

# CHESHIRE EAST COUNCIL

## Cabinet Member for Children and Family Services

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**Date of Meeting:** 24<sup>th</sup> June 2010  
**Report of:** Lorraine Butcher, Head of Service for Children & Families  
**Subject/Title:** Cledford Primary School – Change of Age Range

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### **1.0 Report Summary**

- 1.1 To seek approval from the Cabinet Member for Children and Family Services for officers to commence the statutory process to change the age range from 4-11 to 3-11 years old at Cledford Primary School, Long Lane South, Middlewich, Cheshire, CW10 0DB.

### **2.0 Recommendation**

- 2.1 That the officers be given approval to consult on and publish a statutory notice in respect of proposals to change the age range from 4-11 to 3-11 years old at Cledford Primary School, Long Lane South, Middlewich, Cheshire.

### **3.0 Reasons for Recommendations**

- 3.1 To enable continued provision of the Free Early Education Entitlement by the school to meet the Local Authority duties laid out in the Childcare Act 2006 and improve outcomes for children.

### **4.0 Wards Affected**

- 4.1 Middlewich

### **5.0 Local Ward Members**

- 5.1 Councillor Paul Edwards  
Councillor Simon McGrory  
Councillor Michael Parsons

### **6.0 Policy Implications including - Climate change - Health**

- 6.1 A change in age range would enable the school to continue to provide the Free Early Education Entitlement to children aged 3 and 4 years.
- 6.2 Maintaining the current age range would prevent the school from providing the Free Early Education Entitlement to children aged 3 and 4 years and result in closure of the nursery.

## **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

N/A

## **8.0 Financial Implications 2010/11 and beyond (Authorised by the Borough Treasurer)**

- 8.1 The school received approximately £97,000 within their overall 2010-11 budget based on calculations using the Early Years Single Funding Formula (EYSFF). These calculations are based on the projected total number of hours of nursery provision during the financial year (as estimated by the school) multiplied by an hourly rate that is determined by reference to a range of factors including, but not limited to, the professional qualifications of the nursery staff, the flexibility of the provision, Ofsted rating and a deprivation factor.
- 8.2 It is estimated that the range of possible financial impacts to the Local Authority of seeking alternative early years provision for the current nursery children would be a 7% saving or increased cost. Which of these is the case will depend on the assessment of the hourly rate factors of a new provider.
- 8.3 There is more than adequate provision within the Dedicated Schools Grant to cover any such increase.
- 8.4 There is unlikely to be any financial impact to the Local Authority of maintaining the funding status quo by increasing the age range of the school.

## **9.0 Legal Implications (Authorised by the Borough Solicitor)**

- 9.1 The Childcare Act 2006 has imposed two key duties on local authorities regarding childcare:
- A duty to secure sufficient childcare to meet the needs of working parents and those training for work (Section 6 Childcare Act 2006).
  - A duty to secure free early years provision for all three and four year old children (Section 7 Childcare Act 2006).
- 9.2 The Local Authority therefore has a duty to ensure that, so far as is reasonably practicable, all eligible children can access a free place, (the Free Education Entitlement). Changing the age range at Cledford to admit children from age 3 will enable parents to continue to access their free entitlement at this school.
- 9.3 Changing the age range at a maintained mainstream school is a statutory process requiring the publication of statutory proposals and it is for the individual cabinet member for children & families to make the decision to commence that statutory process.

## **10.0 Risk Management**

- 10.1 If the future of early years education at Cledford is not secured through the continuation of existing provision, there is a risk that the Local Authority may not meet its statutory duty to secure sufficient childcare.
- 10.2 Funding for the free entitlement from April 2010 under the Single Funding Formula is linked to occupancy. Anticipated occupancy should be sufficient to secure sustainable quality provision with higher than minimum staffing ratios.
- 10.3 If the age range is not extended, the nursery will close on 31 December 2010 and the Local Authority will be required to secure alternative provision.

## **11.0 Background and Options**

- 11.1 Cledford infant and junior schools amalgamated in January 2009 to create Cledford Primary School. The amalgamation included a capital programme to create a new school on the former junior school site, incorporating nursery provision.
- 11.2 The age range of the new Cledford Primary School is 4 to 11 years old. Due to LGR and changes in project leads, officers are unclear why this is the case when the new school includes a nursery. It is possible that private nursery provision may have been considered for the new school due to uncertainty about the future levels of funding available to maintained nurseries. Anticipated occupancy should be sufficient to secure sustainable quality provision with higher than minimum staffing ratios.
- 11.3 At present, the nursery is operating under the Governors' powers to temporarily extend the age range of the school for a period of up to 2 years. This will expire on 31 December 2010.
- 11.4 The proposal to change the age range at Cledford Primary School from 4-11 to 3-11 years old is a prescribed alteration under the Education and Inspections Act 2006 and therefore the prescribed statutory process set out in regulations must be followed.
- 11.5 Should the Cabinet Member for Children & Families allow the consultation and publishing of statutory notices, the formal consultation period on the change of age range would commence as soon as possible after the x June for approximately 6 weeks.
- 11.6 The formal statutory change in age range process will be carried out in 5 stages; Stage 1 Consultation (6 weeks period), Stage 2 Publication of a Statutory Notice, Stage 3 Representation Period (12 week period to receive objections and representations), Stage 4 Decision – The Local Authority as the decision maker aim for a decision in time for Stage 5,

implementation on 1<sup>st</sup> November 2010. This final decision to obtain approval for implementation (assuming there are no objections) will be taken by the Individual Cabinet Member. If there are objections, it is proposed to convene a meeting of the Cabinet School Organisation Sub-Committee in to make the final decision.

## **12.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

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