

NORTH YORKSHIRE COUNTY COUNCIL

CORPORATE DIRECTOR'S MEETING WITH EXECUTIVE MEMBERS FOR CHILDREN AND YOUNG PEOPLE'S SERVICE

16 February 2021

LOWERING THE AGE RANGE OF STILLINGTON COMMUNITY PRIMARY SCHOOL

1.0 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 Stillington Community Primary School from 4-11 to age 3-11 with effect from 23 February 2021.

2.0 EXECUTIVE SUMMARY

2.1 The Governing Body of Stillington CP School has asked the Local Authority to propose lowering of the age range of their school from 4-11 to 3-11 in order to offer nursery education for three year old children.

2.2 The Governing Body of Stillington CP School consulted with parents and the local community on their proposal from 21 September to 26 October 2020.

2.3 The Executive met on 24 November 2020 and considered the outcome of the governors' consultation. They agreed to publish statutory proposals on 11 January giving 4 weeks until 8 February for representations to be made. There have been no objections or responses to the statutory notice.

2.4 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.

2.5 This report is supported by a number of appendices as listed below:

Appendix 1: Statutory Notice

Appendix 2: Statutory Proposal

Appendix 3: Consultation document and consultation responses

Appendix 4: School Organisation Guidance for Decision Makers

Appendix 5: Equality Impact Assessment

3.0 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 of the 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.
- 3.2 Stillington CP School currently provides education for children from 4-11 years. There is no nursery provision within the village and Governors have been aware for some time that some of their children do not access nursery education.
- 3.3 Following an inadequate judgement by OFSTED in 2017 Stillington CP School was issued with a directive academy order by the Regional Schools Commissioner (RSC). Despite engagement with academy trusts, an academy sponsor could not be found. Although Stillington CP was judged inadequate by Ofsted again in January 2019, Ofsted undertook a special measures monitoring inspection in February 2020 which found that “leaders and managers are taking effective action towards the removal of special measures”. Significant LA support for school improvement has included additional adviser time for English, Maths, SEN, Early Years and governance. In March 2020 the RSC wrote to the Corporate Director – Children and Young People’s Service saying that, while the RSC cannot either revoke an academy order or endorse a federation proposal, NYCC “should pursue the proposal it finds best for the school at the current time”. This led to a collaboration with the Foston and Terrington federation, which involved structural re-organisation/ reduction in staffing, including a shared headship across the collaboration. The collaboration’s ‘strategic growth plan’ proposes to extend Stillington’s age range from 4-11 to 3-11. The headteacher has done this successfully and viably at both Foston and Terrington with a positive impact on the attainment and progress of those children.

4.0 THE PROPOSAL

- 4.1 The proposal is to provide places for 3 - 4 year olds as an extension of current reception class provision, by the creation of a Foundation Stage Class from 23 February 2021. The Foundation Stage Class would be very similar to what is available for the existing children in school. The 3 - 4 year olds would be taught in the indoor and outdoor areas currently used by the Reception and KS1 children, which is equipped to provide a high-quality learning environment. The Foundation Stage Class would have a qualified teacher to support the learning and development and for staff with a good understanding of the Reception curriculum, nursery education is not a completely new area to understand.
- 4.2 Stillington CP School is proposing to offer up to 10 full time (or equivalent part-time) nursery-aged places. This would be arranged flexibly depending upon the needs of the family and current legislation, including provision over lunchtime although there will be an additional charge if a school dinner is provided.
- 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.

5.0 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES

- 5.1 From 21 September to 16 October 2020 the Governing Body of Stillington 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 and the responses to the consultation are included in Appendix 3.
- 5.2 The Executive met on 24 November 2020, considered the consultation responses, and resolved to proceed with publication of the statutory proposals.

6.0 STATUTORY PROPOSALS AND NOTICES

- 6.1 The Statutory Notice was published on 11 January and a representation period of 4 weeks has been observed. A copy of the Statutory Notice is enclosed as Appendix 1 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 2.
- 6.2 There have been no objections received to this Statutory Notice at the end of the representation period on Monday 8 February.

7.0 FINANCIAL IMPLICATIONS

7.1 School revenue funding

Following their staffing restructure as part of their collaboration with Foston CE (Voluntary Controlled) and Terrington CE (Voluntary Aided) schools, Stillington's revenue forecast has improved to a projected surplus of £15,000 in 2020/21. A revenue surplus is also projected for 2021/22, with a small deficit (£1,700) forecast in 2022/23. The Governing Body and the Headteacher have modelled the potential income and costs of running nursery-aged provision and feel that this is financially viable. They have also discussed the financial implications of temporary closure of the school during the coronavirus (COVID-19) pandemic.

