

# Report

## **Cabinet Member for Education & Young People**

### **Part 1**

13 February 2013

**Item No. 2**

### **Subject Nursery Education Provision**

**Purpose** To seek Cabinet Member approval to begin the Formal Consultation stage of the statutory consultation process for nine separate proposals in relation to nursery education provision.

**Author** Amanda B Davies, Assistant Head of Education (Planning)

**Ward** All

**Summary** This report details moving to Formal Consultation on nursery education provision across Newport in community maintained primary schools. There are nine proposals and each is detailed within the body of this report.

In order to establish a nursery on a primary school site, the age range must be extended from 4 – 11 to 3 – 11 and for this a Formal Consultation with all stakeholders is required. It is proposed that ten primary schools and one stand-alone nursery school are taken through the Formal Consultation stage in three groups:

1. the first group, consultation on three separate proposals for three sites all of which will require a minimum amount of modification, to be implemented in January 2014 or as soon as possible thereafter.
2. the second group is consultation on one proposal but in respect of three sites as they are interdependent – to extend the age range of Millbrook & Monnow schools and at the same time to close Don Close Nursery, minimum investment is required with an implementation date of January 2014 or as soon as possible thereafter.
3. the third group is consultation on five separate proposals focuses on sites which require some significant building work, to be implemented in April 2014 or as soon as possible thereafter.

**Proposal** **To move to Formal Consultation in nine separate proposals across Newport to consider nursery education provision.**

**Action by** Head of Education

**Timetable** Immediate

This report was prepared after consultation with:

- Chief Education Officer
- Strategic Director – People
- Education Business Manager
- Early Years Business Manager
- Group Accountant
- Schools Resources Manager
- Education Human Resources Business Partner
- Assistant Head of Education (Inclusion)
- Headteacher and Chair of GB for each of the 10 schools named within this report
- Headteacher and Chair of Don Close Nursery School
- Headteacher and Chair of Kimberley Nursery School
- Chair of the EYDCP
- Teacher Adviser (Non Maintained Settings) – SE Wales EAS

**Signed:**

## **Background**

The 21<sup>st</sup> Century Schools Strategic Outline Plan published in December 2010 and updated in November 2011 (available on the web site) detailed the vision for 3 – 11 education in Newport and how additional nursery places would be developed, so that primary schools would be able to support the 3 – 11 transition agenda.

This work was further complemented by the National Implementation Plan for 3 – 16 Education launched in Autumn 2012. All local authorities are considering the most appropriate actions to support the drive towards higher educational attainment at age 16, it is recognised that this work commences at age 3.

Newport City Council has a policy to close all stand-alone nurseries as and when the circumstances arise. There are three remaining in Newport and consideration has been given to the sustainability of those sites as part of the education service strategic planning and under a recent education asset management review. This report identifies how it is now appropriate to move to Formal Consultation on the proposal to consider the closure of one stand-alone nursery as local nursery provision on school sites in the area is developed.

It is critical that all stakeholders working with 3 and 4 years olds in Newport have the opportunity to work together to unlock the potential of our children. This can be achieved by providing high quality settings for 3 and 4 year olds. Our schools identified in this report are looking forward to working alongside the non-maintained settings to share good practice and to balance the delivery of pre-school childcare facilities under a mixed economy, for parents to have a choice. That choice will be of the same high quality across Newport at all locations catering for 3 and 4 year olds and is being taken forward by the Early Years Business Manager in company with the Chair of the EYDCP and the Education Business Manager to ensure that all non-maintained settings have the opportunity to work alongside schools and to support the early years provision.

## **Current position**

Across the education estate in Newport, there are 10 community maintained schools that do not have a nursery, as part of the school. The age range of each of those sites is currently 4 – 11 and the schools and the parents of their pupils are reliant on sourcing nursery provision through other means, ie:

1. in other primary schools some distance away – acting as feeder nurseries, where inevitably they cannot retain those nursery age pupils for admission into Reception as they do not have the space – so the families return to their local primary for mainstream education. Such disruption occasionally, but not always, leads to a dip in confidence, attendance and ability in those early months. There are also logistical issues for families in balancing siblings at different sites.
2. accommodation on the primary school site or within the community at another location hosted by a private provider – known as non-maintained settings.

