

Barnoldswick Gisburn Road Community Primary School, Maintained Nursery

Factors to be considered by decision-makers when deciding prescribed alteration, establishment and discontinuance proposals

The Department for Education's (DfE) statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals, published in October 2018, sets out several factors which must be taken into consideration for all types of proposal. These factors are set out below, along with an explanatory comment:

Related proposals

DfE guidance: Any proposal that is 'related' to another proposal must be considered together. A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Comment: This is a stand-alone proposal and is not reliant on the outcome or implementation of another proposal.

Conditional approval

DfE guidance: Decision-makers may give conditional approval for a proposal subject to certain prescribed events.

Comment: It is not anticipated that the decision-maker will set any conditions in relation to the approval of this proposal.

Publishing decisions

DfE guidance: All decisions (rejected and approved – with or without modification) must give reasons for such a decision being made. **Within one week** of making a decision, the decision-maker should arrange (via the proposer where necessary) for the decision and the reasons behind it to be published on the website where the original proposal was published. The decision-maker must also arrange for the organisations listed to be notified of the decision and reasons: the governing body/proposers (as appropriate); the trustees of the school (if any); the local Church of England diocese; the local Roman Catholic diocese; any other organisation that they think is appropriate; and the Secretary of State (in school opening and closure cases only).

Comment: Arrangements are in place to ensure that the decision will be communicated to interested parties within one week of the decision being made. This will be done via the school organisation website, where the original proposal was published, and also by sending a letter to specific individuals or organisations, such as those stated in the guidance, local councillors and OfSTED.

Consideration of consultation and representation period

DfE guidance: The decision-maker 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. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.

Comment: The consultation document proposed to discontinue the maintained nursery at Barnoldswick Gisburn Road Community Primary School by permanently raising its age range from 3 to 11 years to 4 to 11 years, with effect from 31 December 2023 and asked for views on the proposal. Full details of the consultation process are set out in Appendix 'A'.

The consultation ran for longer than the minimum 4-week period to account for the half term holiday period, ensuring that anyone wishing to respond had adequate time to do so. By the close of the consultation period on 2 November 2023, 3 responses were received.

Support	Neither agree nor disagree	Object
nil	nil	3

Response 1. [sic]

My first thought would be “the adequate facilities“ they mention accommodating all the pre school 3 year olds locally. What would the numbers be and would local alternative schools or Nurseries be able to absorb the additional numbers?

*Would an external provider (private business) be willing to provide the service in alternative accommodation such as the rainhall centre etc?
I guess that would be dependent on several things being in place but we would need numbers first.*

It also feels short notice to change from the end of this year? What about those who have made plans for their children to start at Gisburn Road next year, have they been notified of the intention to remove the 3year olds provision?

In terms of being more financially viable?? Not sure how this will be the case, unless they intend to remove posts/ teachers.

Answer

As Gisburn Road Nursery will not be closing, merely changing to Governor led provision, there is no requirement for other nurseries to absorb additional numbers because the nursery will continue with no change to its provision. The number of places offered reflects the year-on-year admission numbers seen by Gisburn Road School. If in a year of high birth rate there is a greater demand for places, then

additional staff can be employed to maintain pupil to staff ratios and accommodate the additional children.

The provision will not change and so those parents who have planned for their children to start at Gisburn Road next year will not be affected and will still be offered a place as per the admissions policy.

The Governor led provision will prove more financially viable in the long run, as there is no requirement for the nursery to have a teacher leading the provision. Therefore, when a member of the teaching staff chooses to leave the school they can be replaced by a level 3 teaching assistant. This would provide considerable savings for the school.

Response 2

Nursery is an essential element of young children learning to bond and socialise with their peers.

The removal of state nursery provision will impact on parents, usually mothers, trying to continue with their careers.

Private nursery is prohibitively expensive and can consume a large part of a full-time income for many workers.

Answer:

As previously stated, the Nursery provision is not being removed. Gisburn Road School Nursery will offer the same nursery places as before. Both 15 and 30 hour government funded places are offered. If parents receiving 15 hour funding wish to top up to a 30 hour place, then providing places are available payment for the additional 15 hours can be made. This is charged at a rate of £4.50 per hour, which is equivalent to the hourly rate school receives for the 15 and 30 hour funded places.

As far as parents and pupils are concerned, the nursery provision will not change. The Section 27 affects only the management of the provision, not the service offered.

Response 3

I am writing to you with regards to the proposed closure of Barnoldswick Gisburn Road Community Primary School nursery. I don't find the letter clear in that it refers to the age range being increased from 3-11 to 4-11 years old. Does that mean that any child currently in the nursery room that turns 4 before the 31st December will still be able to go to the school just not in the nursery room or will they not be eligible until September 2024 when their year group will be starting reception class?