7.2 Capital Implications

The overall learning environment and space available meets the requirements of the Foundation Stage Class. Over the summer the school refurbished this area from their devolved capital, which facilitated an improved learning environment for current KS1 children and the proposed Foundation Stage Class.

The school is currently reviewing provision and resources for the outdoor area, and considering ways in which younger children can access appropriate equipment and resources independently. This may lead to some further minor capital works which the school would fund from their Devolved Capital.

7.3 Transport costs

There are no transport costs related to this proposal.

8.0 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. Careful regard has been had to these provisions.

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.

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 the Executive to proceed to determine this proposal.

TYPES OF DECISION THAT CAN BE MADE

8.3 In considering proposals for making changes to school provision, the Executive, 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).

9.0 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.

10.0 REASONS FOR RECOMMENDATIONS

EDUCATION STANDARDS

10.1 Following LA support for school improvement and consultation with the RSC, Stillington's formal collaboration with Foston and Terrington includes a shared headship. A review of improvements in standards was recently undertaken by LA school improvement advisers. Their review during November found that overall, there has been strong progress made at the school since the monitoring

inspection in February 2020. Leadership is strengthened, with a balanced and well-sequenced curriculum now in place. Expectations have been raised. There is also a growing evidence base to support leaders' views that the school is no longer inadequate. The advisers are confident in the capacity of leadership, including governance, to drive through continued improvements so that Stillington becomes a securely good school.

IEWS OF INTERESTED PARTIES

10.2 45 written responses to the consultation had been received. 43 respondents, including the Diocesan Director of Education, wrote in support of the proposal. Two objections were received from the same nursery setting in Easingwold. However, there are no childminders or other early years provision based in Stillington. There is provision in Easingwold but this involves travelling. The location of Stillington means that, without early years provision in the village, parents would need to drive. The infrequent bus service through Stillington means families who do not have access to a car would be limited about how they were able to access early years provision. The governing body met (virtually) on 28 October and unanimously voted to proceed with the nursery proposal.

11.0 HUMAN RIGHTS IMPLICATIONS

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

12.0 OTHER IMPLICATIONS

12.1 An Equality Impact Assessment has been undertaken in respect of this change and is attached at Appendix 5. This includes an assessment of the potential impact of the proposals on rural communities.

13.0 RECOMMENDATIONS

(a) That having undertaken the required preliminary checks, the Executive Members resolve that the four key issues listed above in paragraph 8.2 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 Stillington Community Primary School to age 3-11 with effect from 23 February 2021.

Stuart Carlton

Corporate Director – Children and Young People’s Service

Report prepared by Mark Ashton – Strategic Planning Officer

Appendices

Appendix 1: Statutory Notice

Appendix 2: Statutory Proposal

Appendix 3: Consultation Document & consultation responses

Appendix 4: School Organisation Guidance for Decision Makers

Appendix 5: Equalities Impact Assessment

Background documents

Report to Executive, 24 November 2020

Appendix 1: Statutory Notice

NORTH YORKSHIRE COUNTY COUNCIL Change of age range at Stillington 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 Stillington Primary School, Main Street, Stillington, York, North Yorkshire, YO61 1LA by lowering its age range from 4-11 to 3-11 with effect from 23 February 2021.

Stillington Primary School is proposing to provide places for 3- 4 year olds by the creation of a Nursery class.

The proposed Nursery will provide up to 10 full-time places (or equivalent part-time places) for 3 and 4 year olds, per session.

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 8 February 2021.

Signed

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

Publication Date:

11 January 2021

APPENDIX 2: Statutory Proposal

Statutory Proposal by North Yorkshire County Council for the Lowering of the School Age Range at Stillington 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:

Stillington Community Primary School, Main Street, Stillington, York, YO611LA

Proposed Implementation date:

23rd February 2021

Description of alteration and evidence of demand

To lower the age range of Stillington Community Primary School to provide places for 3 and 4 year olds. There is no nursery provision within the village and Governors have been aware for some time that some of their children do not access nursery education.

Objectives educational standards and parental choice

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

Stillington CP School is proposing to offer up to 10 full time (or equivalent part-time) nursery-aged places. This would be arranged flexibly depending upon the needs of the family and current legislation, including provision over lunchtime although there will be an additional charge if a school dinner is provided.

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 the statutory representation period.

Project Costs:

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

There are no capital implications as a result of this proposal as the school would continue to run their education provision across the existing site and buildings.

There are no transport costs related to this proposal.

