

NORTH YORKSHIRE COUNTY COUNCIL
CHILDREN AND YOUNG PEOPLE'S SERVICE
CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

23 June 2020

LOWERING THE AGE RANGE OF RICCALL COMMUNITY PRIMARY SCHOOL

1 PURPOSE OF THE REPORT

- 1.1 To provide Executive Members with information upon which to make a decision on proposals published by North Yorkshire County Council to change the age range of Riccall Community Primary School from 4-11 to age 2-11 with effect from 1st September 2020.

2 EXECUTIVE SUMMARY

- 2.1 The Governing Body of Riccall CP School has asked the Local Authority to propose lowering of the age range of their school from 4-11 to 2-11 in order to offer nursery education for two and three year old children.
- 2.2 The Governing Body of Riccall CP School consulted with parents and the local community on their proposal from 2 March to 27 March, and subsequently extended to 1 April 2020.
- 2.3 The County Council's Chief Executive Officer, under his emergency delegated powers and in consultation with Executive Members, considered the outcome of the governors' consultation on 21 April 2020, and agreed to publish statutory proposals on 30 April. These proposals gave 4 weeks until 28 May for representations to be made. There have been no objections or responses to the statutory notice.
- 2.2 The Executive agreed a model for making decisions on school organisation proposals on 25 September 2007. Under this model, school organisation decisions, for which the decision-maker is the Local Authority, will be taken by the County Council's Executive, or if there are no objections to the statutory notice, the decision is delegated to the Executive Members for Education and Skills and for Children's Services. As there have been no objections to this proposal, this decision is delegated to the Executive Members.
- 2.3 This report is supported by a number of appendices as listed below:
- Appendix 1 – Consultation document
 - Appendix 2 – Statutory proposal
 - Appendix 3 – Statutory notice
 - Appendix 4 – Equality Impact Assessment
 - Appendix 5 – Consultation responses
 - Appendix 6 – School Organisation Guidance for Decision Makers

3 BACKGROUND

- 3.1 All three and four year old children are entitled to 15 hours of government funding known as Universal Funding per week for 38 weeks per year to access Early Years Foundation Stage education and childcare. This will be from the beginning of the school term following their third birthday until compulsory school age or until they take up a place in a Reception class. From September 2017, eligible working families have been able to access up to an additional 15 hours of government funding known as Extended Entitlement to access the equivalent of 30 hours of government funded childcare per week for 38 weeks per year. A government funded place can be taken in a maintained school nursery and Foundation Stage class and/or in an Ofsted registered private or voluntary sector provision. It is parental choice as to which type of provision is most appropriate for their child and most convenient for individual circumstances. Riccall Pre-School provides funded early years education for 2, 3 and 4 year olds, from 8 am to 3pm each weekday during term time.
- 3.2 The Riccall Pre-School committee has approached Riccall Community Primary School and has proposed that the school takes on the provision that is currently run by Riccall Pre-School. Riccall CP School currently provides education for children from 4-11 years.

4 THE PROPOSAL

- 4.1 Riccall Community Primary School is proposing to provide places for 2, 3 and 4 year olds by creating a new Nursery class. The Nursery class would be led by a qualified teacher, and suitably qualified and experienced teaching assistants to support the learning and development of the children. It would be similar to what is currently available in the existing Riccall Pre-School.
- 4.2 The proposed nursery class will provide up to 26 places for 3 and 4 year olds, per session, and 4 places for 2 year olds. The school's existing wrap-around care providers would offer 'breakfast club' places to 3 and 4 year olds, and if there was sufficient demand, they would also consider offering 'after school' club provision for 3 and 4 year olds. This would extend the day from 7:30am to 6pm.
- 4.3 Priority for admission of nursery-aged children will be determined by the County Council's Admissions Policy for Nurseries. Admissions for the nursery-aged children are separate from admissions to the school, which are determined by the County Council's policy for Community and Voluntary Controlled Schools.

5 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES

- 5.1 From 2 March to 27 March, and subsequently extended to 1 April 2020, the Governing Body of Riccall Community Primary School consulted the local community on their proposal. The consultation document, which is appended to this report, was sent out to parents, local stakeholders, and other Early Years providers. The consultation document is included at Appendix 1 and the responses to the consultation at Appendix 5.

- 5.2 The County Council's Chief Executive Officer, under his emergency delegated powers and in consultation with Executive Members on 21 April 2020, considered the consultation responses, and resolved to proceed with publication of the statutory proposals.

