

16 July 2012

**Agenda Item: 9****REPORT OF THE GROUP MANAGER, SUPPORT TO SCHOOLS SERVICE****BROOKSIDE COMMUNITY PRIMARY SCHOOL, EAST LEAKE - DELIVERY  
OF EARLY YEARS EDUCATION PLACES: OUTCOME OF CONSULTATION****Purpose of the Report**

1. This report provides Committee with the outcome of formal consultation about the proposal to provide Early Years (EY) places at the above-named school.
2. It also seeks approval to publish a statutory notice as required under the provisions of Section 19 of the Education and Inspections Act 2006 to lower the age limit of the school from 5-11 to 3-11 years.

**Information and Advice**

3. At its meeting on 11 January 2012, the former Cabinet gave its approval for formal consultation with staff, governors and parents/carers of Brookside Primary School and other interested parties on the proposal referred to in paragraph 1 above.
4. Members may recall that the school's governors had requested that the County Council initiate a statutory process to enable the school to achieve their aim of providing continuous education from ages 3 to 11.
5. The governors' decision to consider providing Early Years places took into account the following important issues:-
  - the number of children likely to benefit from the proposal
  - the likely effects on the school's teaching and support staff
  - capacity of the school to meet the needs of 3 and 4 year olds
  - funding for the early years provision
  - availability of early years provision for children in the East Leake community
6. Given these considerations, the following options were set out for consultation:-

Option 1 - a proposal to provide Early Years places in the school's existing premises

Option 2 - that Brookside parents/carers continue to use existing provision at other local Early Years providers

## Consultation

7. A consultation leaflet was circulated to all the staff, governors and parents/carers of pupils at Brookside Primary School to explain the rationale of the proposal and provide an opportunity to make any comments on what was being proposed.
8. Copies of the leaflet were also sent out to the wider community, including Early Years providers, residents adjoining the school's site, the Member of Parliament and appropriate County Councillor, Diocesan Authorities, the local district and parish councils, and other interested parties.
9. Brookside Primary School Council was consulted and was supportive of the proposal.
10. During the consultation period of 16 April to 25 May 2012, the authority received:
  - 75 written responses in support of Option 1
  - 27 written responses supporting Option 2 in preference
  - 15 'Don't Know' responses, of which the majority were from parents of children currently attending Brookside Primary who had opted to support both options, citing that whilst they supported Option 1, they also supported the continuation of other existing EY settings.
11. A consultation meeting was also held at Brookside Primary School on 26 April 2012 to give all interested parties the opportunity to discuss the options under consultation.
12. In summary, the main issues arising from respondents objecting to Option 1 are:-
  - sufficient EY places already exist in the East Leake community and EY settings there are not full
  - the potential negative impact on those existing providers regarding falling numbers, financial sustainability and possible staffing reductions if provision begins at Brookside
  - concerns that, apparently, Brookside's class sizes are large and the introduction of EY places would have a negative impact on these and the older pupils
  - concern that Brookside's current facilities are not adequate for the EY places to be provided
  - high level of support expressed for the on-site playgroup & Sure Start CC, and that they shouldn't be affected by the proposal and must continue
13. In comparison to the issues mentioned in paragraph 12 above, it can be seen in **Appendix 1** to this report that a high number of respondents chose Option 1 as their preferred choice, the majority of these being Brookside Primary School parents/carers. This, together with the positive comments received, indicates there is also wide support for the proposed provision of the early years places.
14. Account has been taken of the above and other comments received supporting both Options 1 and 2. Whilst it is difficult to predict Early Years places with absolute certainty, because the overall take-up of places in any setting is predicated by a number of factors including parental choice and birth rates, the consultation outcomes would suggest that Option 1 should be recommended.

15. In endorsing Option 1 it should be recognised, however, that:
- surplus Early Years places already exist at Lantern Lane Primary school. Increasing places at Brookside Primary School, whilst not required to meet sufficiency needs, could provide greater parental preference within the village.
  - surplus Early Years places are also available through private, voluntary and independent (PVI) settings, at a playgroup based on Brookside's site and at two private nurseries.
  - it is possible that the provision of Early Years places at Brookside Primary School could threaten the viability of PVI providers, especially the playgroup which offers sessional, rather than full day, care.
  - in September 2013, the County Council must ensure the availability of some sessional places for the most disadvantaged 2 years olds. Brookside Primary School will not be able statutorily to provide these places, resulting in a need for PVI settings to make any necessary provision. No school will be able to deliver places for 2 year olds.
  - if PVI settings were to lose up to 13 Early Years places as a result of supporting Option 1, the anticipated need to offer provision for vulnerable 2 year olds would not compensate for the loss of 13 3 year old places; based on the known Free School Meals (FSM) data for the Brookside catchment, it is reasonable to expect that there may be a need for up to 4 places for targeted 2 year olds. This is based on a FSM figure of 8% at Brookside Primary School.
16. On balance therefore it is reasonable to support Option 1 despite the objections received to this proposal and the Early Years issues identified in paragraph 15.
17. All written responses received either by the reply form provided or by electronic mail are available as a background paper to this report. A summary of the comments made is included in **Appendix 1**.

