

Public Document Pack

North Yorkshire County Council Children and Young Peoples Service - Executive Members & Corporate Director Meetings

Tuesday, 19 April 2022 / 1.00 pm

A G E N D A

1 **Apologies for Absence**

2 **Declarations of Interest**

Items for Executive Member decision

- 3 **School catchment area decision following the closure of Baldersby St James Primary School (Pages 3 - 14)** (Pages 3 - 14) Presenting Officer – Andrew Dixon

To seek approval that the catchment area of Dishforth CE Primary School should be expanded with effect from 1 September 2022 in accordance with the published proposals.

Items for Corporate Director decision

- 4 **Holiday Activities and Food Programme (Pages 15 - 20)** (Pages 15 - 20) Presenting Officers – Howard Emmett/ Marie-Ann Jackson

To seek approval from the Corporate Director of Children and Young People's Services, in consultation with the Executive Member for Education and Skills, to enter into procurement arrangements for delivery of the Holiday Activity Programme for the next three financial years: 2022/23, 2023/24 and 2024/25.

Any Other Business

- 5 Date of future formal meetings

Circulation:

Executive Members

Janet Sanderson
Patrick Mulligan

Officer attendees

Stuart Carlton
Howard Emmett
M Sadler

Presenting Officers

Andrew Dixon
Howard Emmett/
Marie-Ann Jackson

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NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

19 APRIL 2022

FUTURE CATCHMENT AREA DECISION ON THE CLOSURE OF BALDERSBY ST JAMES CE PRIMARY SCHOOL

1.0 PURPOSE OF THE REPORT

- 1.1 To inform Executive Members of the outcome of consultation on proposals to change the local catchment area arrangements following the closure of Baldersby St James CE Primary School. Further, to seek approval that the catchment area of Dishforth CE Primary School should be expanded with effect from 1 September 2022 in accordance with the published proposals.

2.0 EXECUTIVE SUMMARY

- 2.1 During 2021 Hope Sentamu Learning Trust, supported by the Department for Education, proposed the closure of Baldersby St James Primary School.
- 2.2 A Listening Period was conducted by Hope Sentamu Learning Trust in the Autumn. On 12 October 2021 the Executive considered a report on the situation and approved the Council's formal response. This was to recommend that the Secretary of State and the Regional Schools Commissioner consider deferring closure of Baldersby St James Primary School for a period of 12 months for further engagement between the community and Hope Sentamu Learning Trust, to see if a credible business plan could be created. The listening period was extended and further engagement undertaken however, in late January 2022, the Secretary of State confirmed that Baldersby School will close in August 2022.
- 2.3 The October 21 Executive meeting agreed that in the event of closure the Council would consult on changing the local catchment area arrangements that would apply from September 2022, such that the catchment areas for Carlton Miniott Primary Academy, Dishforth CE Primary School and Topcliffe CE Academy would all be expanded from that date.
- 2.4 The consultation period was seven weeks from 11 February 2022 to 1 April 2022. The consultation was undertaken by the County Council in conjunction with Elevate Multi Academy Trust who operate both Carlton Miniott and

Topcliffe schools. By the closing date there had been no responses to the consultation.

- 2.5 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 proposal, the decision is delegated to the Executive Members for Education and Skills.

3.0 BACKGROUND

- 3.1 The LA is the admission authority for Dishforth CE School, but Carlton Miniott and Topcliffe schools are their own admission authorities under Elevate MAT. This means there are different processes required to adopt the revised catchment area arrangements. The County Council are required to determine the proposals for Dishforth CE Primary School. The Elevate Trust Board would consider the proposals for Carlton Miniott and Topcliffe schools. NYCC and Elevate would then each separately apply for a specific variation to the published School Admission Arrangements for 2022/23 as set out in sections 3.6 and 3.7 of the School Admissions Code. The Council would apply to the Schools Adjudicator, and the Trust to the Secretary of State.

