

## **Final response**

### **Request 1**

#### **The letter from the Minister for Education to Pembrokeshire County Council regarding the Ysgol Bro Penfro project discussed at a Pembrokeshire cabinet meeting on 17<sup>th</sup> October.**

Letter from the Minister for Education and Welsh Language to Councillor David Simpson and Steven Richards-Downes, dated 21 September 2022;

Dear David and Steven,

I wrote to you on 20 July 2022 to notify you that I was prepared to approve your revised Welsh in Education Strategic Plan (WESP). As part of your WESP, you committed to increasing the number of Year 1 learners being taught through the medium of Welsh from just under 23% to 33 – 37% within the next 10 years. My officials have advised me that this WESP was also approved by your Cabinet on 11 July 2022. I welcome the strategic commitments made in your Plan, which includes targeted expansion of Welsh-medium education where there is already clear demand, as well as in areas identified as having the potential to offer Welsh-medium education for the first time. Your proposals to expand your late immersion provision in your 3 centres as well as the work due to take place to review the language category of several schools (both primary and secondary) are to be commended. As an authority, your contribution to our Cymraeg 2050 objectives is recognised and valued.

I was disappointed to hear that your Cabinet did not commit to allocating capital funding to support the completion of the Ysgol Penfro project at that same Cabinet meeting. My officials have been working with council officers on this project since March and have been assured that the project remains a delivery priority for the authority to enable you to meet your WESP targets.

The Welsh government has provided significant support to Pembrokeshire County Council to increase Welsh-medium provision. The authority was awarded more than £9m capital funding across the first and second phases of the Welsh-Medium Capital Grant, which is higher than any other local authority in Wales. £6.7m of this funding was awarded to construct a new school building for Ysgol Penfro.

The cost to deliver this project has now more than doubled to £14m and there is no additional funding available as part of the Welsh-Medium Capital Grant to support this level of increase. My officials have suggested a reasonable compromise which would increase the level of Welsh government funding to £9,166,131, leaving £4,819,869 to be funded by the local authority. Whilst I appreciate this may be challenging, this is a lower contribution than would be required from the authority if the project were funded based on the Sustainable Communities for Learning Programme intervention rate.

In my letter of the 20 July 2022, I noted that 'whilst the purpose of the WESP is to improve the planning and standard of Welsh-medium education in your area, it is imperative that wider actions of the local authority are assessed to ensure they are

consistent with the aims and objectives of the WESP. This should include an assessment of your existing strategic outline programme for investment as part of the Sustainable Communities for Learning Programme.'

If you are unable to identify the additional funding, then I would request that you undertake a full review of your strategic outline programme, demonstrating full alignment with your approved WESP, within your existing programme funding envelope. No further business cases would be considered by the Welsh government until a revised strategic outline programme is submitted and approved.

I am due to meet with all local authorities during the Autumn term to discuss the approved WESPs. I will ask my officials to prioritise meeting with you so that we can discuss any further issues.

Yours sincerely,

Jeremy Miles AS/MS Gweinidog y Gymraeg ac Addysg Minister for Education and Welsh Language

## **Request 2**

**Any information/correspondence in previous 3 months in relation to internal and/ or to other Local Authorities across Wales that may result in the prioritising the WESP over Sustainable Communities for Learning Programme bids.**

The following information relevant to your request has been extracted from correspondence from the Minister for Education and Welsh language to the Director of Education in every Local Authority across Wales approving their Welsh in education Strategic plan for 2022-32.

Whilst the purpose of the WESP is to improve the planning and standard of Welsh-medium education in your area, it is imperative that wider actions of the local authority are assessed to ensure they are consistent with the aims and objectives of the WESP. This should include an assessment of your existing strategic outline programme for investment as part of the Sustainable Communities for Learning Programme. I will be issuing updated guidance to ensure all future business cases are assessed against the approved WESP.

## **Request 3**

**Any information, assessment or consideration that was made whilst preparing the information in the letter to Pembrokeshire Council (request 1) especially with regards the Equality Act and its effect on the SCLP Portfield special school project if the WESP Ysgol Bro Penfro project was not proceeded with.**

The following information relevant to your request has been extracted from a Ministerial Advice document to the Minister for Education and Welsh language submitted on 16 August;

1. A total of 8 Local Authorities were allocated funding in both the 2018 and 2021 Welsh-Medium Capital Grant.

Local Authority	2018 (£m)	2021 (£m)	Total (£m)
Bridgend	£2.60	£3.52	£6.12
Cardiff	£3.81	£0.10	£3.91
Carmarthen	£1.36	£4.39	£5.75
Conwy	£1.23	£0.91	£2.14
Flintshire	£3.05	£5.60	£8.65
Gwynedd	£1.11	£3.02	£4.13
Pembrokeshire	£6.65	£2.50	£9.15
Wrexham	£1.30	£6.30	£7.60

2. Pembrokeshire LA has been allocated the largest proportion of funding across both phases of the Welsh-Medium Capital Grant. A breakdown of Pembrokeshire LA's funding is outlined in the table below.

Phase	Project	Allocation
Phase One	Ysgol Penfro – new build school	£6,650,857
Phase Two	Ysgol Caer Elen – extension	£2,503,318

3. The Ysgol Penfro project was not initially prioritised for funding as part of the first phase of the Welsh Medium Capital Grant and was placed on the reserve list. This was subsequently successful when further funding was identified. The Ysgol Caer Elen project was approved in principle as part of the second phase, subject to business case approval.

