



# EXECUTIVE MEMBER DECISION

<b>REPORT OF:</b>	Executive Member for Children, Young People and Education
<b>LEAD OFFICERS:</b>	Strategic Director of Children's & Education (DCS)
<b>DATE:</b>	19 August 2022

**PORTFOLIO/S AFFECTED:** Executive Member for Children, Young People and Education

**WARD/S AFFECTED:** Blackburn Central;

**SUBJECT: EMD Prescribed alteration to a school age range**

## 1. EXECUTIVE SUMMARY

Proposed reduction in age range for St Michael with St John CE Primary School with effect from September 2022.

## 2. RECOMMENDATIONS

That the Executive Member:

Approves the reduction in age range at St Michael with St John CE Primary School from 3 to 11 years to 4 to 11 years commencing 1st September 2022.

## 3. BACKGROUND

Blackburn with Darwen has a healthy supply of nursery age provision delivered via a range of providers from across the private, voluntary, independent and maintained sectors giving parents plentiful choice of provision to meet demand.

Over the last five years, there has been a decrease in the number of families choosing to send their children to nursery due to the rising costs of childcare, the ability to access informal childcare provision through friends and family and increased availability of flexible working arrangements. This alongside a decline in birth rates means that the borough as a whole has an oversupply of nursery age provision. In some areas the oversupply is so significant that early years providers are finding it challenging to remain financially viable.

St Michael with St John CE Primary School is a 1.5 form entry school (315 school places across year groups R – 7) with a 26 place morning only nursery class provision. The school age is 3 – 11 years. This means that the school admits children from nursery age (the term after their 3<sup>rd</sup> birthday) until they reach secondary school age. In September 2015, St Michael with St John CE Primary School reduced the nursery provision to morning only delivery due to a significant reduction in the number of families applying for a nursery age place. This change was driven by the need for the school to operate within a balanced budget. Unfortunately this reduced demand has continued to such a level that the school is unable to operate independently without being subsidised from the main school budget.

Within the Blackburn East area there are plans to build 410 new homes over the next 5 years. It is not anticipated that the new housing developments will significantly increase the number of nursery age pupils within the area, however the east locality does have the greatest surplus capacity of available early years places should there be an increase in demand (Appendix 1 - Childcare sufficiency data).

Demographic data (Appendix 2 – Pupil population data) for children aged 1 to 5 years in the St Michael with St John CE Primary School catchment area indicates that the reception intake for the school over the next 3 years will continue to reduce.

#### **4. KEY ISSUES & RISKS**

If the proposal is agreed, St Michael with St John CE Primary School will not enrol any children to its nursery class provision that are not already on the school roll or have already secured a place. Places for nursery age children that are already on roll at the school or for those children that are of nursery age and have already secured at place at St Michael with St John CE Primary Schools nursery provision will be honoured.

The proposal will not negatively affect staff currently employed to work at St Michael with St John CE Primary School.

A comparison of the latest pupil occupancy numbers and nursery capacities indicates that Blackburn with Darwen's early years providers currently have 17.9% of places vacant. In the Blackburn Central ward, the percentage vacancy rate is 33.8% which is the highest vacancy rate in the borough.

The reduction in places at St Michael with St John CE Primary School will not have a detrimental effect on the Local Authority being able to meet its statutory duty to secure sufficient early education and childcare places, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment.

Families living within the immediate area may feel that the reduction in the age range of the school is a loss of service provision in their local area, and may be seen as disruptive having to travel to more than one provision should families have a child in both the primary and the early years phase of education. Whilst this may not be the most convenient for families, it is quite typical for families to have to coordinate school drop offs and collections at more than one setting as children move through the different phases of education.

Families may choose a nursery provision on the basis of this securing a future reception class place at the same establishment. Section 1.42 of the Schools Admissions Code 2021 informs that, "Admission authorities may give priority in their oversubscription criteria to children eligible for the early year's pupil premium, the pupil premium, or the service premium who: a) are in a nursery class which is part of the school; or b) attend a nursery that is established and run by the school. The nursery must be named in the admission arrangements and its selection must be transparent and made on reasonable grounds". The admission arrangements for St Michael with St John CE Primary School do not include a criteria for admission based on previous attendance at the school nursery class provision.

The Local Authority operates a Families information Services that provides support ranging from advice and guidance for families about childcare and early education to bespoke services including meeting with families and working with them to source and secure suitable childcare arrangements. This service will work closely with St Michael and St John CE primary School to ensure that any families requiring support with regards to childcare and early education receive it in a timely manner. The service does not actively promote any one early years setting but aims to give families information about individuals providers services, e.g. operational hours, Ofsted inspection grades

## 5. POLICY IMPLICATIONS

None.

## 6. FINANCIAL IMPLICATIONS

Operating a nursery provision where the expenditure is greater than its income will prejudice the efficient use of resources within the main school budget.

Reducing the age range at St Michael with St John CE Primary School from 3 to 11 years to 4 to 11 years will improve the financial viability for the school allowing them the ability to work with a managed budget.

If the nursery was to continue running in its current form, it is anticipated that circa of £13,000 would be needed from the main school budget to subsidise the nursery budget in 2022-2023 financial year. Longer term pupil forecasting suggests a continuation of reduced pupil demand, which would put increased pressure on the main school budget if the nursery class was to remain open. As the school is not sitting on a large reserve this has the potential to push the school budget into a deficit within the next 3 years.

## 7. LEGAL IMPLICATIONS

Section 6 of the Childcare Act 2006 places a statutory duty on Local Authorities to secure sufficient early education and childcare places, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment.

The current position advises that Blackburn with Darwen has a significant over-supply of early education and childcare places to meet demand (Appendix 1 - Childcare sufficiency data).

## 8. RESOURCE IMPLICATIONS

Will be met by existing internal resource.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

The 'Making Significant Changes ('prescribed alterations') to Maintained Schools 2018' informs that Blackburn with Darwen as the Admission Authority for St Michael with St John CE Primary School are not required to undertake statutory consultation to make a change to the age range of the school. However in the interests of good practice the local authority undertook a consultation to seek views from parents, carers and other interested stakeholders on the proposal (See appendices 3, 4 & 5).

Overall the local authority received 7 responses for this consultation. 5 of the responses supported the proposal, 2 did not support the proposal, with the overriding concern being the challenge of coordinating school drop offs and collections at more than one setting.

The Local Authority has statutory responsibility to provide advice and support for families with regards to securing suitable childcare/early education provision. Blackburn with Darwen Councils Families Information Services (FIS) is able to offer bespoke services including meeting with families and working with them to source and secure suitable childcare/early education arrangements. The service will ensure that all families that have previously applied for a nursery place at St Michael with St John Primary School are offered these bespoke services.

### 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

### 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

**VERSION:** 1

<b>CONTACT OFFICER:</b>	<b>Sarah Anderson, Carol Grimshaw, Head of Service, School System Support</b>
<b>DATE:</b>	
<b>BACKGROUND PAPER:</b>	<p>Appendix 1 – Childcare sufficiency data</p> <p>Appendix 2 - Pupil population data</p> <p>Appendix 3 - Proposed SMSJ Age Range Reduction Consultation</p> <p>Appendix 4 - Consultation Outcomes</p> <p>Appendix 5 - Stakeholder List</p>