Some points that I would like the council to consider during this consultation period are as follows,

- Why would the council choose to take this action half way through a school year, surely this measure would be better implemented at the end of the school year so it would have less impact of the people that it is most going to affect*
- The mental impact on the children that have only just started at the pre-school (nursery), having to move into a new environment and form new relationships*

- *The financial burden on the parents who have just spent in excess of £200 on uniform, shoes, PE kit, book bags etc. only to be informed 2 weeks into the term that there is a proposal to close the nursery*
- *The LCC Childcare Sufficiency Assessment reporting that there is more than sufficient good quality providers in the Pendle area does not take into account the practicalities of moving a child to another nursery in Pendle. The likelihood is that most families with children at this nursery will live within a 2 mile radius and potentially work in this area as well. Even though the reports claims there are more than enough suitable providers it does not take into account the impracticality of driving to a nursery in Nelson with space to then drive back to work in the Barnoldswick, Earby area. From personal experience when Kelbrook's Brook Farm nursery closed (Pre-school room) in June of this year we found it extremely hard to find a place for our daughter in this area but were very grateful to find that there were still limited places available at Gisburn Road School nursery*
- *What impact will this have on the staff who currently run the nursery*
- *Please specify what the "new on-site governor led provision" is. How will it be operated, what impact will it have on those children, will they have the same quality of support and learning opportunities*
- *Please provide reasons to justify the statement that "the nursery closure will not have an adverse impact on the community". With the closure of other local providers and potentially this nursery there will be a downturn in nursery places of at least 60 places. I would consider that to be an adverse impact of the community.*

Answer:

This parent was contacted, directly by the School Business Manager, when this feedback was received to alleviate any misunderstandings and address concerns, immediately.

He was assured the nursery provision was not closing and would continue to provide the same Pre-school places and quality of education. The only differences would be 'behind the scenes' in the management of the Pre-school; parents and children would see no change to the provision.

All pupils currently attending preschool will be unaffected.

.....

Education standards and diversity of provision

DfE guidance: 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.

Comment: As evidenced in the annual LCC Childcare Sufficiency Assessment report there is more than sufficient good quality providers in the Barnoldswick area. No nursery places will be lost as a consequence of this proposal.

Demand v need

DfE guidance: The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Comment: As evidenced in the annual LCC Childcare Sufficiency Assessment report there is more than sufficient good quality providers in the Barnoldswick area. Additionally, no places will be lost as a result of this proposal.

Proposed admission arrangements

DfE guidance: In assessing demand, the decision-maker should consider all expected admission applications, not only from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code.

Comment: Pupils will be admitted to the nursery. The decision will not affect the jurisdiction of the School Admissions Code.

National curriculum

DfE guidance: All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.

Comment: As this proposal relates to the nursery element of the school, there is no link to the national curriculum. The Early Years Foundation Stage [EYFS] informs a nursery setting.

Equal opportunity issues

DfE guidance: The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to: eliminate discrimination; advance equality of opportunity; and foster good relations.

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in the area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly, there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Comment: Please refer to the Equality Impact Assessment at Appendix 'E'.

As there were no responses directly relating to equality to this consultation, no equal opportunities issues have arisen during the representation period and this proposal does not discriminate against any specific groups of the community.

Community cohesion

DfE guidance: Schools have a 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 must 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 sections within the community.

Comment: Please refer to the Equality Impact Assessment at Appendix 'E'.

Responses were addressed directly during the consultation period. Therefore, no adverse impact on the community or on community cohesion will occur because the nursery places will remain, the proposal suggests that the Governing Body will provide the early years provision, as opposed to the Local Authority.

Travel and accessibility

DfE guidance: Decision-makers should satisfy themselves that accessibility planning has been properly considered 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.

Comment: Please refer to the Equality Impact Assessment at Appendix 'E'.

Funding

DfE guidance: The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Comment: No land, premises or funding are required to implement this proposal.

School premises and playing fields

DfE guidance: Under the School Premises Regulations all schools are required to provide suitable outdoor space to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Comment: If approved, this proposal will mean that nursery will transfer from the Local Authority to the Governing Body.

There will be no adverse impact on the school's premises as a result of this proposal.

Conclusion

As can be seen from the information outlined above, the consultation received a low number of responses, and the process has not highlighted any issues or concerns for specific groups of children and their families who may be adversely affected by this proposal. It is important to note that it is proposed to change the management of the existing nursery from the Local Authority to the Governing Body. No nursery places should be lost. As evidenced in the annual LCC Childcare Sufficiency Assessment report there is more than sufficient good quality providers in the Barnoldswick area.