- 3.2 The closing school is situated in Baldersby St James. The two main population areas within the catchment are Baldersby village to the north of the School, and Rainton village to the south. The catchment area for the School is bordered by the catchment areas of Carlton Miniott, Dishforth CE and Topcliffe Schools to the north, south and east of the School. The western boundary of the School's catchment is formed by the A1, beyond which are the catchment areas for Burneston CE Primary School and Sharow CE Primary School. The local area maps are provided at Appendix 1.

4.0 THE PROPOSALS

- 4.1 The October 2021 report to Executive considered information on the travel distances from each main location within the Baldersby School catchment area, together with the number of children who were resident in those areas. They agreed the detail of the proposals for consultation in the event of a confirmed closure decision. Dishforth CE School and Elevate Multi Academy Trust supported these proposals.

4.2 The specific proposals were that from September 2022:

- The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village would become part of the catchment area for Carlton Miniott Primary Academy
- The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village would become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

4.3 These proposals were communicated to the parents of children at Baldersby St James School in Autumn 2021. This was prior to them making their provisional applications for alternative school places that would apply from September 2022.

5.0 CONSULTATION UNDERTAKEN

5.1 The consultation was live on the NYCC website from Friday 11 February to Friday 1 April. At the start of the period all stakeholders including the local schools and early years providers were notified of the consultation by email. The consultation document is provided at Appendix 1. Parents at the four key schools namely Baldersby St James, Carlton Miniott, Dishforth CE and Topcliffe were notified of the consultation by their school via their usual communication methods. The consultee list is provided at Appendix 2.

5.2 By the closing date of 1 April 2022 there had been no responses to the consultation. This would indicate acceptance of the proposals by stakeholders.

6.0 REGULATIONS AND GUIDANCE

6.1 The school admission arrangements for 2022/23, including catchment areas for the three affected schools, have already been determined in accordance with the required annual process. The procedure for amending admission arrangements following determination is contained in paragraph 3.6 the School Admissions Code 2021 which states:

Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Schools Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in

circumstances. Such proposals must be referred to the Schools Adjudicator (for maintained schools) or the Secretary of State (for academies) for approval, and the appropriate bodies notified.

6.2 If the proposals are approved the Council will apply to the Schools Adjudicator to vary the admission arrangements for 2022/23 in relation to Dishforth CE Primary School on the grounds of a major change in circumstances.

6.3 The outcome of the consultation and the Executive Member's decision will both be reported to Elevate Multi Academy Trust so they can take their required actions.

7.0 FINANCIAL IMPLICATIONS

7.1 There are potential financial implications for the Council in respect of additional home to school transport costs. This is always the case in the event of school closure, but varies depending on the numbers of pupils and the travel distances in each case. The Council are not currently operating any transport services to Baldersby School. The inclusion as future catchment schools of the nearest schools to Baldersby village and Rainton respectively should assist in limiting the future additional costs.

8.0 LEGAL IMPLICATIONS

8.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 set out the manner in which prescribed alterations could be made to maintained schools. The statutory guidance 'Making significant changes ('prescribed alterations') to maintained schools' was updated in October 2018. The guidance does not cover these specific circumstances where a change to determined school admission arrangements is required. Nevertheless, the Council (and Elevate MAT as partner to the proposals) have adopted the principles of the consultation requirements that are contained in the statutory guidance.

9.0 HUMAN RIGHTS IMPLICATIONS

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

10.0 RECOMMENDATIONS

That the Executive Member for Education and Skills determine that:

- i) from September 2022 the catchment area of Dishforth CE Primary School be expanded such that it includes the southern part of the Baldersby St James School catchment area (Rainton with Newby Civil Parish)
- ii) the necessary application be made to the Schools Adjudicator to secure approval for this variation to the admissions arrangements for 2022/23 in respect of Dishforth CE Primary School.

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

Report prepared by Andrew Dixon – Strategic Planning Manager

Appendices

Appendix 1: Consultation document

Appendix 2: Consultee list

Background documents

Report to Executive, 12 October 2021.



