

CABINET MEMBER DECISION

9 AUGUST 2024

APPROVAL OF THE CHANGE OF AGE RANGE OF THE GROVE PRIMARY SCHOOL FROM 2 – 11 YEARS TO 3 – 11 YEARS FROM JANUARY 2025

Relevant Cabinet Member

Cllr David Chambers (Cabinet Member with Responsibility for Education)

Relevant Officer

Director of Children's Services

Local Member

Cllr Beverley Nielsen

Recommendation

- 1. The Cabinet Member with Responsibility for Education is recommended:**
 - (a) to note the details of the representations made in response to the Statutory proposal and Public Notice of the School Organisation Change at the Grove Primary School during the representation period from Monday 10 June 2024 to Monday 8 July 2024; and**
 - (b) to approve the change of age range of the Grove Primary School from 2-11 to 3-11 from 1 January 2025 as per the delegated authority in relation to prescribed alterations to maintained schools.**

Background

2. On 31 May 2024 the Cabinet Member with Responsibility for Education approved the publication of the Statutory proposal and Public Notice and commencement of the representation stage for the proposal to change the age range of the Grove Primary School from 2-11 to 3-11 (see Appendix 1).
3. In accordance with this decision and the guidance provided by the Department for Education outlined in 'Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers January 2023¹', the statutory proposal and Public Notice of this proposal was issued on Monday 10 June 2024 and a four-week representation period commenced.
4. Stakeholders including parent carers and staff of the school and nursery, local early years providers, and all local Malvern schools were notified of the proposal

¹ [Making significant changes \('prescribed alterations'\) to maintained schools \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

and the opportunity to comment / respond to the proposal within the 4 week period. The school spoke to the parent / carers of the pupils who would be directly impacted by the proposal.

5. One response was received during this representation period, an objection to the proposal.

6. In accordance with the delegation of authority given by the Leader of the Council on 25 April 2018, as outlined in appendix 2, the Cabinet Member with Responsibility for Education is able to decide following statutory proposal and Public Notice (representation period) where objections are received, and it can be shown that the decision is still lawful and appropriate. This authority was endorsed by Cabinet in January 2020.

Response received

7. The objection was received from a parent carer of a pre-school age child at the school. The key reasons for objection relate to concern that the child would be without provision in the Autumn Term prior to the child turning 3 years of age.

8. This objection was received prior to the school discussing the proposal with parent carers. The school provided all parent carers impacted with a list of alternative early years settings that were able to offer funded places for two year olds for September 2024. The Local Authority provided this list to the school after ringing round all settings to find out place availability. There are alternative places available within 1 mile of the Grove Primary School.

9. The response received has been considered and it is still recommended that this change is approved, however implemented will take place on 1st January 2025 rather than 1st September 2024. The reasons for this are outlined in paragraphs 10 - 14 below.

10. Worcestershire County Council have a duty to secure sufficient places for children aged 2, 3 and 4 to claim their entitlement to funded nursery education. The change of age range will reduce temporarily the number of funded places for two year olds at The Grove, however, the Trust are committed to providing funded places for two year olds on the school site, once the works required to the Infant building are completed. The works are expected to be completed by Spring 2025, subject to the school being able to move into the Junior building.

11. The school will retain the two year olds already on roll of the school nursery for the Autumn Term 2024 (September to December 2024) prior to the change of age range being implemented on 1st January 2025. Of the two year olds on roll, all except one will turn three in the Autumn Term and will therefore be able to stay in the school nursery from January 2025. The school and Local Authority will support the one family with a younger two year old to find alternative provision in the local area.

12. There are fifteen (15) other early years providers within 2 miles of The Grove that offer places for funded two year olds, eleven of which are within 1 mile of The Grove. These include schools, day nurseries and childminders.

13. Combining the nursery and pre-school and removing the two year old provision will reduce staffing pressures, provide more flexibility within existing staffing structures to meet the needs of the 3-5 year olds. The school have always had nursery provision and understand the requirements of the EYFS. The Early Years provision is judged as Good

within their most recent Ofsted report. Having the 3-5 year olds in the same area will improve educational outcomes for children as staff can be more efficiently deployed to deliver early phonics, as well as identified speech and language interventions.

