

**CABINET MEMBER FOR PUBLIC HEALTH & EDUCATION -
22 NOVEMBER 2017**

**REPORT ON THE PROPOSED EXTENSION OF AGE RANGE AT
HARDWICK PRIMARY SCHOOL**

Report by Director for Children's Services

Introduction

1. This report follows a local consultation and publication of a statutory Notice relating to the county council's proposal to extend the age range at Hardwick Primary School. The proposal has been made with the support of the school's Governing Body.
2. The school carried out informal public consultation activities with parents / users of the services that used to be managed by the on-site Children's Centre before it closed. Specifically, this was done through the school's newsletters to parents between 30 June 2017 – 14 July 2017.
3. The key to this proposal is that the school wishes to provide, as part of its formal offer, the early years provision previously delivered by the Children's Centre which was co-located on the school site.
4. A Public Notice was published (Annex 1) in the Banbury Cake on 14 September 2017 and was also posted at the school's entrance and on the school website and county council website. The Notice period ran until the 14 September until 11 October 2017. It was accompanied by a Full Proposal document (Annex 2), which was available to read online at the Oxfordshire County Council public website, or by request.
5. The decision-making power in terms of determining the proposal in this case lies with the Cabinet Member for Public Health & Education.

The Proposal

6. The proposal is to alter Hardwick Primary School's age range from 4-11 to 2-11. This change will enable to school to continue the early years and childcare provision on the site, previously run separately by the Children's Centre, which has closed.
7. The proposal is to formally establish a Nursery offering 16 part time equivalent places for 3 and 4 year olds, and 8 part time equivalent places for two year olds.
8. The services proposed are already being delivered. When the Children's Centre that operated from the school site was closed as part of the Local Authority's required budgetary spending reductions, from April 2017 the school stepped in to maintain this provision and ensure continuity for local families.

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The provision is currently run by the school under its community powers facilities, but the governors wish to formalise the arrangement by extending the school age range and creating a nursery class.

9. The Governing Body of Hardwick Primary School wants to be able to meet the needs of the local community into the future, as it does now. Hardwick Primary School is an Ofsted-rated "Good" school (last inspection 2017). Extension of the age range would therefore maintain the number of good quality early years places offered in the local area.
10. Banbury is one of the top six areas in Oxfordshire for expansion of early education and childcare places, to meet a shortfall now that the government's 30 hour childcare entitlement is operating.
11. Officers now seek formal approval for this proposal from the Cabinet Member for Public Health & Education.

Representations

12. The informal public consultation activity carried out by the school generated no objections or comments.
13. The statutory Notice generated zero representations (formal responses).

Legal background

13. The Education & Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 establish the procedures that must be followed when changing the age range of a maintained school.
14. Local authorities also have a duty to have regard to statutory guidance, in this particular case "*Making Prescribed Alterations to Mainstream Schools*" published April 2016.
15. The Guidance states that the statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. The proposal should be accessible to all interested parties and should therefore use 'plain English'. The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:
 - how copies of the proposal may be obtained;
 - that anybody can object to, or comment on, the proposal;
 - the date that the representation period ends;
 - and the address to which objections or comments should be submitted.

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A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to the governing body and any other body or person that the proposer thinks is appropriate.

The county council confirms that it has adhered to the relevant legislation and statutory Guidance.

16. Local authorities have a statutory duty to ensure sufficiency of early years and childcare provision, which this expansion would support.
17. **Consideration of consultation and representation period**
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.
18. **Community cohesion**
Schools have a key 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.

Financial and Staff Implications

19. There is no proposed change in the provision in terms of premises and number of places available, and therefore no negative effect is predicted on other local provisions. The provision is being run by the school under its community facilities powers currently in the same accommodation that the Children's Centre used to occupy. This would continue under this proposal.
20. There will be additional staff and increased maintenance requirements costs in taking over the ex-Children's Centre accommodation. These will need to be funded primarily from the school's Early Years funding, which will increase in proportion to increases in pupil numbers. Resources for Early Years are provided by government through the Dedicated Schools Grant, which will increase proportionately to increases in overall early years pupil numbers in Oxfordshire.

Equality and Inclusion Implications

21. 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.
22. The Equality Impact Assessment of Oxfordshire's Pupil Place Plan (November 2016 with revised version due for publication November 2017) identified that increasing places at the heart of their communities has a positive impact on equalities through promoting social inclusion and minimising barriers to accessing education. There are not any sex, race or disability discrimination issues that arise from the changes being proposed.

Decision

23. The decision maker has to have regard to 'Guidance for decision makers' April 2016.
24. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.
25. In considering the proposals for a change of age range, the Cabinet Member can decide to:
 - reject the proposals;
 - approve the proposals without modifications; or
 - approve the proposals with such modifications as the local authority think desirable, having consulted the governing body.

RECOMMENDATION

26. **The Cabinet Member is RECOMMENDED to approve the proposed change of age range at Hardwick Primary School.**

LUCY BUTLER

Director for Children's Services

Annexes:

Annex 1: Public Notice

Annex 2: Full Proposal document

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Contact Officer: Diane Cameron – School Organisation Officer, Education Sufficiency & Access, CEF. Tel: 07795301254

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