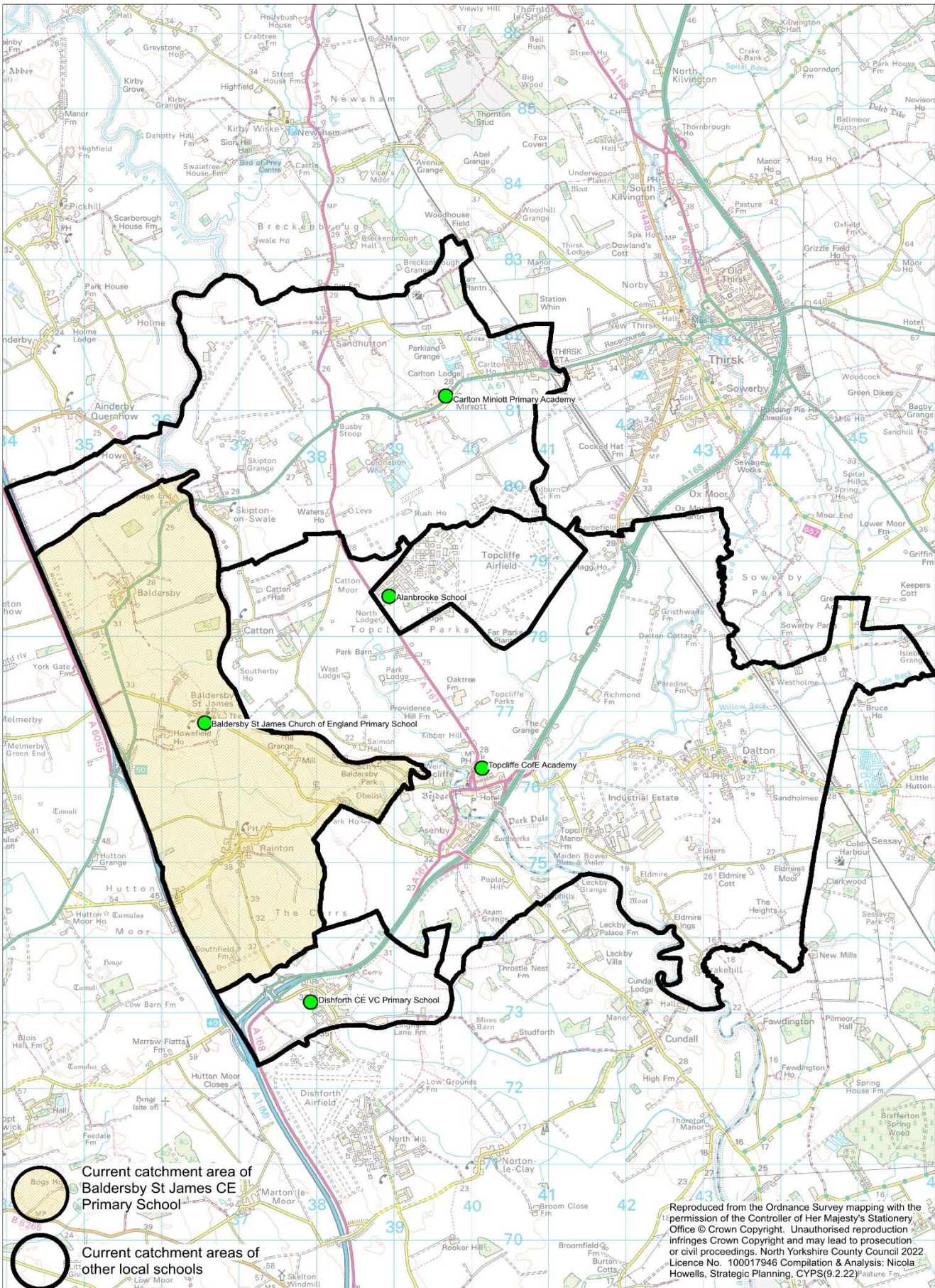
Closure of Baldersby St James Primary School – Consultation on school catchment areas

During 2021 Hope Sentamu Learning Trust, supported by the Department for Education, proposed the closure of Baldersby St James Primary School. In late January 2022 the Secretary of State confirmed that the School will close in August 2022.

