

NORTH YORKSHIRE COUNTY COUNCIL
THE EXECUTIVE

13 June 2017

LOWERING THE AGE RANGE OF GREAT OUSEBURN COMMUNITY PRIMARY SCHOOL

Report by the Corporate Director – Children and Young People’s Service

1.0 PURPOSE OF REPORT

- 1.1 To report the outcome of informal consultation carried out by the Governors of Great Ouseburn Community Primary School.
- 1.2 To seek approval for the publication of proposals and statutory notices to lower the age range of Great Ouseburn Community Primary School.
- 1.3 To ask the Executive to schedule taking a final decision on the proposal at the Executive meeting on 25 July 2017.

2.0 EXECUTIVE SUMMARY

- 2.1 The Governing Body of Great Ouseburn Community Primary School has asked the Local Authority to propose the lowering of the age range of their school from 4-11 years to 3-11 years in order to offer a ‘Foundation Stage’ class for 3 and 4 year olds as part of the School.

2.2 Why are the governors making these proposals?

The Governing Body have been working closely with Ouseburn Playgroup to try to find a solution to the lack of available, qualified staff. Unfortunately, to date, this has not been possible and the Playgroup is now expected to close. Governors would like to be able to offer continuity of provision at the school to meet the needs of local parents and children. Currently the youngest children that the school can admit are in the reception class. In order to take younger children into the proposed new ‘foundation stage’ class, the age range for the school must be lowered from 4-11 year olds, to 3-11 year olds.

Great Ouseburn Primary School is proposing to provide places for 3 and 4 year olds as an extension of current reception class provision, by the creation of a ‘Foundation Stage’ class. Early Years staff would work together to provide an excellent environment for a young child’s development. The Foundation Stage class would have a qualified Early Years teacher and suitably qualified and experienced teaching assistant(s) to support the learning and development of the 3, 4 and 5 year olds.

2.3 How many places will be offered?

The proposed foundation stage class will provide up to 26 places for nursery and reception children, although it is anticipated that there would be approximately 6 reception children and 12 nursery children attending in September 2017.

2.4 How might the proposal affect other providers?

The new foundation stage class would take children aged 3 and 4. Local providers are being consulted and have the opportunity to make their views on the proposal known.

2.5 The report is supported by a number of Appendices as listed below:

Appendix 1: Consultation document
Appendix 2: Statutory Proposal
Appendix 3: Draft Statutory Notice
Appendix 4: Equality Impact Assessment

3.0 **BACKGROUND**

3.1 Great Ouseburn Community Primary School is a maintained school which currently offers education provision for 4-11 year olds.

3.2 There is currently a private provider in the local area, Ouseburn Playgroup, located on the school site which provides early years education to 2 and 3 year olds. This provision is likely to be discontinued from September 2017.

4.0 **THE PROPOSAL**

4.1. It is proposed that, in order to maintain the continuity of Early Years provision in the local area, the age range of Great Ouseburn Community Primary School be lowered from 4-11 to 3-11 from 1 September 2017.

5.0 **ISSUES TO CONSIDER**

5.1 This proposal is deemed by the Early Years Manager at NYCC to be essential to continue the level of provision for 3 year olds in the local area and to meet the Local Authority's sufficiency duty with regard to Early Years.

6.0 **CONSULTATION UNDERTAKEN AND ANALYSIS OF RESPONSES**

6.1 From 12 May to 9 June the Governing Body of the Great Ouseburn Community Primary School consulted the local community on their proposal. The consultation document, which is appended to this report, was sent out to parents and local early years providers.

6.2 At the time of writing no responses to the consultation have been received. Any responses received between the publishing of this report and the close of the consultation will be made available to the Executive in advance of the meeting.

7.0 FINANCIAL IMPLICATIONS

7.1 School revenue funding

The revenue costs of the 3 year old provision will be met in the same way as they were for the private provider, a combination of central government funding and parental subscription. There will be no additional cost (or saving) to the County Council.

7.2 Capital Implications

There are no capital implications of this proposal as the school would continue to run their education provision in the existing school buildings.

7.3 Transport costs

There are no transport costs related to this proposal.