Implementation:

Following a formal decision to approve the lowering of age range, Stillington Community Primary School will work to have the new arrangements in place for 23 February 2021.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal on 11 January 2021, 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 8 February 2021.

Appendix 3: Consultation Paper and Consultation Responses

Stillington Community Primary School

PROPOSAL TO CHANGE THE AGE RANGE AND ADMIT 3 YEAR OLDS TO OUR SCHOOL

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The Governing Body of Stillington Community Primary School is proposing to make new Early Years provision for 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?

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.

Stillington Community Primary School is proposing to provide places for 3 and 4 year olds as an extension of current Reception / Key Stage 1 provision. Early Years staff would work together to provide an excellent environment for a young child's development. The children will be taught by a qualified teacher and suitably qualified and experienced teaching assistant(s) to support their learning and development.

What would our Foundation Stage Class provision look like?

It would be very similar to what is currently available for the existing Reception children in school. There will be high quality play-based provision including role play, sand, water, construction, reading, mark making, and outside play. The newly refurbished learning environment has suitable furniture, equipment and resources for 3 and 4 year olds. There will be free flow between the indoor and outdoor areas offering children a choice of activities and allowing them to engage in learning which is relevant and appropriate to their age and stage of development. The 3-year olds will be taught in the indoor and outdoor areas currently used by our Reception and KS1 children, which are equipped to provide a high-quality learning environment. They will be supported by knowledgeable and appropriately trained adults who are in tune with each child's individual needs.

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 Foundation Stage Class, legal processes must be followed to lower the age range of the school from 4-11 years to 3-11 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?](#)

Stillington School will offer up to 10 full time (or equivalent part-time) early education places, which can include provision over lunchtime. There will be an additional charge if a school dinner is provided.

[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 Foundation Stage class in writing to parents and carers.

[How will the new Nursery provision affect other providers?](#)

The new Foundation Stage 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 provision in February 2021.

[How do I make my views known?](#)

Your views are important and we would value your opinion.

Please complete the attached response form and return it to the school.

If it is more convenient to respond electronically, you can do so here:

https://forms.office.com/Pages/ResponsePage.aspx?id=0NdiwElu50qGrMVZALOVpRaBAqK-M_FNtwNE1-Qn3-FUMzgxRTZRVkgxUkpWOEROTk1WNIRGNUtITS4u

Comments should be returned by Monday 26th October

If you have any further queries, these should be addressed to Mrs Sarah Moore (Headteacher) headteacher@stillington.n-yorks.sch.uk

Stillington Community Primary School

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

Do you consider it desirable that the age range of the school is changed from 4-11 to 3-11?

Yes

No

Any comments you would like to make:

Name: _____

Address: _____

Please tick the category you represent:

Parent

Governor

Other

Post Code: _____

Please specify.....

Please return to:

Stillington Community Primary School (Consultation)
Main Street
Stillington
York
YO61 1LA
e-mail: admin@stillington.n-yorks.sch.uk

Comments should be returned by Monday 26th October 2020

Stillington Community Primary School
PROPOSAL TO CHANGE THE AGE RANGE AND ADMIT 3 YEAR OLDS TO OUR SCHOOL
Written Responses to the Consultation

Total responses received = 45
In favour of proposal = 43
Not in favour of proposal = 2

Do you consider it desirable that the age range of the school is changed from 4-11 to 3-11?

	Y/N	Comments:	
1	Yes	I think it be helpful for encouraging new children to the school.	Parent
2	No	LiveWires Club Ltd have just opened a new early years setting in the centre of Easingwold. There are currently 6 Early years providers serving Easingwold and the surrounding areas. Too many EY settings in a small rural catchment area will impact on the viability of existing providers.	Early Years Provider
3	Yes	I think it would benefit the school and the village	Parent
4	Yes	This is a really good idea and will benefit the local community	District Councillor
5	No	I manage the pre school that took ALL of the children from Stillington under 5's when it closed down, I now have sent that cohort onto Stillinton Primary school and now have the younger siblings. Parents have already told me they will move there children if this happens as it is easier to have their children together. This will make my pre school unsustainable and we will be forced to close as the children that would leave to go to Stillington would be half of my current years cohort. There are also settings in Easingwold, Sutton on the Forest, Alne and Sherrif Hutton offering sessions that are not full and the opening of another setting would add more competition to an already over flooded market with settings struggling to keep occupancy levels during a global pandemic.	Early years provider
6	Yes	I believe it would beneficial and a positive change for the school and local community.	Parent
7	Yes	This could assist working parents in the school catchment area	Former Governor of the School
8	Yes	This move would be beneficial to the village.	Grandparents of previous school attendee.
9	Yes	It's essential.	Community member/ former teacher
10	Yes	Gives the children a social and educational advantage	Retired teacher
11	Yes	I feel it is essential that the 3+ age group get the appropriate provision for their developmental stages and a learning environment of a school is the best place for this. I live locally and support our local school. I was a teacher of this age range for many years and feel strongly about the importance of this.	Local Resident