### **Statutory Notice**

18. If Committee agrees to the recommendation within this report, under the provisions of the Education and Inspections Act 2006, following formal consultation the County Council is required to publish a Section 19 Notice where it is proposed to lower the age limit of admission to a community school by one year or more.

### **Other Options Considered**

19. The only other feasible option available to Brookside Primary School for parents who wish their children to receive early years education between three and four years is to continue to send them to available alternative providers and move the children to Brookside Primary School as appropriate for their statutory education.

### **Reason for Recommendation**

20. It is Government policy that Early Years education places can be delivered through local authority maintained schools and providers in the private, independent and voluntary sectors. It is also Government policy that parents have the opportunity to express choice. This proposal increases the choice of Early Years places available in the Brookside catchment area.

## **Statutory and Policy Implications**

21. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Implications for Service Users**

22. Children and families will have access to, and an increased choice of, early years education in their immediate locality.

### **Financial Implications**

23. Any variation to the numbers of children attending the school through this proposed change to the admission arrangements will be reflected in the school's budget through the Early Years Single Funding Formula.

### **Equalities Implications**

24. Equal opportunities issues for staff will be addressed within an agreed enabling document and which will follow an agreed standard format.
25. As part of the process of making decisions and changing policy, public authorities are required by law to think about the need to:
- Eliminate unlawful discrimination, harassment and victimisation
  - Advance equality of opportunity between people who share protected characteristics (as defined by equalities legislation) and those who do not.
  - Foster good relations between people who share protected characteristics and those who do not.
26. Equality Impact Assessments (EIAs) are a means by which a public authority can assess the potential impact that proposed decisions/changes to policy could have on the community and those with protected characteristics. They may also identify potential ways to reduce any impact that a decision / policy change could have. If it is not possible to reduce the impact, the EIA can explain why. Decision makers must understand the potential implications of their decisions on people with protected characteristics.
27. An EIA has been undertaken and is available as a background paper. Decision makers must give due regard to the implications for protected groups when considering this report.

### **Human Resources Implications**

28. If, as a result of this proposal being implemented, additional staffing is required in school to ensure the effective delivery of the early years education proposed, the school will use appropriate recruitment and selection procedures when making appointments.

## **RECOMMENDATIONS**

That the Committee agrees:-

- 1) to the publication of a statutory notice, under the provisions of Section 19 of the Education and Inspections Act 2006, for the proposal to lower the existing age limit of Brookside Community Primary School from 5-11 to 3-11 years, thereby enabling the school to admit children to attend early years education places in existing accommodation from 1 January 2013 at the earliest;
- 2) that a further report be submitted to this Committee on the outcome of the six week representation period of the County Council's Section 19 notice.

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### **Constitutional Comments (LM 19/06/12)**

29. The Children and Young People's Committee has delegated responsibility for services to children and young people in relation to their care, wellbeing, education or health. The Committee may therefore approve the recommendations in the report.

### **Financial Comments (NDR 19/06/12)**

30. The financial implications are referred to in paragraph 23 of the report.

### **Background Papers**

- 1) Report to Cabinet on 11 January 2012 'Brookside Community Primary School, East Leake - Delivery of Early Years Education Places' (previously published)
- 2) The consultation leaflet circulated to the staff, governors and parents/carers of Brookside Primary School, statutory consultees and to other interested parties
- 3) Written responses received during the formal consultation period
- 4) Equality Impact Assessment

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

### **Electoral Division(s) and Member(s) Affected**

Soar Valley: Councillor Lynn Sykes  
C0027

## Proposed provision of Early Years Education Places at Brookside Community Primary School

### Consultation Responses Analysis:

	No. of responses received Agreed with Option 1	No. of responses received Agreed with Option 2	No. of responses received Don't Know
Parent/Carer	53	16	13
Governor	3	2	0
Staff	6	7	0
Other	13	2	2
<b>TOTALS</b>	<b>75</b>	<b>27</b>	<b>15</b>
Where reply forms indicated more than one type of respondent, only one has been included in the table above using a priority order of 'parent/carers', governor, 'staff' and then 'other'.			

### Comments/Issues/Points raised within Written/Electronic/On-Line responses:

#### The decision making process

- Comments made that there is sufficient early years provision available at another local primary school and other EY settings in the East Leake community and these places are not full

- Opinions expressed that having a nursery at Brookside Primary would be so beneficial to early years aged children
- Concern and opinion expressed that Nottinghamshire County Council should refuse to implement the proposed additional EY places on the grounds that sufficient places already exist and are available locally, and the likely negative financial impact on those other EY settings
- Comment made that the proposed EY places are not attempting to replace those EY places provided locally. The aim is to increase the number of places already available for 3 year olds in East Leake.
- Comments made of feeling unclear as to the reasoning behind the proposal and how it would work in practice
- Feeling expressed of being disappointed there had been no formal presentation at the consultation meeting held

