



Notice of Non-key Executive Decision

Subject Heading:	To establish a nursery class at Langtons Infant School
Cabinet Member:	Councillor Robert Benham - Deputy Leader of the Council, Cabinet Member for Education, Children & Families
SLT Lead:	Tim Aldridge, Director of Children's services
Report Author and contact details:	Pooneeta Mahadeo School Organisation Manager Pooneeta.mahadeo@havering.gov.uk Tel. 01708 431092
Policy context:	The Childcare Act 2006 placed duties on all local authorities to secure sufficient childcare, so far as is reasonably practicable for working parents, or parents who are studying or training for employment, for children aged 0-14.
Financial summary:	<p>The administrative costs of publishing the statutory notice and proposal can be met from existing revenue budgets.</p> <p>The school will use an existing Reception class for the nursery provision and thus there are no capital financial implications for this provision.</p> <p>Revenue costs of running the nursery will be met from the Early years Block of the DSG</p>

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Relevant OSC:	Children & Learning
Is this decision exempt from being called-in?	No

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The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The decision is to publish, in accordance with DfE Guidance, a statutory notice to lower the age range of Langtons Infant School from 5-7 to 3 -7 providing a nursery unit as part of the school from September 2018.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, Section 2.5(j) gives the relevant Cabinet Member authority to consider and recommend plans in respect of the portfolio allocated.

STATEMENT OF THE REASONS FOR THE DECISION

The investment will help extend and improve the early years facilities, making Langtons Infant school increasingly more attractive to local families. Other objectives of the proposal are as follows;

- To provide children with the best possible start in their education, creating strong links with the school's foundation stage.
- To ensure a higher base-line of progression into the reception class.
- The improvement of social and learning outcomes to benefit the children throughout their schooling and into adulthood.
- To provide flexible pre-school provision to local parents, offering pre-school provision throughout the academic year.
- Langtons Infant School has a high level of spare capacity. In order to avoid detriment to the educational offer or financial position of the school the LA is considering the option of creating early education and childcare provision for the reuse of space.

Langtons Infant School considers that this proposal presents an exciting opportunity to offer high-quality; free education to 3 and 4 year olds on-site with the likely added benefit of enabling a seamless transition into full time education at Langtons Infant School. Whilst there is no guarantee of a place in the Infants School for former nursery students given current conditions it is likely that a large number, if not all, will transfer in this way if they make an application to do so.

This decision triggers stage 1 of a 4 stage statutory process of consultation and decision-making that the Authority is required to undertake in proposing an alteration of upper or lower age limit by up to two years.

Although there is no longer a prescribed 'pre-publication' consultation period for prescribed alterations, there is a strong expectation on schools and LAs to consult interested parties in developing their proposal prior to publication as part of their duty

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under public law to act rationally and take into account all relevant considerations.

The 'pre-publication' consultation was undertaken from 14 May – 8 June 2018 and the outcome of this stage is attached as Appendix 1 to this report.

It is now necessary, as a requirement of the DfE guidance on school changes of this nature, to publish a statutory notice and proposal to lower the age range of Langtons Infants School from 5-7 to 3-7 – Appendix 2

Following publication of the statutory notice there will be a 'statutory representation period' (Stage 2) of four weeks from Friday 29 June to Friday 27 July 2018 during which further comments on the proposal can be made. The representation period is the final opportunity to express views about the proposal before a final decision is made (Stage 4) in August 2018.

If the decision is to proceed with the proposal the Council is then legally required to implement the decision (Stage 4) on the dates specified in the statutory notice.

OTHER OPTIONS CONSIDERED AND REJECTED

Do Nothing. This was rejected because it fails to achieve the positive advantages of the expansion set out above.

Analysis of the outcome of the pre-statutory consultation failed to identify any overriding reasons not to proceed with the proposed nursery provision at Langtons Infant School.