### Ysgol Penfro Project Update

4. Pembrokeshire LA submitted a variation request in January 2022 as the cost to deliver the project had increased from £6,650,857 to £13,986,000. The LA stated that the increased cost was due to market conditions and abnormal costs associated with the site.
5. This request was reviewed by the Sustainable Communities for Learning Programme Team and the Education Investment Panel concluded that there was insufficient evidence to demonstrate the project represented value for money. Whilst this scheme forms an important part of Pembrokeshire LA's WESP, the additional £7.335m funding was considered against other priorities which could be supported to increase Welsh-medium provision. The overall project cost

equated to £8,251psqm, which was considerably higher than any other project approved through the Programme.

6. The Education Investment Panel recommended that a meeting be arranged with Welsh Government Officials and senior officers from the local authority to consider possible options for this project. This included requesting that the LA undertake a full review of the project to determine value for money. This would also provide the opportunity to discuss whether the LA could contribute funding to support the project, allowing the Welsh Government grant to be capped at an acceptable level. This approach was approved in March 2022.
7. There have been numerous meetings with the LA to identify a way forward. The LA undertook a review of options and determined that the current proposal remained the preferred option. To progress the project, Welsh Government Officials suggested a proposal to cap Welsh Government funding at a reasonable level, with the LA contributing the shortfall.
8. The proposal would result in the Welsh Government grant being capped at £9,166,131, which was based on the standard benchmark with an uplift for reasonable abnormal costs. Overall, this would equate to £5,408psqm which is more in line with other projects being delivered through the Programme. This proposal would result in a funding shortfall of £4,819,869.
9. If the scheme was a Band B project (and was approved as is) then the total Welsh Government contribution at 65% would be £9,090,900 and the LA contribution at 35% would be £4,895,100. Therefore, the proposed funding cap would be more in line with the intervention rate applied to other projects.
10. It was made clear that the proposal would be subject to Education Investment Panel and Ministerial approval.
11. Pembrokeshire LA's Cabinet considered this proposal in July and determined to defer the decision and request a meeting with yourself to further explore Welsh Government funding 100% of the project cost. A request has not been received to date.

### **Band B Strategic Outline Programme (SOP)**

12. Pembrokeshire LA's Band B SOP was last amended in May 2022. Prior to this, the LAs capital envelope was £106,400,000, which comprised of 6 projects, all of which are English medium schools. The SOP variation requested that the two Milford Haven projects were reallocated to be delivered under the Mutual Investment Model (MIM) Programme. The capital equivalent value of the projects was increased from £33,150,000 to £92,953,260. This was approved and the LA was notified.

### **Approved WESP**

13. Pembrokeshire LA has committed within their WESP to increase the number of 5-year-old/year 1 learners in Welsh medium education from 22.9% to 33-37% by the 2032. They will focus on several key areas to achieve this, including establishing new provision where currently there is none including the Pembroke and Milford Haven areas. The LA will also focus on changing the language category of schools currently classed as dual stream and transitional into Welsh-medium schools as well as strengthening the Welsh-medium offer within schools currently classed as English with significant Welsh.
14. There will also be an increase of focus on improving transition rates between primary and Welsh-medium secondary schools, with a particular focus on the Fishguard area. A desire to change the category of Ysgol Bro Gwaun (bilingual secondary school in Fishguard) to Welsh-medium. The LA will also focus on increasing the immersion offer within the current 3 language centres.

### **Recommended Way Forward**

15. In relation to Ysgol Penfro, it is recommended that the proposal to cap Welsh Government funding at £9,166,131 is approved and the LA is asked to fund the £4,819,869 shortfall.
16. If the LA is unable to identify the additional funding, then it is recommended that the Welsh-Medium Capital Grant funding is withdrawn, and the LA is asked to review their Band B SOP to ensure it meets the LA's WESP commitments. This would ensure that Ysgol Penfro and the long-term solution for Ysgol Caer Elen are included as part of their SOP and part-funded by the LA at the appropriate intervention rate. As outlined in para 12, this would result in a higher contribution to the Ysgol Penfro project than the current proposal.
17. The LA would be advised that no further business cases would be considered until the revised SOP is submitted and approved, demonstrating full alignment with the LA's approved WESP.
18. This would affect the pipeline projects currently being developed by the LA, including:
  - Portfield Special School – Part new build and part refurbishment
  - Pembrokeshire Learning Centre (PRU) – Mainly new build with small element of refurbishment
  - Milford Haven Project – New build all-through school (MIM)
19. A Strategic Outline Case (SOC) for the Portfield Special School project is due to be considered by the Education Investment Panel on Thursday 18 August, subject to Ministerial approval. If this advice is approved, then the SOC would be put on hold, pending the response from Pembrokeshire LA. No business case has been received to date for the other pipeline projects and no contracts have been awarded. As all three projects are at a relatively early stage, a short delay would not have a significant impact on the delivery of the projects.

20. If this approach is approved, Officials would draft a letter to be sent to the Leader and Director of Education of Pembrokeshire LA for your consideration. Officials would also develop a communications plan.
21. You are due to meet with every Council Leader and Director of Education during the Autumn Term to discuss their approved WESP. We will look to prioritise the meeting with Pembrokeshire LA as this will provide a further opportunity to discuss this issue.