6 STATUTORY PROPOSALS AND NOTICES

- 6.1 The Statutory Notice was published on 30 April 2020 and a representation period of 4 weeks has been observed. A copy of the Statutory Notice is enclosed as Appendix 2 of this report. A copy of the complete proposal, including all the information required in the school organisation regulations and guidance, was published on the County Council's website. A copy of the proposal is attached as Appendix 3.
- 6.2 At the end of the representation period there have been no objections received to this Statutory Notice.

7 FINANCIAL IMPLICATIONS

7.1 School revenue funding

The school is currently projecting a small in-year deficit of £4,200 this year, and surpluses of over £20,000 in 2020/21 and 2021/22. The Headteacher has modelled the potential income and costs of running a nursery class and feels that this is financially viable. The Headteacher has also discussed with the Chair of the Pre-School about the financial implications of the temporary closure of the pre-school during the coronavirus (COVID-19) pandemic.

7.2 Capital Implications

The pre-school operates from a prefabricated classroom unit on the school site. This was installed around 2009-10, and is generally in very good condition. The unit has been inspected by the County Council's maintenance surveyors and their recommendations have been shared with the school.

7.3 Transport costs

There are no transport costs related to this proposal.

8 LEGAL IMPLICATIONS

REGULATIONS AND GUIDANCE

- 8.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance produced by the Department for Education. These include the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and the statutory guidance 'Making Prescribed Alterations to Maintained Schools'

updated in October 2018.¹ Careful attention has been paid to this guidance throughout the process.

PRELIMINARY CHECKS

- 8.2 The guidance requires that the Decision Maker must consider, on receipt of each proposal, whether any information is missing; whether the published notice of the proposal complies with statutory requirements; whether the statutory consultation has been carried out prior to the publication of the notice; and whether the proposal is related to other published proposals.
- 8.3 Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:
- all information required has been supplied;
 - the published notice complies with statutory requirements;
 - statutory consultation has been carried out prior to publication of the notice;
 - and that the preliminary points for consideration have been dealt with sufficiently to permit Executive Members to proceed to determine this proposal.

TYPES OF DECISION THAT CAN BE MADE

- 8.4 In considering proposals for making changes to school provision, the Executive Members, as Decision Maker can decide to:
- reject the proposals;
 - approve the proposals;
 - approve the proposals with a modification;
 - approve the proposals subject to them meeting a specific condition (these conditions are set out in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations, and are not considered applicable to this proposal).

9 PROCEDURE FOR THE MEETING

- 9.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:
- (a) The Executive must have regard to decision makers' guidance published by the DfE and to the Executive Procedure Rules laid down in the North Yorkshire County Council Constitution.
- (b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.
- 9.2 Where the decision-maker is the Local Authority, decisions will be taken by the County Council's Executive, or if there are no objections to the statutory

¹ DfE, School Organisation (Making Prescribed Alterations to Maintained Schools) Regulations 2013 and Department for Education statutory guidance for proposers and decision makers, Making Prescribed Alterations to Maintained Schools, October 2018.

notice, the decision is delegated to the Executive Members for Education and Skills and for Children's Services. As there have been no objections to this proposal, this decision is delegated to the Executive Members.

10 REASONS FOR RECOMMENDATIONS

EDUCATION STANDARDS

- 10.1 Riccall Community Primary School was last inspected by Ofsted in January 2018 through a short inspection which confirmed that the school continued to be good since the last inspection in December 2012. Riccall Pre-School was inspected by Ofsted in April 2018 which found the quality and standards of the early years provision was good.

VIEWS OF INTERESTED PARTIES

- 10.2 Twenty-four written responses to the consultation had been received, of which 22 consultees wrote in favour of the proposal. One consultee was not in support, and another was undecided; in both cases they were not in favour of the school taking two-year old children. There were some queries raised by consultees about funding and the condition of the pre-school premises, which were examined in section 7 of the report to the Executive on 21 April. The governing body met on 2 April and agreed to proceed with the nursery proposal.

11 HUMAN RIGHTS IMPLICATIONS

- 11.1 There are no Human Rights issues in relation to this decision.

12 OTHER IMPLICATIONS

- 12.1 An Equality Impact Assessment has been undertaken in respect of this change and is attached at Appendix 4.

