STATUTORY CONSULTATION

DERWEN FOUNDATION PRIMARY SCHOOL, HIGHER KINNERTON, CHANGE OF CATEGORY PROPOSAL

- It is proposed to change the category of Derwen Foundation Primary school from a foundation primary school to a community primary school from 01 September 2027

Spring-Summer 2026

CONTENTS

A. INTRODUCTION 4

B. CONSULTATION DETAILS 4

B.1. Principles 4

B.2. Publication 4

B.3. Period 5

B.4. Consultees 5

B.5. How to Respond 5

B.6. Use of Welsh Language 5

B.7. Contact Details 5

B.8. Statutory Process 6

B.9. Consultation Report 6

B.10. Children and Young People 6

B.11. Events 7

B.12. Supplementary Documents 7

C. EXISTING PROVISION 8

C.1. Category and Location 8

C.2. Capacity and Numbers on Roll 8

C.3. Pupil Forecasts 8

C.4. Accommodation 9

C.5. Alternative Schools 10

D. PROPOSAL AND BENEFITS 11

D.1. Status Quo 11

D.2. Reasons for Change 11

D.3. The Proposal 12

D.4. Key Details 12

D.5. Expected Benefits and Disadvantages 12

D.6. Finance 13

D.7. Land and Buildings 14

D.8. Associated Risks 14

D.9. Alternatives Considered 15

D.10. Learner Travel Changes 16

D.11. Statutory Procedures Timeline 16

D.12. Implementation Timeline 17

D.13. Pupil Forecasts Following Implementation 17

E. ANTICIPATED IMPACTS 18

E.1. Quality and Standards in Education 18
E.2. Welsh in Education Strategic Plan (WESP) 19
E.3. Community 20
E.4. Staffing 20
E.5. Governance 20
E.6. Admissions 21
F. APPENDICES 21
F.1. List of Consultees 21
F.2. Response Form 22

A. INTRODUCTION

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.

Statutory procedures are necessary to make significant changes to schools. The procedures are designed to enable changes to be made where they are considered necessary, but in a way which protects the interests of learners and allows interested parties the opportunity to have their say in the process.

Welsh Government have published these procedures within the School Organisation Code 2026 ("*the Code*"). This is the third edition of the Code, which came into force on 30 March 2026, and provides the basis for this consultation document.

Following the regulatory guidance of the Code, the governing body of Derwen Foundation School ("*the School*") wish to consult interested parties regarding a change of category of the school.

It is proposed to change the category of Derwen from a foundation primary school to a community primary school from 01 September 2027.

This document sets out information which consultees should consider to fully participate in the consultation process.

Any figures, statistics and material referenced in this document are the most accurate available at the time of preparation and publication.

B. CONSULTATION DETAILS

B.1. Principles

Section 48 of the School Standards and Organisation (Wales) Act 2013 ("*the 2013 Act*") requires that before school organisation proposals are published under sections 41-45, they must first be subject to consultation[1].

The proposal (*D.3*) is still in its formative stage.

This document provides sufficient reasons and information for the proposal to allow stakeholders to consider its impacts and to allow responses to be submitted within an adequate timeframe (*B.3*).

Responses to the consultation will be conscientiously taken into account by decision makers when the ultimate decision is taken.

B.2. Publication

This consultation document will be published on the school's website and that of Flintshire County Council ("*the Council*").

https://www.derwenprimaryschool.com/page/migration-to-local-authority/171474

Hard copies of this document are available on request via the contact details below. Other formats such as large print, Braille, and alternative language versions of this document will also be made available upon request.

[1] (School Organisation Code, 2026)

B.3. Period

The school confirmed that **22nd October 2026** is a school day[2].

Following this, the statutory consultation will be published on **22nd October 2026**, and will end **11:59pm** on **3rd December 2026**. This allows at least 42 days for responses to be received, with at least 20 of these being school days.

B.4. Consultees

Key stakeholders have been advised of the availability of this document, either by letter or via email, and that hard copies are available upon request. A list of these key stakeholders can be found in the appendices (Section F.1).

B.5. How to Respond

People who wish to make their views known and respond to the proposal can do so by completing the online response form, which can be accessed via the school's website (link below) or through this link:

Derwen Foundation Consultation – Fill in form

The response form can also be found in the appendices (Section F.2) and, if preferred, people may print this to submit a hard copy of their response. Hard copies may also be requested via the contact details below.

During the consultation period people can also ask further questions about the proposal via the contact details or suggest alternatives to the proposal;

All response form submissions must be received before the end of the consultation period.

It should be noted that responses to consultation **will not be counted as objections** to the proposal and that objections can only be registered following publication of the notice.

