

The Vale of Glamorgan Council

Cabinet Meeting: 20 March, 2017

Report of the Cabinet Member for Regeneration and Education

Proposal to Change the Character of Fairfield Primary School to a 3 - 11 years School, by Creating a Nursery Unit within the School

Purpose of the Report

1. To advise Cabinet of the outcome of the consultation exercise undertaken on a proposal to establish a nursery unit at Fairfield Primary School.

Recommendations

1. That Cabinet considers the findings of the consultation exercise and the equality impact assessment of the proposal.
2. Cabinet approves the publication of the consultation report on the proposal.
3. Cabinet approves the publication of a statutory public notice to establish a Nursery Unit at Fairfield Primary School.

Reasons for the Recommendations

1. To ensure the views of prescribed consultees are taken into account in the decision making process, and that the Council complies with its public sector equality duty.
2. To ensure the Local Authority meets the legal requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013.
3. To progress the establishment of a Nursery Unit at Fairfield Primary School.

Background

2. Nursery provision in the Penarth area is currently offered by a range of maintained and private nurseries. Primary schools in Penarth and the surrounding area offer maintained nursery provision with the exception of Evenlode, Cogan and Fairfield Primary schools.
3. Maintained nursery school places for children residing in the catchment areas for Evenlode, Cogan and Fairfield Primary schools are provided by two stand-alone nursery schools; Cogan and Bute Cottage.

4. The following table shows number of children attending Cogan and Bute Cottage nurseries in July 2016 and July 2015 and the school they transferred to in the following September.

Nursery School Attended	Total Number of Children	Transferred to the Reception Class at:									
		Albert	Cogan	Evenlode	Fairfield	Llandough	Sully	Victoria	St Joseph's R.C.	Other	Out of County
Sept 2016											
Bute Cottage Nursery	77	1	1	54	14	0	0	5	1	1	0
Cogan Nursery	51	3	27	1	10	2	0	2	0	1	5
Sept 2015											
Bute Cottage Nursery	54	0	0	43	10	0	0	1	0	0	0
Cogan Nursery	59	2	27	5	9	7	1	0	2	1	5

5. As can be seen from the table above, fairly even numbers of children transfer from each of the standalone nurseries to Fairfield Primary School. The school also receives children into its reception class from a range of private sector nursery providers.
6. In September 2016, of the 45 children entering reception at Fairfield Primary School, 24 (53%) transferred from Bute Cottage and Cogan nurseries. In contrast, the majority of children transferring into the reception class of Evenlode Primary School are from Bute Cottage Nursery.
7. Fairfield Primary School currently provides for the 4 to 11 age range and has a capacity of 315. The number on roll in January 2016 was 292.
8. Cabinet met on the 31 October 2016 where a report on the proposal to establish a nursery unit at Fairfield Primary School was presented. Cabinet agreed at that meeting to undertake a consultation on the proposal from 3 January 2017 for a period of 6 weeks.
9. Following the requirements of the School Standards and Organisation (Wales) Act 2013 and School Organisation Code 2013, a consultation exercise with prescribed consultees was undertaken between 3 January 2017 and 14 February 2017. The consultation document is attached at [Appendix A](#) along with the Community Impact Assessment which is attached at [Appendix B](#). Individual responses to the consultation have been made available in the Members' room.
10. A consultation report must be published within 13 weeks of the end of the period allowed for responses to the consultation. The publication of a consultation report must take place to support Cabinet's decision as to whether there is suitable evidence to support the publication of a statutory notice. The consultation report is attached at [Appendix C](#).

