

Objection Report

Proposal to Close Rhydri Primary School



Proposal : **The proposal relates to the closure of Rhydri Primary School with effect from July 2025, following a request to consult from the Governing Body of the School made at their meeting of the 14th March 2024.**

Formal Statutory Objection Period : 13 January 2025 – 10 February 2025

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



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This document is available in Welsh and English. Information can also be made available in other formats, languages and in hard copy on request. Please contact us on 01443 864817 / 21stCenturySchools@caerphilly.gov.uk to arrange this.



INTRODUCTION

Executive Summary

We are proposing :

- The proposal relates to the closure of Rhydri Primary School with effect from July 2025.

Considered by the Education and Social Services Scrutiny Committee on 26th November 2024, at their remote meeting held on the 11th December 2024, Council Cabinet unanimously agreed the proposal to progress to Statutory Notice phase, in-line with the School Organisation Code 2018.

RESOLVED that for the reasons contained in the Officer's report:

- 1. Consideration was given to the information contained in the Consultation Report.*
- 2. The recommendation, to proceed to Statutory Notice in relation to the proposal to close Rhydri Primary School with effect from July 2025 be approved.*

Notice of Decision

[Item 8: School Organisation Code 2018 - Consultation Report: Proposal for the Closure of Rhydri Primary School.](#)

Statutory Obligations

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

Purpose of the Objection Period Summary Report

In accordance with the School Organisation Code 2018, the Council must publish a summary of the statutory objections and the Council's responses to those objections ("the Objection Report"), 2013 when objections have been received.

10 objections were received during the Statutory Objection period.

As statutory objections were received, there is a requirement to publish an Objection Report.

The purpose of this Objection Report is to provide Cabinet with the necessary information to make an informed decision through reflection, review and assessment as to whether to implement the proposal.

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

- Outline the Statutory processes undertaken
- Provide clarification in relation to the information provided and consultee engagement
- Summarise the Statutory Objections position
- Provide recommendations in relation to the next stages for the proposal



PROPOSAL

What are we proposing to do?

As outlined in the [Consultation Document](#) and [Consultation Report](#), both of which have been published and are available via the Council's website or in hardcopy on request, we are proposing:

- **Closure of Rhydri Primary School**

The proposal relates to the closure of Rhydri Primary School with effect from July 2025, following a request to consult from the Governing Body of the School made at their meeting of the 14th March 2024.



STATUTORY PROCESS AND DECISION MAKING

The Statutory Process

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

- 1) Changes that require a proposal
 - Identifying the proposal
 - Development of proposal
- 2) Consultation
 - Publishing a Consultation Document
 - Notification letter sent to stakeholders (as prescribed by the code)
 - Undertaking a consultation exercise
 - Consultation with children and young people
 - Publishing a Consultation Report
 - Notification letter sent to stakeholders
- 3) Publication of Statutory Proposals
 - Publishing a Statutory Notice
 - Notification letter sent to stakeholders
- 4) Determining Proposals
 - Publishing an Objection Report where objections have been received
 - Notification letter sent to stakeholders
 - Approval by Local Authority or Welsh Minister (dependent on nature of proposal)
 - Decision Notification
 - Notification letter sent to stakeholders
- 5) Implementing Proposals
 - Carrying out agreed actions

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

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

Cabinet Response to Consultation Report

A multi-locational meeting (Penallta House & MS Teams) took place on 11th December 2024.

As part of this meeting, the consultation in respect of the proposal was discussed. All Consultation Documentation was made available to members as part of the agenda reports pack including the original responses in the format received from all parties within the consultation period which ran from the 9th September 2024 to the 22nd October 2024. Officers linked to the proposal were available to take questions.

It was noted that the matter was previously considered by the Education and Social Services Scrutiny Committee on the 15th October 2024 (in their capacity as a consultee group) and subsequently on the 26th November 2024 at which the recommendation to proceed to the Statutory Notice stage was unanimously agreed.

It was agreed that a vote in respect of the proposal would be taken and be officially recorded. Cabinet Members approved the proposal proceed to Statutory Notice.