B.6. Use of Welsh Language

The school welcomes correspondence in Welsh[3].

To allow full participation for people who wish to use the Welsh language, a Welsh version of this document and all supplementary material can be requested via the contact details below.

The school is committed to ensuring that the Welsh language is treated no less favourably than the English language in terms of receiving and responding to correspondence in Welsh.

Any correspondence received in Welsh will be responded to in Welsh without delay.

B.7. Contact Details

The School can be contacted either by:

- Email: kimail@hwbmail.net; or by
- Post: Derwen Foundation School, Main Road, Higher Kinnerton CH4 9AJ

Hard copies of any documents can also be requested by telephone on 01244 660291.

[2] A school day is defined in section 579(1) of the Education Act 1996 as any day on which at that school there is a school session. A school session can be a morning session or an afternoon session, so a school day is any day when the school meets for all or part of the day.

[3] (Code of Practice for the Welsh Language Standards (No. 1) Regulations 2015, 2016)

B.8. Statutory Process

The proposal will advance through the following statutory process:

- Formulation and, where necessary, pre-consultation
- School governing body decide whether to proceed to statutory consultation
- Consultation document published and consultation period opens
- Consultation period closes and consultation report prepared
- Consultation Report published and school governing body consider whether to proceed to statutory notice publication
- Statutory Notice published and objection period opens
    - **During the objection period is when objections can be made**
- Objection period closes and Objection Report prepared
- Objection Report published and **either** school governing body or the Council consider whether to proceed to implementation of the proposal
    - **This is the final determination of the proposal**.

The anticipated timeline of statutory procedures and implementation of the proposal, should it receive the necessary approvals, can be found below (*D.11*).

B.9. Consultation Report

Following the consultation, responses received will be used as a basis to form a report. This report will summarise the consultation and respond to any issues raised, providing clarifications where necessary.

Consultees may register their wish to be notified of the publication of the consultation report via the response form.

B.10. Children and Young People

The United Nations Convention on the Rights of the Child ("*UNCRC*") covers all aspects of a child's life and sets out the civil, political, economic, social and cultural rights[4].

In accordance with the agreed children and young people's participation standards for Wales, Article 12 of UNCRC established that "*Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taking into account*"[5].

To allow children and young people to participate in this consultation, a version of this document has been created that is relevant to their age and their level of likely understanding. This presents the information in a friendly way and allows children and young people to reach an informed decision. The document can be found here: A guide for Pupils Derwen Foundation Consultation

Coordinated by the governing body, during the consultation a session has been arranged with the school council to discuss the proposal. The children and young people's document will be

[4] (How We Protect Children's Rights, 2025)
[5] (Children and Young People's National Participation Standards, 2016)

presented in this session and views of participants will be recorded to allow inclusion in the consultation report.

B.11. Events

There is no requirement in the Code to hold consultation meetings.

However, the School recognises the significance of the proposal and school governors have invited staff to separate sessions to discuss any concerns, any queries and provide any feedback regarding the proposal. The school will be offering a drop-in session for parents and guardians during the consultation period to discuss any queries or concerns. The date of the drop-in session will be **Wednesday 4th November at 3.20pm – 4.20pm**

B.12. Supplementary Documents

The following documents have been prepared to determine potential effects of the proposal:

- Community Impact Assessment
- Welsh Language Impact Assessment

These documents provide detailed information that may be used when considering the proposal. A summary of each document is included below.

In addition, a Children and Young Person's Consultation Document has been produced to tailor information specifically to this group of stakeholders.

All documents are available via the School's website:

https://www.derwenprimaryschool.com/page/migration-to-local-authority/171474

C. EXISTING PROVISION

C.1. Category and Location

Derwen Foundation is a foundation primary school providing education to children aged 3-11 through the medium of English.

The school is located just off Main Road, Higher Kinnerton CH4 9AJ.

C.2. Capacity and Numbers on Roll

Derwen Foundation has capacity to accommodate 196 full-time pupils, with an admission number of 28 full-time pupil places.

In September 2026 there were 162 full-time pupils on roll and 34 surplus places, which equates to 17% of the full-time pupil capacity.

The school has capacity to accommodate 28 part-time nursery pupils.

Between September 2021 and September 2026, the number of full-time pupils on roll has decreased from 184 to 162.

Year	Sep-2021	Sep-2022	Sep-2023	Sep-2024	Sep-2025	Sep-2026
Numbers on Roll	184	174	169	173	155	162
Full Time Capacity	196	196	196	196	196	196
Surplus Places	12	22	27	23	41	34
Surplus Places %	6.12%	11.22%	13.77%	11.73%	20.9%	35.41%

C.3. Pupil Forecasts

Between September 2026 and September 2031, it is forecasted that the number of full-time pupils on roll will increase from 162 to 177.