13.0 RECOMMENDATIONS

(a) That having undertaken the required preliminary checks, the Executive Members resolve that the four key issues listed above in paragraph 8.3 have been satisfied and there can be a determination of the proposals.

(b) that the following proposal be determined:

To lower the age range of Riccall Community Primary School to age 2-11 with effect from 1st September 2020.

Stuart Carlton
Corporate Director – Children and Young People's Service

Report prepared by John Lee – Strategic Planning Officer

Appendices

Appendix 1 – Consultation document

Appendix 2 – Statutory proposal

Appendix 3 – Statutory notice

Appendix 4 – Equalities Impact Assessment

Appendix 5 – Consultation responses

Appendix 6 – School Organisation Guidance for Decision Makers

Background documents

Report to Executive, 21 April 2020.

APPENDIX 1: Consultation document

RICCALL COMMUNITY PRIMARY SCHOOL

PROPOSAL TO CHANGE THE AGE RANGE OF OUR SCHOOL AND CREATE A NEW NURSERY CLASS

In partnership with Riccall Pre-School, the Governing Body of Riccall Community Primary School is considering new Early Years provision for two, three and four year old children. We would like to know the views of parents and other interested members of the community.

Why are the governors making these proposals?

The Riccall Pre-School committee have approached the school and have proposed that Riccall Community Primary School takes on the provision that is currently run by Riccall Pre-School. All three and four year old children are entitled to 15 hours of government funding known as Universal Funding per week for 38 weeks per year to access Early Years Foundation Stage education and childcare. This will be from the beginning of the school term following their third birthday until compulsory school age or until they take up a place in a Reception class. From September 2017, eligible working families have been able to access up to an additional 15 hours of government funding known as Extended Entitlement to access the equivalent of 30 hours of government funded childcare per week for 38 weeks per year. A government funded place can be taken in a maintained school nursery and Foundation Stage class and/or in an Ofsted registered private or voluntary sector provision. It is parental choice as to which type of provision is most appropriate for their child and most convenient for individual circumstances.

Riccall Community Primary School is considering providing places for 2, 3 and 4 year olds, by creating a new Nursery class. Early Years staff would work together to provide an excellent environment for a young child's development. The Nursery class will be led by Sally Sutherland, who is a qualified teacher, and suitably qualified and experienced teaching assistants to support the learning and development of the children.

What would our new nursery provision look like?

It would be similar to what is currently available in the existing Riccall Pre-School and our Reception class, in school. There will be high quality play-based provision including role play, sand, water, construction, reading, mark making, and outside play. The learning environment will be equipped with suitable furniture, equipment and resources for 2, 3 and 4 year olds. There will be free flow between the indoor and outdoor areas, offering children the choice of activities and allowing them to engage in learning which is relevant and appropriate to their age and stage of development. They will be supported by knowledgeable and appropriately trained adults who are in tune with each child's individual needs. This proposal will allow there to be greater consistency between nursery aged children and our Reception class, which will lead to a smoother transition into Reception and school in general.

Why is this consultation taking place?

Currently the youngest children that the school can admit are in the Reception class. In order to take younger children into the proposed new nursery class, legal processes must be followed to lower the age range of the school from 4-11 years to 2-11 years. The first step in this process is that local people must be asked for their views. As a Community Primary

School, the Governing Body then needs to request that the County Council's Executive formally lowers the age range of the school, in order to create the new Early Years provision.

How many places will be offered?

The proposed nursery class will provide up to 26 places for 3 and 4 year olds, per session, and 4 2 year olds. We have also spoken to the providers of 'Zac's Club', our wrap around care providers, who would offer 'breakfast club' places to 3 and 4 year olds. If there was sufficient demand, they would also consider offering 'after school' club provision for 3 and 4 year olds. This would extend the day from 7:30am to 6pm. Parents will be charged for this service.

Which children would be eligible for a place?

Priority for admission to the nursery class will be determined by the County Council's Admissions Policy for Nurseries. Admissions to the nursery class are separate from admissions to the school, which are determined by the County Council's policy for Community and Voluntary Controlled Schools. Further details are available at: <http://www.northyorks.gov.uk/article/26372/Admissions-policies>

Deciding on admissions

The Headteacher will make the offer of a place in the 'Early Years class' in writing to parents and carers.

How will the new Nursery class affect other providers?

The new nursery class would take children aged 3 and 4. Local Early Years' providers are being consulted and have the opportunity to make their views on the proposal known.

