



Proposal to extend the age range of Longborough C of E Primary School and St James' & Ebrington C of E Primary School from 4-11 to 2-11 years.

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|---|---|
| <b>Dates between which decision will be taken</b> | Earliest date: 11 May 2022<br>Latest date: 25 May 2022  |
| <b>Cabinet Member</b>                             | Cllr Philip Robinson<br>Cabinet Member for Economy, Education and Skills  |
| <b>Key Decision</b>                               | No  |
| <b>Purpose of Report</b>                          | <p>Approval is sought to undertake the consultations and decision-making processes to enable the Council to consider a decision to implement a permanent extension to the age range for Longborough C of E Primary School and St James' &amp; Ebrington C of E Primary School from 4-11 to 2-11 years.</p> <p>The proposed changes are to take effect on 1<sup>st</sup> September 2022 when it is anticipated the schools will convert to an academy, following the receipt of an academy order. The extension of the age ranges will not take effect if the schools do not become academies.</p>   |
| <b>Recommendations</b>                            | <p>To delegate authority to the Director of Education, in consultation with the Cabinet Member for Economy, Education and Skills:</p> <ol style="list-style-type: none"><li>1. To publish statutory notices on proposals to permanently extend the age range of Longborough C of E Primary School and St James' &amp; Ebrington C of E Primary School from 4-11 to 2-11 years with effect from 1<sup>st</sup> September 2022.</li><li>2. If no materially significant representations are received to the statutory consultations set out in Recommendation 1, to determine the proposal to permanently extend the age range for the schools from 4 -11 to 2-11 with effect from 1<sup>st</sup> September 2022, subject to the Department for Education (DfE):<ul style="list-style-type: none"><li>• issuing academy orders for the schools and</li><li>• agreeing the date on which the schools convert to academy status</li></ul></li></ol> <p>The decision to consider such representations shall be determined by a Cabinet Member if materially significant objections are received to the consultation exercises set out in Recommendation 1.</p> |

| <b>Reasons for recommendations</b>   | Following discussion with the Head Teacher and Governors at both schools, it was agreed with the request of the DfE to publish statutory notices on extending the age range at Longborough C of E Primary School and St James' & Ebrington C of E Primary School from 4-11 to 2-11 years ('the Schools') This will allow the schools to meet the requirements of converting to Academies by ensuring that the Nurseries can be transferred as part of the schools.  |  |       |          |  |   |  |                            |
|--|---|--|-------|----------|--|---|--|----------------------------|
| <b>Resource Implications</b>   | 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.  |  |       |          |  |   |  |                            |
| <b>Background Documents</b>  | None  |  |       |          |  |   |  |                            |
| <b>Statutory Authority</b>   | <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>   |  |       |          |  |   |  |                            |
| <b>Divisional Councillor</b>   | Cllr Lynden Stowe, St James' & Ebrington and Longborough  |  |       |          |  |   |  |                            |
| <b>Officer</b>   | <p><b>Any representations should be sent to:</b></p> <p>Name: Tracy Eales<br/> Tel. no: 01452 328677<br/> Email: tracy.eales@gloucestershire.gov.uk</p> <p><b>By 5pm on 10 May 2022</b></p>   |  |       |          |  |   |  |                            |
| <b>Timeline</b>  | <table border="1" data-bbox="424 1420 1525 1975"> <thead> <tr> <th data-bbox="424 1420 976 1487">Stage</th> <th data-bbox="983 1420 1525 1487">Timeline</th> </tr> </thead> <tbody> <tr> <td data-bbox="424 1496 976 1778">Formal statutory consultations (publication of statutory notices) on the extension to the age range of the schools in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.</td> <td data-bbox="983 1496 1525 1778">23<sup>rd</sup> May – 17<sup>th</sup> June 2022</td> </tr> <tr> <td data-bbox="424 1787 976 1975">To take a decision about whether to extend the age range of the schools subject to no materially significant objections being received at the formal consultation stage.</td> <td data-bbox="983 1787 1525 1975">24<sup>th</sup> June 2022</td> </tr> </tbody> </table> |  | Stage | Timeline | Formal statutory consultations (publication of statutory notices) on the extension to the age range of the schools in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. | 23 <sup>rd</sup> May – 17 <sup>th</sup> June 2022 | To take a decision about whether to extend the age range of the schools subject to no materially significant objections being received at the formal consultation stage. | 24 <sup>th</sup> June 2022 |
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| To take a decision about whether to extend the age range of the schools subject to no materially significant objections being received at the formal consultation stage.   | 24 <sup>th</sup> June 2022  |  |       |          |  |   |  |                            |

## **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. St James & Ebrington is a Voluntary Aided school and Longborough Primary is a Voluntary controlled school, but both are in the process of converting to academies. The schools cater for children aged 4-11 and both already have a Nursery within the school grounds. However, pupils at the Nurseries are not currently on the school rolls. Funding is paid into the main School budgets via a journal payment and a separate cost code set up for the Nursery Funding Money. The Department for Education has approached the County Council requesting the Council to exercise its statutory powers to extend the age range of the schools. If agreed, following consultation, this will enable the nurseries to be integrated during the academy conversion process to avoid them remaining separate entities from the schools.
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 enable the Council to consider extending the schools age ranges; and
  - for a decision to be taken about whether to permanently extend the schools age ranges.
4. If the proposal to extend the schools age ranges proceeds following the statutory consultation process, 2–3-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 classes.
5. The Nursery provisions for the 2 and 3-year-olds are 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 schools Published Admission Numbers for school aged children, nor any change to the school's net capacity.

## **Options**

6. Should the DfE grant Academy orders, the conversion process will be completed by the DfE in parallel with the age range extensions. If the orders are not forthcoming, then the age range extensions will not come into effect.

## **Risks**

7. Regulation 7 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 confirms the Council must have regard to the Secretary of State for Education's guidance when making significant changes to maintained schools. The Guidance issued through the Making Significant Changes

(Prescribed Alterations) to Maintained Schools Guidance ('the Guidance') outlines the process which must be followed when extending the age range of a school.

8. 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 interested parties in developing their proposal prior to publication to take into account all relevant considerations. On this occasion the County Council has had regard to this guidance and considers that it is reasonable to depart from such guidance. This will enable the smooth transition of the schools to academy status in a timely manner to allow the nurseries to be integrated within the schools rather than remain separate entities.
9. The County Council has consulted the Department for Education regarding this approach, and they have confirmed their support to proceed to undertake the formal statutory consultation period for each school. It will benefit the schools, pupils and Governors to complete the statutory process as quickly as possible and enable them to convert to academy status.

### **Financial implications**

10. No financial 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.

### **Climate change implications**

11. There are no climate change implications of making this decision.

### **Equality implications**

12. Equality Impact Assessments have been produced for each school. The proposals do 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 Equality Impact Assessments in order to satisfy themselves as decision makers that due regard has been given.

### **Data Protection Impact Assessment (DPIA) implications**

14. There are no Data Protection considerations to note.

### **Social value implications**

15. Supporting the work of the Schools, Governors and DfE to improve outcomes for the children at the schools. They have identified that Academy conversion is the best option going forward and this process will support that.

### **Consultation feedback**

16. The outcome of the formal consultations will be considered before making a decision to permanently alter the schools' age ranges.

**Officer recommendations**

17. That the Cabinet Member for Economy, Education and Skills approves the proposed delegation to the Director of Education to enable:

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

**Performance management/follow-up**

18. These projects will be kept under review by the Head of Commissioning for Learning.