Year	Sep-2026	Sep-2027	Sep-2028	Sep-2029	Sep-2030	Sep - 31
Numbers on Roll	162	165	168	171	174	177
Capacity	196	196	196	196	196	196
Surplus Places	34	31	28	25	22	19
Surplus Places %	17.3%	15.81%	14.28%	12.75%	11.22%	9.69%

C.4. Accommodation

The property is a single storey building of brick and block cavity wall construction, with a series of mono-pitched roofs clad with insulated panels, and a central flat roofed section. The property was constructed circa 1996.

There are two mobile classrooms within the grounds, and a new-build Early Years Centre of modular construction which was finished in 2022.

C.4.i. Building Condition

A condition survey undertaken in February 2024 assigned a Grade B to the school.

The survey notes that "*The property is in satisfactory condition, with evidence of periodic maintenance being undertaken as and when required*".

To address all identified condition issues, the report estimated an investment of approximately £152,000 would be required. This is exclusive of any applicable fees, preliminaries, and VAT.

Since the condition report was published, works have been undertaken to address some.

Based on the most recent estimations available (April 2026), It is anticipated that the outstanding works have increased to approximately £195,000 since the condition survey was published. This figure is also exclusive of any applicable fees, preliminaries, and VAT.

C.4.ii. School Suitability

A suitability survey undertaken in January 2017 assigned a Grade B to the school.

The grading can be explained as "*Satisfactory. Performing as intended but does not support the Curriculum in some areas*".

To meet minimum suitability standards, the following recommendations were made:

- Provide suitable accommodation to replace the mobiles on site i.e. withdrawal areas, meeting room, PPA room.
- Address the lack of ventilation within the classrooms identified within this report.
- Provide pupil changing rooms.
- Provide larger staffroom.
- Address access issues identified within this report and in the Access Survey, in line with the Authority's Access Strategy.

An additional point was also made:

- The sliding doors to the classrooms are heavy to operate and in need of repair or refurbishment to allow them to operate as designed. This is not a suitability issue but is noted for information.

Since the suitability report was published, works have been undertaken to address some.

C.4.iii. Quality and Standards in Education

The school was last inspected by Estyn in February 2026, and the report can be accessed via the link below:

https://estyn.gov.wales/app/uploads/2026/03/Inspection-report-Ysgol-Derwen-2026.pdf

The latest inspection report stated:

"*Ysgol* Derwen *is a welcoming and vibrant school, where leaders implement a clear vision for the learning and well-being of all pupils. They have established an inclusive community ethos, where staff, pupils and their families feel valued and respected. Leaders focus well on securing effective teaching and learning, which results in nearly all pupils making strong progress.*"

The report made the following recommendations:

R1 Establish effective distributed leadership across the school

R2 Ensure staff promote the Welsh language and teach pupils about the history and culture of Wales effectively

The likely impact of the proposal on the Quality and Standards in Education is detailed below.

There will be no negative impact on the quality or standard in education provided by the school. The school will continue to provide high quality and enriching education to the children of Higher Kinnerton and the surrounding area. The merger back to a full Local Authority school should further strengthen links between the school and the Local Authority. Local Authority monitoring and support will remain a strong feature.

C.5. Alternative Schools

Derwen is the only foundation primary school within Flintshire.

There are three community primary schools located within a 3-mile walking distance from the school:

- Broughton Community Primary School, 2.5 miles
- Ysgol Estyn, Hope, 2.7 miles
- Ysgol Pen-y-ffordd, 2.8 miles
- Dodleston CE Primary School, 2.7 miles

The only secondary school within the 3-mile walking distance is Castell Alun High School, Hope, 2.6 miles.

The proposal to change the category of Derwen Foundation is not anticipated to affect any other school, included those closest which are listed above.

D. PROPOSAL AND BENEFITS

D.1. Status Quo

Under the status quo, Derwen would remain a foundation primary school. Its current provision and site would remain unchanged, and the governing body would continue to hold the responsibilities associated with the school's foundation category.

There are strengths to these arrangements, including the governing body's direct decision-making role and the senior leaders' familiarity with how the school operates as a foundation school. However, these arrangements also place significant administrative, governance, financial and employer-related responsibilities on the governing body and senior leaders.

D.1.i. Strengths

- **Direct decision-making:** The governing body retains a high degree of independence in making decisions about the school.
- **Admissions role:** The governing body is the admission authority for the foundation school and determines its admission arrangements within the statutory framework.
- **Established knowledge:** Current senior leaders understand the school's foundation status and the processes associated with it.