The aim of this proposal is to consult widely with all stakeholders and not to disadvantage those sites that already host nursery provision, rather to appropriately ensure the sufficiency, suitability and spread of the right number of funded nursery places at the right location and that includes as a mixed economy. This report is to move to Formal Consultation on nursery education provision across the city in nine separate proposals. There is a need to increase the number of nursery places available across the city to meet current and forecast demand and ensuring the Council formally consults with all partners is key, before any decisions are taken.

The pupil numbers for the city are set to increase over future years, an indication of the impact of our rising population is the current surplus position in school places which is circa 8% across the city. In September 2012, many of our primaries were oversubscribed and there was a need to

make immediate investment in order to facilitate additional Reception classes at Rogerstone, Maesglas, St Woolos and Pillgwenlly schools.

The formal consultation meetings and documentation will ensure that families and all partners are aware that the high standards of education delivered in Newport schools draws families to settle and seek education for their children in this city. The increasing population will have a beneficial impact on the non-maintained sectors for pre-school childcare. The situation has prompted the Early Years Business Manager to work in partnership with other stakeholders to develop the role that the Council plays in childcare generally, with a drive to increase the availability of out of school childcare to support families, complementing pre-school provision. Many schools are unable to provide the full childcare agenda, and the business relationships are set to develop across the city – whether that is in the breakfast club, after school club or summer holiday play scheme area.

## **Admissions Policy**

The nursery unit is a separate school entity to the primary school hosting the provision and as such, the admissions policy will be that held by the Council, with all applications being administered by the School Admissions Team.

Those parents who elect a preference for mainstream education following nursery education will be invited to apply to the schools for admission to Reception again under the admissions policy held by the Council, with all applications being administered by the School Admissions Team.

The closing date for admission to Nursery Schools in September 2013 is 1<sup>st</sup> March 2013. According to the WG legislation, parents must be afforded a period of at least six weeks in order to make their application. Thus the availability of the new Nursery Classes at Marshfield, High Cross and Clytha must have been publicised by 18<sup>th</sup> January 2013 at the latest. For this reason the implementation date cannot be earlier than January 2014. It is acknowledged that a phasing of entrants will be likely for some sites, for others there may be transfers mid academic year. The Council's admission policy will be set out to all consultees within any Consultation documents for each of the above proposals.

## **Proposals and Groupings**

This report sets out nine proposals which would each have a separate statutory consultation process, commencing with the Formal Consultation period of one month. The establishment of each nursery requires a separate proposal to extend the age range and as such they are not dependent upon each other, that is to say if there was an objection against one proposal it would not be counted against all other proposals with this paper.

A table follows this section – School Profiles and identifies each of the proposals against their relevant community maintained schools and their local provision, this assists the Council identifying all consultees and stakeholders in the process. Full regard for the impact of each proposal will be detailed within the individual Formal Consultation documents and set out at the individual meetings for each nursery proposal. All schools will be invited to develop the consultation documents for each proposal to mirror the culture and the ethos they hope to engender within the new nursery unit. It is also appropriate to group those proposals with similar themes or with links to others within their group, this has been set out below with grouping by either level of investment or impact on other stakeholders.

### **Group One:**

The following primary schools currently have a 4 – 11 age range and the Headteacher with the Governors have identified the opportunity and the available accommodation to host a nursery, either within the main school building in the foundation phase wing or within the school site adjacent to the foundation phase wing. Whilst minimal investment will be required to implement nursery provision, the timing of the opening of any nursery will be appropriate to suit the individual site as the organisation of the provision will need to be carried out. There are three separate proposals within this group, this report seeks to move to Formal Consultation on the following:

- 1. Marshfield Primary School – extend the age range to 3 – 11**
- 2. High Cross Primary School – extend the age range to 3 – 11**
- 3. Clytha Primary School – extend the age range to 3 – 11**

The implementation date is set as January 2014 or as soon as possible thereafter.

The Council's admission policy will be set out to all consultees within any Consultation documents for each of the above proposals.