Decision Making

Progression at each stage is subject to scrutiny, review and approval by Cabinet Members.

When approving proposals, Cabinet must:

- consider whether there are any other related proposals
- ensure that the statutory consultation has been conducted in accordance with this Code
- ensure that the proposal has been published in accordance with the Code and the Statutory Notice contains all the required information
- consider the Consultation Document and Consultation Report
- consider the Objection Report and any responses to the Statutory Notice (where applicable)

This Objection Report has been produced as the next stage in the process following the Statutory Objection Period as defined by the School Organisation Code 2018. This Objection Report will be subject to initial scrutiny as part of discussions at an Education and Social Services Scrutiny Committee meeting whereby Members will be asked to note the information contained in the Objection Report and to seek views on the recommendations made within this the Objection Report prior to consideration by Cabinet on 16th April 2025.

Cabinet will then make the final determination relating to the proposal and decide whether or not to proceed to implementation as recommended.



STATUTORY NOTICE

Statutory Notice - Consultation Process

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

Following the decision by Cabinet outlined above to proceed to Statutory Notice, anyone wishing to make an objection to this proposal was able to do so. To be considered as a statutory objection, objections had to be made in writing or by email and sent to the Council within the 28 days of the date on which the proposal was published. This is referred to as the “objection period” and ran from the 13th January 2025 to the 10th February 2025.

Statutory Notice - Consultation Information

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

The Statutory Notice was published on a school day and consultees were given 28 days to respond to the document, with at least 15 of these being school days as defined by Section 579 of the Education Act 1996.

Notices were published on the 13th January 2025 as follows:

- On the council website
- On / near the main entrance of the school
- The school provided hardcopies of the Statutory Notice to distribute to pupils, parents/carers and staff on request
- Prescribed consultees as listed in the School Organisation Code 2018 were notified in writing via email/letter

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

Stakeholder Engagement

Consultees were advised of the proposal and availability of the Statutory Notice and all prior documentation published relating to the proposal, when it went live on the 13th January 2025 via letter/email and were therefore invited to take part in this stage of the statutory consultation.

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

Consultee List	
Pupils and Pupil Councils*	Welsh Ministers
Parents, prospective parents, guardians and carers*	Assembly Members and Members of Parliament representing the area served *
Headteacher, Staff and Governing bodies*	Local CCBC Members

Directors of Education for Neighbouring Authorities	Local Town and Community Councils
Teaching and Support Staff Associations	Estyn
Parent Network	Welsh Education Forum
Diocesan Directors / Boards of Education	South East Wales Consortium (EAS)
Gwent and South Wales Police and Crime Commissioners	South East Wales Transport Alliance (SEWTA)
Early Years Development and Childcare Partnership	Mudiad Meithrin, Menter Iaith and voluntary nursery providers

In addition, any consultee who had previously expressed concern/indicated they wished to be contacted as part of their consultation response during the period were also notified.



STATUTORY OBJECTION

Responses

Overall, a total of 10 Statutory Objections were received during the Statutory Notice/Objection stage of the consultation process.

To be considered as a Statutory Objection, objections had to be made in writing or by email and submitted within the Objection Period.

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

- 0 responses received via letter
- 10 responses received via email

10 responses were returned in the medium of English.

The Sustainable Communities for Learning Team received 0 requests for the documentation to be provided in another format or language.

Reasons for the Objection and Council Clarification

When analysing the 10 Objections received as part of the Statutory Notice period, the emerging themes that became evident reflected comments received as part of the initial consultation process, which have been clarified previously within the published Consultation Report.

However, to assist Cabinet in the decision making process, the following information is provided by Council Officers involved in the formulation of the proposal by means of response for clarification with supporting reasons for those themes receiving the most comment.

Pupil and Staff Wellbeing (4 mentions)

Concerns were once again raised as to the level of support that has been provided to pupils and staff to date. The Council acknowledged that any proposal linked to a school closure can raise levels of uncertainty and highlighted that it is also important not to pre-empt any decision of Cabinet as this proposal is still within its consultation phase. However, there have been ongoing discussions and communications with the Head and Chair of Governors at the school. This Team Around The School approach will be further expanded should Cabinet be mindful to support implementation of the proposal.

