

Jane Hutt AC/AM

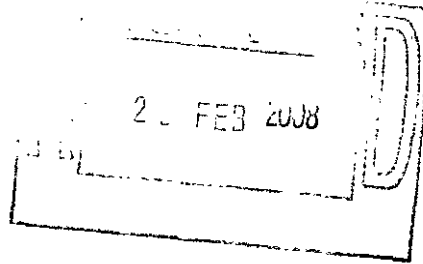
Y Gweinidog dros Blant, Addysg, Dysgu Gydol Oes a Sgiliau
Minister for Children, Education, Lifelong Learning and Skills



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

Eich cyf/Your ref P-03-071
Ein cyf/Our ref JH/00220/08

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



27 February 2008

Dear Val,

PETITION – YSGOL GYFUN GARTH OLWG

Thank you for your letter of 31 January 2008 regarding a second petition that has been submitted to the Petitions Committee about Ysgol Gyfun Garth Olwg. You have also sent me a copy of a letter your Committee has received from Lord Gwilym Prys-Davies and asked for my comments.

I note from your letter that your committee members are aware of the situation involving the naming of Ysgol Gyfun Gartholwg, formerly known as Ysgol Gyfun Rhydfelen, as the matter was considered and debated at its meeting on 6 December 2007. Your Committee's conclusion at that time was that under current legislation in the Government of Maintained Schools (Wales) Regulations 2005, the power to determine the name of a school, in the event of a dispute between the school and the maintaining LEA, rests with the LEA. However, your Committee also took the decision not to formerly close the matter pending a response from me to the letter from Lord Gwilym Prys-Davies.

I understand the concerns of Lord Prys-Davies, and others involved in the complaint sent to the Welsh Assembly Government about the naming of Ysgol Gyfun Gartholwg. I appreciate that in this case people who wanted to retain the school's former name have felt that it is not appropriate that an LEA has the final decision making power. You will appreciate that somebody has to have this power. I remain of the opinion that this power should continue to rest with the LEA. This one case does not mean that the legislation is not right or is ineffective.

The law covering instruments of government introduced in the School Standards and Framework Act 1998 was not contentious and worked well for schools and LEAs. For that reason the Welsh Assembly Government did not amend the legislation when making the 2005 school government regulations and no concerns were raised during consultation on the regulations. Giving LEAs responsibility for confirming the name of a school means that the possibility of two schools having the same or very similar names in one locality is avoided.

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My officials have also confirmed that apart from the Ysgol Gyfun Gartholwg case, no other correspondence or representations of this kind has arisen previously expressing concerns over the process for reviewing a schools instrument of government and the responsibilities of the LEA and governing body. I therefore have no plans to amend the legislation in the Government of Maintained Schools (Wales) Regulations 2005 in respect of instruments of government for schools.

I hope this letter clarifies the position for your committee and Lord Prys -Davies.

Best Wishes,

Jane