

DRAFT RESPONSE ON 21 SUBMITTED POINTS

CE/IB/LB

11 August 2011

Customer Services

01352 703020

Dear.....

Thank you for your e-mail dated..... on School Modernisation in Flintshire. I am writing to you in response to the 21 points listed in your e-mail and following the acknowledgment and initial reply from Colin Everett, Chief Executive. We have now considered the 21 points. In response, we have retained the original sequence for ease of reference and to ensure that each point is covered.

1. The short notice given in relation to the consultation period

The guidance given to Local Authorities recommends a period of at least four weeks for formative consultation. The formative stage of consultation is where the local authority considers all the options for addressing a school organisation challenge with partners and key stakeholders. It is open to suggestions of additional options and alternative solutions. This stage is prior to the issuing of statutory proposals on any specific possible change in school organisation.

Flintshire's timetable for formative consultation started on 4 July, 2011 and will end on 30 September, 2011. It therefore provides an extended time frame over and above that suggested in the guidance.

2. Failure to build a realistic timeframe for the consultation

As advised upon point 1 above, the timetable for formative consultation commenced on 4 July and will end on 30 September, 2011. The consultation paper provides an indicative timeline to September 2014 for the whole review programme. This is realistic, but also subject to change as the review progresses. The months of July and September are active months of consultation with live events. The month of August, being the prime month of the school summer holidays, has not been an active month other than allowing consultees the time to reflect on the information shared and the options and make submissions should they so choose.

3. Delay in publicising pending action

It is not clear what is meant by this point. Please explain further to help us answer this point.

4. Lack of information made available to the public.

The consultation paper sets out key information as background for the local area reviews as part of the school modernisation strategy. Other key documents (such as the 2009 strategy itself, the 2010 Strategic Outline Case for 14-19 transformation, the 2011 14-19 Estyn Area Inspection Report, frequently asked questions and other background information) are accessible on the review website. The address is www.flintshire.gov.uk (School Modernisation). If you do not have access to the internet please let me know what information you require and arrangements can be made for this to be posted to you. Alternatively, there is access to the internet through your local library.

5. Inadequate consultation meetings

The consultation website carries copies of the reports to the County Council's Executive and Scrutiny functions setting out the proposed approaches to consultation with communities. They include tailored meetings for pupils, staff and governors. They also include consultation events for parents and the wider community. Meetings are also held with trade unions, professional associations, FE partners and diocesan authorities.

The consultation events and meetings are jointly organised with the leadership teams of the individual schools and are adapted to local circumstances and requests. The planned approach to consultation meetings matches national advice, represents published "best practice" and is based upon recent successful experience locally and nationally. However, the Chief Executive has acknowledged that the recent event at the Argoed was not a success owing to the sheer number of people who came to the event. We accept there was limited opportunity for people to be heard or to get answers to their questions which is not typical of other events in other parts of the County.

The County Council team is willing to adapt its approach further for events in September where this is thought appropriate by individual schools; this was always intended based on the experience of initial consultations in each community. The aim is to enable as many people as possible to contribute to the development of sustainable proposals.

6. Failure to produce costings by the Authority

The parallel work on capital projects is undertaken in accordance with the Treasury five case business model, through the development of Strategic Outline Programmes, Strategic Outline Case, Outline Business Case and (where appropriate) Full Business Case. The business model moves from indicative costings to full costings combined with projections of revenue savings.

Revenue projections are a key part of the financial appraisals produced for decision makers in relation to school modernisation proposals.

The projections undertaken to this stage are appropriate to this stage of formative consultation.

7. Failure to consider/provide future projected pupils

Elected members have and will continue to consider pupil number projections in discussions on school organisation. They are updated, shared with schools and republished periodically. The latest figures are available on the County Council website (www.flintshire.gov.uk).

8. Failure to respond to questions/queries raised to the public

It is not clear which questions/queries have not been answered. We accept the recent event at the Argoed was not a success (see the response to point 5). All customer contact will be acknowledged in accordance with our Customer Care Charter and all submitted questions are responded to either directly or through the “frequently asked questions” process.

9. Failure to Disclosure possible conflict of interest of Executive Members, particularly in light of previous roles

Executive Members provide a full disclosure of their interests. They are made aware of their responsibilities on interests, and take action where appropriate for individual meetings. At this stage there are no personal and prejudicial interests to declare, of which we are aware, and elected members continue to be given advice on their obligations.

10. Consultation booklet providing misleading information

Information in the consultation booklet has been checked with individual schools and sources. Whilst some individual schools may have chosen to use other information to present themselves differently, the information in the consultation documents has been acknowledged to be correct. If you are aware of any incorrect information please let us know and any agreed amendments can be put into the public domain.

11. Failure to provide confirmation that children will not fall part of collateral damage

It is not clear what is meant by “collateral damage”. Every child and young person is important and the Authority seeks to promote and protect their interests, safety and wellbeing. Arrangements are in place to continue to hear the students’ voices in review work and for appropriate and sensitive pastoral care in each school.

