

Classification: Open	Decision Type: Key
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Report to:	Cabinet	Date: 19 April 2023
Subject:	Proposals to lower the age range at Fairfield Primary School	
Report of	Cabinet Member for Children and Young People	

1.0 Summary

- 1.1 In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Cabinet is requested to determine a proposal published by the LA in respect of Fairfield Primary School regarding a prescribed alteration to change the age range of the school.
- 1.2 It is proposed to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.
- 1.3 At the request of the Governing Body of Fairfield Primary school, the LA has published the proposal, and has consulted on that proposal.

2.0 Recommendation(s)

That:

- Cabinet notes the outcome of the consultation.
- Cabinet approves the proposal to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.

2.1 Reasons for recommendation(s)

Fairfield Community Primary is a good school with high standards. By extending the provision offered, the school will provide strong standards, early identification of needs of pupils and allow for strong transition into school (either at Fairfield or another school) from the youngest ages.

The Educational Endowment Foundation state that:

"Beginning early years education at a younger age appears to have a high positive impact on learning outcomes. It is estimated that children who start to attend an early years setting before turning three make approximately six additional months' progress compared to those who start a year later. Positive effects have been detected for early reading outcomes in the first year of primary school and moderate to high effects have been detected for early language and number skills. There are some indications that the impact of high-quality early years provision is particularly positive for children from low-income families."

2.2 Alternative options considered and rejected

The proposal is in line with the local authority's Early Years strategy.

3.0 Background

- 3.1 Within the local community there is little provision for 2 year old care. There is sufficiency of need in the community and a number of local early years provisions have recently closed or reduced their intake.
- 3.2 A high number of families in the area would be entitled to 2 year old funding but are not necessarily taking up the provision. As a community primary school, Fairfield has important links with families and the community and wishes to fulfil the needs of families in the area who have identified a requirement for early years provision.
- 3.3 The governing board wishes to ensure that the school supports the local area by offering high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.
- 3.4 The school already has a very successful 3-4 year old nursery provision that was oversubscribed last year.
- 3.5 The school has recently been awarded the Inclusion Quality Mark and are proud of the support for all pupils and want to extend the impact they have to a wider range of children within the community.

4.0 The proposal

- 4.1 It is proposed that the new nursery would provide 8 places per session for 2 year olds. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only. The school would accept Early Education Funding from 2 years of 15 hours and tax free childcare vouchers.
- 4.2 If approved, it is anticipated that the nursery provision will open on 5 September 2023.
- 4.3 The school wishes to work with families to help set routines and help children to meet their age related expectations. This aim will include working with families too and encouraging their engagement with school from the very start. Family engagement is strongly promoted at Fairfield. The school offers family learning sessions covering reading, numeracy, mental health and wellbeing, first aid. These have all had a healthy uptake of numbers.
- 4.4 On-site nursery provision would enable robust assessments for the children moving up to the main school as they would be moderated by the Early Years staff from the school. This would also enable, where required, the provision of early intervention such as Speech and Language and Paediatric referrals because the children would be seen by the school's Special Educational Needs Coordinator (SENCo) at a much earlier stage.
- 4.5 The school will work closely with Bury Early Years and Childcare services to promote and implement activities and training around school readiness. This will further support good outcomes for children in the main school,

which is Ofsted rated as Good in February 2018. Standards, planning and delivery of the curriculum will be overseen by a designated member of the school's senior leadership team creating strong links with the school's improvement plans.

- 4.6 The local authority does not believe the proposal would have a negative impact on other early years' provision, schools or academies in the local area. Establishment of 2 year old provision on the school site would help to fulfil the needs of families in the area who have identified a requirement for early years provision.
- 4.7 The provision will be located in the existing 'Rainbow Room' and therefore will require minimal capital investment for minor adaptations. Costs will be met by the school and the local authority's approved capital programme.
- 4.8 The school would employ members of staff with the necessary qualifications to manage and run the nursery adhering carefully to statutory ratios. The nursery teacher would plan and oversee the provision within the 2 year old setting.
- 4.9 Revenue Funding for the additional 2 year old provision will be provided through the Early Years funding block.
- 4.10 Recent case studies show that the impact of having children from disadvantaged backgrounds in school can be significant. The desire is to serve the present community where needed and based on the expected demand, it is anticipated that this provision at Fairfield would provide much needed early education opportunities locally.
- 4.11 The proposal is in line with the local authority's Early Years strategy.