Relevant Issues and Options

11. The Welsh Government issued a School Organisation Code in 2013 that came into effect from the 1 October 2013. The Local Authority must “act in accordance with the Code” as determined by the School Standards and Organisation (Wales) Act 2013.
12. Section 48 of the Act requires that before school organisation proposals are published they must first be subject to consultation. Consultees were either issued with a hard copy of the document or were e-mailed a copy as well as being provided with a link to the Council's website. The document was published on the Council's website on 3 January 2017. The document could also be found on the website of Fairfield Primary School.
13. Appropriate consultation has taken place with prescribed consultees and a range of individuals, the details of which are attached in the Consultation document at [Appendix A](#).
14. Separate consultation meetings were held with the staff and governors of Fairfield Primary School on 1 February 2017. A drop in session for parents was held on 30 January 2017.
15. Consultation has also been undertaken with pupils via the School Council of Fairfield Primary School.
16. The Authority received 43 individual responses by the closing date. Of the 43 individual responses, 32 were in support of the proposal and 11 were opposed. The Authority received a response from the headteacher of Bute Cottage Nursery on behalf of the staff, and The Chair of Governors at Evenlode Primary school, which can be found in the consultation report at Annex F and G in [Appendix C](#).
17. The Authority also received a response from Estyn providing their opinion on the overall merits of the proposal, which can be found in the consultation report at Annex E. There was no response from any of the trade unions consulted as part of the exercise.
18. A number of key concerns relating to the proposal were raised by respondents. These include:
 - Impact on Bute Cottage and Cogan Nursery schools: some respondents expressed concerns that the proposal could have a significant negative impact on the sustainability and viability of Bute Cottage and Cogan Nursery School in Penarth. The data presented in paragraph 5 demonstrates the limited impact to both schools. Demand for nursery places in Penarth is also high, with a number of applications for places being refused as existing nurseries are at capacity.
 - Standards and Transition: concerns were noted with regard to standards at Fairfield Primary School and the existing transition arrangements in place. Having an all through 3-11 year provision at Fairfield Primary School will help introduce greater consistency thereby improving standards. In doing so, this will reduce the complications that arise for pupils transitioning into the school from a variety of settings.
 - Perceived impact on numbers at Fairfield Primary School: A respondent had doubts as to whether the addition of a nursery would have any impact on the numbers of parents applying to Fairfield. Evidence gathered from the Council's admissions process, schools and parents suggests that the lack of a nursery is a considered factor when parental choice is made with regard to a preferred school.

- Funding for Bute cottage: A respondent expressed concerns about reduced funding for Bute Cottage as a result of the proposal. As stated previously, demand is high in Penarth for nursery provision and when this is considered in conjunction with the low numbers of pupils transitioning from Bute Cottage, impact would be minimal.
19. For those in favour of the proposal, the key supporting themes identified were:
- Continuity of provision: a variety of positive comments were presented including reference to the continuity of stable provision of education being important for social as well as academic reasons.
 - Better transition: comments were made supporting the proposal on the basis that it was felt that children in nursery will already be familiar with the school, teachers and friends, thereby making the transition to reception class easier. It was also expressed that improved communication between nursery and reception teachers would improve standards by addressing the different needs of each child.
 - Improved standards: one respondent felt that a nursery would enable the school to challenge and extend pupils academic standards at an earlier point in the pupils' career
 - Meeting future demand: respondents noted that a nursery would meet future demand and provide high quality nursery places in the Penarth area. Reference was made to the fact that Bute Cottage Nursery is oversubscribed every year.
 - Easier for parents: as families would be able to access early years, foundation and KS2 provision on one site, it was noted that this would make it easier for parents with nursery and primary school age children by ensuring that they can attend the same site.
20. A summary of the key themes and issues raised by the respondents and Estyn, as well as the Council's responses are contained within the Consultation report at [Appendix C](#).

Resource Implications (Financial and Employment)

21. During 2015, the Foundation Phase building from Ysgol Dewi Sant in Llantwit Major was relocated to Fairfield Primary School with the intention of it being utilised as an early years' intervention base. Following recognition of the need to establish a nursery at Fairfield Primary School, alternative plans for the intervention base are being progressed.
22. The building will require some adaptation to make it is suitable for nursery provision which is estimated to cost approximately £20,000. This cost will be met from funding which has been set aside in the capital programme under the scheme to re-site the modular building from Ysgol Dewi Sant.
23. Additional revenue funding would be required to meet the operational costs of the nursery due to an increase in pupil numbers attracting the Age Weighted Pupil Unit (AWPU) funding. This would be found from within the overall schools' budget and from additional Foundation Phase funding due to additional pupil numbers. An overall increase in the number of pupils across the Vale of Glamorgan would result in increased funding for education from Welsh Government through the revenue settlement in due course.
24. The governing body are responsible for determining staffing levels at schools. The number of teaching staff and learning support assistants is expected to increase for

the nursery class only in response to guidelines for teaching support.

