

**Decision maker:** Cabinet Member for Education

**Subject:** Closure of Brambles Nursery School and replacement full day care provision at Goldsmith Infant School

**Date:** 13<sup>th</sup> October 2016

**Report from:** Alison Jeffery, Director of Children's Services

**Report by:** Mike Stoneman, Deputy Director for Children's Services - Education

**Wards affected:** Central Southsea

**Key decision:** No

**Full Council decision:** No

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## **1. Purpose of report**

- 1.1 This report sets out the outcome of the statutory representation undertaken between 3<sup>rd</sup> September 2016 and 3<sup>rd</sup> October 2016 on a proposal to close the Brambles Nursery and for Goldsmith Infant School to operate full day care provision comprising a 0 - 4 provision alongside the infant school.

## **2. Recommendations**

### **2.1 It is recommended that the Cabinet Member for Education:**

- (i) Consider the outcome of the statutory representation undertaken between 3<sup>rd</sup> September and 3<sup>rd</sup> October 2016**
- (ii) Approve the proposal to close The Brambles Nursery School (Maintained) for Goldsmith Infant School to operate full day care comprising 0-4 provision alongside the operation of the Infant School from 1st April 2017**
- (iii) Authorise the Deputy Director of Children's Services - Education, to proceed to the implementation stage.**

## **3. Background**

- 3.1 At the Cabinet Member for Education meeting held on 21<sup>st</sup> July, 2016, a decision was made to authorise the Deputy Director of Children's Services - Education, to proceed to the representation stage, by publishing statutory proposals to close the Brambles Nursery and for

Goldsmith Infant School to operate full day care provision comprising 0 - 4 provision alongside the operation of the infant school.

- 3.2 Since September 2012, the Brambles Nursery School and Goldsmith Infant School have formally operated as a hard federation under one single governing body and one senior leadership team but with separate budgets and legal identities.
- 3.3 The schools share one site and on completion of the building work that is currently in progress, will also share one building.
- 3.4 The school's Governing Body wish to further develop the relationship and benefits that have already been seen through the federation arrangements. These include:
- The benefits of cross phased leadership which have contributed to an upward trend in pupil attainment and progress
  - The sharing of staff expertise
  - The development of a rich curriculum that supports all children throughout the Early Years Foundation Stage
  - Sharing one agreed vision and set of values to continue to drive up standards and promote continuity and progression of practice
  - Continuing to build upon the access that pupils and their families have to both family learning and developing a range of inclusive services.
- 3.5 The proposal is to close The Brambles Nursery School (Maintained) and for Goldsmith Infant School to operate full day care comprising a 0 - 4 provision alongside the infant school from 1<sup>st</sup> April 2017. The proposed provision would therefore be the same size as the current organisation, maintaining one Governing Body and one Headteacher. All of the pupils attending The Brambles Nursery School will automatically transfer to the roll of the Infant school and Nursery.
- 3.6 The Governing Body has also agreed that the school should have a new name to reflect the joining together and are intending to rename the school to Bramble Infant School and Nursery. There is a historic precedent as well as geographic reason for choosing this name as until 1966 Goldsmith Infant School was called Bramble Road Infant School and the school is geographically located on Bramble Road. At the Cabinet Member for Education meeting held on 21<sup>st</sup> July, 2016, the Cabinet Member supported the School Governing Body in their decision to rename the school.

#### **4. The statutory representation**

- 4.1 In accordance with the School Organisation Regulations 2013, a statutory representation was undertaken between 3 September 2016 and 3 October 2016.
- 4.2 The full proposal (Appendix 1) was published on the Council website along with a statement setting out:
- How copies of the proposal may be obtained
  - That anybody can object to, support, or comment on, the proposal
  - The date that the representation period ends; and
  - The address to which objections or comments should be submitted
- 4.3 A notice was published in the Portsmouth News and at all entrances to the school.
- 4.4 Within one week of the date of publication on the website, a copy of the proposal was sent to the following:
- The Secretary of State
  - The local Church of England diocese
  - The local Roman Catholic diocese
- 4.5 There were no responses received during this representation period.

#### **5. Reasons for the recommendation**

- 5.1 With the coming together of the two buildings in Autumn 2016, this will provide a completely joined up provision, better supporting the developing offer to families with improved classroom space, improved circulation around the school site and shared facilities allowing for more teaching and resources to be shared across the school.
- 5.2 The day to day operation of managing one budget instead of three will improve financial and administrative duties leading to reduced bureaucracy.
- 5.3 There would be reduced inspection regimes with two Ofsted inspections instead of the current three and one financial audit instead of two.
- 5.4 There are currently 60% of pupils within the Nursery School that apply for a school place at the Infant School. Whilst parents will still have to follow Local Authority admission procedures for the Infant School, there will continue to be seamless provision on one site from 0 - 7 years old.

5.5 During the pre-statutory consultation undertaken between 6 June and 1 July 2016, of the 29 responses received only 1 was not in support of the proposal.

5.6 There were no responses received during the statutory representation stage.

## **6. Equality impact assessment**

6.1 A preliminary Equality Impact Assessment (EIA) has been completed (Appendix 2). A full EIA is not required as the proposals do not have any impact upon a particular equalities group because there will be no change to the admissions arrangements for the school.

## **7. Legal Services' comments**

7.1 A local authority has a duty contained in s.6 of the Childcare Act 2006 to secure sufficient childcare places for working parents for children aged 0 - 14 years.

7.2 The statutory process for the closing of a maintained nursery school is set out in the Education and Inspections Act 2006 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013. These provide for a 5 stage process which includes pre-statutory consultation and the publication of statutory proposals. The requirements of these stages have been complied with.

7.3 A local authority, as the proposer of the closure of the maintained nursery school, is also the decision maker in the process. The decision whether or not to close the maintained nursery must be made within 2 months of the end of the representation period and implemented in accordance with the dates in the published notice.

7.4 When making the final decision, the decision-maker must have regard to the statutory guidance contained in the "School Organisation Maintained Schools - Guidance for proposers and decision-makers", and in particular Annex B - Guidance for Decision-makers.

7.5 The options for the decision-maker are:

- Reject the proposal;
- Approve the proposal without modification;
- Approve the proposal with modifications, having consulted the local authority and/or governing body (as appropriate); or
- Approve the proposal (with or without modification) subject to certain prescribed events being met.

## **8. Finance comments**

- 8.1 The funding for nursery schools and statutory free childcare provision of up to 15 hours per week for eligible 2, 3 and 4 year olds is provided through the Dedicated Schools Grant (DSG) and governed by the Schools and Early Years Finance (England) regulations.
- 8.2 The closure of the nursery school will release funding to be used to support the 15 hours free childcare for 2, 3 and 4 year olds at the new childcare provision at Goldsmith Infant school.
- 8.3 In accordance with the regulations any closing balance on the nursery school will be taken back into the DSG

Signed by: Alison Jeffery, Director of Children's Services

**Appendices:**

**Appendix 1 - Full Proposal**

**Appendix 2 - Preliminary Equality Impact Assessment (EIA)**

**Background list of documents: Section 100D of the Local Government Act 1972**

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

| <b>Title of document</b>   | <b>Location</b>   |
|--|---|
| Opening and closing maintained schools<br>- DfE Statutory guidance for proposers and decision-makers | <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/514556/16-04-06_FINAL_SO_Guidance_ED_Regs.pdf</a> |
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The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by ..... on .....

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 Signed by: