



REPORT TITLE: Proposal to extend the age range of Tibberton Primary School from 4-11 to 2-11 years on 1st September 2024

Dates between which decision will be taken	Earliest date: 15 May 2024 Latest date: 31 August 2024
Cabinet Member	Cllr Philip Robinson Cabinet Member for Education, Skills and Bus Transport
Key Decision	No
Purpose of Report	<p>Approval is sought to undertake the consultation and decision-making processes to enable the Council to consider a decision to implement a permanent extension to the age range for Tibberton Primary School from 4-11 to 2-11 years.</p> <p>The proposed changes are to take effect on 1st September 2024 when it is anticipated the school will convert to an academy, following the receipt of an academy order. The extension of the age range will not take effect if the school does not become an academy.</p>
Recommendations	<p>To delegate authority to the Director of Education, in consultation with the Cabinet Member for Education, Skills and Bus Transport:</p> <ol style="list-style-type: none">1. To publish a statutory notice on the proposal to permanently extend the age range of Tibberton Primary School from 4-11 to 2-11 years with effect from 1st September 2024; and2. If no materially significant representations are received to the statutory consultation set out in Recommendation 1, to determine the proposal to permanently extend the age range for the school from 4-11 years to 2-11 years with effect from 1st September 2024, subject to the Department for Education (DfE):<ul style="list-style-type: none">• Issuing an academy order for the school; and• Agreeing the date on which the school converts to academy status. <p>The decision to consider such representations shall be determined by the Cabinet Member if materially significant objections are received to the consultation exercises set out in Recommendation 1.</p>
Reasons for Recommendations	Following discussions with the Head Teacher and Governors, it was agreed with the request of the DfE to publish a statutory notice on extending the age range at Tibberton Primary School ('the School') from 4-11 to 2-11 years. This will allow the school to

	meet the requirements of converting to an Academy by ensuring that the Nursery can be transferred as part of the school.	
Resource Implications	No resource implications have been identified at this time other than Officer time and the cost of publicising details of the proposed changes in accordance with the statutory process. Officers will monitor this with colleagues in other teams to ensure that this remains the case.	
Background Documents	None	
Statutory Authority	<p>Gloucestershire County Council's statutory duty under the Education Act 2011</p> <p>School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013</p> <p>Department for Education's Guidance: Making Significant Changes (Prescribed Alterations) to Maintained Schools Guidance</p>	
Divisional Councillor(s)	Cllr Philip Robinson	
Officer	<p>Any representations should be sent to: Name: Tracy Eales Tel. no: 01452 328677 Email: tracy.eales@gloucestershire.gov.uk</p> <p>By 5pm on 5 June 2024</p>	
Timeline	Stage	Timeline
	Formal statutory consultation (publication of a statutory notice) on the extension to the age range of the school in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.	June/July
	To take a decision about whether to extend the age range of the school subject to no materially significant objections being received at the formal consultation stage.	July/August

Background

1. In accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013, changes to the age range of 1 year or more requires a statutory process of consultation, consideration of representations and decision by the Local Authority about whether to implement the change.
2. Tibberton Primary School is a Community school in the process of converting to an academy. The school caters for children aged 4-11 and has a Nursery within the school grounds. However, the pupils at the Nursery are not currently on the school roll. The Department for Education has approached the County Council requesting the Council to exercise its statutory powers to extend the age range of school. If agreed, following consultation, this will enable the nursery to be integrated during the academy conversion process to avoid them remaining a separate entity from the school and enable the nursery to continue.
3. The proposal being presented here for decision under Recommendations 1 to 2 is to:
 - enable the statutory process of consultation to be undertaken to allow the Council to consider extending the school's age range; and
 - for a decision to be taken about whether to permanently extend the school's age range.
4. If the proposal to extend the school's age range proceeds following the statutory consultation process, 2 and 3 year-olds would then be on the school roll and will be included in the school census. Parents will still need to make a separate application to Gloucestershire County Council for a place in the Reception class.
5. The Nursery provision for the 2 and 3 year-olds is led by suitably qualified staff. Gloucestershire's Early Years and Childcare Service is supportive of this proposal. As there is no change in the physical premises, planning consent is not required and there will be no effect to the school's Published Admission Number for school aged children, nor any change to the school's net capacity.

Options

6. Should the DfE grant an academy order, the conversion process will be completed by the DfE in parallel with the age range extension. If the order is not forthcoming, then the age range extension will not come into effect.

Risks

7. The guidance confirms that there is no statutory requirement to undertake a 'pre-publication' consultation period for prescribed alteration changes, although there is strong expectation that schools and LAs will consult with interested parties in developing their proposal prior to publication. On this occasion the County Council has had regard to this guidance and considers that it is reasonable to depart from such guidance, although

potentially this may create a low risk of legal challenge considering the following mitigating factors:

- there is no change to the provision of early years education at the School due to extending the age range on the school converting to an academy.
- the approach will enable the smooth transition of the school to academy status in a timely manner to allow the nursery to be integrated within the school rather than remain a separate entity and
- the Department for Education have confirmed their support to proceed directly to undertake the formal statutory consultation period for the proposed age range extension. Their view is that it will benefit the school, pupils and Governors to complete the statutory process as quickly as possible and enable it to convert to academy status.

Financial implications

8. No financial implications have been identified at this time other than Officer time and the cost of publicising details of the proposed change in accordance with the statutory process. Officers will monitor this with colleagues in other teams to ensure that this remains the case.

Climate change implications

9. Has the Climate Impact Assessment Tool (CIAT) been completed? No
10. There are no climate change implications of making this decision.

Ecological implications

11. An Ecological Impact Assessment (EclA) has not been produced as there is no Ecological impact from making this decision.

Equality implications

12. An Equality Impact Assessment has been produced. The proposal does not discriminate against any of the protected groups and actively seeks to improve outcomes for children.
13. The Cabinet Member should read and consider the Equalities Impact Assessment to satisfy themselves as the decision maker that due regard has been given.

Data Protection Impact Assessment (DPIA) implications

14. The consultations will include a relevant privacy notice to address any data protection issues <https://www.gloucestershire.gov.uk/privacy-notices/directorate-specific-privacy-notices/childrens-services-privacy-notice/>.
15. A Data Protection Impact Assessment (DPIA) decision checklist was completed and a DPIA was not required.

Social value implications

16. There are no social value implications arising from the decision at hand.

Consultation feedback

17. The outcome of the formal consultation will be considered before making a decision to permanently alter the school's age range.

Officer recommendations

18. That the Cabinet Member for Education, Skills and Bus Transport approves the proposed delegation to the Director of Education to enable:

- a consultation exercise to be undertaken to permanently extend the age range at the school; and
- a decision to be taken about whether to extend the age range at the school.

Performance management/follow-up

19. The project will be kept under review by the Head(s) of Education Planning and Infrastructure.