

Agenda Item No: 7(g)**DERBYSHIRE COUNTY COUNCIL****CABINET****26 April 2018****Report of the Strategic Director for Children's Services****CHILDREN'S SERVICES – PROPOSED ALTERATION OF THE LOWER AGE
LIMIT OF BAMFORD PRIMARY SCHOOL (YOUNG PEOPLE)****1. Purpose of Report**

- i) To advise Cabinet of the outcome of an initial consultation carried out by Bamford Primary School on a proposal to alter the school's lower age limit from 4 years to 3 years so that it can offer nursery provision;
- ii) To seek Cabinet's approval of the publication by the Local Authority of a formal statutory proposal to lower the school's age limit, as described above.

2. Information and Analysis

The Authority proposes to alter the lower age limit of Bamford Primary School from 4 years to 3 years by extending the provision to include both Foundation Stage 1 and Foundation Stage 2 children. The Authority has confirmed that the school already has adequate staffing and premises for a 20-place Nursery. If the Authority's proposal is implemented, the school will be able to offer the full government entitlement of 15 hours (& 30 hours of funding if eligible) of free early years education and the option of allowing additional self-funded hours to suit individual family circumstances and preferences, without significant changes and with minimal disruption to the existing provision. If implemented, this proposal will allow the school to offer families a seamless and comprehensive education programme for children from 3 years. The school has carried out a pre-publication consultation and 18 responses were received. The summary of those responses is at Appendix 1. The Head teacher has reported that Governors and staff are supportive of the proposed alteration of the school's lower age limit and that the Governing Body are therefore

eager for the Authority to publish the proposal (a copy of which is appended to this report as Appendix 2) in accordance with the formal statutory process prescribed by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

3. Financial Considerations

It is proposed to locate the nursery within the existing early years setting and there will be no additional building or staff costs.

4. Human Resources Considerations

The school has Early Years trained staff already on the teaching and non-teaching staff.

5. Legal Considerations

A local authority which is proposing to make a prescribed alteration to a maintained school is required to publish its proposals in accordance with section 19 of the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ("the Regulations") and relevant DfE statutory guidance ('Making Prescribed Alterations to Maintained Schools' (April 2016)) sets out the procedure for making a prescribed alteration, which includes altering the lower age limit of a community school, including the addition of nursery provision. The Regulations require the publication of the Authority's proposal on its website and a notification of the proposal (including the website where the proposals are published) in a local newspaper. Once the proposals have been so published, there follows a four week representation / formal consultation period, during which time any person may make representations to the Authority on the proposal. Within two months of the end of the representation / formal consultation period, the Authority is required to make a decision as to whether or not to implement the proposal. Should a decision not be made by the Authority within this time frame, the proposal must be sent to the Office of the Schools Adjudicator for determination.

6. Social Value Considerations

Research has shown that when schools provide Early Years education, pupils make improved progress as they move between Early Years and Key Stage 1, allowing for consistent progress. The transition becomes a smooth and effective process allowing the children to settle more quickly. Staff can get to know the parents/carers on entry and build on this

partnership in the ensuing years; it provides the continuity of education and provision through a single leadership team and governing body.

7. Other Considerations

In preparing this report the relevance of the following factors has been considered: - prevention of crime & disorder, equality of opportunity, environmental, health, human rights, property and transport considerations.

8. Key Decision Yes

9. Call-in

Is it necessary for the call-in period to be waived in respect of the decisions being proposed in the report? No

10. Background Papers

These are held on file in the Children's Services Development Section.

11. Officer Recommendation

That Cabinet notes the response to the informal consultation carried out by Bamford Primary School and approves the publication by the Authority of a formal statutory proposal to lower the school's age limit from 4 years to 3 years so that it can offer nursery provision.

**Jane Parfrement
Strategic Director for Children's Services**

Appendix 1

Summary of responses

The school's consultation ran from the 29th January 2018 to 2nd March 2018. A copy of the consultation was advertised on the school website and on the DCC website. The school notified all the parents of existing pupils, all members of staff, The Local Authority, Head teachers and Governing bodies of schools within a two-mile radius and other pre-school or playgroups within a two-mile radius.

The school received 18 responses to the consultation.

9 responses were received which support the proposal to be taken to a full consultation.

Of these 9 responses, the following points were also raised:

- 1 response requested that the provision should be extended to include two year-olds
- 1 response highlighted the provision would provide a smooth transition from nursery to primary
- 1 response identified the benefits of a qualified teacher in an early years environment
- 1 response highlighted the benefits of the proposed Nursery children following the EYFS curriculum.

