

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	20 February 2024
Title:	Merton Infant School Age Range
Report From:	Director of Children's Services

Contact name: Tracey Messer- Service Manager Childcare Development

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Purpose of this Report

1. The purpose of this report is to provide feedback on the statutory public notice in relation to the proposal for Merton infant School to lower their age range to take children from age 2 years old and deliver nursery provision from 9am to 3pm.
2. This report seeks approval for the age range of the school to be lowered to take children from age 2 years old and deliver nursery provision from 9am to 3pm.

Recommendation(s)

3. That approval be given to the following proposals, published by Hampshire County Council under Section 19 (1) of the Education and Inspections Act 2006:
 - To make a prescribed alteration to Merton Infant School, Romsey Close, Popley, Basingstoke, Hampshire, RG24 9HB, to provide nursery provision for up to 26 places for children from 2 years old, with effect from 1 April 2024, with a requirement to consult with the Council prior to any further expansion of places.

Executive Summary

4. This report outlines the rationale, background and outcome of the Public Notice to the request to lower the age range for Merton Infant School.
5. Merton Infant School is a community school currently approved to take children of school age from Year R to Year 2. The Published Admission Number (PAN) for the school is currently 60 with a capacity of 270. The Governing Body of the school is seeking to:
 - (a) Lower the age range to 2-years old; and

- (b) Directly manage the early years' facility as part of the school.
6. Merton Infant School proposal is for the Governing Body of the school to take on the management of Merton Pre-School currently operated by the Trustees of Merton Pre-School. The school will deliver 26 pre-school places for children aged 2,3 and 4 years old.
 7. The school leadership team has reviewed its management, financial and operational arrangements, and the governors at its meeting on 13 July 2023 gave full agreement to the proposal.
 8. There is no cost to Hampshire County Council associated with this proposal.
 9. A public consultation was held from 22 November 2023 with the consultation period closing 20 December 2023.
 10. No objections were raised during the public consultation.
 11. A copy of the Public Notice is appended (Appendix 2). The County Council has complied with all statutory requirements relating to the publication of the Public Notice

STATUTORY PUBLIC CONSULTATION

12. *The Making Significant Changes ('prescribed alterations') to Maintained Schools* (publishing.service.gov.uk) guidance sets out the process to be followed.
13. A Public Notice was published in the press on 17 November 2023 with the consultation period closing 20 December 2023. The School held a drop in session in December 2023 for members of the public to ask questions in respect of the consultation.

Contextual information

14. The proposed pre-school provision will provide parents who currently attend Merton Pre-School continuation of childcare options from Merton Infant School.
15. Having a school directly managed pre-school will not make Merton Infant School an all through school. Parents of children attending the pre-school will still be required to apply for their place in Year R through the usual admission arrangements. There is scope for admission authorities to give priority in their oversubscription criteria to children eligible for early years pupil premium, the pupil premium or the service premium where these children: a) are in a pre-school class which is part of the school; or b) attend a pre-school that is established and run by the school. Likewise, admission authorities can give oversubscription priority for children attending an on-site school run nursery or pre-school. However, neither of these criteria are adopted by Hampshire

County Council for its community and voluntary controlled schools. Two schools, Eling Infant School and Brockenhurst CE Infant School, do have a school specific criterion relating to their on-site nursery, but these have been agreed by Hampshire's Admission Forum on an exceptional basis.

16. The Merton Infant School proposal to take on the management of the existing Merton Pre-School supports the continuing need of early and childcare services in the Popley area of Basingstoke and supports families from areas of deprivation.

Finance

17. The current Merton Pre-School delivery is in a separate Hampshire County Council building on the school site specifically designed for pre-school care for 26 children. This building is currently leased through the County Council with the income of the tenancy provided to the School. This tenancy arrangement will cease when the Governing Body assumes the management of the pre-school. The provision will continue to be delivered by the school from this building.
18. The key to successful early years provision is the ability to be financially sustainable through the limitations of the early years' education funding, through setting appropriate parental fees for additional services together with allowable consumable charges. It is therefore important that both the School's Governing Body and leadership team regularly review their business plans, financial forecasting and establish close monitoring of the income and expenditure with good debt management. It is also recommended that the income and expenditure of the proposed pre-school is kept separate to the School's main budget.
19. Merton Infant School has undertaken its own due diligence and understands that the pre-school income can only be met from early years education claims and parental fee income. At its meeting of 13 July 2023, the Governing Body approved the financial plans for the lowered age group. The Governing Body understands its financial responsibilities regarding this age range change and the budgetary requirements and the potential loss of income from the rental arrangement.
20. To support the process of taking on this early year's provision, the School have provided an outline business plan and financial projections. The School have indicated that the pre-school income will support taking on the current Merton Pre-School staffing and running costs of the provision. The School recognises and has accounted for the additional local government employer pension costs of staff transferring. The plan also indicates opportunities to be investigated by the School to extend the childcare offer to meet the needs of working families.
21. The Merton Infant School has accessed support from the Council's Education Finance Services to gain clarity in respect of school budget and budget

planning for the proposed pre-school provision and are satisfied with the School's approach to budgeting in relation to this proposal.

