

**DIOCESAN BOARD OF EDUCATION – 28 FEBRUARY 2018**

**FOR DECISION**

**CDBE NURSERY PROVISION POLICY**

**Purpose of Policy**

The purpose of this policy is to clarify the Diocesan Board of Education's position regarding the establishing of nursery provision in our schools, including on and off-site provision and requests for change of age range to include pre-school children. This is to be seen within the context of strategic place planning in areas and admissions basis of schools.

**Introduction**

Over the years the introduction of nursery provision has been very much on an ad hoc basis, with schools taking this on without consulting adequately with the Diocese. As more schools are exploring the establishment of nursery provision on and off the school premises, the DBE is aware that there are many complex issues that need to be considered to ensure that this is a wise step and is taken based on a thorough enquiry, risk analysis and with due diligence. The Board is also aware that offering nursery provision has been unsuccessful in several schools and is keen to ensure that resources are not put into a project without as much research into its viability as possible.

There are various different models that can be considered and LAs can advise on provision of early years nurseries, all day 8 am to 6 pm, partial, all year round, term time only, on-site off-site, school run, privately run, and letting, licence or leased arrangements.

For some schools who are planning to provide on-site nursery provision, there is the additional consideration of lowering the age range, the associated statutory consultation and the suitability of premises.

To consider requests for approval or views on these areas, the policy sets out the DBE's process and procedures for any school wanting to offer nursery provision.

**Initial Consultation**

Whilst the Local Authority (LA) has statutory responsibility for providing Early Years provision for children of two years until school age, the Board is concerned that schools have undertaken due diligence before consulting on any changes, as there are significant risks which need to be carefully considered.

The Board requests that they are consulted prior to any school going out to wider consultation on any changes. The school will need to present a report to the DBE which includes:

- The evidence of need for the provision in the area
- The impact on existing local provision and how this may affect relationships
- Length of the nursery day (school session times or wrap around care)

- Financial viability (ensure does not impact on existing revenue budgets or subsidies the running of the proposed nursery)
- Place planning for both the nursery and the school
- Suitability of premises, whether on or off-site
- LA approval
- Ofsted regulation
- Insurance liability and changes to policy
- Staffing
- Is it private or school provision?
- Legal advice on any agreement

### **The Role of the DBE**

The role of the DBE is, in most cases, an advisory one. However, where the nursery is to be on existing school premises and the proposal will mean a lowering of the age range to include two and three-year olds, the Board will need to give formal approval in line with the functions set out in the Diocesan Boards of Education Measure 1991.

Formal approval must always be given in the following circumstances:

- If a change to the current age range of the school is planned statutory requirement under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013
- If the nursery is to be held on school premises, and under what terms, (Lease/Licence/TOCA (Transfer of Control Agreement)
- Generally the Diocese is the owner of the land and school buildings either as direct Trustee under Diocesan Board of Finance or via Education Trusteeship Vicar & Church Wardens, and would need to permit the occupation of a school by a private nursery. Legal advice would be required and advice from the Diocese to ensure long term right to occupy are not created.

### **Process for Consultation**

A report should be submitted to the Board in good time to allow for this to be given initial approval. Meetings of the DBE are held three times a year, normally in September, February and May, (please contact the office for the dates).

Once the Board has reviewed the plans, a response will be sent to the school to advise or give initial approval on going out to formal consultation, subject to LA approval being obtained.

For any on-site provision and if any alterations to premises are planned, this will need to be considered by the Capital Assets Programme Manager which may require further information and visits to the school.

### **Policy agreed by the Chichester Diocesan Board of Education February 2018**

Signed *f. Mark Haslam* ..... Date *28<sup>th</sup> February 2018*

**Chair of Diocese of Chichester Board of Education**