

Report to the Cabinet

Meeting to be held on Thursday, 7 July 2022

Report of the Head of Education Improvement

Part I

Electoral Division affected:
Burnley Central East

Corporate Priorities:
Caring for the vulnerable;

Permanent Raising of the Age Range at Brunshaw Primary School, Burnley (Appendices 'A' to 'E' refer)

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Brief Summary

On 3 March 2022, Cabinet agreed to a statutory notice being published to begin a representation period on the future of the nursery provision currently delivered by Brunshaw Primary School, Burnley. A statutory proposal document was published in relation to the school discontinuing the nursery provision by permanently raising its age range from 3-11 years to 4-11 years, with effect from 31 August 2022. The representation period took place from 10 March 2022 to 23 May 2022.

As part of the statutory process, a decision should now be taken about the proposal and this will be done by Lancashire County Council, i.e., the decision maker. If the Authority fails to decide the proposal within two months from the end of the consultation period, the proposal and any representations about the proposal must be passed to the Schools Adjudicator for a decision.

Recommendation

Cabinet is asked to:

- (i) Approve the proposal as detailed in the statutory notice to discontinue the nursery provision at Brunshaw Primary School, Burnley by permanently raising its age range from 3-11 years to 4-11 years, with effect from 31 August 2022.
- (ii) Approve that an appropriate statutory decision letter be sent out, as specified under legal requirements, to give the reasons for the decision to the parties that have been consulted.

Detail

Following the publication of the statutory notice in relation to the discontinuation of nursery provision at Brunshaw Primary School, Burnley on 10 March 2022, and the ensuing representation period which ran from 10 March to 23 May 2022, the local authority is now at stage 3 of the statutory process, as defined by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, as set out in the table below:

Stage	Description	Timescale
Stage 1	Publication of Statutory Notice and Proposal	10 March 2022
Stage 2	Representation (formal consultation)	10 March to 23 May 2022
Stage 3	Decision	7 July 2022
Stage 4	Implementation	31 August 2022

The statutory notice, the Lancashire County Council Childcare Sufficiency Assessment, accompanying proposal, factors for consideration and the Equality Impact Assessment are set out at Appendices 'A' to 'E' respectively.

Factors Relevant to all Types of Proposal

The Department for Education's statutory guidance for decision-makers deciding prescribed alteration and establishment and discontinuance proposals was published in October 2018. The guidance sets out several factors which must be taken into consideration for all types of proposal. These factors and supporting comments, are set out at Appendix 'D'.

Response to the consultation

Nil responses were received during the consultation period in relation to the proposal to discontinue nursery provision at Brunshaw Primary School.

No issues or concerns were raised by the families who may be adversely affected by this proposal.

Implications:

This item has the following implications, as indicated:

Risk management

Local authorities have a statutory duty to secure sufficient childcare places to enable parents to work. These childcare places need to be accessible, affordable, and delivered flexibly in high quality settings. Local authorities must ensure that the needs of children and families in each district are met, by influencing and shaping provision through local partnerships, and by identifying gaps and developing the market.

As evidenced in the annual Lancashire County Council Childcare Sufficiency Assessment as set out at Appendix 'B', there are more than sufficient good quality

providers in the Burnley area. There are a significant number of surplus places in the Burnley area and in the Burnley Central East division.

Prior to seeking a decision to close the nursery, the school governors verbally consulted with parents on how the school could increase the uptake in places. There was a lot of competition between early years providers in the area and parents were seeking provision that was available both before and after school and during the school holidays.

A number of parents responded, explaining that a proposed closure would not affect them as their child/children would be in the Reception class when the possible closure might happen – numbers had already dropped and morning sessions only were available.

Families felt that the nursery provision on offer no longer met the need of working parents, based on 15 hours per week and the lack of 'wrap around care'. Alternative nurseries in the area were accessed due to increased hours available.

The nursery at Brunshaw Primary School offers morning only sessions and there are 26 places available. There are currently only 10 pupils attending the nursery and these children will start the reception year in the Autumn Term. The closing date for nursery applications was 21 January 2022 and only 4 applications have been received for nursery places at the school for September 2022.

The number of 3-year-olds attending the school is low and reducing and there are many other early years providers in the local area. As such, the local authority and governing body do not believe that there will be an adverse local impact should the school permanently reduce its age range from 3-11 years old to 4-11 years old.

The Governing Body at Brunshaw Primary School has made staffing adjustments from September 2021 and no permanent roles are vulnerable.

Financial

The governing body has clarified that the impact on the school budget will be minimal. Consideration has also been given to how the vacated space will be used for the good of the pupil population.

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.

List of Background Papers

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate		
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