What will happen next?

This is the first step of the consultation. Comments on this consultation will be considered by the Governing Body who will then decide whether to ask the County Council's Executive to publish statutory proposals to lower the age range of the school on their website. This will provide a further period of four weeks in which views and comments can be made.

If these proposals go ahead, when will the new Nursery class open?

It is proposed that the first children will join the Nursery class in September 2020

How do I make my views known?

Your views are important, and we would value your opinions.

You should complete the attached comments sheet and return it to the school.

Comments should be returned by 27th March

If you have any further queries, these should be addressed to Mr. Nick Styles (Headteacher)

RICCALL COMMUNITY PRIMARY SCHOOL

CONSULTATION ON THE PROPOSAL TO CHANGE THE AGE RANGE AND CREATE A NEW FOUNDATION STAGE CLASS AT RICCALL COMMUNITY PRIMARY SCHOOL

Do you consider it desirable that the age range of the school is changed from 4-11 to 2-11 and a nursery class is set up at our school?

Yes

No

Any further comments you would like to make:

Name: _____
you

Address: _____

Post Code: _____

Please tick the category
you represent:

Parent

Governor

Other

Please specify

Please return to Riccall Community Primary School

The closing date for receipt of responses is Friday 27th March

We are collecting this information for the purpose of gathering views on the proposal. Your personal data will not be published or passed to any other organisation unless a legal obligation compels us to do so. We may contact you to discuss your views further.

APPENDIX 2: Statutory Proposal

Statutory Proposal by North Yorkshire County Council for the Lowering of the School Age Range at Riccall Community Primary School

Full Proposal Document

Name and contact details of the Local Authority or governing body publishing the proposal:

North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, DL7 8AE

Name, address and category of the school proposed for alteration:

Riccall Community Primary School, Coppergate, Riccall, York, North Yorkshire, YO19 6PF

Proposed Implementation date:

1st September 2020

Description of alteration and evidence of demand

To lower the age range of Riccall Community Primary School to provide places for 2, 3 and 4 year olds. The Riccall Pre-School committee has approached Riccall Community Primary School and has proposed that the school takes on the provision that is currently run by Riccall Pre-School.

Objectives educational standards and parental choice

To provide Early Years provision for parents, pupils and the local community.

The proposed nursery class will provide up to 26 places for 3 and 4 year olds, per session, and 4 places for 2 year olds. The school's existing wrap-around care providers, would offer 'breakfast club' places to 3 and 4 year olds, and if there was sufficient demand, they would also consider offering 'after school' club provision for 3 and 4 year olds. This would extend the day from 7:30am to 6pm.

Effect on other schools, academies and educational institutions within the area:

There would be no effect on surrounding schools and local providers of Early Years education were notified as part of the non-statutory pre-consultation and will again have a chance to comment as part of this representation period.

Project Costs:

The revenue cost will be met from a combination of means based funding and parental subscription.

The pre-school operates from a prefabricated classroom unit on the school site. This was installed around 2009-10, and is generally in very good condition. The unit has been inspected by the County Council's maintenance surveyors and their recommendations have been shared with the school.

There are no transport costs related to this proposal.

Implementation:

Following a formal decision to approve the lowering of age range, Riccall Community Primary School will work to have the new arrangements in place for 1 September 2020.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal on 30 April 2020, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE by 5pm on 28 May 2020.

APPENDIX 3: Statutory Notice

NORTH YORKSHIRE COUNTY COUNCIL Change of age range at Riccall Community Primary School

Notice is hereby given in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that North Yorkshire County Council, County Hall, Northallerton, DL7 8AD is proposing to make a prescribed alteration to Riccall Community Primary School, Coppergate, Riccall, York, North Yorkshire, YO19 6PF by lowering its age range from 4-11 to 2-11 with effect from 1 September 2020.

Riccall Community Primary School is proposing to provide places for 2 - 4 year olds by the creation of a Nursery class.

The proposed Nursery will provide up to 26 places for 3 and 4 year olds, per session, and 4 places for 2 year olds.

The notice is an extract from the complete proposal. A copy of the complete proposal can be viewed at: <https://www.northyorks.gov.uk/current-consultations>

Copies of the complete proposal can be obtained from: Strategic Planning - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AD and are available on the County Council's website at <https://www.northyorks.gov.uk/current-consultations>

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Strategic Planning - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AD, by 5pm on 28 May 2020.

