



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Wednesday, 29 November 2023

REPORT TITLE:	OUTCOME OF CONSULTATION ON AGE RANGE CHANGE, HESWALL PRIMARY SCHOOL
REPORT OF:	DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

High quality early years education gives children the best start in life to reach their full potential. This report provides the outcome of a consultation on a proposal to alter the age range of Heswall Primary School to establish a maintained nursery class and a 2-year-old provision. No objections were received during the consultation. The proposal will mean that Heswall primary school will have formalised its oversight of the early years provision at the school. The report recommends that Committee approves the proposal.

The Wirral Plan 2021 - 2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities;
- Brighter Futures;
- Active and Healthy Lives;
- Sustainable Environment; and
- Inclusive Economy

This project delivers against all the Brighter Futures themes.

Heswall Primary is in the Heswall Ward.

This is a Key Decision.

RECOMMENDATION/S

The Children, Young People & Education Committee is recommended to:

1. Approve the alteration of the age range of Heswall Primary School from 4 to 11 years old, to 2 to 11 years old, as a prescribed alteration to a maintained school.
2. Grant the Director of Children, Families and Education all necessary authority to implement the proposal.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Incorporating early years provision into the maintained school would allow children in attendance to be registered as pupils of the school. This would enable the school to ensure communication and administration and adopt a cohesive and consistent approach to learning right through to Year 6. This change would not increase the number of early years places in the area or impact on the school's admission policy for Foundation 2.
- 1.2 The proposal if implemented would mean all provision at the school would be covered by a single OFSTED inspection.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The school remains as a 4 to 11 primary school. This is not recommended as incorporating early years provision a Heswall Primary School will ensure greater clarity of responsibility for the provision.

3.0 BACKGROUND INFORMATION

- 3.1 A formal 4-week consultation was held between 22nd September 23 and 20th October 2023 on a prescribed alteration to extend the age range of Heswall Primary School from 4 to 11, to 2 to 11, to establish a nursery class and 2-year-old provision. No objections were received during the consultation period.
- 3.2 There are benefits to operating a nursery class as part of the main school, however there are also additional costs associated with a nursery class. The governing body of Heswall Primary School have decided they are able to meet these additional costs within the existing budget.
- 3.3 Heswall Primary School has operated a governor led provision for a number of years and this has been popular with local parents and carers. The Council's Early Years Team has advised that there has been sufficient prospective demand from parents to provide a viable nursery class.
- 3.4 The proposed change would not alter the school's admission number for entry to Foundation 2, or the school's admission arrangements. Attending a particular nursery or pre-school does not give any priority for admission to Heswall Primary School and this would continue to be the case. Parents of pupils attending the nursery provision would continue to need to apply for places in the usual way, the policy criteria determine which children are offered places.
- 3.5 There should not be any impact on other local educational establishments or on traffic in the area, as no additional places are being introduced.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are additional costs to a school associated with a nursery class. The governing body of Heswall Primary School have decided they are able to meet these additional costs within the existing budget. There are no financial implications to the Council.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 19(1) of the Education and Inspections Act 2006 provides that where a Local Authority proposes to make a prescribed alteration to a maintained school in this case extending the age range the Local Authority must publish its proposals.
- 5.2 Making Prescribed Alterations to Maintain Schools issued by the Department of Education provides that a Local Authority can propose change of age range of 1 year or more for community schools (including the adding or removal of sixth-form or nursery provision). When proposing changes to a school's age range, a Local Authority should act reasonably, in line with the principles of public law, to ensure that the changes do not have a negative impact on the education of pupils in the area.
- 5.3 Approving the proposal will permanently change the age range of Heswall Primary School by one year to include a maintained nursery class.
- 5.4 There are no construction works expected to result from the proposal. Any construction works that might be undertaken would be subject to the Construction, Design and Management Regulations 2015.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Heswall Primary School will be required to appoint a qualified teacher for a maintained nursery class. The school has identified sufficient budget to cover the costs of appropriately trained and experienced teacher(s).
- 6.2 The school has confirmed it has resources in place to support all foreseeable aspects of the change. The School Governors have a duty to ensure that the school's budget is appropriate to meet expected needs. No Local Authority funding is available to support the proposed change.
- 6.3 The nursery class will occupy the existing classroom currently used by the school for their governor led provision. Should any alterations to accommodation be required as a result of this change, all relevant processes including planning consent will be expected to be followed, and associated costs funded by the school.

7.0 RELEVANT RISKS

- 7.1 Failure to decide the outcome of the proposal within 2 months of the end of the representation period will mean that the final decision is made by the Schools Adjudicator. This would be a reputational risk to the Council and could result in a decision being reached by the Schools Adjudicator which does not reflect the local context and rationale for the prescribed alteration.
- 7.2 The new nursery class might not attract sufficient pupils to be financially viable. Heswall Primary School already has a governor led provision that is popular with local parents and carers. A full-time nursery class could have up to 26 Full Time Equivalent (FTE) pupils and a part-time nursery class up to 13 FTE pupils.

7.3 Through the consultation, the local authority has not received any concerns from local providers or neighbouring schools.

8.0 ENGAGEMENT/CONSULTATION

8.1 As a prescribed alteration, a Public Notice was posted on 22nd September 2023 on the Wirral Council website, the school's website, at the school itself and elsewhere in the local area. All statutory consultees were notified.

8.2 Any person can make a comment or objection to the proposal within 4 weeks of the date of the Public Notice. No responses were received by 20th October 2023.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 An equality impact assessment has been completed and revised to reflect the consultation taking place and can be found at,

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The content and/or recommendations contained within this report are expected to have minimal impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Development during the first years of life is directly linked to potential later in life. Provision of high-quality early years education plays a role in improving child health outcomes, learning and development, giving children the best start in life to reach their full potential. Early years provision and childcare is vital for working parents to access employment opportunities; the proposal will mean all three primary schools in this small planning area will offer on-site nursery provision.

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APPENDICES

Appendix 1 - Public Notice

BACKGROUND PAPERS

Section 19(1) of the Education and Inspections Act 2006

Section 5(1) of the School Organisation (Prescribed Alterations to Maintained Schools)(England) 2013

[Making significant changes \('prescribed alterations'\) to maintained schools – Statutory guidance for proposers and decision-makers](#)

TERMS OF REFERENCE

This report is being considered by the Children, Young People & Education Committee in accordance with Section B of its Terms of Reference, the functions and powers conferred on or exercisable by the Council as Local Authority in relation to the provision of education.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date