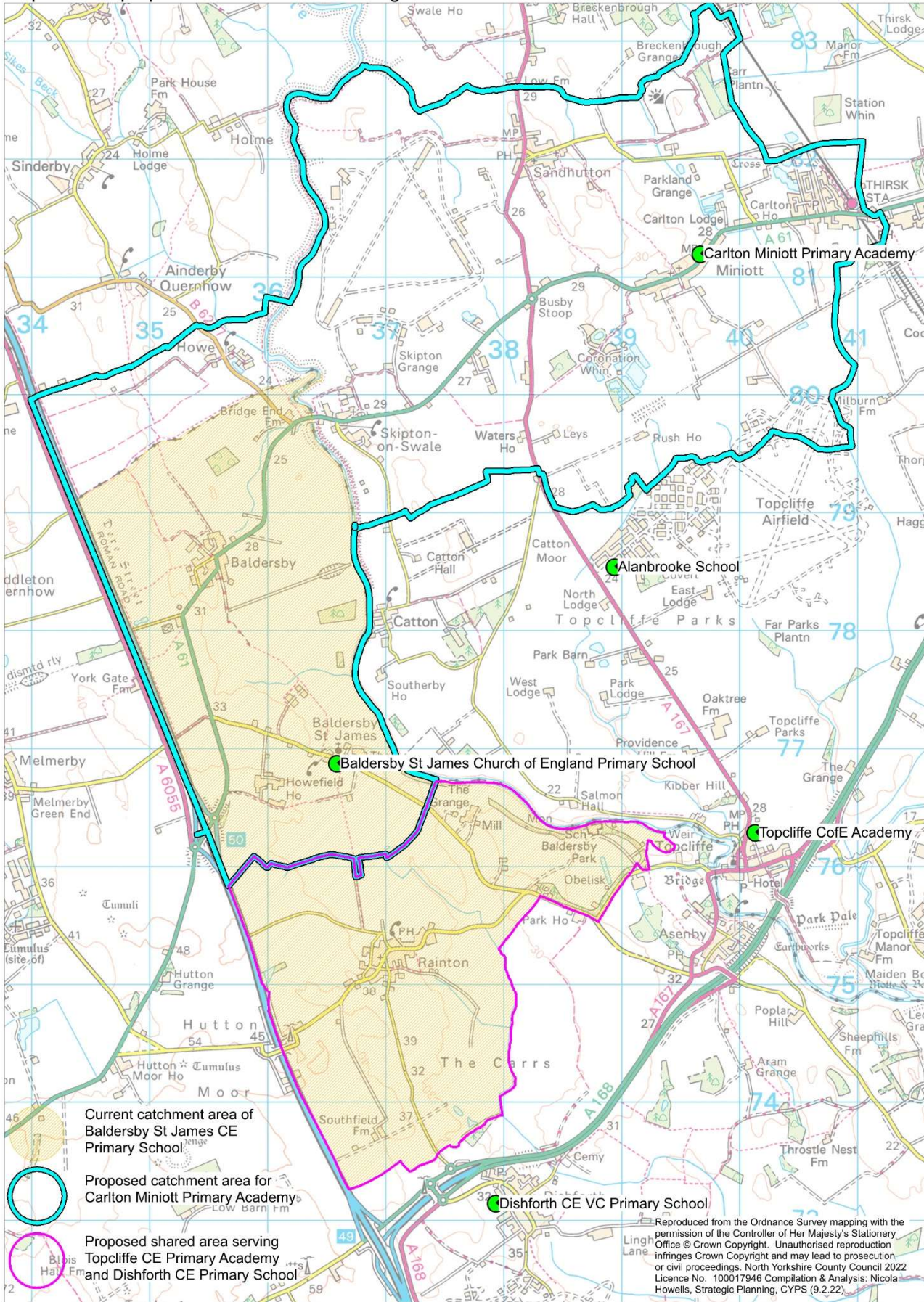
A Listening Period was conducted by Hope Sentamu Learning Trust in the Autumn. During this period the County Council confirmed that in the event of closure we would consult on changing the local catchment area arrangements that would apply from September 2022 so that:

- The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village should become part of the catchment area for Carlton Miniott Primary Academy
- The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village should become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

Map to show current catchment areas



Map to show proposed catchment area changes



A report containing information on local school capacity and pupil numbers was presented to the Council's Executive in October 2021 and can be found here: [Agenda for Executive on Tuesday, 12th October, 2021, 11.00 am | North Yorkshire County Council](#)

The County Council is the admissions authority for Dishforth CE Primary School, but Carlton Miniott and Topcliffe schools are their own admission authorities under Elevate Multi Academy Trust. This is therefore a joint consultation for both the County Council and the Elevate Trust.

Having considered the consultation responses, the County Council and the Trust will then each follow their own required process to vary the admission arrangements from September 2022. The County Council will apply to the Schools Adjudicator for final approval, and the Trust will apply to the Secretary of State.

We would welcome your view on the proposals by the closing date of 5pm on 1 April 2022. In your response, please confirm whether you agree with the proposals and provide any additional comments.

Responses to the proposals should be sent via email to schoolorganisation@northyorks.gov.uk

Baldersby St James CE Primary School – List of Consultees

Baldersby St James CE Primary

Parents
Staff and governors
Chair of Governors

Carlton Miniott Primary Academy

Parents
Staff and governors
Chair of Governors

Topcliffe CE Primary Academy

Parents
Staff and governors
Chair of Governors

Dishforth CE Primary School

Parents
Staff and governors
Chair of Governors

Elevate Academy

Local Authority – NYCC

Cllr Gareth Dadd
Cllr Margaret Atkinson
Cllr Robert Baker

Harrogate BC

Cllr Bernard Bateman

Hambleton District Council

Cllr Dave Elders
Cllr Gareth Dadd
Cllr Peter Bardon
Cllr Mark Robson

Neighbouring Schools

Alanbrooke Primary
All Saints Catholic Primary School, a Catholic Voluntary Academy
Brafferton St Peter's CE
Burneston CE Primary
Dishforth Airfield
Keeble Gateway Academy
Pickhill CE Primary
Sessay CE Primary
Sharow CE Primary
South Otterington CE

Sowerby Primary Academy
Thirsk CP
Thirsk School

Unions and Professional Associations

NAHT
NASUWT
NEU (formerly NUT & ATL)
VOICE
ASCL
UNISON

Diocesan Director

York Diocese

Local Parish/Town councils

Baldersby
Rainton with Newby
Sandhutton
Skipton on Swale
Carlton Miniott
Dishforth
Topcliffe
Catton
Dalton
Asenby
Eldmire with Crakehall

Community Organisations

Library Service

Local MPs

Kevin Hollinrake
Julian Smith

RSC

Secretary of State

**Early Years Providers within 5 mile radius of Baldersby St James
CE Primary School**

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NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS

REPORT ON HOLIDAY ACTIVITIES & FOOD PROGRAMME (FEAST)

19 April 2022

1. PURPOSE OF REPORT

- 1.1 To update Children and Young People's Service Executive Members on proposed changes to the administration of the Holiday Activity and Food Programme for 2022 – 2025.
- 1.2 To seek approval from the Corporate Director of Children and Young People's Services, in consultation with the Executive Member for Education and Skills, to enter into procurement arrangements for delivery of the Holiday Activity Programme for the next three financial years: 2022/23, 2023/24 and 2024/25.