Signed

B. Khan
Assistant Chief Executive
(Legal and Democratic Services)

Publication Date:

30 April 2020

APPENDIX 4: Equality Impact Assessment

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated April 2019)

Proposal to Lower the Age Range of Riccall Community Primary School

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS Strategic Planning Team
Lead Officer and contact details	Andrew Dixon, County Hall
Names and roles of other people involved in carrying out the EIA	John Lee, Strategic Planning Officer
How will you pay due regard? e.g. working group, individual officer	LA Officers and School Governing Body
When did the due regard process start?	Non-statutory pre-consultation started in March 2020

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

We are proposing to lower the age range of Riccall Community Primary School from 4-11 to 2-11.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The County Council has been asked by the Governing Body of Riccall Community Primary School to propose the lowering of their age range to provide places for 2, 3 and 4 year olds.

The Riccall Pre-School committee has approached Riccall Community Primary School and has proposed that the school takes on the provision that is currently run by Riccall Pre-School.

The proposed nursery class will provide up to 26 places for 3 and 4 year olds, per session, and 4 places for 2 year olds. The school's existing wrap-around care providers, would offer 'breakfast club' places to 3 and 4 year olds, and if there was sufficient demand, they would also consider offering 'after school' club provision for 3 and 4 year olds. This would extend the day from 7:30am to 6pm.

Section 3. What will change? What will be different for customers and/or staff?

Riccall Community Primary School is proposing to provide places for 2, 3 and 4 year olds by the creation of a nursery class from September 2020. Priority for admission to the nursery class will be determined by the County Council's Admissions Policy for Nurseries. Admissions for the nursery class are separate from admissions to the school, which are determined by the County Council's policy for Community and Voluntary Controlled Schools.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The school have undertaken the non-statutory consultation period as recommended by the Statutory Guidance.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result.

It is envisaged that this proposal will be cost neutral as the Early Years funding will be received from means tested funding where children are eligible and by parental subscription where they are not.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age		x		The committee of the existing Pre-School in Riccall has proposed that the school takes on the provision that is currently run by Riccall Pre-School. This will ensure the continued provision of early years education and childcare on the school site.
Disability	x			No impact is anticipated.

Sex	x			No impact is anticipated.
Race	x			No impact is anticipated.
Gender reassignment	x			No impact is anticipated.
Sexual orientation	x			No impact is anticipated.
Religion or belief	x			No impact is anticipated.
Pregnancy or maternity	x			No impact is anticipated.
Marriage or civil partnership	x			No impact is anticipated.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural area?	x			No impact is anticipated.
...have a low income?	x			No impact is anticipated.
...are carers (unpaid family or friend)?	x			No impact is anticipated.

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	X
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
Riccall, Kelfield	

Section 9. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect

may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

No

Section 10. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	x
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
It is considered that this proposal will not affect any of the groups listed above.	

Section 11. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

Monitoring will be carried out through the County Council's Education and Skills Team and through Ofsted inspections.

Section 12. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Not applicable				

Section 13. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The County Council's Officers feel that this decision is in the best interests of children and families served by the school to ensure quality early years education provision is provided in the area.

Section 14. Sign off section

This full EIA was completed by:

Name: John Lee
Job title: Strategic Planning Officer
Directorate: CYPS

Completion date: 3/4/20

Authorised by relevant Assistant Director (signature): Judith Kirk

Date: 3/4/20

APPENDIX 5: Written responses to the consultation

Total responses received	24
In favour of proposal	22
Not in favour of proposal	1
Undecided	1