5.0 The Statutory Process

- 5.1 The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (*'the Prescribed Alterations Regulations'*) set out the statutory process to be followed when making significant changes, including changing of age range of a school. Ordinarily the LA will be the decision maker on such proposals.
- 5.2 The statutory process for making prescribed alterations to maintained schools has four stages:

Stage	Description	Timescales	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any

			modifications agreed by the decision-maker
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- 5.3 In accordance with section 19(1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, the Local Authority can propose a change of age range of one year group or more for community schools (including the adding or removal of sixth form or nursery provision) by following the prescribed alterations' statutory process. The LA is the decision maker on such proposals.
- 5.4 On 28 February, publication of a statutory notice of the proposal launched a statutory four week representation period of formal consultation with stakeholders. The Statutory Notice and full proposal are contained at Appendix A and B respectively.
- 5.5 No responses were received during the consultation period

6.0 The Decision Making process

- 6.1 In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, Cabinet is now requested to determine the proposal. Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.
- 6.2 In determining proposals, decision-makers must take account of the following:
- Decision makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received.
 - Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).
 - Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.
 - Decision-makers must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
 - foster good relations between people who share a relevant protected characteristic and people who do not share it.
 - Decision-makers should consider the impact of a proposal upon community cohesion.

- Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.
- Decision-makers should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.
- Decision-makers should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal cannot be approved conditionally upon funding being made available.

6.3 When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions (such as the granting of planning permission) being met.

Report Author and Contact Details:

Name: Paul Cooke

Position: Strategic Lead

Department: Education services

E-mail: p.cooke@bury.gov.uk

Links with the Corporate Priorities:

The proposal will support key ambitions of the Let's do it strategy:

- A better future for the children of the borough
- A better quality of life
- A chance to feel more part of the borough
- Building a fairer society that leaves no-one behind

Equality Impact and Considerations:

The outcomes of the initial equality analysis is positive.

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

a. A public authority must, in the exercise of its functions, have due regard to the need to.

- b. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act.
- c. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- d. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services

An equality impact assessment has been undertaken and identified no areas of negative impact in relation to protected characteristics

Environmental Impact and Considerations:

There are no environmental impacts for this decision

Assessment and Mitigation of Risk:

Risk / opportunity	Mitigation
Impact on stakeholders	Full consultation and engagement
Opportunity to improve provision	
Early identification of needs of pupils and allow for strong transition into school	

Legal Implications:

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 govern how a Local Authority makes alterations to the age range at a school, the report sets out the publication and consultation process, and how the Council has complied with the statutory process. There is no statutory requirement for pre publication consultation however it is an expectation that this is carried out prior to publication of the notice.

Financial Implications:

The additional places as a consequence of lowering the age range of the nursery provision at Fairfield primary school will be funded from the early years block of the Dedicated Schools Grant.

Background papers:

None.

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
EYFS	Early Years Foundation Stage.
SENCo	Special Educational Needs Coordinator

BURY COUNCIL

Change of age range at Fairfield Primary School

Notice is hereby given in accordance with Section 19 (1) of the Education and Inspections Act 2006 (as amended) and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 that Bury Council, 3 Knowsley Place, Duke Street, Bury BL9 0EJ is proposing to make a prescribed alteration to Fairfield Primary School, Rochdale Old Road, Bury, BL9 7SD by lowering its age range from 3-11 to 2-11 with effect from September 2023.

Fairfield Primary School is a Community School.

The aim of the proposal is to provide 8 places per session for 2 year old children. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only. The provision will be located in the existing 'Rainbow Room' at the school.

If approved, it is anticipated that the nursery provision will open on 5 September 2023.

The school already offers on-site nursery provision for 3-4 year olds. The governing board wishes to ensure that there will be nursery provision to support the local area and to offer high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.

If approved, Bury Council will implement the proposal.

This notice is an extract from the complete proposal. A copy of the complete proposal can be viewed at: www.bury.gov.uk/admissions

Alternatively, you can request a printed copy of the complete proposal from the address below or by telephone on 0161 253 5685.