### **Group Two:**

For many years the Don Close stand-alone nursery has been the feeder nursery school for other primaries in the area, but in particular for families in the Bettws area who attend Millbrook and Monnow primaries. The Don Close nursery building has a limited asset life and is adjacent to a dilapidated Council property no longer in use.

There is an education policy to close all stand-alone nurseries as and when the circumstances are appropriate. Until now there has been limited opportunity by the Council to provide sufficient or suitable accommodation within Millbrook and Monnow to establish their individual nursery units. The Education Service vision is one of a 3 – 11 primary school strategy and this report seeks to move to Formal Consultation on a proposal which would enable the families attending these two schools to benefit from the 3 – 11 transition strategy.

The 21<sup>st</sup> Century Schools programme supports the delivery of the education strategy with some investment on the school sites. The funding through the 21<sup>st</sup> Century Schools programme and the asset management strategy for the Council provides the circumstances under which to consult on the proposal to close the Don Close stand-alone nursery and at the same time to provide nursery education in the Millbrook and Monnow schools by extending the age range.

As there is a key dependency between the three sites, they will be classed as one proposal and as such any objections will be heard against the whole proposal. This report seeks to move to Formal Consultation on the following proposal:

- 4. Millbrook Primary School – extend the age range to 3 – 11; Monnow Primary School – extend the age range to 3 – 11; Don Close Nursery – closure**

The implementation date is to be 1<sup>st</sup> January 2014, or as soon as possible thereafter.

The Council's admission policy will be set out to all consultees within any Consultation documents for each of the above proposals.

### **Group Three:**

Following a review of the demand for nursery places to benefit all families in the locality five other schools were also identified that require nursery places. However, they will be dependent upon significant investment, as at the current time there is no surplus or suitable accommodation within

the school site. The process to consult on the establishment of a nursery will be carried out as a group of separate proposals, at the same time, however they may not be able to open their doors until the building works have been concluded. The implementation date can be modified as the statutory consultation process continues, if necessary. There are five separate proposals in this group, this report seeks to move to Formal Consultation on the following:

5. **Malpas Park Primary School – extend the age range to 3 – 11**
6. **Langstone Primary School – extend the age range to 3 – 11**
7. **Glasllwch Primary School – extend the age range to 3 – 11**
8. **Pentrepoeth Primary School – extend the age range to 3 – 11**
9. **Mount Pleasant Primary School – extend the age range to 3 – 11**

The implementation date is to be April 2014, or as soon as possible thereafter.

The Council's admission policy will be set out to all consultees within any Consultation documents for each of the above proposals.

## School Profiles

<b>Formal Consultation Group</b>	<b>Proposal Number</b>	<b>School Site</b>	<b>Current nursery provision within the community</b>	<b>Proposal details</b>
<b>ONE</b>	1	Marshfield Primary School	Private playgroup provider utilising the demountable within the grounds of the school site.	It is proposed that the demountable within the grounds of the school site, currently hosting a Playgroup will host the Marshfield Primary School – nursery unit. The Playgroup will be supported by the Early Years Business Manager to see an alternative venue in the locality to continue to offer childcare/ pre-school provision that is much sought after in this area
	2	High Cross Primary School	Private playgroup provider within the school premises	It is proposed that a wing of this school currently hosts a playgroup will host the High Cross Primary School – nursery unit. The Playgroup will be supported to offer

				wrap-around childcare within the school.
	3	Clytha Primary School	Private childcare setting within the school site	It is proposed that the premises that hosts an Early Years Unit, governed by a School Management Committee will come under the auspices of the School governors and host the Clytha Primary School – nursery unit
<b>TWO</b>	4	Millbrook Primary School Monnow Primary School Don Close Nursery School	Don Close Nursery Chuckles Day Nursery, Bettws	It is proposed to extend the age range of Millbrook Primary and Monnow Primary who each have suitable surplus accommodation within the Foundation Phase area of their schools to accommodate their Nursery Units and at the same time it is proposed to close Don Close Nursery School