The purpose of school organisation consultation is to work with communities to develop long term sustainable solutions to demographic change. The solutions must also enhance and sustain educational opportunities, promote high standards and secure value for money. Everyone involved has a responsibility to ensure that children and young people are appropriately encouraged and supported in their ongoing education.

Arrangements are outlined in the consultation paper and School Modernisation Strategy to ensure continuity of educational provision for those embarking on examination courses.

12. Failure to comply with the Authorities policies by effectively listening to and taking on-board views of the public and interested groups

It is not possible to investigate this at the current time as it is premature. I can, however, assure you that commitments have been given by elected members and senior officers that they will carefully consider options and views put forward by members of the public and partner organisations during the formative consultation period. This is genuine formative consultation on a set of options which are not exclusive, fixed or closed. It is not consultation on specific statutory proposals, which can only be commissioned after a period of appropriate formative consultation.

13. Failure to be clear whom is being consulted, about what and for what purpose

The following table from the consultation paper, Executive report and Scrutiny report sets out who is being consulted, about what and for what purpose. The consultation paper states that we are asking participants for “views on any of the options within this document. If you wish to propose alternative options, the Council will be happy to consider them”.

Process Description

Stage of Process	Description of process	Details
Stage One	<i>Consultation Stage</i>	Meetings with Headteachers, Governors, Students and Public
	Informal information gathering and sharing of data, in depth discussion of issues and ideas. Consultation events. Comments to be submitted to the County Council.	Consultation deadline September 30 2011. Report back to Executive in October 2011.
Stage Two	<i>Publication of Notices</i>	November 2011
	If agreed, Local Authority to formally propose changes to the schools through publication of a Statutory Notice.	
Stage Three	<i>End of Statutory Notice Period</i>	December 2011
	Decision taken in light of comments and objections received and whether a referral to the Welsh Assembly Government is required.	
Stage Four	<i>Implementation</i>	September 2012- September 2014

14. Failure to ensure the documentation available is as simple and concise as possible. It should include a summary and clearly set out questions to address

Having worked with internal and external colleagues in the development of the short form consultation papers we are assured that they fulfil the criteria in the above sentence.

15. Failure to make widely available documentation relating to the proposals

Documentation on the review is available in published and virtual form.

Copies can be obtained from schools, libraries and the local authority. Relevant documents developed with partners over the last two years are also available on the internet, with navigation designed for easy access.

Members of the Council have as yet made no decisions as to any statutory proposals. These are scheduled (if commissioned) to be published from November 2011.

16. Failure to make widely available response forms in relation to the proposals set out

Consultation response forms are available from local schools, libraries and the local authority. They are also available on the internet.

17. Failure to make sure that all responses are carefully and open-mindedly analysed and the results made widely available. It must also give reasons for final decisions

It is not possible to investigate this at the current time as it is premature. I can, however, assure you that commitments have been given by elected members and senior officers that they will carefully consider options and views put forward by members of the public and partner organisations during the formative consultation period. Plans are in place for public reporting of the analysis and outcomes from formative consultation. It is not possible for “reasons for final decisions” to be given until such time as any such decisions have been made.

18. Failure to make any attempt to look at the practical detail

Please see the School Modernisation Strategy, the Strategic Outline Case for 14-19 transformation and consultation papers. At this formative consultation stage there is not yet the level of detailed implementation planning that would be in place for statutory proposal. In such consultation processes initial options are refined into specific statutory proposals following the formative consultation.

Proposals continue to be developed throughout the decision making and implementation phases into full plans for curriculum delivery, governance, staffing and capital works through an on-going process involving and engaging key stakeholders, including:

- Headteachers, school staff and governors;
- pupils, parents and the local community;

- other schools that could be affected;
- trade unions and professional associations; and
- FE, HE and diocesan authorities (where appropriate).

19. Failure to include sufficient reasons for particular proposals to allow those consulted to give informed consideration and an intelligent response

The Council has placed much information in the public domain as background to school modernisation over the last two years. There is also a commitment to make information available in different ways where helpful and practical. We are open to provide any additional information you would find helpful and necessary to engage in meaningful consultation on request.

This is a formative consultation on options to explore and address school organisational issues within the County. There have been no statutory proposals issued for changes to current school organisation. The statutory information for the publication of any statutory proposal would need to be available at the point of publication of any such proposals.

20. Failure to give adequate time for consultees to formulate a viewpoint

The timetable for formative consultation has been given above. This provides a longer time frame for consultation than the four weeks set out in guidance. This longer period provides time for reflection and responses.

21. Failure to provide a meaningful consultation given the lack of information provided for consultees to consider the options.

See also 19 above. The Council has placed much information in the public domain as background to school modernisation over the last two years. There is also a commitment to make information available in different ways where helpful and practical. We are open to providing any additional information you would find helpful and necessary to engage in meaningful consultation on request.

We would point out, some of the 21 points are repetitive and some are premature in their challenge. However, many of the points cover issues that we do need to consider at the appropriate stages in a school review programme (see School Modernisation Strategy and Statutory Guidance). In responding to the 21 points, we have answered as fully as possible each of the points you have raised. Please do contact us if we can provide further information on the above or other points.

Yours sincerely,

**21st Century Schools Team
Flintshire County Council**