2. BACKGROUND

- 2.1 In 2021, the Department for Education (DfE) provided funding to all local authorities to deliver a programme of school holiday activities alongside a food offer for children eligible for means tested free school meals. The programme funding was to offer 6 weeks of activities comprising a minimum of 4 days over Easter, 16 days over summer and 4 days at Christmas. Following an announcement in the October budget that a further three years funding will be made available for this programme, starting in Easter 2022 and ending in January 2025, the Council has been allocated a grant of £1.3615m for the financial year 2022/23. The funding allocation is based on the numbers of eligible children in the local authority area.
- 2.2 The Holiday Activities and Food programme (HAF) is intended to provide healthy food and enriching activities to disadvantaged children. Local authorities – and partners – have flexibility to determine how to deliver this level of provision to serve the needs of children and families in their area and are encouraged to make the holiday clubs available to any children not receiving free school meals, who can pay to attend.
- 2.3 Local authorities also have discretion to use up to 15% of their funding to provide free or subsidised holiday club places for children who are *not* in receipt of benefits-related free school meals but who the local authority believe could benefit from HAF provision for example children assessed by the local authority as being in need, at risk or vulnerable.
- 2.4 As a result of this programme, the DfE want children who attend this provision to:
 - eat healthily over the school holidays
 - be active during the school holidays

- take part in engaging and enriching activities which support the development of resilience, character and wellbeing along with their wider educational attainment
- be safe and not to be socially isolated
- have a greater knowledge of health and nutrition
- be more engaged with school and other local services

They also want to ensure that the families who participate in this programme:

- develop their understanding of nutrition and food budgeting
- are signposted towards other information and support, for example, health, employment, and education.

2.5 A national framework of standards to provide a benchmark of what is expected from those delivering the holiday, activities and food programme has been developed and it is key role of the local authority to improve the quality of provision across the local area and to ensure that all providers are supported to meet the high-level standards through training, support and partnerships.

2.6 In addition to the provision of activities, the local authority must also ensure that a minimum of one meal is provided. The preference is for a hot meal where possible and all food and food providers must meet quality (school food standards) and legal food preparation regulations. Councils are encouraged not to use large central contracts for food and to seek to develop local solutions using local providers.

2.7 Local authorities and their providers have flexibility about how they deliver provision to best serve the needs of children and families in their area. All LAs are encouraged to have a rich mix of provision catering for children with different interests and of different ages. There should also be good geographical spread across the LA but with increased supply in areas with higher levels of FSM families in order to maximise attendance levels and provision for children with SEND or additional needs.

2.8 In planning the programme, the Council must also be able to demonstrate it has considered sustainable practices and the impact on the environment.

2.9 There is a degree of flexibility in regard to how the programme is coordinated and delivered from completely in-house to through a contract or contracts with partners however there is a new requirement that every local authority will appoint or have in place a HAF coordinator who takes responsibility *within the local authority* for the delivery of the HAF programme. This will be alongside having sufficient staff who are dedicated to working on HAF all year round. The level of resource in each local authority will be determined locally but should be proportionate to the level of funding received.

3. DELIVERY OF THE 2021/22 HOLIDAY ACTIVITY & FOOD PROGRAMME

3.1 The Council delivered the 2021 programme through a mix of internal officer support – including staff from CYPS, Stronger Communities, Libraries and Communications and by the direct award of grants to a voluntary sector consortia comprising North Yorkshire

Sport, North Yorkshire Youth and Rural Arts operating under the branding of North Yorkshire Together.

- 3.2 The NYCC staff managed and administered the Council resources needed to deliver the programme such as printing, communications with schools and families, financial administration, grant and performance returns to DfE and governance. A dedicated coordinator within the Council was not recruited as it was uncertain at the time whether the programme would continue. The role of Programme Manager was undertaken by the Head of Stronger Communities supported by three other members of that team.
- 3.3 North Yorkshire Together co-ordinated all the service delivery provision including recruiting, developing, supporting and carrying out due diligence on the network of local clubs and providers; delivery of training, carrying out visits and quality checks, linking clubs to local food providers and when face to face provision wasn't possible - due to the pandemic - the packing and delivery of activity packs.
- 3.4 Delivery of the programme over 2021 saw a mix of face to face and virtual provision due to covid restrictions. In summary the following programme was delivered:

Easter

- 12,000 activity packs delivered to all eligible children
- Online videos and resources
- Food vouchers provided

Summer

- Primarily face to face provision
- 47 local sports, arts and community organisations delivered a range of enriching activities
- Food provision was through a mix of a central contract and local providers
- 2554 fsm eligible children attended (22%) and 3778 non fsm children
- 11,336 children were also provided with activity booklets and access to online provision

Winter

- Blend of face to face and remote provision
- 25 local providers
- 1217 fsm eligible children attended – due to the Omicron variant becoming increasingly widespread in the run up to Christmas a number of providers cancelled and families cancelled their bookings or didn't attend

4. PROPOSED HAF APPROACH 2022/23, 2023/24 & 2024/25

- 4.1 The Council was able to build and deliver a programme that met the DfE minimum requirements in 2021. This provides a solid basis upon which to further develop the programme and in particular meet the broader aims of the programme as outlined above and specifically the provision of activities for SEND (particularly those with complex needs); to build in wrap-around support and signposting for families and to align and embed the programme alongside the work of the Early Help service.

Staffing and Governance

- 4.2 The guidance issued by the DfE alongside the grant determination letter announcing the 2022/23 round of funding included the requirement by all local authorities to have in place a dedicated HAF coordinator to work alongside the broader partnership. It has been agreed that this post will sit in the Early Help team. This will provide the dedicated resource needed to develop and expand the offer in North Yorkshire to meet the requirements as detailed in 2.4 above and act as a single point of contact for the operational partnership and the DfE.
- 4.3 This post will be supported by and work alongside the wider operational partnership which included both internal and external members.
- 4.4 It is proposed to review the governance in September 2022 and establish a Strategic Board supported by an agile Operational Steering Group.

Coordination Contract

- 4.5 Following a review of the arrangements for the delivery of the 2021 programme by legal and procurement teams, it has been proposed that the coordination role carried out this year by North Yorkshire Together through the direct awarding of individual grants, would be better suited to a service contract. This is due to a number of reasons:
- the nature of the functions undertaken by North Yorkshire Together to coordinate and manage the day to day delivery of the activities by the network of delivery partners
 - the length of the programme being extended to 3 years
 - the resulting value of the investment available for this element of the work.
- 4.6 It is therefore proposed to undertake an open procurement under the light touch regime. The procurement will be a competitive process with a total value not exceeding £500,000.
- 4.7 The procurement will take place between April 2022 and September 2022 with the successful supplier starting on 1 October 2022.

Interim Arrangements

- 4.8 Due to the time restraints between receiving final notification from the DfE in December 2021 and the operational needs to start planning the 2022 programme in January 2022 it has not been possible to run the procurement in advance of the 2022/23 programme starting. In order to avoid potential service interruption and risk non-delivery of both the Easter and Summer Holiday programmes it has been agreed with legal and procurement to extend the arrangements with the existing coordination partners for a further 6 months. This will however operate as a service contract rather than a grant.
- 4.9 This arrangement also enables the Early Help team to recruit the internal

5. RISK IMPLICATIONS

- 5.1 The main risk with choosing to enter in to procurement arrangements is that a new provider will have to build their delivery model from scratch. This has been mitigated against by delaying the contract award until the end of September following the Easter and summer holiday provision.

6. LEGAL & PROCUREMENT IMPLICATIONS

- 6.1 Both Legal and Procurement teams have been involved in the development of this proposal and are satisfied that this is the best option.

7. RECOMMENDATIONS

- 7.1 It is recommended that:
- (i) The proposal to enter into procurement arrangements for the delivery of the coordination contract for the Holiday Activity and Food Programme is approved.
 - (ii) The interim arrangements for April – September 2022 are noted.

Report prepared by:

Howard Emmett
Assistant Director Strategic Resources (CYPS)

Marie- Ann Jackson
Head of Stronger Communities

5 April 2022

Background Papers:

[Department for Education: Grant determination letter. HAF 2022 Final.pdf](#)

[DfE: Holiday Activities and Food Programme Guidance](#)

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