Human Resources Implications

22. As Merton Infant School is proposing to take on an existing provision, there are TUPE implications, affecting 6.5 FTE staff. The School has identified that it can put in place appropriate staffing arrangements from April 2024 to support this proposal. The earliest date for transfer of staff is 1 April 2024.
23. The School is responsible for ensuring employment of appropriate staff for the pre-school and have taken HR advice in considering this proposal.

Performance Impact

24. Merton Infant School recognises that delivering an early year's provision will offer an early intervention approach to children with SEN and implement early support prior to children starting school, thus allowing a smooth transition with identified support in place for children who through the coordinated main round school admission process are offered a Year R place at the School.
25. The School acknowledges that in having a single OFSTED, the future performance assessment of the infant school will be expanded to include the pre-school and therefore a positive or negative assessment on this new provision can impact on the outcomes for the whole school.

Consultation and Equalities

26. Merton Infant School informed other local provision and families of their intention to take over Merton Pre-school, which is currently under the management of the Trustees of Merton Pre-School. Merton Infant School also organised a parent meeting 7 December to discuss the proposal.
27. On 8 November 2023, a statutory four-week public consultation was approved in respect of this proposal which opened from 22 November to 20 December 2023.
28. As part of the consultation process, the School published a "statement of intent" publicising a consultation drop-in session in December 2023. This statement also went out to all the parents of Merton Infant School.
29. Merton Infant School consulted with local stakeholders and has spoken to parents and directly with local childcare providers. During the Public Notice period, Merton Infant School held a meeting with parents to launch the proposal. Discussions with the neighbouring Pre-School have been positive to the proposal of Merton Infant School going age downwards.
30. No objections were raised during the public consultation.

31. The School Admissions Team have no concerns with the proposal.
32. An Equalities Impact Assessment is attached to this report (Appendix 1). The proposal will provide inclusive access to early years education and therefore has a positive impact.

Conclusion

33. Merton Infant School proposal to go age downwards to 2 year olds supports the continuation of early years education and childcare and the potential growth in demand for services. The School wish to manage the early years provision directly to provide a teacher led early years' service. As the School is a local authority community school, the local authority was required to approve a statutory consultation and Public Notice to be undertaken before any decision can be confirmed.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
Making significant changes ('prescribed alterations') to maintained schools (publishing.service.gov.uk)	January 2023

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Equalities Impact Assessment:

Name of project or proposal: Lowering Age Range Merton Infant School

Name of accountable officer: Tracey Messer

Email: tracey.messer@hants.gov.uk

Department: Children's Services

Date of assessment: 29 September 2023

Description of service/policy

Describe the current service or policy, in no more than 100 words:

Merton Infant School's proposal to lower their age range by two years from Year R to two-year-olds through delivering a new directly school managed early years provision at the school site

Geographical impact (tick box):

Basingstoke and Deane

Description of proposed change

Describe the proposed change, in no more than 100 words:

Current School of Merton Infant School to deliver early years services as directly managed by the school.

Impacts of the proposed change

Who does this impact assessment cover: *service user/HCC staff and partners*

General Public

School Staff

Engagement and consultation

Has engagement or consultation been carried out? *YES/NO/PLANNED*

Planned

Describe the consultation or engagement you have performed or are intending to perform, in no more than 100 words:

Planned statutory Notice Period of 4 weeks with outcome reported to Executive Member Childrens Services.

Statutory considerations

Indicate whether the proposed change is expected to have a positive, neutral or negative (Low, Medium or High) impact on people who share the following characteristics. If further information is required, relating to the impact or mitigation, please capture this in the boxes provided.

Age: Neutral

Disability: Positive

The building is accessible and the early years service will be inclusive and support children aged 2/3 and 4 with SEND.

Sexual orientation: Neutral

Race: Neutral

Religion or belief: Neutral

Gender reassignment: Neutral

Gender: Neutral

Marriage or civil partnership: Neutral

Pregnancy and maternity: Neutral

Other policy considerations

Poverty: Positive as the school intends to offer early years funded places to low income eligible families with children aged 2 and through early years pupil premium those aged 3 and 4 year old.

Rurality: Neutral

Additional information

Any other brief information which you feel is pertinent to this assessment (optional):

Places support continuous provision for children in this area and ensures choice of access for parents.

CLIMATE CHANGE IMPACT ASSESSMENTS

The decision for this report is essentially to note the change of Governance for the pre-school provision at Merton Infant School who are going age down to include 2 year olds from 1 April 2024. The school age range will become 2 to 7 years. There are no other changes as the same building will continue to be used to provide early years education offering the same number of places. When the building was constructed consideration would have been given to the impact of climate change. There are no adaptations planned for the building at this time. Should there be in the future regard would be given to climate change and Hampshire's target to become carbon neutral and resilient to the impacts of a 2°C temperature rise by 2025.

The building will be monitored for future changes in view of the anticipated increase in temperatures and to keep users safe from overheating.

The staff remain the same, they and parents are encouraged to walk to the pre-school with their children and to avoid using cars so reducing carbon emissions.

No other change is planned at this time, and as such does not have any climate change considerations.