D.1.ii. Weaknesses

- **Financial vulnerability:** The school and governing body retain financial responsibilities that may create challenges to the school's long-term financial sustainability.
- **Governance and administrative workload:** The responsibilities attached to foundation status create a considerable administrative and governance burden for governors.
- **Senior leader workload:** Senior leaders also spend significant time managing administrative processes associated with the current arrangements.
- **Reliance on specialist knowledge:** Staff joining the school may be unfamiliar with the responsibilities and processes specific to foundation schools, creating a need for additional guidance and support.
- **Employer responsibilities:** The governing body retains the employer role and needs access to appropriate human resources advice and support.

D.2. Reasons for Change

The governing body considers that changing the school from a foundation primary school to a community primary school is necessary to support the school's long-term sustainability and ensure it has appropriate support and arrangements for the future.

The governing body believes that the proposal would:

- formalise and strengthen the school's relationship with Flintshire County Council, including access to support across areas such as finance, human resources, governance, additional learning needs and policy;
- reduce some of the administrative and governance responsibilities currently held by the governing body, allowing school leaders and governors to focus more on pupils' education and outcomes;

- transfer responsibility for managing and maintaining the school buildings to Flintshire County Council, supporting more coordinated capital planning and asset management;
- bring the school into line with the community school category used by other primary schools in Flintshire, creating opportunities for closer collaboration and sharing good practice;
- transfer the employer role from the governing body to Flintshire County Council, reducing the governing body's direct employer-related responsibilities; and
- strengthen the school's connection with Flintshire and support a greater sense of belonging to the county.

The proposal is intended to support the school's long-term financial sustainability and reduce some of the financial and administrative risks associated with the current arrangements. It is not expected to result in an immediate change to the school's provision for pupils.

D.3. The Proposal

It is proposed to change the category of Derwen from a foundation primary school to a community primary school from 01 September 2027.

To complete the change of category, Derwen Foundation Primary School will close on 31 August 2027 and Ysgol Derwen Primary School will open on 01 September 2027.

D.4. Key Details

Ysgol Derwen Primary School will provide education to children aged 3-11 through the medium of English and will have no faith designation.

The school will remain in its current buildings, at its current site of just off Main Road, Higher Kinnerton CH4 9AJ. Accommodation will not be altered and will consist of:

- A nursery/reception classroom;
- Six general teaching classrooms;
- A hall
- A library
- Administrative and storage areas;
- External areas such as a sports field, hard play area and forest school.
- A specialist ALN resource base will not be included within the school.

The school will retain the same capacity and be able to accommodate 196 full-time pupils, with an admission number of 28 full-time pupil places. Nursery capacity of 28 part-time pupil places will also be maintained.

Admission arrangements will change. The school will no longer be responsible for its own admissions to the school, instead this will become the responsibility of Flintshire County Council.

Home to school transport arrangements will continue to be made in-line with the Council's School Transport Policy.

https://www.flintshire.gov.uk/en/Resident/Schools/School-Transport-Application.aspx

D.5. Expected Benefits and Disadvantages

There are both benefits and disadvantages anticipated with implementation of the proposal, when compared to the status quo:

D.5.i. Benefits

- **Access to Flintshire County Council support:** The school would benefit from support across areas such as human resources, finance, governance, additional learning needs (ALN), policy and curriculum changes.
- **Greater opportunity to collaborate:** The school would have the same category as other primary schools in Flintshire, creating more opportunities to share good practice and work collaboratively.
- **A stronger connection with the local community:** Becoming a community school may help reinforce the school's identity and its links with the wider community.
- **Reduced administrative burden:** The change is expected to reduce some of the administrative work and processes associated with the school's current foundation status.
- **More capacity to focus on pupils:** Removing some of these processes could allow the school to give greater attention to pupils' educational outcomes.
- **A stronger sense of belonging to Flintshire:** The proposal would bring the school into line with Flintshire's priority of promoting a sense of belonging to the county.

D.5.ii. Disadvantages

- **Reduced governing body autonomy:** Some decisions currently made by the school's governing body would become the responsibility of Flintshire County Council.
- **Reduced financial independence:** The school may have less flexibility to make financial decisions independently, as it would need to work within the Council's financial arrangements and processes.
- **Greater reliance on Council services:** The school would rely more on services provided by Flintshire County Council, which may reduce its ability to choose or arrange some services independently.

D.6. Finance

D.6.i. Anticipated Costs

- The proposal is expected to result in some one-off costs, including updating the school's signage, website and letterheads to reflect its new category. The school logo will not need to change.
- No cost to parents is anticipated.

