

Report to the Cabinet

Meeting to be held on 4 November 2021

Report of the Head of Service, Education Improvement

Part I

Electoral Division affected:
Clitheroe

Corporate Priorities:
Caring for the vulnerable;

The Future of Maintained Nursery Provision at Edisford Primary School, Clitheroe

(Appendices 'A' and 'B' refer)

Contact for further information:

Debbie Ormerod, Tel: (01772) 531878, Access and Entitlement Lead,
debbie.ormerod@lancashire.gov.uk

Brief Summary

The Head teachers and Governors at Edisford Primary School have approached the local authority in relation to the future of the nursery provision at the school. The school has asked the local authority to start the formal statutory process, to consult on the proposal to cease the maintained nursery provision, by permanently reducing the age range at the school from 3 year olds – 11 year olds (Nursery 2 to Year 6) to 4 year olds – 11 year olds (Reception to Year 6), with effect from 1 April 2022.

Under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and the Department for Education's statutory guidance, Making 'Prescribed Alterations' to Maintained Schools published in November 2019, the local authority must be the proposer for this type of significant change and carry out a statutory process, which includes publication, representation, decision, rights of appeal and implementation. In line with this, the authority is now required to decide whether to publish a Statutory Notice on the proposal to consult on the future of maintained nursery provision at Edisford Primary School, Clitheroe.

Recommendation

Cabinet is asked to approve that the authority publishes a Statutory Notice, to begin the consultation period on the future of the maintained nursery provision currently delivered at Edisford Primary School, Clitheroe.

Details

Following recent discussions with the local authority, the Head teachers of Edisford Primary School informed the county council of the school's intention to consult on the future of its early years provision, due to concerns over financial and educational viability.

Consultation and Statutory Requirements

The county council has followed the Department for Education's statutory guidance for proposers and decision makers in relation to Opening and Closing Maintained Schools, November 2019.

For a local authority-maintained community school, the local authority is the proposer and the decision maker. The statutory process follows four stages which are set out in the table below, along with the suggested timeline for this proposal:

Stage	Description	Timescale
Stage 1	Publication of Statutory Notice and Proposal	10 November 2021
Stage 2	Representation (formal consultation)	13 November 2021 to 25 December 2021
Stage 3	Decision	March 2022
Stage 4	Implementation	1 April 2022

To ensure that the process remains within the statutory requirements, the local authority must ensure that the timescales outlined above are adhered to.

Implications:

This item has the following implications, as indicated:

Risk management

Under sections 15ZA and 18A of the Education Act 1996, local authorities have a statutory duty to secure sufficient and suitable early years provision, to meet the needs of children and families in each district, by influencing and shaping provision through local partnerships and by identifying gaps, enabling new provision and developing the market.

As evidenced in the annual Lancashire County Council Childcare Sufficiency Assessment April 2020–2021, as set out at Appendix 'A', there is more than sufficient good quality nursery providers in the Clitheroe area. There has been a drop in the live birth rate in this area, leading to a significant number of surplus nursery places.

Prior to seeking a decision to close the nursery, the governors undertook an informal consultation with parents on how the school could increase the uptake in places. Feedback from parents indicated that they felt limited by the 9.00am to 3.00pm offer,

that was only available during term time. For September 2021, the anticipated intake suggested only 3 pupils would enrol.

The governors at Edisford Primary School have explored the possibility of leasing the nursery to a private provider which would assist the school in reducing their sizable budget deficit. An application has been made for an OFSTED Registration, and the Local Authority has been advised by the Head teacher that this is being finalised. If the consultation leads to the reduction of the age range, and the school were then to continue towards leasing the nursery to a private provider, this would require the county council to agree this course of action and enter a lease with the private provider.

It has been reported by the school that the number of 3-year olds attending the school nursery is low and reducing. As can be seen from the information at Appendix 'A', there are many other early years providers in the local area. As such, the local authority does not believe that there would be an adverse impact on participation, should the school permanently reduce its age range from 3-11 years old to 4-11 years old. The staffing structure at the school would need to be revisited with consideration to the availability of nursery provision on the site going forward.

Financial Implications

An extract from an extraordinary meeting of the governing body at Edisford Primary, held on 17 March 2021, set out at Appendix 'B', has been provided explaining the financial difficulties being experienced by the school.

The financial implications set out at Appendix 'B' are deemed to be Part II for the reason set out below:

This section of the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Should the outcome of the consultation be to remove the nursery at the school, there would not be an adverse financial impact on the local authority.

The overall financial position of the school would be improved by permanently reducing the age range from 3 - 11 years old to 4 - 11 years old. At present, the 4 - 11 years part of the school is providing financial subsidy to the maintained nursery class, as the retention of the nursery class is having a significant impact on the school budget.

List of Background Papers

Paper	Date	Contact/Tel
None		

Reason for inclusion in Part II, if appropriate

Appendix 'B' is not for publication - Exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972. The appendix contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.