PRE-DECISION CONSULTATION

A consultation was launched on Monday 14 May 2018 to seek views on the proposal to establish a maintained nursery at Langtons Infant School. The consultation was open to all Parents, Carers, Staff, and Governing Body of the school.

Primary schools with maintained nurseries and childcare providers within 1 mile radius of Langtons Infant school were also consulted.

At the end of the 4 week consultation period which closed on 8 June 2018 a total of 71 responses were received.

83% of the total responses representing 59 respondents were in favour of the proposal to establish a maintained nursery, whilst 12 respondents representing 17% of the total objected to the proposal.

The main objections raised the following issues:

- The school has only just become good and the focus should be on the children already attending the school

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- Reception numbers are down and therefore the popularity of the school needs addressing first.
- Will affect staff jobs at other early year's settings in the area.
- Parents have not been told where will this be based and how it will impact other year groups.
- Concerned about the safety of the children and how the free flow aspect will be safely set up.

The overview of responses and comments from the parents and stakeholders is attached as Appendix 1

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 15/06/2018

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

As set out in the Report pre-statutory consultation comments have been sought. The Cabinet Member must carefully consider all of the comments and responses before making a decision to proceed to publication of formal proposals.

Under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 LAs must follow a statutory process for lowering the age limit of a school by up to two years.

This involves serving of formal notices and inviting objections and comments within four weeks of the date of publication. No final decision should be taken until all of the objections and comments have been conscientiously considered.

There are minimal legal risks in authorising the statutory notice period. Anybody aggrieved by the proposal will have the opportunity to make comments during this process which will have to be considered by the decision maker before a final determination is made.

FINANCIAL IMPLICATIONS AND RISKS

The administrative costs of publishing the statutory notice and proposal are relatively minor can be met from existing revenue budgets within Learning and Achievement.

Capital Implications

There are no capital implications for this proposal. The nursery can be located within the existing Infants School building without the requirement for any capital expenditure to redesign or re-configure the space.

Revenue Implications

LAs receive funding for nursery provision through the Early Years block of the Dedicated Schools Grant (DSG). The funding is based on participation and is allocated according to the total number of FTE 3 and 4 year olds attending a provision within Havering at a census date in January 2018 and adjusted for either an increase or decrease in provision at a second census date in January 2019. Havering's current allocation is £5.28 per hour. This funds Havering's allocation to each early years setting, which, for all providers including maintained schools is £4.53 per hour for 15 hours per week for 38 weeks (0.6 FTE) plus supplements for deprivation.

The nursery at Langtons Infant School will therefore be funded based on participation (i.e. the numbers on roll) from funding received through the Early Years block of the DSG. Any shortfall in funding caused by a low take up of the places available will be met from the school's delegated budget.

Langton's Infant has spare accommodation as numbers are below the published

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admission number and making use of this accommodation for early years provision will attract additional funding from the children attending and help address the school's difficult financial position. Parents' experience of a nursery provision on a school site often encourages them to name the school in their preferences when choosing a school place which would again support the school's financial position.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The human resources implications will be managed by the school with Education HR support where appropriate. There is likely to be a need for both recruitment of new and reorganisation of current teaching and support staff. The school will undertake both the recruitment and selection and organisational change processes in accordance with the existing and relevant policies and procedures.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The informal consultation carried out by the school amongst parents, pupils, governors, staff and other providers showed that most respondents were supportive of the establishment of a nursery at Langtons Infant School. No equality implications were identified as part of the consultation, nor by officers considering the proposals.

The location of additional resources within the school will provide additional choice and improved access to nursery provision for children and their parents. The nursery provision will be fully accessible and inclusive to all community groups.

BACKGROUND PAPERS

None

Appendix 1 - Consultation report
Appendix 2 - Statutory notice

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed ✓

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed



Robert BENTHAM

Name:

22/06/2018

Cabinet Portfolio held: Children + Learning

CMT Member title:

Head of Service title

Other manager title:

Date:

22/06/2018

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on

22/06/2018

Signed