D.6.ii. Funding

- No changes to the school's existing funding arrangements are anticipated as a result of the proposal.

D.6.iii. Potential Savings

- The change may create opportunities to make more efficient use of resources through: access to Flintshire County Council's purchasing arrangements and potential benefits from

its wider buying power; and reducing the time school leaders and administrative staff spend arranging purchases.

- These are potential efficiencies. No cash savings have been quantified at this stage.

D.6.iv. Capital Receipts and Recurrent Costs Savings

- No capital receipts or recurrent cost savings are currently anticipated as a direct result of the proposal.
- Becoming a community school may create greater opportunities to access Flintshire County Council funding for future capital projects. This is a potential opportunity and does not represent a guaranteed funding allocation.

D.7. Land and Buildings

The school site is already owned by Flintshire County Council, and the proposed change of status would not involve any transfer of land.

As the school currently operates as a foundation school, the governing body holds responsibility for the management and maintenance of the land and buildings. If the school becomes a community school, this responsibility would transfer to the Local Authority on the implementation date.

There are no trustees associated with the school, and no land is held by trustees or by the governing body in its own right. As a result, no trustee consultation or land transfer agreements are required.

Responsibility for condition and suitability surveys would also transfer to Flintshire County Council, supporting future maintenance and investment planning.

D.8. Associated Risks

The following risks associated with the proposal have been identified, together with measures to help manage them.

Risk	Potential mitigation
Parents and carers may be unclear about what the proposed change means for the school, its pupils and its day-to-day arrangements.	Provide clear, timely information explaining what would change and what would remain the same. Offer a drop-in session where parents and carers can ask questions, and respond to queries during the consultation period.
Uncertainty or concern about the proposal may lead some parents or carers to consider moving their child to another school.	Explain clearly that the school would remain on its current site and continue to provide primary education. Give families opportunities to raise concerns and provide accurate information about any implications for pupils.
If the proposal is not approved, or its implementation is delayed, the school would remain a foundation school and the intended formalised support from Flintshire County Council may not be put in place.	Explain the statutory process and possible outcomes to stakeholders. If the proposal does not proceed, communicate the decision and clarify what support and arrangements will apply.

There may be uncertainty or disruption during the transition of governance responsibilities and functions.	Agree and communicate a transition plan with Flintshire County Council. Clarify roles and responsibilities, provide any necessary training, and ensure governors understand the relevant procedures and code of conduct.
Staff may have questions or concerns about how the proposed change could affect them or their work.	Provide staff with clear information and opportunities to ask questions. Seek advice from Flintshire County Council's human resources team and communicate any confirmed implications directly to affected staff.

D.9. Alternatives Considered

In total 2 options were considered before the preferred option was identified.

The advantages and disadvantages of each option were considered before the preferred option was identified.

Option 1 – Maintain the status quo

The school would remain a foundation primary school.

Advantages

- The governing body would retain its current decision-making responsibilities, including its role as the school's admission authority.
- Senior leaders would continue to work within arrangements they already understand.
- The school's current category and arrangements would continue, avoiding the transition associated with a change of category.

Disadvantages

The governing body would retain its current financial, premises and employer responsibilities, including responsibility for managing and maintaining the school buildings.

The administrative and governance workload associated with foundation status would continue for governors and senior leaders.

The school would not gain the proposed formalised support from Flintshire County Council or the potential benefits of closer alignment with other community schools.

The existing concerns about long-term financial sustainability, capital planning and access to specialist support would remain.

This option was discounted because it would not address the governing body's concerns about the sustainability and administrative demands of the current arrangements, or deliver the intended benefits of closer support from Flintshire County Council.

Option 2 – Change category

Change the school from a foundation primary school to a community primary school from 1 September 2027.

Advantages

- The change would formalise and strengthen the school's relationship with Flintshire County Council, including access to support across areas such as finance, human resources, governance, additional learning needs, policy and curriculum.

- Responsibility for managing and maintaining the school buildings would transfer to the Council, supporting more coordinated capital planning and asset management.
- The Council would become the admission authority and employer, reducing some of the direct responsibilities currently held by the governing body.
- The change could reduce some administrative and governance work for governors and senior leaders.
- The school would have greater opportunity to collaborate with other community primary schools and share good practice.
- The change is intended to support the school's long-term financial sustainability. It may also provide opportunities to benefit from the Council's purchasing arrangements and access to capital funding; these are potential benefits and are not guaranteed.