Formal Consultation Group	Proposal Number	School Site	Current nursery provision within the community	Proposal details
<b>THREE</b>	5	Malpas Park Primary School	Kimberley Nursery Malpas Court Primary – nursery unit	Building works will be required within each school site to make provision for a nursery – the implementation and opening of each nursery will be dependent upon the completion of building works
	6	Langstone Primary School	Langstone Playgroup, Langstone  Babes in the Wood Playgroup, Llanmartin	
	7	Glasllwch Primary School	Gaer Infant School – nursery unit	
	8	Pentrepoeth Primary School	Gaer Infant School – nursery unit  Rhiwderin Village Meithrin Jack in the Box Rhiwderin Bassaleg Pre-School	
	9	Mount Pleasant Primary School	Rogerstone Primary School – nursery unit	

## Nursery Specification

An exercise had been carried out with all primary Headteachers involved in the expansion of nursery education to develop a specification by the Headteachers for the Headteachers. This work had regard for the differing site and premises issues and the limited funding available. The two RC Primary School Headteachers joined that workshop and were able to note the development of nursery education alongside their own provision and where possible replicate some of the features.

The Design and Consultancy team for the Regeneration and Regulatory Service area noted the specification in drawing up preliminary costings and designs for each school. The budget has been set at £1m for all building works and there is no extension to this sum available. The detail for each school will feature within each separate proposal consultation pack.

## Funding Implications

The 21<sup>st</sup> Century Schools Plan published in December 2010 and updated in November 2011 identified the sum of £1m which has been secured from Welsh Government for nursery provision in Newport. Match funding of 50% of that sum has been secured by the Council to support the drawdown of this funding. The school reorganisation proposals detailed within this paper will be detailed as a statutory consultation process within a Business Justification Case for submission to Welsh Government. The Education Service has commissioned the Regeneration & Regulatory Service area to deliver the building programme to support the statutory consultation process.

### Financial Summary:

	Year 1 2013/14 £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
Costs	1,000,000				Subject to submission to WG of a Business Justification Case and match funding of 50% by Newport City Council.
(Income)					
Net Costs (Savings)					
Net Impact on Budget					

### Risks:

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Failure to move to Formal Consultation	H	L	Adhering to the School Reorganisation Code and recommending full statutory consultation process for all school reorganisation proposals.	Head of Education

\* Taking account of proposed mitigation measures

### Links to Council Policies and Priorities

Welsh Government Statutory Code of Admissions, July 2009

21<sup>st</sup> Century Schools Strategic Outline Plan, December 2010 & November 2011

### Options available

Option 1: to move to formal consultation on 9 proposals on 11 sites:

1. Thereby to consult on the closure of Don Close Nursery and
2. To extend the age range of 10 schools from 4 – 11 to 3 – 11.

All 9 proposals to be carried out under separate statutory consultation processes.

Option 2: not to move to formal consultation on this proposal, but to continue to identify additional nursery places within the non-maintained sector and retain the stand alone nursery at Don Close.

### **Preferred Option and Why**

The preferred option is option 1, as this allows the implementation of the education vision for a 3 – 11 strategy on all community maintained primary school sites; provides additional sufficiency of nursery education places across the city; extends the choice for parents; eases the logistics of parents who have siblings within schools; enables the family to return to work by schools having more services on the one site; develops the professional learning communities on all school sites; facilitates The National Implementation Plan for 3 – 16 Education..

### **Comments of Chief Financial Officer**

The proposals with regard to the creation of additional nursery provision within Newport schools, will add additional costs to the Education service through its Schools accounts as Schools will need to be funded for additional pupils within their schools,. Additional resource can be found from the closure of the Don Close Nursery and transferring funding from central early years budgets, as there would be some pupils moving from independent providers into school settings. However, due to the expansion of WG Flying Start activity and the increasing birth rate within Newport it is anticipated that there will be additional pressures on the Education budget from 2014/2015. These will need to be quantified together with the anticipated savings, and any pressures built into the Education Medium Term Financial Plan for overall Council consideration in future years.

The closure of Don Close Nursery may also give rise to potential redundancy costs with staff, which will potentially add to Education central costs if no savings can be found to offset the costs at time of closure.

