

**CABINET MEMBER WITH THE RESPONSIBILITY FOR EDUCATION
20 MAY 2013**

APPLICATION TO OPEN A NEW FOUNDATION STAGE UNIT

Report by Director for Children's Services

Introduction

1. Bampton Primary School has applied to open a Foundation Stage Unit (new nursery class). On 4 February 2013 the Cabinet Member agreed the recommendation at Stage 1 of the proposal for publication of a statutory notice. As no objections have been received, at Stage 2 the Cabinet Member for Education will determine the proposal as the 'decision maker' under the Education and Inspections Act 2006. This requires consideration of the proposal against the factors that must be considered as laid down in statutory guidance. The report requires the cabinet member to reject the proposal or approve it with a modification or subject to meeting a specific condition.

Background

2. The proposal is to open a Foundation Stage Unit with 30 children aged 3-4. The funding proposals have been based on 15 children attending part time and the school offering paid-for childcare places for the remaining 15 if demand for funded places is low. An existing Pre-School on the site would close and staff would TUPE across to the school. The pre-school and parents support this application to transfer all management, administration and governance to the School. The aim is to improve the management and organisation of the Foundation Stage and to raise the quality of teaching and learning for these youngest children and links to a corporate objective of raising achievement. There may also be a reduction in staff across the FSU, with those not continuing in the nursery being given the opportunity to work elsewhere in the school. However, this is still to be confirmed as the school's discussions with HR progress, and dependent on demand for places.

Financial Report

3. The finance officer has assessed the financial position with the school and governors. The report shows it to be in balance for all three years. This indicates the sustainability of the proposal assuming the number of children planned for will be forthcoming.

Premises Report

4. The premises report indicates that the space is sufficient for the proposed pupil numbers under the Early Years Statutory Framework. There are sufficient toilets and the environment is secure. It has access to an outdoor

area and the available space in all areas is maximised for play and active learning. The FSU will be in the temporary classroom which is currently owned by the Pre-School. Legal advice from the Principal Solicitor (Conveyancing) is that ownership of a temporary building (as distinct from the land it sits on) can be transferred by mere delivery. The Pre-school will need to make it clear by letter or termination of lease that they are surrendering ownership. The Local Authority has commissioned a condition survey of the unit to determine the potential lifespan of the unit and possible future maintenance costs. A copy of this is available on request. A further requirement from the Property and Facilities service was for an asbestos management survey to be carried out on the unit. These recommendations are to ensure that the building retains structural integrity and remains safe and serviceable for the remaining lifespan of the building, without incurring any major costs for the Local Authority. The School Headteacher has confirmed that all recommended remedial and preventative building and electrical works will be funded by the pre-school and/or school and will take place prior to the opening date for the FSU.

Quality Report

5. An early years specialist teacher will be appointed to lead the nursery class and planned staffing is suitable for the expected numbers of children. Facilities are appropriate for the age of children and a wide and varied range of resources are available. There are strong community links and partnerships with parents. The original report at Stage 1 from the Senior Early Years Team Leader concluded that the application was fully supported. In March 2013 the school was subject to an Ofsted Inspection and was subsequently rated as 'Requires Improvement'. The Lead officer has discussed the implications of this with the early years advisory teacher who reports that the FS was rated good. The majority of the recommendations and areas for improvement were based on areas higher up the age range and the EYAT is confident that the new Headteacher has plans to fully address these. Under the new Headteacher we are confident that the plans that have been put in place already for the FSU are appropriate to ensure a high quality provision for the school.

Responses from Statutory Notice and public consultation

6. The Statutory notice was published on 18 February 2013 and the six week consultation period closed on 1 April. One representation was received which stated that it was not an objection but an enquiry as to why a qualified teacher was required for the FSU. Full text of the representation and the officer's response is available on request. The requirement for a qualified teacher is from the Early Years Statutory Framework.

RECOMMENDATIONS

7. **The Cabinet Member for Education is RECOMMENDED to either:**
 - (a) **reject the proposal;**

- (b) approve the proposal;**
- (c) approve the proposal with a modification (e.g. the proposed implementation date);**
- (d) approve the proposal subject to them meeting the specific conditions:**
 - that all remedial and preventative building works recommended in the Carillion survey of the temporary unit be fully funded from pre-school and school reserves;
 - that an asbestos management survey of the temporary unit be undertaken;
 - that the school revise their fire management programme to include the temporary unit;
 - that the pre-school write to the Headteacher to confirm transfer of ownership or 'gift' of the temporary unit and surrender their lease;
 - that all conditions are met before the proposed implementation date.

JIM LEIVERS

Director for Children's Services

Background papers: Proposal form from school, reports from finance and premises officers and the advisory teacher for the area. Copy of the statutory notice. These are available from the Contact Officer – or from Janine Foulkes-Williams, Senior Officer (Early Years Organisation) 01865 815181
Janine.foulkes-williams@oxfordshire.gov.uk

Contact Officer: Debbie Rouget, Sufficiency and Access Manager, Early Years and Childcare. 01865 810617
debbie.rouget@oxfordshire.gov.uk

April 2013