

## SCHOOL ORGANISATION COMMITTEE OF CABINET

### AGENDA

**Meeting to be held in Civic Centre (Committee Room No. 1) on  
Thursday 7 November 2019 at 3.30pm**

| ITEM |  | PAGE |
|------|--|------|
| 1.   | <b>Receipt of Declarations of Interest (if any)</b>                    |      |
| 2.   | <b>Apologies for Absence</b>   |      |
| 3.   | <b>Minutes of the meeting held on 17 July 2019</b>                     | 1    |
|      | Copy attached.   |      |
| 4.   | <b>Proposed Closure of Pennywell Early Years Centre</b>                | 5    |
|      | Report of the Executive Director of Neighbourhoods<br>(copy attached). |      |

Elaine Waugh  
Assistant Director of Law and Governance

Civic Centre  
SUNDERLAND

30 October 2019

**For further information and assistance, please contact:**

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## **MINUTES OF THE SCHOOL ORGANISATION COMMITTEE OF CABINET**

**Held in COMMITTEE ROOM 1, CIVIC CENTRE, SUNDERLAND  
on WEDNESDAY 17 JULY 2019 at 2.00pm**

### **Present: -**

Councillor Farthing in the Chair

Councillors G Miller and Stewart.

### **In Attendance: -**

Julienne Collinson (representing the Assistant Director of Law and Governance), Alan Rowan (Retained Education Functions Lead, Neighbourhoods) and Gillian Kelly (Governance Services).

### **Declarations of Interest**

There were no declarations of interest.

### **Apologies for Absence**

Apologies for absence were submitted to the meeting on behalf of Councillors Kelly and G Walker.

### **Minutes**

2. RESOLVED that the Minutes of the meeting held on 16 May 2019 be agreed as a correct record.

### **Proposed Closure of Millfield Community Nursery School**

The Executive Director of Neighbourhoods submitted a report presenting a proposal to discontinue Millfield Community Nursery School.

Millfield Community Nursery School is a 120 place local authority maintained nursery school in Millfield ward, currently offering places for two year olds as well as statutory nursery provision for three and four year olds. The nursery was graded Good by Ofsted in its most recent inspection.

The nursery had become increasingly financially vulnerable as a consequence of falling rolls, increased availability of alternative provision and the increased costs of delivering a maintained nursery offer. The staffing base at the nursery had been restructured three times since 2015 in an attempt to reduce costs and it had also sought to make other operational savings. Despite this, the nursery had continued to accumulate an increasing financial deficit.

Projections for future nursery cohorts show a further decline in pupil numbers and consequently an increase in the outturn deficit; the nursery would not generate sufficient funding to ensure that it remained financially viable as a setting.

The nursery was operating at 46% of its total capacity at the Spring Census and it was anticipated that this would be 66% by the end of the summer term. Demand for nursery places in the Millfield area had increased during 2017 – 2019 but this had not been reflected in the places being taken up at Millfield Community Nursery with demand falling by 15% against an 8% increase in the area as a whole.

Alternative provision in the area had been assessed as part of the Childcare Sufficiency Assessment in January 2019 and this had found that there were more than enough vacancies within one mile of Millfield Community Nursery School; extending the distance to two miles identified even more available provision. It was considered that there were sufficient good or outstanding local alternative nursery places to accommodate both the current cohort of children attending Millfield and any projected future cohorts. The Committee were advised that all but four children in the current cohort had received the offer of an alternative place.

In advance of taking a report to Cabinet in May 2019, a pre-publication consultation exercise had taken place between 10 April and 31 May with the following groups being consulted: -

- Parents of pupils attending Millfield Community Nursery
- Current staff
- Local schools and nurseries
- Trade Union Representatives
- The wider local community
- Sunderland's School Forum.

93% of respondents did not agree with the proposal to close the nursery, seeing it very much as part of the local community. On 4 June 2019, the Council published notification of statutory proposals to discontinue Millfield Community Nursery School. The statutory notice period ended on 3 July 2019 and the Council received one response to the notice. There had been two parents' events held at the nursery where the reasons for the proposals were outlined.

There was no planned alternative use for the premises at the present time but the building could be an educational or community resource. The majority of existing staff at the nursery had secured a job offer from September. It had been envisaged that £0.041m would need to be allocated from the Dedicated Schools Grant Redundancy Reserve to meet staff redundancy requirements but this figure was now

anticipated to be lower. The nursery deficit at the point of closure would be funded within the Council's overall budget position.

If the nursery was retained, by 2023/2024 it was projected that the outturn deficit would be £0.42m. Options had been considered to restructure and/or merge with another provision but these would not make sufficient savings to mitigate the projected increased deficit.

The Governing Body of the nursery had been fully briefed throughout the consultation process but had not made a formal representation in respect of the statutory notice.

The Chair asked if, in the analysis of consultation responses, grandparents were classed as 'Others' and the Retained Education Functions Lead confirmed that this was the case. She went on to ask if the local ward councillors had made any representations and was advised that they had been invited to have discussions and one elected Member had asked questions but there had been no formal response.

Councillor Miller expressed his disappointment at being in the position of having to close educational provision but this was the result of nine years of austerity and cuts to education budgets. He was given some comfort in the fact that children would be able to take up places in other good or outstanding nursery provision but it was unfortunate that financial pressures had led to this report being brought for consideration.

Councillor Stewart commented that it was significant that the Governing Body had not made a formal objection to the proposal and that they had recognised the position which the nursery was in. Parental choice had shown a clear trend and despite being a great believer in nursery education in a separate school, Councillor Stewart agreed that Millfield Nursery was not viable.

