

NORTH YORKSHIRE COUNTY COUNCIL

THE EXECUTIVE

21 September 2021

LOWERING THE AGE RANGE OF BARROWCLIFF COMMUNITY PRIMARY SCHOOL

Report by the Corporate Director – Children and Young People’s Service

1.0 PURPOSE OF REPORT

- 1.1 To report the outcome of informal consultation carried out by the Governors of Barrowcliff Community Primary School.
- 1.2 To seek approval for the publication of proposals and statutory notices to lower the age range of Barrowcliff Community Primary School.
- 1.3 To ask the Executive (or the Executive Member for Education and Skills if there are no objections during the representation period) to schedule taking a final decision on the proposal at their meeting on 23 November 2021.

2.0 BACKGROUND

- 2.1 Under his delegated decision making powers in the Officers’ Delegation Scheme in the Council’s Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed in September 2021.

3.0 EXECUTIVE SUMMARY

- 3.1 The Governing Body of Barrowcliff CP School has asked the Local Authority to propose lowering of the age range of their school from 3-11 to 2-11 in order to offer education for 2 year old children.
- 3.2 This report is supported by a number of appendices as listed below:
 - Appendix 1: Consultation document
 - Appendix 2: Consultation Responses
 - Appendix 3: Statutory Proposal
 - Appendix 4: Draft Statutory Notice

Appendix 5: Equality Impact Assessment

4.0 BACKGROUND

4.1 Eligible two-year-old children are entitled to up to 15 hours per week for 38 weeks per year of government-funded Early Years education and care from the term following their second birthday until the term following their third birthday. The government funded entitlement may be taken in a maintained school nursery and/or in an Ofsted registered private and voluntary sector provision. The funding may be split between more than one provider. It is parental choice as to which type of provision is the most appropriate for their child and which meets their individual circumstances.

5.0 THE PROPOSAL

5.1 Barrowcliff School is proposing to provide places for two-year-old children as an extension of the current nursery class provision in the school, by the creation of an additional 'Early Years' class. The Early Years Class would have a qualified Early Years teacher and suitably qualified and experienced teaching assistant(s) who will provide a high-quality learning environment to support each child's learning and development appropriate to their age and stage of development. It will be in line with the Statutory Framework for the Early Years Foundation Stage (EYFS) with at least one member of staff for every four children who are aged two.

5.2 There will be high quality play-based provision for the two-year-old children in the new class which meet the requirements of the Early Years Foundation Stage (EYFS) including role play, sand, water, construction, access to books and reading, mark making and opportunities for outdoor learning. The room will be equipped with suitable furniture, equipment and resources which will support two-year-old children's learning and development. There will be free flow between areas, including outside, offering children a choice of activities and allowing them to engage in learning which is relevant and appropriate to their stage of development. They will be supported by knowledgeable and appropriately trained adults who are in tune with each individual child's needs. The Early Years class will be situated in a suite of rooms adjoining the school office and reception area and the outdoor spaces directly outside the rooms. Children will also have access to the existing Nursery outdoor area.

5.3 Barrowcliff School is proposing that the new 'early years' class will provide up to 12 places per morning or afternoon session for two year old children.

5.4 Priority for admission of nursery-aged children will be determined by the County Council's Admissions Policy for Nurseries. This is 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 priority for admission to the Reception year.

5.5 The School Leadership report that they have had many enquiries over the last few years from parents asking if they have places for 2-year-olds in the current Nursery. Although none of these parents responded to the consultation, since it was published, they have had many conversations with current parents, who have younger children, and they have expressed a keen interest to have their children attend our Nursery when they are 2 years old. They say they have been very happy with the provision the school offers for 3-year-olds, and they feel that their younger children would benefit from being in the school's Nursery from an earlier age.

5.6 From an educational point of view, there has been a significant decline in the number of children reaching age-typical milestones in Barrowcliff's Nursery baseline assessments. This has been across all curriculum areas, but especially within Communication & Language. The

school leadership feel that having the children in Nursery from the age of two will enable them to narrow the attainment gap, as the majority of children who attend their Nursery from the age of 3 years make better than typical progress and this continues into Reception. They believe they will also be able to engage outside agency support sooner for those children with significant additional needs.