Disadvantages

- The governing body would have less independence in some areas, including admissions, and would need to work within the Council's relevant arrangements and procedures.
- The school would rely more on services provided by Flintshire County Council, which could reduce its flexibility to make some arrangements independently.
- Some one-off transition costs are anticipated, including updating signage, the website and letterheads. The school logo would not need to change. No cost to parents is anticipated; the estimated costs and funding source should be stated in the finance section.

At this stage, **Option 2 is the governing body's preferred option**. No final decision will be made until consultation responses have been considered and the required statutory process has been followed.

D.10. Learner Travel Changes

It is anticipated that there will be no impact on Learner Travel Arrangements should the proposal be implemented.

D.11. Statutory Procedures Timeline

Statutory procedures are projected to be concluded by February 2027, subject to obtaining the necessary approvals.

The anticipated timeline for statutory procedures is as follows:

Date	Milestone
September 2026	Governing Body approve to consult
October 2026	Consultation document published and consultation period opens
December 2026	Consultation period closes
December 2026	Consultation Report published
December 2026	Governing Body review consultation report and decide whether to proceed

Date	Milestone
December 2026	Statutory Notice published and objection period opens
January 2026	Objection period closes
February 2027	Objection Report Published
February 2027	Final determination of the proposal

D.11.i. Determination of Proposal

The proposal will either be determined by the governing body.

If no objections to the proposal are received during the objection period, the governing body will meet to make a final decision.

However, if an objection to the proposals has been made and has not been withdrawn in writing before the end of 28 days beginning with the end of the objection period.

D.12. Implementation Timeline

The anticipated timeline for implementation of the proposal, should it be approved, is as follows:

Date	Milestone
February / March 2027	Temporary Governing Body formed
August 2027	Derwen Foundation Primary closes
September 2027	Ysgol Derwen Primary opens

Implementation of the proposal does not require any interim arrangements.

D.13. Pupil Forecasts Following Implementation

It is anticipated that the proposal, should it be implemented, will not impact pupil numbers on roll, nor those forecasted. As a result, as previously stated, between January 2026 and September 2031, it is forecasted that the number of full-time pupils on roll will increase from 162 to 177.

Year	Jan-2026	Sep-2026	Sep-2027	Sep-2028	Sep-2029	Sep-2030
Numbers on Roll	162	165	168	171	174	177
Capacity	196	196	196	196	196	196
Surplus Places	34	31	28	25	22	19
Surplus Places %	17.34%	15.81%	14.28%	12.75%	11.22%	9.69%

E. ANTICIPATED IMPACTS

Should the proposal be implemented, it is anticipated that it will impact the following key areas:

E.1. Quality and Standards in Education

The proposal outlined in this document does not arise from concerns about the quality of education currently being delivered at the school. Should the proposal be implemented, it is anticipated that it will **at least** maintain the current quality and standards in education across the school.

E.1.i. Inspection Framework

The current Estyn Inspection Framework evaluates school performance and progress across the following three inspection areas:

- IA1 – Teaching and Learning
- IA2 – Wellbeing, Care, Support and Guidance
- IA3 – Leading and Improving

While the inspection framework is structured around these three areas, they collectively encompass the range of factors that contribute to educational standards, learner progress and outcomes, as required by the School Organisation Code for Wales. In particular, standards are reflected through the quality of teaching and learning, the impact of assessment and tracking on pupil progress, and the extent to which wellbeing, care and leadership arrangements support learners to achieve positively.

The following section therefore considers the likely impact of the proposals on educational standards, with reference to the relevant Estyn inspection areas where appropriate.

E.1.i.a. Teaching and Learning

The proposal does not include changes to classroom teaching, learning, assessment, pupil groupings or the curriculum. Pupils would remain at the same school, on the same site, and continue to receive English-medium primary education.

Estyn reported that teaching at the school is effective and that nearly all pupils make strong progress. Teachers use questioning and feedback to check understanding, address misconceptions and help pupils improve. The category change is not expected to disrupt these arrangements. Any changes associated with implementation will be planned with Flintshire County Council to support continuity for pupils and staff.

E.1.i.b. Wellbeing, Care, Support and Guidance

No changes to the school's day-to-day pastoral, safeguarding or pupil support arrangements are proposed. Pupils would remain at the school, and the proposal does not involve transferring pupils to another school.

Estyn described the school as having a caring and inclusive culture in which pupils feel safe, listened to and valued. It found that staff build positive relationships with pupils and that behaviour is exemplary. Estyn also recognised the school's work with parents and external agencies to support pupils' well-being and needs. These arrangements are expected to continue following the proposed change of category.

Clear information will be provided to pupils and families about the proposal and any confirmed implementation arrangements. This will help address questions or uncertainty during the transition.