Sustainability and Climate Change Implications

25. The establishment of a 3 - 11 year old phase primary school offers a more efficient and sustainable model of delivery.

Legal Implications (to Include Human Rights Implications)

26. Powers for Councils to develop school organisation proposals are governed by the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code 2013. The Council is to comply with the relevant provisions in connection with the proposal.
27. If following the consultation process and the consideration of responses a decision is made to proceed to a statutory notice to extend the age range of Fairfield Primary School and the establishment of a nursery class, the notice will comply with the requirements of the Schools Standards and Organisation (Wales) Act 2013 and the School Organisation Code, Statutory Code Document no. 006/2013.

Crime and Disorder Implications

28. There are no direct crime and disorder implications as a result of this report.

Equal Opportunities Implications (to include Welsh Language issues)

29. A key criterion for all school organisation proposals is to improve educational outcomes for all children and young people in all phases and to help to narrow the inequalities in achievement between advantaged and disadvantaged groups and individuals. It is anticipated that establishing a nursery at Fairfield Primary School will enable a seamless transition for nursery age children into the reception class of the school.
30. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics.
31. Protected characteristics include:
 - Age
 - Gender reassignment
 - Sex
 - Race - including ethnic or national origin, colour or nationality
 - Disability
 - Sexual orientation
 - Religion or belief - including lack of belief
32. An equality impact assessment may have four possible outcomes, though more than one may apply to a single policy. These include:

- No major change – the impact assessment demonstrated that the policy was robust; there was no potential for discrimination or adverse impact. All opportunities to promote equality have been taken.
 - Adjust the policy – the impact assessment identified potential problems or missed opportunities. The policy was adjusted to remove barriers or better promote equality.
 - Continue the policy – the impact assessment identified the potential for adverse impact or missed opportunities to promote equality. The justification(s) for continuing with it have been clearly set out. (The justification must be included in the impact assessment and must be in line with the duty to have due regard. Compelling reasons will be needed for the most important relevant policies.)
 - Stop and remove the policy – the impact assessment identified actual or potential unlawful discrimination. The policy was stopped and removed, or changed.
33. An Equality Impact Assessment on the proposal to establish a nursery unit at Fairfield Primary School is attached at [Appendix D](#).
34. The outcome of the Equality Impact Assessment did not identify any potential for adverse impacts as a result of implementing the proposal and as a result, no major change is necessary.

Corporate/Service Objectives

35. Extension of the age range and establishment of a nursery class at the school contributes to the Council's wellbeing outcome: an aspirational and culturally vibrant Vale and to the corporate objective of raising overall standards of achievement.

Policy Framework and Budget

36. This is a matter for Executive decision by the Cabinet.

Consultation (including Ward Member Consultation)

37. Public consultation with all interested parties has been carried out in accordance with legislation, following the statutory processes set out in the School Standards and Organisation (Wales) Act 2013.

Relevant Scrutiny Committee

38. Learning and Culture.

Background Papers

None.

Contact Officer

Mike Matthews, Principal Strategic Planning Officer, Directorate of Learning and Skills

Officers Consulted

Trevor Baker	Operational Manager
Lisa Lewis	School Access Manager
Nicola Monckton	School Finance Manager
Carolyn Michael	Operational Manager, Finance

Victoria Davidson Operational Manager, Legal Services
Adrian Unsworth Operational Manager, Human Resources

Responsible Officer:

Paula Ham, Interim Director of Learning and Skills