8.0 LEGAL IMPLICATIONS

8.1 The Education and Inspections Act 2006 and School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 set out the manner in which prescribed alterations could be made to maintained school. Under this legislation, the Local Authority must propose and publish this prescribed alteration to lower the age range of a community school. The Statutory Guidance 'Making prescribed alterations to maintained school' was updated in April 2016.¹ Careful attention has been paid to this guidance throughout the process.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 There are no Human Rights issues in relation to this decision.

10.0 OTHER IMPLICATIONS

10.1 An Equality Impact Assessment has been undertaken in respect of this change and is attached at **Appendix 4**. This includes an assessment of the potential impact of the proposals on rural communities.

11.0 CONCLUSIONS

11.1 The consultation, having being carried out, has yielded no responses at the time of writing. Any responses received between the publishing of this report and the close of the consultation will be made available to the Executive in advance of the meeting.

¹ School Organisation (Making Prescribed Alterations to Maintained Schools) Regulations 2013 and Department for Education statutory guidance for proposers and decision makers, Making Prescribed Alterations to Maintained Schools, April 2016.

- 11.2 As set out in the consultation document, this proposal does not affect neighbouring providers and essentially just constitutes a change of leadership for an existing Early Years setting in the local Early Years market.

12.0 NEXT STEPS

- 12.1 It is proposed to publish proposals and statutory notices on 22 June 2017. The proposals would be published on the County Council's website and the statutory notice would be published in a local newspaper and displayed at the main entrance to Great Ouseburn Community Primary. This would provide four weeks for any further representations to be made to the Local Authority, by 19 July 2017.
- 12.2 The Executive agreed a model for decision-making on school organisation proposals on 25 September 2007. If approval is given to publish statutory proposals and notices, it is proposed that a final decision is taken by the Executive on 25 July 2017. In the event of no objections being received during the representation period the matter can be determined by the Executive Member for Education and Skills at the meeting with the Corporate Director also on 25 July 2017.

13.0 RECOMMENDATIONS

- 13.1 That proposals and statutory notices be published to lower the school age range of Great Ouseburn Community Primary School to 3-11 from 1 September 2017.
- 13.2 That the Executive schedule taking a final decision on these proposals on 25 July 2017.

Pete Dwyer
Corporate Director – Children and Young People's Service

Report prepared by Matt George – Strategic Planning Officer

APPENDIX 1: CONSULTATION DOCUMENT



GREAT OUSEBURN PRIMARY SCHOOL

PROPOSAL TO CHANGE THE AGE RANGE OF A SCHOOL AND CREATE A FOUNDATION STAGE CLASS

September 2017

The Governing Body of Great Ouseburn Primary School is proposing to create new early years provision for 3-4 year olds. This is in response to notification from Ouseburn Playgroup that due to difficulties recruiting a qualified manager to cover maternity leave they are at risk of closure. Great Ouseburn Primary School is keen to support parents and ensure that there is high quality and sustainable childcare available locally. We would like to know the views of parents and other interested members of the community.

Why are the governors making these proposals?

All 3 and 4 year olds are entitled to 15 hours per week of free Early Years Foundation Stage provision from the beginning of the school term following their 3rd birthday until compulsory school age. This free entitlement can be taken up in maintained school nursery and 'foundation stage' classes and/or in an Ofsted registered private and voluntary sector provision. It is parental choice as to which type of provision is most appropriate for their child and most convenient for individual circumstances. Most children with working parents are eligible for 30 funded hours. As we have wraparound care provision in place, we would be able to offer childcare from 8am until 6pm Monday to Friday during term time.

Great Ouseburn Primary School is proposing to provide places for 3 and 4 year olds as an extension of current reception class provision, by the creation of a 'Foundation Stage' class. Early Years staff would work together to provide an excellent environment for a young child's development. The Foundation Stage class would have a qualified Early Years teacher and suitably qualified and experienced teaching assistant(s) to support the learning and development of the 3, 4 and 5 year olds.

What would 'Foundation Stage Class' provision look like?