### **Comments of Monitoring Officer**

In taking and implementing these decisions about additional nursery education provision, the Council must comply with the requirements of the School Standards and Framework Act 1998 and the procedures set out in the Education (School Organisation Proposals)(Wales) Regulations 1999 (as amended). The Council will need to follow the prescribed statutory procedures for publicising and consulting on these proposals because they will involve the closure of an existing nursery at Don Close and also extending the school range and lower age limits to establish nurseries at the other existing primary schools. The Council also has to comply with Guidance issued by the Assembly, given that any proposals have to be approved by the Minister for Education if there are any unresolved objections. The key issues are in relation to standards of education and efficient use of resources and the report sets out the relevant considerations in terms of the need for additional nursery provision. Although the closure of Don Close could have staffing and redundancy implications in due course, these are not relevant considerations in terms of the statutory process and any decisions must be based on purely educational grounds. The Council is required to undertake a period of prior consultation with key stakeholders and consider the responses received before deciding whether or not to proceed with the publication of the relevant statutory notices and the formal consultation process. Each separate proposal will need to be the subject of separate publication and consultation.

### **Staffing Implications: Comments of Head of People and Transformation**

With regards to the named Primary Schools listed in this report there are no direct human resources implications as this is only a consultation process at this stage.

However, should the proposal to close the school proceed, there will be implications for the teaching and support staff of Don Close Nursery who are all employed by the City Council although managed, for employment purposes, by the school's Governing Body. It will be essential that the Governing Body adheres to its Job Security Policy in dealing with any staffing issues and potential redundancies, and the City Council would work with the Governing Body of the school to redeploy

staff to other vacancies within Newport prior to any final closure date. The City Council will also need to ensure that the school and its staff receive appropriate support and advice from the City Council under the terms of their Service Level Agreements.

It is noted that similar proposals in other schools have caused a great deal of uncertainty and concern for the staff in the schools affected. It will therefore be important that, should this report be approved, that prompt communication takes place with staff as soon as a decision to proceed is made to ensure that staff are fully informed and receive accurate and timely information from the City Council.

## **Local issues**

## **Consultation**

### **Comments of Non Executive Members**

#### **Councillor Atwell**

It is disappointing that in all things, Langstone is once again within the bottom group. There are two nurseries, east of the Coldra roundabout, one of them is in Llanwern ward located at Underwood which is some distance away and is a Playgroup and not a Nursery, the other being in the Village hall in Langstone, this is a playgroup also not a nursery and struggles to survive financially as it is independently run.

I request that the cabinet member further consider this proposal with a mind to place Langstone within the top group for Nursery provision.

At this point I must declare an interest as a member of Langstone Primary Schools Governing Body.

### **Response from Assistant Head of Education ( Planning )**

The schools within the nursery expansion programme are grouped by the ability to carry out works and to implement as soon as is practicable. Groups 1 and 2 schools have available space on their sites and require very little building works to support nursery provision, they could potentially open immediately with the building works (e.g, canopies) carried out in school holidays. Group 3 require significant building works, these schools do not have any available space on their sites and the build programme is to create additional, suitable nursery provision, which when carried out could disrupt the school day. With this in mind, the implementation date is delayed to enable such works to be completed.

#### **Councillor Atwell**

Please advise the Cabinet Member that his response is incorrect in relation to the Langstone Nursery project. He is clearly demonstrating an ignorance and knowledge of the Langstone School site when stipulating " *do not have any available space on their sites*", I suggest he visits the School and its significant grounds. With regard to any disruption to the school day, much of the new work carried out at Langstone School in the last four years was undertaken with minimal disruption.

I find this a very poor and inaccurate response **and would also like this included in the report.**

It is therefore my intention to take this to another forum.

### **Response**

As you would know and have been engaged throughout the process, including the planning and submission for 21st Century Schools bid for nurseries that the Langstone Primary School site does not have current surplus purpose built accommodation to host a nursery. A facility would need to be built within the grounds which cannot be carried out in time for an earlier implementation date. As you also know it takes time for planning consents, tenders and appointment of contractors before the actual build project takes a long lead in time, hence the April 2014 implementation date.

## **Background Papers**

None

## **Dated:**

13 February 2013