E.1.i.c. Leading and Improving

The proposal would change some governance and management responsibilities, including responsibilities relating to admissions, employment and the school buildings. Flintshire County Council would provide support in relevant areas. These changes may reduce some administrative responsibilities for the governing body and senior leaders and give them more capacity to focus on the school's educational priorities.

Estyn found that senior leaders work effectively with staff and governors to evaluate the school's work and identify strengths and areas for improvement. It also reported that distributed leadership is at an early stage of development. The change of category is not, by itself, expected to resolve this area for improvement. The school will continue to address Estyn's recommendation through its improvement planning, with any relevant support from Flintshire County Council.

E.1.ii. Impact on Learner Groups, Including Pupils with Additional Learning Needs

The proposal does not involve changes to the school's age range, capacity, site or planned educational provision. No pupil group is expected to move to another school as a result of the proposal.

Estyn reported that pupils with ALN make good progress and participate fully in school life. It recognised the school's systems for identifying ALN early, reviewing provision with parents and external agencies, and meeting pupils' individual needs. No changes to the identification of, or support for, pupils with ALN are proposed. Continuity of these arrangements will be considered as part of implementation planning.

E.1.iii. Impact on Curriculum Delivery

The proposal does not include changes to the curriculum, curriculum time, age range, capacity or language of provision. The school would continue to provide English-medium education for children aged 3–11, and no change to the school site or learning facilities is proposed.

Estyn described the curriculum as broad, balanced and engaging, with purposeful opportunities for pupils to influence what and how they learn. The category change is not expected to prevent the school from continuing to deliver its curriculum.

Estyn also recommended that the school strengthen its promotion of the Welsh language and teaching about the history and culture of Wales. This improvement priority will remain in place following the proposed change of category.

E.2. Welsh in Education Strategic Plan (WESP)

The proposal changes the school's legal category from foundation to community. It does not change its English-medium provision or Welsh language category, and it will not create or remove Welsh-medium places.

The proposal is therefore expected to have a neutral direct impact on Welsh language provision and the WESP's Welsh-medium education targets. It may support the WESP aim to increase Welsh

teaching in English-medium schools if further actions and Council support are agreed. The school will continue to address Estyn's recommendation to strengthen Welsh language promotion and teaching about Welsh history and culture.

E.3. Community

The Community Impact Assessment concludes that the anticipated overall impact is neutral. Although Derwen Foundation Primary would close on 31 August 2027 and Ysgol Derwen Primary would open on 1 September 2027, education would continue at the existing site. Pupils would not need to move to another school, and no change to the school's age range, capacity or English-medium provision is proposed. No increase in travel distances or journey times is anticipated.

The school's nursery provision and on-site childcare are not proposed to cease. Their continuity will depend on confirming premises and operating arrangements with Flintshire County Council and the provider. Clear communication and transition planning will help address any uncertainty for families and community users.

The full Community Impact Assessment is available alongside this consultation document.

E.4. Staffing

If the proposal is implemented, Flintshire County Council would become the employer of staff the school. No changes are anticipated to staff contracts, pension arrangements, continuity of employment or protected working hours for teaching assistants and other staff where applicable.

The governing body and Flintshire County Council will meet with human resources representatives and the Migration Committee later in the process. This will allow staff arrangements to be reviewed and ensure that employment records and contract documents are accurate and up to date. Staff will be kept informed of any administrative changes.

E.5. Governance

If the proposal is implemented, the school will become a community school maintained by Flintshire County Council (FCC). The governing body will continue to provide strategic oversight and fulfil its statutory responsibilities. Its constitution and governance arrangements will be reviewed and updated to reflect the school's new category.

F. Admissions

As a foundation school, the governing body is currently the admission authority. Under the proposal, FCC will become the admission authority and will be responsible for the school's admission arrangements and decisions. The governing body will no longer set or administer the school's admissions policy.

Employment

Under the proposal, FCC will become the employer of the school's staff. Employment arrangements will therefore be managed within FCC's policies and procedures. The governing body will retain any staffing responsibilities assigned to it by law or delegated by FCC.

As set out in the staffing section, no changes to staff contracts, pensions, continuity of employment or protected hours are anticipated as a result of the proposal. FCC will work with the school to review and update employment records and arrangements.

Curriculum

No change to the curriculum or its delivery is proposed. The governing body and senior leaders will continue to have responsibilities for the school curriculum and its implementation, in line with statutory requirements. The change of category will not itself change what pupils are taught.

F.1. Admissions

As a foundation school, the governing body is currently the admission authority. Under the proposal, FCC will become the admission authority and will be responsible for the school's admission arrangements and decisions. The governing body will no longer set or administer the school's admissions policy.

