

CABINET MEMBER DECISION

13 NOVEMBER 2017

STATUTORY PROPOSALS TO CHANGE THE AGE RANGE OF EVESHAM NURSERY SCHOOL

Relevant Cabinet Member

Mr M J Hart

Relevant Officer

Director of Children, Families and Communities

Local Member

Mr R Banks

Recommendation

- 1. The Cabinet Member with Responsibility for Education and Skills (following delegation from the Leader on 15 October 2017) is recommended to:**
 - (a) approve the publication of the statutory proposal and Public Notice to change the age range of Evesham Nursery School; and**
 - (b) note that the final decision will be made by:**
 - (i) the Director of Children, Families and Communities on proposals in respect of which no objections to the Public Notice are received; or**
 - (ii) the Cabinet Member with Responsibility for Education and Skills on proposals in respect of which objections to the Public Notice are received.**

Background

2. The Small Business, Enterprise and Employment Act 2015, by amending the Childcare Act 2006, removed the requirement for schools to register their early years provision for two-year-olds separately with Ofsted. This came into force on 26 May 2015.
3. Maintained schools have options for delivery of early years provision. Maintained Community schools can run a nursery for children two to four years of age and can lower their age ranges of one year or more by following a statutory process. In these cases, the two-year-olds will be classed as 'pupils' (included on the schools' register of pupils) of the school and included on the school census. Maintained schools can also make provision for two-year-olds under Section 27 Education Act 2002. The Governing Body have powers to provide community or charitable facilities. In this case, the children are not pupils of the school and are included on the Early Years census.

4. In both cases, the provision will be inspected as part of the main school inspection. Schools must ensure the provision and the environment is fit for purpose and meets the needs of two-year-olds and the EYFS Framework is adhered to.
5. In October 2016 the Cabinet agreed a change of policy with regard to schools seeking to change their age range which sets out how the Council will respond to such proposals.
6. Evesham Nursery School is the only Maintained Nursery School in Worcestershire that is classified as a Community School. It offers early education for 2 – 5 year olds. The Governing Body have offered funded two-year-old provision under their community powers since September 2012.

The Proposal

7. In early 2017, Evesham Nursery School requested that the Council propose to change the age range of the school to incorporate the two-year-olds as pupils of the school. Council officers assessed the request against the agreed policy position and responded to Evesham Nursery School asking them to confirm additional information.
8. Evesham Nursery school provided evidence to the Council that the policy criteria were being met as follows:
 - (a) an open and fair consultation with key stakeholders has taken place. Parents were overwhelmingly positive about this change. This eases everything for parents/carers including the ability to pay for services using an online cashless alternative. Parents and carers also appreciate the approach to developmentally appropriate provision which reflects the strengths and needs of all children in the nursery school without division according to age;
 - (b) the school has a good Ofsted grade;
 - (c) the change will sustain or improve the quality of any existing provision by integrating the two-year-olds fully into the school community, they will be registered on the same systems as the older children and therefore tracking of attendance and absence should improve. Currently parents perceive a huge divide between the age groups and the new provision will eliminate the preconception that age dictates development. The school will continue to offer a fully inclusive environment, linking with Health and Social care professionals. The school will continue to offer split placements for some of children to The Vale of Evesham Special School. The school will ensure the ratios reflect children's needs rather than the provision's legal requirements, they will enable all children to transfer to their Reception Class with an understanding of needs, interest, strengths and difficulties which will allow them to flourish;
 - (d) the school has a clear plan to meet the requirements of the statutory framework for the early years foundation stage;
 - (e) the change does not reduce the number of nursery places in the area;

(f) the change does not reduce the number of school places in an area of need; and

(g) the funding for any necessary accommodation changes has been secured.
Evesham Nursery School was one of six Early Years providers who were successful in bidding for Early Years Capital to support the implementation of the 30 hours Nursery Education Entitlement.

9. Council officers are confident that the proposal will have positive benefits for the school and families attending the school. The recommendation therefore is to propose the change of age range by publishing the full statutory proposal and public notice.

Legal, Financial and HR Implications

10. Any proposals for prescribed alterations to maintained schools must follow the processes set out in the Prescribed Alterations Regulations and have regard to the statutory guidance 'Making prescribed alterations to maintained schools' (April 2016). Local Authorities can propose a change of age range of one year or more for community schools by following a statutory process. This request forms the first stage of the statutory process, to publish the full statutory proposals and public notice. The four week representation (formal consultation) period then begins. The subsequent decision-making is noted in the recommendations.

11. Evesham Nursery School already has the physical accommodation and staff required for the two-year-old provision. The school have refurbished some of the accommodation as part of the project to increase the number of 30 hour places on offer.

Privacy and Public Health Impact Assessments

12. No impacts have been identified.

Equality and Diversity Implications

13. An Equality Relevance Screening has been completed in respect of these recommendations. The screening did not identify any potential equality considerations requiring further consideration during implementation.

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Children, Families and Communities) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meeting of the Cabinet held on 13 October 2016