### **Staffing matters**

- Parental support expressed for the current facilities and teachers at both local primary's 4+ and Foundation Units
- Opinions expressed that as another local primary school's Foundation Unit and other local existing EY settings are not full, allowing the proposed additional early years places to be established could take more children away from these other settings which could mean a reduction in staffing
- Concerns expressed about implications to staffing
- Comment made that Brookside Primary does not have staff trained or experienced in working with the 3-5 years age range
- Opinion expressed that Brookside Primary's class sizes are big enough (and lack adequate support staff) without further increasing pupil numbers
- Opinion expressed that given Brookside Primary has an extremely successful 4+ unit, the school has the expertise to be able to extend this to a nursery for 3 year old children

### **Building and site related issues**

- Support expressed for Option 1 but only if there is enough space at the school and it doesn't affect the reception age children
- Comment made that Brookside Primary does not have purpose built facilities for early years provision
- Concern and opinions expressed that Brookside Primary already seems full to capacity with very large class sizes. It was felt that increasing the intake of younger children will have an impact on space and facilities available for existing pupils.
- In supporting Option 1, clarification was sought on whether there would be bigger and better facilities provided
- Concern and opinion expressed that other local early years provider settings are very large and not appropriate for younger age children

### **Financial issues**

- Information provided by a local primary school of having had their budget reduced due to a decline in children attending their school, emanating from the introduction of 'September only' full time admissions

- Comment made that to allow the proposed additional early years provision to be implemented, would have a further impact on another local primary school's numbers on roll which had already been affected since the establishing of Brookside Primary's 4+ unit
- Feeling expressed that as there is already excessive early years provision at another local primary school, the proposed additional EY places did not make economic sense. Also the two local primary schools are close together
- Concern and opinion expressed that local early years settings depend on nursery education funding for their livelihood, and early removal of children from these settings will dramatically affect sustainability
- Feeling expressed that budgets should be spent on more pressing issues for the school
- Opinion expressed that money would be much better spent on funding additional full-time school places in a rapidly growing East Leake
- Opinion expressed that the move to provide early years places is just to get the associated funding to benefit the school as a whole

### **Pupil, Curriculum and Community related issues**

- Opinion expressed that starting a child's education at one early years setting and then moving them to another school for full time education, does not have a negative impact on their learning and development. It was also felt that this teaches children to mix with other children and supports personal and social development.
- Comment made that providing the additional early years places would provide a seamless transition between pre-school/nursery and full time education
- Opinion expressed that the proposed early years places would provide parents with more choice of which school they prefer their children to attend
- Opinions expressed that the new early years provision would help children familiarise themselves with the surroundings, staff and fellow pupils during transition into a primary school setting
- Feeling expressed there would not be enough children to fill the proposed additional early years places and those EY places already provided locally
- Opinion expressed that it's about having the choice and there are more than enough children in the locality for all the current and proposed early years places
- Opinions expressed that there is a playgroup on Brookside Primary's school site providing good quality early years places, and preferences expressed to see the school working harder in partnership with it
- Opinion expressed that existing local early years providers already offer high quality childcare and education. It was felt it was essential that the investment that had been made in this highly qualified and experienced workforce was justified by enabling these settings to remain open.
- In supporting Option 1, comments made that an increase in young families emanating from the provision of additional houses in East Leake, naturally increases demand for early years places
- Comment made that Foundation places at a local primary school are at their peak
- Opinion expressed that demand for extra early years places will also put a demand on all subsequent age group places. Feeling also expressed that this was something Nottinghamshire County Council should look into.
- Comments made that Option 1 would make it easier and help gain confidence for early years children to settle in when having older siblings at the school. It was also felt this



- In supporting Option 1, feeling expressed that this would help relieve children's stress of changing schools and friends, and assist continuity in styles of education
- Support expressed for Option 1, and comments made that there will also still be a need for the existing local early years provision
- Opinion expressed that early years children need suitably qualified staff who have a broad range of experience with this age group i.e. early years and Key Stage 1 with access to appropriate facilities. It was felt this is very limited in a single and independent pre-school unit.
- Opinion expressed that it is unfair when children have no option but to start their early years education in other establishments prior to receiving their full-time school education
- Comment made that as a working parent, having current nursery care close to home was important. Also, having a child that would eventually attend Brookside Primary for full-time education, it was felt restricting the EY provision to this school would reduce choice.
- Opinions expressed that East Leake lacks sufficient EY provision for 3+ year olds
- In supporting Option 2, comment made that it's everyone's own choice. Some children have to attend full-time EY settings
- Feeling expressed that it was a brilliant idea for children to be able to start Brookside Primary at age 3 as preparation for school and social advantages
- In supporting Option 2, comment made that there are many families to provide for
- Support expressed for the local Sure Start Centre to continue should the proposed new EY places be implemented
- Opinion expressed that many parents are happy with the existing options which benefit the children by providing low class sizes and focused education at the specific age groups
- Opinion expressed that the introduction of younger children would be detrimental to the education of the older children
- Concern expressed that the proposal might affect the local playgroup located on Brookside Primary's school site. Comment also made that the County Council should offer support to the playgroup to ensure this will not be the case.