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| COUNTY COUNCIL LOCAL COMMITTEE FOR EDEN |
| Meeting date: 28 September 2020 |
| From: Executive Director – People (Deputy Chief Executive) – John Readman |

PROPOSED CHANGE OF AGE RANGE AT ARMATHWAITE SCHOOL

1.0 EXECUTIVE SUMMARY

- 1.1 *This report provides background on the current formal consultation being undertaken by the county council on the proposed change of age range at Armathwaite School to allow the creation of a maintained nursery.*
- 1.2 *The change is proposed in response to the recent closure of a privately run nursery operating on Armathwaite School site.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

- 2.1 *This will be supportive of the Council Plan vision of ‘A Council that works with residents, businesses, communities and other organisations to deliver the best services possible within the available resources’, by allowing children the opportunity to access a broad, high quality education in a sustainable setting.*
- 2.2 *An Equality Impact Assessment (EIA) (attached as Appendix B) was completed prior to the consultation being undertaken. This is a dynamic document which will be updated during the consultation process as issues arise. The EIA is available on the county council website.*

3.0 RECOMMENDATION

- 3.1 *That the Local Committee notes the contents of the report and makes a response as members feel appropriate.*

- 3.2 *Note that the Cabinet will consider feedback from the consultation, including any response made by the Local Committee, before deciding on next steps.*

4.0 BACKGROUND

- 4.1 Armathwaite Nursery Group has been operating from the school site for a number of years, but closed at the end of the Summer Term 2020. Since the start of the Autumn Term the governors of Armathwaite School have been providing a 'governor-led' childcare provision but they now seek to formalise the establishment of a maintained nursery by changing the age range of the school from the current 4 to 11 to 3 to 11.
- 4.2 The county council's Early Years Team is supportive of the change, as it ensures that provision is retained in the village. The school will be able to operate the newly created nursery from the existing building so there will be no capital costs arising from the change. The former staff of Armathwaite Nursery Group opted to be made redundant on its closure, so there are no TUPE issues to consider.
- 4.3 The Armathwaite School governors are keen to retain maintained nursery provision in the village, as this is the only setting available. To accommodate the younger children, the school will need to change its current age range of 4 to 11 to a new range of 3 to 11. The proposed date for this to come into effect would be the 1 January 2021. Until this date the school will continue to operate governor-led childcare.
- 4.4 Armathwaite is a community school and it is the responsibility of Cumbria County Council's Cabinet to make the decision on whether to publish notices following the consideration of responses received during the consultation process.
- 4.5 The consultation on the age range change started on 7 September 2020 and runs until 2 October 2020. There have been 220 letters sent out to consultees including parents, staff, governors, schools with abutting catchment areas and other Early Year providers. To date 17 responses have been returned, of which 17 are in favour of the change of age range (100%). The consultation letter is attached as Appendix A.
- 4.6 Armathwaite School is rated as Good by Ofsted.

5.0 OPTIONS

- 5.1 Members have the option to make a consultation response to the Cabinet if they so wish.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 Free entitlement to Early Years Provision for 3 and 4 year olds in both the private, voluntary and independent (PVI) and in primary schools is funded on the same basis through the Early Years National Funding Formula via the

Dedicated Schools Grant (DSG). Additional income is also generated from fee paying parents.

- 6.2 As the school is using the existing nursery accommodation for the new provision there will be no capital costs, or premises costs over and above those already incurred for the current accommodation.
- 6.3 Staff at the former nursery provision opted to be made redundant and therefore there will be no TUPE costs.
- 6.4 The school will need to ensure there is sufficient demand for nursery places to generate enough income, via Early Years DSG and parental fee income, to cover the cost of the nursery provision including staffing with a qualified teacher. However, as there is no alternative nursery provision in Armathwaite demand for places should not be an issue.

7.0 LEGAL IMPLICATIONS

- 8.0 As per Part 2D 5.1.1 (d)(i) of the terms of reference for Local Committees, one of the functions of a Local Committee is to make representations to the relevant decision maker (in this case Cabinet) on matters requiring formal school organisation proposals.
- 9.0 Section 6 of the Childcare Act 2006 places a duty on all English Local Authorities to ensure, so far as is reasonably practicable, the provision of childcare is sufficient to meet the requirements of parents in their area who require childcare in order to enable them to take up, or remain in, work or to undertake education or training which could reasonably be expected to assist them to obtain work. As paragraph 4.3 of this report makes clear, there is no other nursery provision in the village.
- 10.0 Currently the nursery provision is Governor led (as is permitted by section 27 of the Education Act 2002). There are different staffing/management requirements for a maintained school nursery, as opposed to Governor led provision. The key one being that a qualified teacher needs to lead the nursery provision. The qualified teacher requirement is only one element of the complex rules that the school needs to adhere to. The requirements of the Early Years Foundation Stage Statutory Framework (EYFS) will need to be met in full.

11.0 CONCLUSION

- 11.1 This paper provides background on the formal consultation that is being undertaken by the county council on the potential change of age range at Armathwaite School. This change is aimed at providing a sustainable and well subscribed maintained nursery facility for children in the local area.

PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS
[including Local Committees]

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Not considered by Overview and Scrutiny.

BACKGROUND PAPERS

No background papers.

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