The intention is to create a discrete Early Years unit, accessible from the "Enchanted Garden". Inside, there will be high quality play-based provision including role play, sand, water, construction, reading, mark making, and outside play. The classroom will be equipped with suitable furniture, equipment and resources for 3 and 4 year olds. There will be free flow between areas, including outside, offering children the choice of activities and allowing them to engage in learning which is relevant and appropriate to their stage of development. They will be supported by knowledgeable and appropriately trained adults. The Foundation Stage class will be held in indoor and outdoor spaces this includes a classroom, quiet working room, creative learning area and fantastic outdoors provision. This is already a high quality learning environment and will be adapted and resourced to suit the younger children.

Children would be able to utilise the school's wraparound care, The Den, providing childcare from 8am until 6pm Monday to Friday.

Why is this consultation taking place?

We have been working closely with Ouseburn Playgroup to try to find a solution to the lack of available, qualified staff. Unfortunately, to date, this has not been possible and we are sad to learn that the Playgroup may now be facing closure. We would like to be able to offer continuity of provision at the school to meet the needs of local parents and children. Currently the youngest children that the school can admit are in the reception class. In order to take younger children into the proposed new 'foundation stage' class, legal processes must be followed to lower the age range for the school from 4-11 year olds, to 3-11 year olds. The first step in this process is that local people must be asked for their views.

How many places will be offered?

The proposed foundation stage class will provide up to 26 places for nursery and reception children, although we anticipate this being approximately 6 reception children and 12 nursery children for 2017.

Which children would be eligible for a place?

Priority for admission to the foundation stage class will be determined by the admission policy of the school.

Deciding on admissions

The Headteacher will make in writing the offer of a place in the foundation stage class.

How will the new foundation stage class affect other providers?

The new foundation stage class would take children aged 3 and 4. Local providers are being consulted and have the opportunity to make their views on the proposal known.

What will happen next?

This is the first step of the consultation. Comments on this consultation will be considered by the Governing Body, which will then decide whether to proceed with the proposal.

If these proposals go ahead, when will the new foundation stage class open?

It is proposed that the first children will join the nursery class in September 2017.

How do I make my views known?

Your views are important and we would value your opinions.

You should complete the attached comments sheet and return it to the school.

Comments should be returned by 9th June 2017

If you have any further queries, these should be addressed to Nick Oswald (Headteacher).

APPENDIX 2: DRAFT STATUTORY PROPOSAL

DRAFT

Statutory Proposal by North Yorkshire County Council for the Lowering of the School Age Range at Great Ouseburn Community Primary School

Full Proposal Document

Name and contact details of the Local Authority or governing body publishing the proposal:

North Yorkshire County Council, County Hall, Northallerton, North Yorkshire, DL7 8AE

Name, address and category of the school proposed for alteration:

Great Ouseburn Community Primary School,

Proposed Implementation date:

1 September 2017

Description of alteration and evidence of demand

To lower the age range of Great Ouseburn Community Primary School from 4-11 to 3-11. This would lead to a creation of Foundation Stage Class which would accommodate 3 and 4 year old pupils. This has been led by the fact that the private provider, Ouseburn Playgroup, is expected to cease operations on their former site from the end of the summer term. There are currently children accessing provision at Ouseburn Playgroup and the school governors wish to, as far as possible, see the continuation of early years provision education for these families.

Objectives educational standards and parental choice

To provide continuity of Early Years provision for parent, pupils and the local community.

To bring the Early Years setting under the governance of the Governing Body of Great Ouseburn Community Primary School in order to continue high standards of Early Years provision.

The 3 year old provision at Great Ouseburn Community Primary School would continue to form part of a choice of places available at schools and also in the Private and Voluntary sector in the wider local area.

Effect on other schools, academies and educational institutions within the area:

There would be no effect on surrounding schools as the proposal is to replace the provision, currently available at Ouseburn Playgroup, on the school site rather than to open any new provision.

Local providers of Early Years education were notified as part of the non-statutory pre-consultation and will again have a chance to comment as part of this representation period.

Project Costs:

There are not envisaged to be any project costs involved in the set-up of the 3 year old provision under the governance of Great Ouseburn Community Primary School Governors. The existing buildings inclusive of the building formally let to the private provider will continue to be used to accommodate the Early Years places.

The revenue costs of the 3 year old provision will be met in the same way as they were for the private provider, a combination central government funding and parental subscription.