12	Yes	I feel that a small school like Stillington would be a great benefit to 3 year olds.	Grandma of 3
13	Yes	An excellent idea for a non-urban community such as Stillington. It would strengthen educational provision for the village and its surroundings.	'Open the Book' participant at Stillington School.
14	Yes	Stillington Primary School is very important to the village. Both my sons completed their primary education at the school, and as a family we have many happy memories of the school and the fantastic staff. Being able to offer Early Years places to children from the age of 3, will certainly make the school a more attractive option for parents of young children in the local community.	Former parent/governor & Stillington resident
15	Yes	It is good for the children to have the opportunity be amongst other children from the village and to progress into the school system.	Interested member of the Village
16	Yes	Based on my Grandchildren's experiences elsewhere, I think that the Proposal is an excellent idea	Interested Resident/ Grandparent
17	Yes	It is a great resource for parents in the village	Parent
18	Yes	My wife and I consider this proposal to be a vital part of ensuring the continuity of our village school, which will be of great support to parents.	Village resident
19	Yes	As a primary Governor and now MAT Trustee I have seen the benefits of such an arrangement.	Interested party / Local Resident
20	Yes	Lowering the age range of the school will give families the choice of Early Years support and education locally rather than send their children to nursery settings elsewhere. A local school benefits not only the children, but their families, friends and the wider community of local organisations and businesses. From a young age, the children learn to live and enjoy becoming part of their own community. Being part of the school community from three years old gives the children chance to acclimatise to the school surroundings and their fellow class mates. Ultimately lowering the age range would be a huge positive to encourage more local families and children to support and attend Stillington Primary School.	School governor; past parent; school volunteer over many years
21	Yes	We really cannot see any downsides to the proposal: it simply seems to make total sense to us to extend the scope of the school in this way.	Resident of Stillington
22	Yes	Parents need high quality trusted childcare which they are able to access easily, preferably attached to a school embedded in the heart of its community. These schools are vital and valuable assets and need to be supported and encouraged. This development would make a valuable contribution to Stillington school's viability in the future and would strengthen its appeal by encouraging local parents to choose the village primary school. I heartily support this amendment which will mean they are able to enjoy continuity of care and stability at a school in the heart of its local community.	Retired teacher and hands on grandparent
23	Yes	It will be helpful to have local childcare and may help to boost numbers at the school	local resident
24	Yes	Broadening the base of Stillington School has to be good for the local community. Allowing three-year-olds to attend must be an advantage for parents, particularly those who are working. Not to mention the children themselves who will enjoy the benefits of an early educational start to life.	Our son and daughter attended Stillington School.

25	Yes	By the age of 3 most children are ready to mix with other children in an educational environment, and it would also help the parents who are working.	Both our children attended Stillington School
26	Yes	Thank you for sight of the consultation document and I trust the expansion for nursery provision goes well, especially as you appear to have very little in the vicinity at the moment. It was one of the best decisions I made as a head as it made such a difference to provision and transition.	Diocesan Director of Education
27	Yes	I think it would do well for the school and the village	Clerk to Parish Council
28	Yes	Thank you for your invitation to comment on the future of introducing a soon start for children at the Age of 3 Years to the education system at Stillington Village Community School. This to me is excellent and will no doubt give any child an advantage of early preparation for the future and an opportunity of overcoming any foreseeable problems in their education in the future corrected before they start to tackle the gift of learning. May I wish the school every success in attempting to bring to Stillington School an imaginative start to the young people of the area.	Parish Council Chairman
29	Yes	Our granddaughter greatly benefitted from her Stillington education during 3 to 4 years. All kids should have these facilities, these we are sure Stillington will do very well.	Grandparents
30	Yes	I strongly support this development. It will be good for children + families to have this provision locally, rather than having to travel out of the village. It will also introduce the children to the school, making continuation into Reception much easier.	Lay Minister at St Nicholas Parish Church Stillington
31	Yes	I think this a very good idea. It gives the little ones an early insight into structured play as well as learning to socialise with children they may be companions with for their primary education or even further.	Grandparent of 3 girls. Governor for 10 years and Chairman for 5 of them
32	Yes	It would be a great help to many working parents in the village.	Stillington resident
33	Yes		Retired Primary School teacher
34	Yes	This is definitely needed for the area & the school, having 2 attend currently would mean my youngest can attend and I'm only making 1 drop& pick up, and they are all together.	Parent
35	Yes		Parent
36	Yes	As there are no other means of nursery care in the village, I think this would be a great asset and will help both the school and young families.	
37	Yes	Beneficial to child and parent	Stillington Resident
38	Yes	Hopefully this will introduce village children to their local school & they then may continue to be educated there. It is vital that Stillington does not lose its school. I am part of the 'Open the Book' team and we always have a good time in a very happy atmosphere.	Villager