Parents	16
Others	8

1	Will there be additional funding to cover the extra provision at the school or is this to be looked into at a further date? I think this will be brilliant for the community & a big benefit to have the wrap around care that at the moment may stop some parents using the Pre-School. It would definitely have been of benefit when I returned to work.
2	I always had strong feelings about preschool having closer ties to school. It is worrying that preschool might not be able to survive and that would be a great loss. The building is already next to school and the little ones are always so excited to see what happens on the school grounds. On the other hand I'm worried how it would effect school financially and any other ways.
3	yes, I consider it desirable that the age range of the school is changed to 2-11 with a nursery set up
4	Bringing the pre-school and primary school closer together is a fantastic idea and will really benefit the children with the curriculum and development in these crucial early years
5	I think it would be valuable to extend the age range of the school to include a nursery class. I believe it would give a solid base to children's education if they are in a school nursery run by a teacher who ensures the children have the necessary skills to be ready for their Reception year. I think it would be a positive change for Reception not to stand alone in terms of a key stage in school. Collaboration between Nursery and Reception would be helpful for resourcing, professional development, sharing good practice and, most importantly, for the children's transition to school.
6	I have mixed feelings regarding this proposal. I would not be completely in favour of taking on children as young as 2 years of age, however, if this is what is needed in order to make the proposal viable, then I could understand this. On the one hand, I could see that fully integrating the nursery with the main school would be beneficial in terms of a seamless approach between the two settings and this could be very valuable for Riccall Community Primary School; however, I am also reticent due to the possible increase in workload for all staff, particularly those in senior leadership, but also subject leaders who would have another two classes to understand the needs of and to monitor.
7	Very good idea proposing to change the age range to create a new nursery class.
8	Absolutely, I have been saying for years that the current pre-school and the school should be more cohesive and this makes perfect sense.
9	I think this is a great idea and I support the move.
10	Would offer a fantastic transition from nursery to reception, really excited about this possibility for my daughter.
11	As a parent it would definitely be advantageous to be able to send your child to the same setting from the age of 2. Less transitions and being familiar with the school environment would be good for younger children.
12	Fantastic idea. I think children (aged 2-4) will benefit from this.
13	I consider this to be a positive move and can only be good for the child's development.

14	I think it is an excellent idea to benefit the children and the school. It means the transition from pre-school to reception would be smoother. My son would benefit from this in September. I would be interested in a part-time teaching assistant role in the new class if it goes ahead.
15	We as a family would very much welcome the age range change as our son would attend the setting and currently attends pre school 1 day/week paid place.
16	<ol style="list-style-type: none"> 1) Is the building and site in good condition, are we taking on any expected expenditure or unexpected. 2) Extra cost re waste collections, resources, grounds maintenance, photocopier costs, phone systems, does wifi extend that far? Staff uniform? 3) What will happen to their funds? 4) Who is paying their redundancy? 5) Additional admin for ## 6) Will they be part of FORS? Will FORS have to arrange more appropriate aged events? 7) Will we provide lunch? 8) New uniform for nursery pupils 9) Will they be included in whole school trips 10) What other contracts do they have 11) Who will be responsible for booking sessions ## or ## ? 12) Does Riccall invoice parents? Who decides charges? 13) More work for ## 14) Do they take 2 year olds now, if not will this create a lot of expense 15) If we take over pre-school will this trigger Ofsted. 16) Is there a governor who could be the 'Nursery Governor' 17) Will this create more work for ## 18) Do we need suitable supply for TA/teacher cover 19) Will we need more IT/laptops etc will Primary Tec cover 20) Training for the staff? 21) Cost of website upgrade – their website – out of date – not kept up to date
17	<p>Telephone system } setting up fees, Computing – internet etc } extra cost Lunchtime cover – extra staff member? Staffing costs Extra admin</p> <p>I do think this will benefit the children and staff as the continuity of children's education from an early stage, in my opinion, is essential.</p>
18	I think it's a great idea.
19	Great idea.
20	Going to 2 years old changes the setting from a pre school nursery to a childminding / nursery. Feel it would be acceptable to have 3 – 3 ½ year olds as a gradual introduction to school life.

4 responses in favour of the proposal with no further comments.



Department
for Education

Making significant changes (‘prescribed alterations’) to maintained schools

**Statutory guidance for proposers and
decision-makers**

October 2018

5: Statutory process: prescribed alterations

The statutory process for making prescribed alterations to schools has four stages:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and LAs will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. Schools should have the consent of the site trustees and where a school is designated as having a religious character the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body.

When considering making a prescribed alteration change, it is best practice to take timing into account, for example:

- by holding consultations and public meetings (either formal or informal) during term time, rather than school holidays and, where appropriate, extend the consultation period if it overlaps school holidays etc;
- plan where any public and stakeholder meetings are held to maximise response;
- take into account the admissions cycle for changes that will impact on the school's admission arrangements.