Pupil Numbers (5 mentions)

As outlined in the Consultation Document, the Authority recognised the proactive marketing campaign undertaken by parents to drive up pupil numbers and the initial impact of that campaign. Whilst an increase in pupil numbers was noted, unfortunately, the numbers were not sufficient enough to bring the school out of deficit.

Whilst the Authority recognises that the school community would like consideration of alternative funding opportunities to retain the school, the projected pupil numbers and resultant financial outlook for the school provides a significant challenge to the Head and School Governors to agree a balanced budget to maintain the school and an appropriate staffing level which led to the request to the local authority to consider closing the school from July 2025.

Transfer of Pupils to Alternative Provision (St James Primary) (4 mentions)

As part of the formation of the proposal, the Local Authority has taken into account the requirements of the School Organisation Code 2018, where in the event of a school closure, proposals involving the transfer of learners to alternative provision should offer provision at least equivalent to that which is currently available and ensure that the disruption to learners is minimised. This resulted in the recommendation that all pupils would be able to transition to St. James Primary School subject to parental preference. However, objections have been raised in relation to the proposed alternative provision of St James Primary in light of their recent Estyn Inspection outcome.

Any proposal relating to transitioning pupils into a new school can have both a positive and negative effect dependent on individual circumstances which was acknowledged as part of the Integrated Impact Assessment undertaken. Although St James Primary received a number of recommendations in their 2024 Estyn report, which resulted in a follow-up category, the Local Authority is satisfied with progress made since the time of the inspection and anticipates that the school will continue to make accelerated progress against the recommendations over the next few months in order to ensure pupils make strong progress on their educational journey.

It is important to note that 79% of pupils that currently attend Rhydri Primary School do not reside within the catchment area for the school which implies that a high percentage of pupils are already traveling into the Rhydri area to attend school and as a result would have their original catchment school available.

OTHER CONSIDERATIONS

Learner Voice

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

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

Integrated Impact Assessment

An initial Integrated Impact Assessment for this proposal was undertaken forming part of the outline consultation pack which is published on the Council's website. This exercise was undertaken to support Cabinet Members in making informed and effective decisions whilst ensuring compliance with a range of relevant legislation, including:

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

This also complies with the Welsh Government's requirement to undertake both Community impact and Welsh-medium impact assessments for any proposal being brought forward.

The Integrated Impact Assessment has now been subsequently reviewed to include any additional elements highlighted through the statutory consultation process. The purpose of this further assessment was to take account of any additional information that has come forward through the consultation or otherwise.

NEXT STEPS

Publication of Objection Report

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

This document has been produced to discharge the Council of its obligations and will be published in both Welsh and English on the Council's website.

Cabinet 'Objection Report' Decision

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

Further to review at the Education and Social Services Scrutiny Committee on the 11th March 2025 this document will be considered in full at a Cabinet meeting due to be held 16th April 2025.

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

- a copy of the Consultation Document
- a copy of the Consultation Report
- a copy of the Published Statutory Notice and Notification Letter sent to Consultees
- a copy of the Integrated Impact Assessment
- a copy of the Objection Report

All objections have been recorded and Cabinet members will be provided with copies of all the responses received within the Objection period and in their original format as part of the decision making process.

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

Recommendation

It is the recommendation of this Objection Report that in line with the processes outlined in the School Organisation Code 2018 and the information gathered and reviewed as part of the consultation phase and formal objection period, Members:

- a) Consider the information contained in the Objection Report.
- b) Approve the recommendation, via vote, to proceed to implementation of the proposal to close Rhydri Primary School and transfer its catchment area to that of St James Primary School with effect from July 2025.

Decision Notification

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

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

SUPPORTING INFORMATION

Annex 1 :

- [Consultation Document](#)
- [Consultation Report](#)
- [Statutory Notice](#)
- [Integrated Impact Assessment](#)

Annex 2:

Statutory Objections Statement

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

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