5.7 In Barrowcliff's last Full Ofsted Inspection in October 2019 the school was judged 'Requires Improvement' overall but 'Good' in Early Years. In their recent 2021 Monitoring Inspection report Ofsted stated that "*Leaders and those responsible for governance are taking effective action in order for the school to become a good school...[and they]...have a clear, strategic plan in place to make the school a good school. Leaders are clear what their priorities are and have precisely planned the actions they will undertake to address these. Throughout this inspection [they] showed a strong understanding of your community. The pastoral support and care you provide for your families are tangible.*"

6.0 ISSUES TO CONSIDER

6.1 The effect the proposals would have on existing providers must be considered. Local pre-school providers within a 2 mile radius have been consulted and given the opportunity to make their views known on the proposal.

7.0 CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES

7.1 From Friday 14 May to Friday 18 June the Governing Body of Barrowcliff Community Primary School consulted the local community on their proposal. The consultation document, which is appended to this report (as Appendix 1), was sent out to parents, local stakeholders, and other Early Years providers.

7.2 6 responses to the consultation have been received (Appendix 2).

7.3 All 6 responses supported the proposal. These were made up of 4 responses from Staff, 1 from a Parish Council and 1 from the Headteacher of a neighbouring school.

7.4 Barrowcliff Governing Board met (virtually) on 21 June reviewed the consultation responses (Appendix 2) and confirmed that they wish to ask the LA to continue with the statutory proposal.

8.0 FINANCIAL IMPLICATIONS

8.1 School revenue funding

The school is currently projecting a surplus of £4.8k in 2021/22. £33.9k is also projected for 2022/23, £17.5k in 2023/24. 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.

8.2 Capital Implications

The school has worked with Local Authority Officers from the Early Years Team and Health and Safety Team to identify a suitable space within their existing buildings. This will be funded from their existing Devolved Capital budget.

8.3 Transport costs

There are no transport costs related to this proposal.

9.0 LEGAL IMPLICATIONS

9.1 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 Prescribed Alterations to Maintained Schools' was updated in October 2018¹. Careful attention has been paid to this guidance throughout the process.

10.0 HUMAN RIGHTS IMPLICATIONS

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

11.0 OTHER IMPLICATIONS

11.1 An Equality Impact Assessment has been undertaken in respect of this change and is attached at Appendix 5. 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.

12.0 CONCLUSION

12.1 The consultation process has revealed support for the proposal. The Governing Body considered the consultation responses on 21 June and voted in favour of proceeding to seek the approval of the Executive to publish statutory notices.

13.0 NEXT STEPS

13.1 It is proposed to publish proposals and statutory notices on 1 October 2021. The proposals would be published on the County Council's website and the statutory notice would be published in a local newspaper and displayed at the main entrance to the school. This would provide four weeks for any further representations to be made to the Local Authority by 29 October.

13.2 The Executive agreed a model for decision making on school organisation proposals on 25 September 2007. If approval is given to publish statutory proposals and notices, it is proposed that a final decision is taken by the Executive on 23 November 2021 (or by the Executive Member for Education and Skills if there are no objections during the representation period).

13.3 The key dates are shown below:

Consultation	14 May – 18 June 2021
Governing Body consider consultation responses and vote to proceed	21 June 2021
County Council's Executive decision to publish statutory notices	21 September 2021
Statutory notices published	1 October 2021
Representation period (4 weeks)	1 October – 29 October 2021
Final decision by County Council's Executive (or by the Executive Member for Education and Skills if there are no objections during the representation period)	23 November 2021
Implementation	1 January 2022

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.

14.0 RECOMMENDATIONS

Executive Members are asked to note the contents of this report, and to recommend to the Chief Executive Officer that using his emergency powers he approve that:

- i. Proposals and statutory notices be published on 1 October to lower the school age range of Barrowcliff Community Primary School from 1 January 2022.
- ii. The Executive schedule taking a final decision on these proposals on 23 November 2021.

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Appendices

- Appendix 1 – Consultation document
- Appendix 2 – Consultation responses
- Appendix 3 – Statutory proposal
- Appendix 4 – Statutory notice
- Appendix 5 – Equality Impact Assessment