39	Yes	Stillington is a developing village and it is essential that local provision for education for younger children is provided within the village particularly for younger children when parents might both be out at work. THIS IS VITAL. Supervision from 08.00 to 18.00 is a godsend for young parents who have to go to work. I have 9 Great Grandchildren in this age range & I KNOW	Great Grandfather of 9 children under 10 yrs old
40	Yes	I consider it important that we have a school for primary aged children in our village & anything we can do to encourage young parents to make use of the excellent facilities we have "on the doorstep" is to be endorsed. For what it is worth you have my full support.	Village Resident
41	Yes	I believe that the provision of a nursery class will help with the transition from pre-school to school. This can be a big step for children & their carers. If children can attend a pre-school setting attached to their school, they will be more familiar with the environment & some of the adults. A positive transition helps children to feel more secure & settled. This can have far-reaching effects on their emotional wellbeing & academic success.	Member of community, retired reception class teacher
42	Yes	I think it is essential that families in Stillington have access to 3 and 4 year old funded childcare within the village.	Early Years provider - Childminder
43	Yes	I simply believe we should support our children locally as much as we can	Ex-Governor and Villager
44	Yes		Resident
45	Yes		Resident



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.

APPENDIX 5: 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 Stillington 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	Mark Ashton, 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 September 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 Stillington Community Primary School from 4-11 to 3-11.

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 Stillington Community Primary School to propose the lowering of their age range to provide places for 3 and 4 year olds by the creation of a Foundation Stage Class for Nursery, Reception and Key Stage 1 children.

The proposed Foundation Stage Class will provide up to approximately 10 places. This would be arranged flexibly depending upon the needs of the family and current legislation. This could include supervision during lunch-time although there will be an additional charge if lunch is provided.

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

Stillington Community Primary School is proposing to provide places for 3 and 4 year olds by the creation of provision for nursery aged children in a Foundation Stage Class from February 2021. Priority for admission to the nursery aged provision will be determined by the County Council's Admissions Policy for Nurseries. Admissions for the nursery children are separate from admissions to the school, which are determined by the County Council's policy for Community and Voluntary Controlled Schools. Attendance in Nursery does not provide any priority for admission to the Reception Year so parents who do not wish to use the nursery are not disadvantaged.

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.

There are no capital implications as a result of this proposal as the school would continue to run their education provision across the existing site and buildings.

Section 6. How will this proposal affect	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation
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people with protected characteristics?				and/or service user data or demographic information etc.
Age		x		<p>There is currently no nursery provision in the village.</p> <p>Provision of additional nursery places where needed. Providing improved local choice for nursery places for families.</p> <p>Establishing nursery places in the village will increase the pupil's access to same age peer group.</p>
Disability	x			<p>No impact is anticipated.</p> <p><u>Pupils</u> – the school is mainstream, offering universal and appropriate educational provision for all learners for whom a mainstream placement is considered appropriate. It promotes inclusive opportunities and expertise is utilised from the County Council to provide appropriate SEN support.</p> <p>In addition, the School Admissions Code makes it unlawful to discriminate against or disadvantage disabled children or those with special educational needs.</p> <p><u>Staff</u> – As an organisation NYCC will continue to meet the requirements of the Equality Act 2010 which obligates us to make reasonable adjustments to accommodate disabled individuals as employees or service users.</p> <p><u>Buildings</u> The design of the school is in accordance with equalities legislation so that the building is accessible for pupils.</p>
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.
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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		There is currently no nursery provision in the village. The location of Stillington means that without early years provision in the village parents would need to drive, which may prohibit some families from being able to access early years education.
...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	X
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	
Stillington Village	

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.
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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: Mark Ashton

Job title: Strategic Planning Officer

Directorate: CYPS

Completion date: 6/11/20

Authorised by relevant Assistant Director (signature): Amanda Newbold

Date: 6/11/20