G. APPENDICES

G.1. List of Consultees

The following have been advised by letter or email of the availability of this document and that, if they wish, they can request a hard copy:

- parents (and where possible prospective parents), carers and guardians of learners currently attending schools which are the subject of the proposals and any other school the proposer considers is likely to be affected by the proposals;
- in the case of proposals affecting secondary provision, parents, carers and guardians of learners attending primary schools from which learners normally transfer to that secondary school;
- staff members of schools which are the subject of the proposals and any other school the proposer considers is likely to be affected by the proposals;
- the maintaining or proposed maintaining authority for schools which are the subject of the proposals and any other school the proposer considers is likely to be affected by the proposals (including relevant transport and highways teams);
- any other local authority (including those in England, where appropriate) the proposer considers is likely to be affected by the proposals, including in the case of dedicated ALP any authority placing or likely to place learners with ALN in the school which is subject to the proposals;
- the Church in Wales and Roman Catholic Diocesan Authority for the area in which any school which is the subject of the proposals and any other schools the proposer considers are likely to be affected by the proposals are located;
- any other appropriate religious body for any school which is the subject of the proposals and any other school the proposer considers is likely to be affected by the proposals;
- the governing body of any school which is the subject of the proposals and any other school the proposer considers is likely to be affected by the proposals;
- the Welsh Ministers;
- Members of the Senedd (MS) and Members of Parliament (MPs) representing the area served by/intended to be served by any school which is the subject of the proposals;
- Estyn;
- teaching and staff trade unions representing teachers and other staff at any school which is the subject of the proposals;

- the relevant school improvement services;
- the Police and Crime Commissioner for the area served by/intended to be served by any school which is the subject of the proposals;
- any community or town council for the area served by or intended to be served by any school which is the subject of the proposals;
- in the case of proposals affecting nursery provision, the Children and Young People's Partnership and/or the Early Years Development and Childcare Partnerships where present;
- the local authority family information service, any independent or voluntary providers who are likely to be affected and the national umbrella organisations supporting them, Mudiad Meithrin, NDNA Cymru, Clybiau Plant Cymru, Early Years Wales, PACEY Cymru and Play Wales;
- in the case of proposals affecting ALP, any relevant health or third sector bodies that the proposer considers have an interest;
- in the case of proposals affecting secondary provision, any further education institutions serving the area of the school which is the subject of the proposals;
- in the case or proposals affecting school sixth forms, Medr; and
- in the case of proposals affecting Welsh language provision, the Welsh Language Commissioner and Mentrau Iaith.

G.2. Response Form

Derwen Foundation School

Consultation response form

Proposal to change the school's category

The proposal is to change Derwen from a **foundation primary school** to a **community primary school** from **1 September 2027**. The school would remain at its current site and continue to provide English-medium education for children aged 3–11.

Please read the consultation document before completing this form. You may respond in Welsh or English.

Please submit your response by 11:59 pm on Thursday 3 December 2026.

Return the form by email to **kimail@hwbmail.net** or by post to:

Derwen Foundation School
Main Road
Higher Kinnerton
CH4 9AJ

Responses to this consultation will be considered by the Governors and summarised in a consultation report. A consultation response is not a formal objection; objections can only be made during a later statutory objection period, if a statutory notice is published.

About you

You may respond anonymously. This information helps us understand the range of people taking part. Please tick all that apply.

☐ Parent, carer or guardian
☐ Pupil
☐ Member of school staff
☐ Governor
☐ Local resident or community group
☐ Other (please specify): _____

Name (optional): _____

Organisation or group (if applicable): _____

Email or postal address (optional):

If you are responding on behalf of a group, please tell us how these views were gathered:

Your views

1. Do you support the proposal to change Derwen's category from foundation to community?

☐ Support
☐ Do not support
☐ Unsure / neither
☐ Prefer not to say

2. Please explain the reasons for your answer.

3. What effects, if any, do you think the proposal could have on pupils, families, staff or the wider community?

You may wish to comment on continuity of education and care, Welsh language provision, community use, admissions, governance, staffing, or responsibility for the school site and buildings.

4. Are there any potential benefits, disadvantages or risks that you think the consultation document has not covered, or should explain further?

5. Do you think there is a reasonable alternative to the proposal, or any steps that could reduce concerns? Please explain.

6. Is there anything else you would like the governing body to take into account before making a decision?

7. Would you like to be notified when the consultation report is published?

☐ Yes
☐ No

If yes, please provide an email or postal address above. If you are responding anonymously, please provide contact details for this purpose.