

Report to the Cabinet

Meeting to be held on Thursday, 11 July 2024

Report of the Head of Education Improvement

Part I

Electoral Division affected:
Burnley Central West;

Corporate Priorities:
Delivering better services;
Caring for the vulnerable;

The Future of Maintained Nursery Provision at Whittlefield Community Primary School, Burnley

(Appendices 'A' and 'B' refer)

Contact for further information:

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Brief Summary

The Head teacher and governors at Whittlefield Community 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 from 3–11-year-olds (Nursery 2 to Year 6) to 4–11-year-olds (Reception to Year 6), with effect from 31 December 2024.

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 January 2023, 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 the maintained nursery provision at Whittlefield Community Primary School, Burnley.

Recommendation

Cabinet is asked to approve the publication of a Statutory Notice, to begin the consultation period on the future of the maintained nursery provision currently



delivered by Whittlefield Community Primary School, Burnley.

Detail

Following discussions with the local authority, the Head teacher of Whittlefield Community 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.

To fully consider this proposal, a number of factors have been taken into account, which are evidenced in the extract from Lancashire County Council's Childcare Sufficiency Assessment set out at Appendix 'A' and the minutes of the Full Governing Body Meeting held on 24 March 2024 set out at Appendix 'B'.

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 published in January 2023.

For a local authority-maintained community school, the local authority is the proposer and the decision maker. The statutory process follows four stages, and these 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	After 16 July 2024
Stage 2	Representation (formal consultation)	September to October 2024
Stage 3	Decision	5 December 2024
Stage 4	Implementation	31 December 2024

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

Appendices

Appendices 'A' and 'B' are attached to this report. For clarification they are summarised below and referenced at relevant points within this report.

Appendix	Title
Appendix 'A'	Extract from Lancashire County Council Childcare Sufficiency Assessment
Appendix 'B'	Extract of Minutes of the Full Governing Body Meeting held on 24 March 2024

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 extract from the annual Lancashire County Council Childcare Sufficiency Assessment set out at Appendix 'A', there is more than sufficient, good quality providers in the Burnley area, of which Governor-led provision is included. Although there is an increasing live birth rate, there are an adequate number of nursery places in the Burnley area.

Although there will be no detrimental effect to the community, parents have been advised of the proposals through the school newsletter and letters have been sent to parents of children currently attending the nursery. 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.

Financial

Information shared by the governors at Whittlefield Community Primary School evidences a significant drop in pupil numbers at the nursery. In 2020/21, there were 25 children attending the morning sessions and 24 children attending the afternoon sessions. However, only 15 children currently access the morning sessions and 10 attend the afternoon sessions. Anticipated numbers for 2025/2026 show a further drop in numbers with only 5 applications received so far.

The reduction in pupil numbers is placing a financial burden on the primary school due to the nursery provision having to be subsidised at a substantial cost.

The financial implications set out at Appendix 'B' are deemed to be Part II as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

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

Human Resources

Any Human Resources implications arising from any future decisions taken as a result of the outcome of the consultation will be dealt with in line with the county council's approved policies and procedures. The governors have confirmed that there will be no impact on the staffing of the school should the nursery close.



List of Background Papers

Paper	Date	Contact/Tel
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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. Appendix 'B' 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.