14. The school will be reducing the revenue expenditure by having one building to maintain, reduced utilities and other services. With the more efficient use of staffing which is the highest amount of expenditure that a school has. Current nursery staff can be redeployed within the new 3-5 provision on site, meaning that other teaching assistants can be used to support high level needs children without the need for further recruitment.

15. The other building is planned to be used by the Trust for other education provision, which if undertaken by the school or Trust has the potential of increase the income received. It is anticipated that the other building will be used to provide younger early years provision and extended wraparound care services which will enable Grove Primary school to appeal more widely to working families.

16. The one respondent did not feel at the time that they had been provided with sufficient information to respond to this proposal. The school have confirmed that the information about the proposal was provided to all parent carers after the start of the consultation.

Recommendations

17. On the basis of the information contained in this report, taking account of the representations made in response to the statutory proposal and Public Notice, the Cabinet Member for Education is recommended to authorise the change of age range of the Grove Primary School from 2-11 years to 3-11 years from 1st January 2025.

Legal, Financial and HR Implications

18. Malvern has experienced falling primary pupil numbers since 2021. The Grove Primary School sits on a previous Infant and Junior school site. The Published Admission Number (PAN) of the school is currently 30 (1 Form Entry), however the forecast for the school are numbers on roll averaging 15 children per year group for the next four years. In February 2022, following public consultation, the Cabinet Member with Responsibility for Education approved a PAN reduction from 30 to 15, effective for admissions from September 2025 onward. In July 2024, the Office of the Schools Adjudicator approved a reduction for September 2024 also. The requirement for this change is in part as a result of the decreasing primary age pupils within Malvern. The reduction in PAN enables the school to operate an Early Years Foundation Stage Unit (EYFSU) for reception age children and children in the year before they start school. It also allows the school to move onto the Junior site with sufficient accommodation.

19. Accommodation changes are required for the school to operate the EYFSU from the Junior site. These include refurbishing and adapting the early years toilets and changing facilities and improving the outdoor learning area. The funding agreed by Cabinet and Council will fund these adaptations.

20. The school will be reducing the revenue expenditure by having one building to maintain, reduced utilities and other services. With the more efficient use of staffing which is the highest amount of expenditure that a school has. Current nursery staff

can be redeployed within the new 3-5 provision on site, meaning that other teaching assistants can be used to support high level needs children without the need for further recruitment.

21. All Staff currently working in the Nursery will be redeployed within the new EYFSU. If the proposal is agreed, future staffing arrangements will be made in accordance with guidelines and adhere to the recommended ratios and appropriate qualifications needed. Combining the nursery and Reception provision minimises staff costs, whilst ensuring the provision is under the direct leadership of an experienced early years teacher.

22. There are no legal implications. The Local Authority continue to meet its sufficiency duties with the early years provision available in Malvern.

Privacy and Public Health Impact and Equality and Diversity Implications

23. A Joint Impact Assessment (JIA) screening was completed in respect of the change of age range proposal. The screening identified a need for full assessments in relation to Equality and Public Health and Environmental Sustainability. Full assessments were completed and no further potential concerns were identified (Appendix 4 & 5).

Supporting Information

- Appendix 1 – [Record of Delegated Member Decision 31 May 2024](#)
- Appendix 2 – Delegation of authority given by the Leader on 25 April 2018, endorsed by the Cabinet on 30 January 2020 [8. Cab 20200130 Change of age range-final.pdf \(modern.gov.co.uk\)](#)
- Appendix 3 – Joint Impact Assessment Screening
- Appendix 4 – Equality and Public Health Impact Assessment
- Appendix 5 – Environmental Sustainability Impact Assessment

Contact Points

County Council Contact Points
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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Children's Services) the following are the background papers relating to the subject matter of this report:

'Prescribed Alterations' regulations: *Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision makers October 2018*
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756572/Maintained_schools_prescribed_alterations_guidance.pdf