The remaining 9 responses raised concerns about the proposal and are summarised below:

- 7 of the responses expressed concern that the proposal was for financial purposes to prevent the school from running on 3 classes, rather than for the benefit of the children
- 2 responses expressed concern that it wasn't a solution to solve the longer-term issues of reduced numbers
- 5 responses expressed concerns that due to the 1:13 adult:child ratio, the children wouldn't receive the attention and nurture that they required at that age.
- 9 responses raised concerns over the sustainability of the existing provision of the pre-school within the village
- 2 responses raised concerns of the loss of jobs and the community asset should the pre-school shut
- 2 responses raised concerns over disruption to the older children in school

- 1 response raised concerns over the younger children playing in the same vicinity at break times as the older children could cause injuries to the younger ones.

Other Comments

Within the received responses, other comments for consideration were raised as below:

- 2 responses asked if the Authority could consider alternative methods of delivery, including the school taking over the pre-school
- 3 responses raised concerns that the proposal wasn't sustainable longer-term and could force parents and carers to find provision outside of the village. Once the children were settled elsewhere, they would send their children to other schools.
- 2 responses stated that the proposal wouldn't guarantee the school running 4 classes longer-term.
- 1 response stated that if the pre-school was forced to close, the loss of rental income from that provision would affect the community
- 1 response noted that the consultation didn't refer to the existing provision of a pre-school and a toddler group within the village
- 1 response noted that the improved outcomes for the children from school-led Nursery provision, outweighed the potential pre-school closure.

Appendix 2

Derbyshire County Council

Statutory Proposal by Derbyshire County Council to alter the lower age limit of Bamford Primary School from 4 years to 3 years

Introduction

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Derbyshire County Council ("the Local Authority") proposes to make a prescribed alteration to Bamford Primary School, Fidlers Well, Bamford, Derbyshire, S33 0AR, namely altering the lower age limit of the school from 4 years to 3 years so as to add nursery provision with effect from 1st September 2018.

Context

Bamford Primary School is an established, successful community primary school with an age range of 4-11 years which serves the local community of which it is proud to be a part. Current provision within school enables children to attend an Early Years Foundation Stage 2 (Reception Class) setting followed by Key Stage 1 and Key Stage 2. The school does not currently provide any nursery or pre-school provision. The school lies within the Peak District National Park.

Proposal

The Local Authority is proposing to alter the lower age limit of the school from 4 years to 3 years by extending the provision to include both Foundation Stage 1 and Foundation Stage 2 children (from the age of 3 instead of 4). The school already has adequate staffing and premises to make this alteration without significant changes being required and with minimal disruption to the existing provision.

This means that, if the proposal is implemented, the school will be able to offer families a seamless and comprehensive education programme for children from the age of 3 years.

The Local Authority anticipates that, working with the existing premises and staff, the school will be able to offer the full government entitlement of 15 hours (and 30 hours of funding, if eligible) of free early years education and the option of allowing additional self-funded hours to suit individual family circumstances and preferences.

If the proposal is implemented, it is anticipated that the school will be able to accommodate 20 three/four year-olds within the setting and up to 40 places within the shared EYFS/Y1 setting.

Staff

If the proposal is implemented, the school will utilise the existing highly qualified staff, which includes a fully qualified senior teacher to lead the Foundation Stage provision and to continue to ensure that there is always at least 1 trained teaching assistant in the provision alongside the teacher, thus meeting the correct ratios of 1:13 staff to pupils. The school expects there to be 10 Year 1 pupils in the school at the start of the 2018-19 school year and

anticipates a Foundation Stage 2 (Reception Class) intake of approximately 6-8 children. The school therefore has the capacity to extend its provision to include up to 8 additional Foundation Stage 1 places whilst remaining within the advised ratios. Furthermore, the school currently has a mixed Year 1/ Year 2 class which also has capacity so that in the future, it could extend the numbers to a Foundation Stage unit accommodating up to 26 places which would enable the school to continue to offer two classes to cover the Early Years Foundation Stage / Key Stage 1.

Funding

The Authority receives funding from the Government, in the form of Dedicated Schools Grant (DSG), for all children who have reached the age of 3 by the 31 December prior to the January School Census. These children are currently eligible for a maximum of 15 hours of free early year's provision.

If the proposal is implemented, the school will receive its funding for eligible children under Derbyshire's Early Years Single Funding Formula (EYSFF), a common formula which funds all of the free entitlement for children in nursery units within a mainstream school, nursery schools and private, voluntary and independent settings. Funding will be based on a count of actual weekly hours attended by qualifying children as at the three School Census points (i.e. January, May and October).

Following the statutory consultation, the responses will be reported to Cabinet to inform a decision on the proposal.

Statutory Consultation

The consultation on this proposal will run for four weeks from Thursday 10 May 2018 to Friday 15 June 2018.

The consultation document will be available on request from the e-mail below and will also be on the school website and on the DCC website: www.derbyshire.gov.uk .

Any comments, observations or objections in relation to this proposal should be sent to –

Mrs Sue Pegg
Block C, Chatsworth Hall
Chesterfield Road
Matlock
DE4 3FW
Or by e-mail to; sue.pegg@derbyshire.gov.uk

The deadline for submitting responses to this consultation is **Friday 15 June 2018**.