Within four weeks from the date of publication of this proposal, any person may object to, or comment on the proposal, by sending their representations to: Rachael Stirk, Bury Council, Department for Children & Young People, Education Services, 3 Knowsley Place, Duke Street, Bury BL9 0EJ. Tel: 0161 253 5685, Email: schoolorganisation@bury.gov.uk

Comments and objections should be sent by no later than 28 March 2023.

Signed



Jeanette Richards
Executive Director of Children and Young People
Bury Council
Date: 28 February 2023

Explanatory Notes

Bury Council will determine the statutory proposal within 2 months of the end of the representation period. If the Council fails to determine the proposal within this time, it will pass all relevant material to the Schools Adjudicator who will determine the proposal.

Statutory Proposal for a Prescribed Alteration at Fairfield Primary School

Proposal

It is proposed to lower the age range at Fairfield Primary School from 3-11 to 2-11 with effect from September 2023.

School and Local Authority details

Name of Local Authority making the proposal: Bury Council

Address of Local Authority: Department for Children & Young People, 3 Knowsley Place, Duke Street, Bury BL9 0EJ

Name of school: Fairfield Primary School

Address of school: Rochdale Old Road, Bury, BL9 7SD

URN: 105287 DfE number: 351/2006

Category of school: Community

Description of proposed alteration

It is proposed to lower the age range of Fairfield Primary School from 3-11 year olds to 2-11 year olds, thus creating a 2 year old nursery provision with effect from September 2023.

Evidence of demand

Within the local community there is little provision for 2 year old care. The provider at Fairfield hospital (Fairfield Day Nursery run by Creche-N-Co) is the nearest provider for 2 year old provision. Hoyle nursery which is the next closest provider is over subscribed. There is sufficiency of need in the community and a number of local early years provisions have recently closed or reduced their intake.

The school already has a very successful 3-4 year old nursery provision that was oversubscribed last year.

A high number of families in the area would be entitled to 2 year old funding but are not necessarily taking up the provision. As a community primary school, Fairfield has important links with families and the community and wishes to fulfil the needs of families in the area who have identified a requirement for early years provision

The new nursery would provide 8 places per session for 2 year olds. There will be one session in the morning and one session in the afternoon, Monday to Friday, term-time only.

The proposal is in line with the local authority's Early Years strategy.

Objectives of the proposal

The governing board wishes to ensure that the school supports the local area by offering high quality early education delivered by experienced and well-trained staff across the Early Years Foundation Stage. The aim is to build on the work already done by the school to secure good outcomes for all children in the future.

Fairfield Community Primary is a good school with high standards. By extending the provision offered, the school will provide strong standards, early identification of needs of pupils and allow for strong transition into school (either at Fairfield or another school) from the youngest ages.

The Educational Endowment Foundation state that:

"Beginning early years education at a younger age appears to have a high positive impact on learning outcomes. It is estimated that children who start to attend an early years setting before turning three make approximately six additional months' progress compared to those who start a year later. Positive effects have been detected for early reading outcomes in the first year of primary school and moderate to high effects have been detected for early language and number skills. There are some indications that the impact of high-quality early years provision is particularly positive for children from low-income families."

The school wishes to work with families to help set routines and help children to meet their age related expectations. This aim will include working with families too and encouraging their engagement with school from the very start. Family engagement is strongly promoted at Fairfield. The school offers family learning sessions covering reading, numeracy, mental health and wellbeing, first aid. These have all had a healthy uptake of numbers.

On-site nursery provision would enable robust assessments for the children moving up to the main school as they would be moderated by the Early Years staff from the school. This would also enable, where required, the provision of early intervention such as Speech and Language and Paediatric referrals because the children would be seen by the school's Special Educational Needs Coordinator (SENCo) at a much earlier stage.

The school has recently been awarded the Inclusion Quality Mark and are proud of the support for all pupils and want to extend the impact they have to a wider range of children within the community.

The school will work closely with Bury Early Years and Childcare services to promote and implement activities and training around school readiness. This will further support good outcomes for children in the main school, which is Ofsted rated as Good in February 2018. Standards, planning and delivery of the curriculum will be overseen by a designated member of the school's senior leadership team creating strong links with the school's improvement plans.

The effect on other educational settings in the area

The local authority does not believe the proposal would have a negative impact on other early years' provision, schools or academies in the local area. Establishment of 2 year old provision on the school site would help to fulfil the needs of families in the area who have identified a requirement for early years provision.

