and social effects on children after they have moved to a larger school.

Response: Accept in principle

Whilst I accept in principle, this requires further consideration in conjunction with recommendation 11. Whilst I fully understand the Committee's purpose in making this recommendation this is a difficult area in which to conduct meaningful quantitative research. Whilst it is possible to identify a suitable, albeit very small

sample and measure academic achievement, it would not be possible to identify the many influences on pupil outcomes amongst the sample, nor identify if attainment is better or worse than it would otherwise have been. It would be more appropriate to consider effects of transfer to a larger school alongside the type of social qualitative research suggested in recommendation 11.

Financial Implications – To be assessed once further consideration of scope for research is completed.

Recommendation 11: The Welsh Assembly Government should commission research to assess and to fully understand the impact of school closures on communities in rural Wales.

Response: Accept in principle

Whilst I accept this recommendation in principle, I need to consider this recommendation in conjunction with recommendation 10 further in order to ascertain the feasibility and scope of the recommended research. An initial step could be to undertake a review of any existing research and information on the impact of school closures, including the impact on communities and on the educational and other outcomes for pupils before deciding whether any new research is required. Since this recommendation cuts across other Ministerial portfolios, it is important that all those with an interest in such impacts are involved in discussions about the proposition. I am asking officials to provide me with further advice after discussions have been held.

Financial Implications – To be assessed once further consideration of scope for research is completed.

Recommendation 12: LEAs should carry out robust community impact assessments prior to the closure of any small school. The Welsh Assembly Government should provide guidance to LEAs on undertaking such community impact assessments based upon its research.

Response: Accept

I can broadly accept this recommendation. Current guidance already indicates that for school closure proposals, the overall effect on the community of closure and the extent to which the school is serving the whole community as a learning resource is a relevant consideration. Where a school is a focal point for community activity and its closure could have implications beyond the issue of education, it is expected that cases presented for Ministerial determination should show that options for maintaining community facilities in the area have been considered. The revised draft guidance suggests that that consideration by local authorities should be formalised as a community impact assessment. If research on impacts is commissioned then that could inform, in due course, a local authority's consideration of community issues. In the meantime authorities will continue to use their own judgement on how to assess the impact of a closure. Current guidance makes it clear that whilst the interests of the local community should be taken into account, educational interests should always be the prime concern. Revised guidance will continue to reflect this position.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2008/09 or 2009/10)

Recommendation 13: That the impact on the Welsh language be considered as a major determinant when local authorities take decisions in school closures.

Response: Accept

I can broadly accept this recommendation. Revised draft guidance suggests that potential impact on the Welsh language should be assessed by local authorities prior to bringing forward proposals. Impacts on the language within schools and on standards of pupils' learning are of the greatest importance. Local authorities that have brought forward proposals for the reorganisation of schools where pupils are taught mainly through the medium of Welsh have historically offered equivalent schools as alternatives. Local authorities have therefore already been addressing this issue.

Financial Implications – None. Costs of guidance issued by the Welsh Assembly Government will be met out of existing budgets in the relevant year (2008/09 or 2009/10)

Recommendation 14: The Committee recommends that the Welsh Assembly Government reviews the process for reorganising schools to strengthen the role of local education authorities, supports them in their responsibilities in the reorganisation process and gives consideration to transferring the right to hear appeals against school reorganisation proposals to an independent arbitrator.

Response: Accept in principle

I can accept this recommendation in principle. Local authorities already have the power to make changes to schools as provided for by the School Standards and Framework Act 1998. My department assists authorities with guidance on the procedures that are necessary as a result of that legislation. I have the role of deciding contested proposals. The sub-committee report recognises the current division of responsibilities. Changes to the procedures and responsibilities in the manner suggested by the sub-committee would necessitate fresh legislation. I am willing to give consideration to the Sub committee's suggestions, contained in this recommendation, including that of transferring decision making to an independent arbiter, but this will require substantial investigation by my department. In the meantime I am content with the robustness of current legislation and the extent to which it permits authorities to engage with those affected by proposed change.

Financial Implications – none arising from the consideration of transferring powers.

Jane Hutt AM,
Minister for Children, Education, Lifelong Learning and Skills