

## KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Rory Love, Cabinet Member for Education and Skills

**DECISION NUMBER:**

24/00098

**For publication** *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

**Key decision: No**

**Subject Matter / Title of Decision**

Proposal to change the age range of Westmeads Infant School, Whitstable, from 4-7 years to 2-7 years.

**Decision:**

As Cabinet Member for Education and Skills, I agree to:

- I. Agree to Issue a Public Notice to permanently change the age range of the Westmeads Infant School from 4-7 years to 2-7 years to establish a school run nursery provision, and following a representation period of four weeks with no substantive objections received, implement the decision.
- II. Delegate authority to the Corporate Director of Children, Young People and Education to Issue a Public Notice
- III. Delegate authority for the Corporate Director of Children, Young People and Education in consultation with the Cabinet Member for Education and SEND to make minor revisions as required to the proposal following a representation period of four weeks
- IV. Delegate authority for the Corporate Director of Children, Young People and Education, in consultation with the Cabinet Member for Education and SEND to take relevant actions including but not limited to entering into relevant contracts or other legal agreements as required, to implement the decision, subject to no new substantive objections received during the notice period

**Reason(s) for decision:**

As Westmeads Infant School is a community school, the decision maker is the Local Authority and requires a statutory process to lower the age range. The proposal to lower the age range therefore requires a public notice and a decision to be made by the Cabinet Member for Education and Skills.

In Spring 2023, the Government announced its ambition of extending the free entitlements to younger children in three phases. Phase one implemented in April 2024, saw children of working parents entitled to 15 hours of funding the term after they turned two. In September 2024, phase two will extend this offer to working parents of those children aged 9 months plus and then in September 2025 phase three will see the working parent entitlement extending to 30 hours for all eligible children.

To support the delivery of this project, the government has made available £100m of capital funding for local authorities through the Childcare Expansion Capital Grant of which Kent has been awarded £2,658,723: 20% to support the schools wraparound programme and 80% for the development of 2,741 early years places to meet the demand of the new entitlements.

Westmeads Infant School currently provides early years education for children who turn five when in the Reception class. The school have proposed to lower the age range to 2 years to provide early years nursery provision at the school. The provision would admit 26, 3-4 year olds and 13 2 year olds.

The proposed nursery provision at Westmeads will be to open an 'open air', outdoor, 'all weather' nursery provision for 2-4 year olds. A purpose built building/cabin will be constructed and which will incorporate a larger outdoor provision adjacent to the building on the school site. All relevant planning requirements will be sought to construct the cabin by the school.

The Local Authority is confident that the strong and effective leadership of the school has the capacity to establish a successful nursery provision, so that there will be additional pre-school places available for local families

### Securing Kent's Future

The 'Securing Kent's Future' strategy outlines the measures that KCC intend to take to ensure that Kent remains financially stable, now and long into the future. It describes the statutory priorities, one of which being the statutory duty to ensure sufficient school places are available to any child or young person who requires one. This duty applies to Special Educational Needs (SEN) provision, as well as mainstream settings.

This proposal is necessary for KCC to continue to deliver the statutory duty, in a cost-effective way, in line with the guidelines described in the Securing Kent's Future strategy. It will help to maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.

### Framing Kent's Future – Our Council Strategy 2022-2026

This proposal will help to support Framing Kent's Future – Our Council Strategy (2022-2026) Priority 1 - Levelling up. 'To maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.'

### **Financial Implications**

#### **Capital**

The Council has been provided with a total £2.4m capital funding to support the expansion of early years providers to delivery sufficient nursery places for children aged over 9 months. The Education Programme is administrating the applications of capital funding by providers in accordance with key decision [24/00016 - Funding Process for Free Entitlements Capital Funding and Wraparound Provision Capital and Programme Funding](#). The school will be applying for capital funding through the Childcare Expansion Capital Grant for £10K. In addition the school is budgeting to contribute £80K capital to fund the additional wooden log cabin building specifically for the nursery provision.

#### **Revenue**

The school will be responsible for establishing the nursery and responsible for all revenue costs associated with the running of the provision. The school will also be responsible for appointing staff as required. The school will receive income for nursery places either from parental contributions or funding for the provision of free entitlements to eligible children (administered by KCC and fully funded by an external grant from the Department of Education).

### **Legal Implications**

Statutory Guidance on the changing of age range of a maintained school can be found in the Making significant changes ('prescribed alterations') to maintained schools Statutory guidance for proposers and decision makers October 2024 This guidance primarily relates to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.

A statutory process is required to lower the age range, which consists of an initial informal

consultation period of 4 weeks. Any objections will be considered by the Cabinet Member in advance of taking a decision to issue the Public Notice. Should significant objections, not already considered by the Cabinet Member when taking this decision, be received during the notice period, a separate decision may be required dependent on the level of modification required in order to continue the proposal and allow for proper consideration of the points raised.

**Cabinet Committee recommendations and other consultation:**

This decision was considered and endorsed at the meeting of the Children's, Young People and Education Cabinet Committee on 21 November 2024.

**Any alternatives considered and rejected:**

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**



12/12/24

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signed

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date