Implementation:

Following a formal decision to approve the lowering of age range the leadership and governors of Great Ouseburn Community Primary School will work to have the new arrangements in place for 1 September 2017.

Procedure for making representations (objections and comments)

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE by 5pm on 20 July 2017.

APPENDIX 3: DRAFT STATUTORY NOTICE

NORTH YORKSHIRE COUNTY COUNCIL Change of age range at Great Ouseburn Community Primary School

Notice is hereby given in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that North Yorkshire County Council, County Hall, Northallerton, DL7 8AD is proposing to make a prescribed alteration to Great Ouseburn Community Primary School, Main Street, Great Ouseburn, York, YO26 9RG by lowering its age range from 4-11 to 3-11 with effect from 1 September 2017.

The Governing Body have been working closely with a local Playgroup to try to find a solution to the lack of available, qualified staff. Unfortunately, to date, this has not been possible and the Playgroup is now expected to close. Governors would like to be able to offer continuity of provision at the school to meet the needs of local parents and children. Currently the youngest children that the school can admit are in the reception class. In order to take younger children into the proposed new 'foundation stage' class, the age range for the school must be lowered from 4-11 year olds, to 3-11 year olds

The notice is an extract from the complete proposal. A copy of the complete proposal can be viewed at: <http://www.northyorks.gov.uk/article/23998/Childrens-services---consultations>

Copies of the complete proposal can be obtained from: Corporate Director - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE and are available on the County Council's website at www.northyorks.gov.uk.

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, by 5pm on 20 July 2017.

Signed
Assistant Chief Executive
(Legal and Democratic Services)

B. Khan

Publication Date:

22 June 2017

APPENDIX 4: Equality Impact Assessment

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Proposal to Lower the Age Range of Great Ouseburn Community Primary School

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	CYPS Strategic Planning Team
Lead Officer and contact details	Andrew Dixon, County Hall
Names and roles of other people involved in carrying out the EIA	Matt George, Strategic Planning Officer
How will you pay due regard? e.g. working group, individual officer	LA Officers and School Governing Body
When did the due regard process start?	Non-statutory pre-consultation started on 12 May 2017.

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

We are proposing to lower the age range of Great Ouseburn Community Primary School from 4-11 to 3-11.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The County Council has been asked by the Governing Body of Great Ouseburn Community Primary School to propose the lowering of their age range from 4-11 to 3-11.

This is because the existing private provider is ceasing operations on the site and there is a desire from the school to maintain the same level of Early Years provision

and to bring this under school governance.

Section 3. What will change? What will be different for customers and/or staff?

The local private Early Years provider is likely to cease operations at the end of the Summer Term and parents who wish to take up 3 year old places from September will be able to apply for places in the school nursery class.
For the customers this would be a change of Early Years provider.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

The school have undertaken the non-statutory consultation period as recommended by the Statutory Guidance.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

It is envisaged that this proposal will be cost neutral as the Early Years funding will be received from a combination of 3 year old funding and by parental subscription dependent on the number of hours of provision the child accesses.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	x			No impact is anticipated.
Disability	x			No impact is anticipated.
Sex (Gender)	x			No impact is anticipated.
Race	x			No impact is anticipated.
Gender reassignment	x			No impact is anticipated.
Sexual orientation	x			No impact is anticipated.
Religion or belief	x			No impact is anticipated.
Pregnancy or maternity	x			No impact is anticipated.
Marriage or civil partnership	x			No impact is anticipated.

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
..live in a rural	x			The provision is to be maintained at the

area?				same level in the same geographic area.
...have a low income?	x			Children from low income families would be eligible for 3 year old Funding in the same way as they would be for existing Early Years providers.

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

Not applicable

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)

Tick option chosen

- | | |
|---|----------|
| 1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified. | x |
| 2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people. | |
| 3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services) | |
| 4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped. | |

Explanation of why option has been chosen. (Include any advice given by Legal Services.)

It is considered that this proposal will not affect any of the groups listed above on the basis that the proposal is intended to maintain the status quo.

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

Monitoring will be carried out through the County Council's Education and Skills Team and through Ofsted inspections.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements
Not applicable				

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

The County Council's Officers now feel that this decision is in the best interests of children and families served by the school to ensure stability and quality of education provision in the area.