A number of changes can impact admissions necessitating reductions in PAN, new relevant age groups for admission or the adoption of revised admission criteria. Changes to admission arrangements can be made by the admission authority in one of two ways:

- the consultation on changing the admission arrangements (as set out in the [School Admissions Code](#)) takes place sufficiently in advance of a decision on the prescribed alteration so that the change to admissions can be implemented at the same time as the proposals; or
- a variation is sought, where necessary, in view of a major change in circumstances, from the [Schools Adjudicator](#) so that the changes to the admission policy can be implemented at the same time as the prescribed alteration is implemented.

Decision-makers should, so far as is possible, co-ordinate with the admission authority, if different, to ensure they avoid taking decisions that will reduce a PAN or remove a relevant age group for admission after parents have submitted an application for the following September (e.g. 31 October for secondary admissions or 15 January for primary admissions).

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Annex A](#) sets out the minimum that this should include. The proposal should be accessible to all interested parties and should therefore use 'plain English'.

Where the proposal for one change is linked to another, this should be made clear in any notices published. Where a proposal by a LA is 'related' to a proposal by other proposers (e.g. where one school is to be enlarged because another is being closed) a single notice could be published.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. If the proposal is published by a GB then notification must also be posted in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to:

- the GB/LA (as appropriate);
- the parents of every registered pupil at the school - where the school is a special school;
- if it involves or is likely to affect a school which has been designated as having a religious character:
 - the local Church of England diocese;
 - the local Roman Catholic diocese; or
 - the relevant faith group in relation to the school;
- proposals affecting a special school should go to any LA that has commissioned a place at the school (i.e. all relevant authorities who have made an out of county/borough placement there); and
- any other body or person that the proposer thinks is appropriate e.g. any affected educational institutions in the area.

Within one week of receiving a request for a copy of the proposal, the proposer must send a copy to the person requesting it.

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

Representation (formal consultation)

The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The LA will be the decision-maker in all cases except where a proposal is 'related' to another proposal that must be decided by the [Schools Adjudicator](#)⁹.

Decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).

Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions¹⁰ (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so, the proposer must send written notice to the LA or the GB (as appropriate); or the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a decision the LA must publish their decision and the reasons for it, on the website where the original proposal was published and send copies to:

- the LA (where the Schools Adjudicator is the decision-maker);
- the Schools Adjudicator (where the LA is the decision-maker);

⁹ For example where a change is conditional on the establishment of a new school under section 10 or 11 of EIA 2006 (where the Schools Adjudicator may be the default decision maker).

¹⁰ The prescribed events are those listed in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

- the GB/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- the parents of every registered pupil at the school – where the school is a special school; and
- any other body that they think is appropriate (e.g. other relevant diocese or diocesan board, faith organisation and any affected educational institutions in the area).

If the [Schools Adjudicator](#) is the decision-maker they must notify the persons above of their decision, together with the reasons, within one week of making the decision. Within one week of receiving this notification the LA must publish the decision, with reasons, on the website where the original proposal was published.

Related proposals

Where proposals appear to be related to other proposals, the decision-maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Conditional approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events¹¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

¹¹ Under paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

Equal opportunities issues

The decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

Further information on the considerations can be found on the [Equality and Human Rights Commission](#) website.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from, and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker should consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Further information is available in the statutory [Home to school travel and transport guidance](#) for LAs.

Funding

The decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

Rights of appeal against a decision

The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for their decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

The proposer must implement a proposal in the form that it was approved, taking into account any modifications made by the decision-maker.

Modification post determination

Proposers can seek modifications from the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

Details of the modification must be published on the website where the original proposals were published.

Revocation of proposals

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal to be relieved of the duty to implement, as set out in the Prescribed Alterations Regulations.

Land and buildings

Foundation, foundation special or voluntary controlled schools

Where a LA is required to provide a site for a foundation, foundation special or voluntary controlled school, the LA must¹²:

- transfer their interest in the site and in any buildings on the site which are to form part of the school's premises to the trustees of the school, to be held by them on trust for the purposes of the school; or
- if the school has no trustees, to the GB, to be held by that body for the purposes of the school.

In the case of a dispute as to the persons to whom the LA is required to make the transfer, the adjudicator will make a decision.

Voluntary aided schools

Where a LA is required to provide a site for a voluntary aided school, they must transfer their interest in the land to the trustees of the school, and must pay the reasonable costs to the GB in connection with the transfer.

¹² Under paragraph 17 of schedule 3 of the Prescribed Alterations Regulations

School premises and playing fields

Under the School Premises (England) Regulations 2012, all schools maintained by local authorities are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

[Guidelines](#) setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.