The Chair supported the benefits of separate nursery education and that facilities such as Millfield had provided something different, however it was positive news that places were available at other good or outstanding provision and that the majority of staff had secured new positions.

The Committee therefore: -

3. RESOLVED that Millfield Community Nursery School, Bell Street, Sunderland, SR4 6JR be discontinued with effect from 31 August 2019.

(Signed) L FARTHING  
Chair



**SCHOOL ORGANISATION COMMITTEE OF CABINET  
– 7 NOVEMBER 2019**

**EXECUTIVE SUMMARY SHEET**

**Title of Report:** Proposed Closure of Pennywell Early Years Centre

**Author(s):** Executive Director of Neighbourhoods

**Purpose of Report:** The purpose of this report is to request a decision on the proposal to discontinue Pennywell Early Years Centre in order to facilitate the amalgamation of Pennywell Early Years Centre and Academy 360.

**Description of Decision:**

School Organisation Committee of Cabinet is asked to:

Note the responses to the statutory and pre-publication consultations and consider the statutory proposal which is:

To discontinue (close) Pennywell Early Years Centre, Portland Road, Sunderland, SR4 9AX with effect from 31 December 2019.

Implementation of the proposal will now not be possible by 31.12.19, so subject to Laidlaw Schools Trust obtaining the approval and registration required as outlined in paragraphs 7.1 and 7.2 of the report before 1 March 2020 the Committee is requested to approve the implementation of the proposal on 31 March 2020.

In addition the Committee is requested to delegate authority to the Director of Neighbourhoods, in consultation with the Chair and Vice-Chair of the Committee, to:-

- i) modify the above implementation date in the event that Laidlaw Schools Trust have not received the approval and/or registration required as outlined in paragraphs 7.1 and 7.2 by 1 March 2020 or
- ii) publish a further statutory notice to revoke the existing discontinuance proposal.

**Is the decision consistent with the Budget/Policy Framework?** Yes

If not, Council approval is required to change the Budget/Policy Framework

**Suggested reason(s) for Decision:**

Sunderland City Council, the governing body of Pennywell Early Years Centre and Laidlaw Schools Trust (LST) (on behalf of Academy 360) have recognised the need to sustain nursery provision in the St Anne's ward. Two of the four primary schools within the ward do not currently operate a nursery class. There would be insufficient alternative nursery places for the children in the local area should, as current 5 year budget projections indicate, Pennywell Early Years Centre becomes unsustainable in future years.

It is considered that merging Pennywell Early Years Centre with Academy 360 would ensure that Pennywell Early Years Centre's Outstanding provision would be sustained in the area. In addition to securing the long-term future of the nursery provision the proposal would also;

- Enable wider savings to be made through joint commissioning of goods and services between the nursery and Academy 360 (and the wider Laidlaw Schools Trust). This would create additional funding that could be re-invested in delivery of education at the nursery
- Strengthen the relationship between Academy 360 and Pennywell Early Years Centre
- Further assist the effective transition between children leaving Pennywell Early Years Centre to take up reception places at Academy 360 and
- Enable Academy 360 to access the high-quality early years expertise of Pennywell Early Years Centre and to utilise this expertise in the Academy's wider educational delivery.

Parents and children would continue to have the same experience in the nursery provision as part of the Academy. It is the intention of LST that the current nursery building would remain as the Nursery phase and accessed by users as it is now and that there would be no reduction in the capacity of the nursery nor changes to the ages of children accessing it. Families would continue to access the nursery as they always have. However, closer co-operation with one of the local Primary phase providers should ensure that the children benefit from knowing the Primary building, staff and pupils very well before they transfer to Key Stage 1 education.

Current nursery staff would transfer from the Local Authority to LST and the nursery would remain under the same leadership. As a result, LST would benefit from the skills, experience and expertise of the nursery staff.

The current buildings operated by Pennywell Early Years Centre will be leased to LST for the term remaining on the current Academy 360 academy lease.

There is not a process to facilitate the academisation of a standalone nursery setting. Therefore, to facilitate the entry of the provision delivered at Pennywell Early Years Centre into the LST organisational model it is necessary to discontinue the existing nursery provision, with the Academy Trust applying to the Regional Schools Commissioners Office to lower its age range to include the full range of provision offered by Pennywell Early Years Centre. Subject to approval of the Council's proposal and the Academy Trust's proposals (by the dates specified above) the provision will amalgamate into Academy 360 on 01.04.20.

**Alternative options to be considered and recommended to be rejected:**

- Retain Pennywell Early Years Centre as a Local Authority Maintained Nursery Provision
- Amalgamate Pennywell Early Years Centre with an alternative local academy

**Impacts analysed;**

**Equality**  **Privacy**  **Sustainability**  **Crime and Disorder**



|   |            |
|---|------------|
| <b>Is the Decision consistent with the Council's co-operative values?</b> | <b>Yes</b> |
| <b>Is this a "Key Decision" as defined in the Constitution?</b>           | <b>Yes</b> |
| <b>Is it included in the 28 day Notice of Decisions?</b>                  | <b>Yes</b> |



**PROPOSED CLOSURE OF PENNYWELL EARLY YEARS CENTRE****REPORT OF THE EXECUTIVE DIRECTOR OF NEIGHBOURHOODS****1. Purpose of the Report**

The purpose of this report is to request a decision on the proposal to discontinue Pennywell Early Years Centre in order to facilitate the amalgamation of Pennywell Early Years Centre and Academy 360

**2. Description of Decision****2.1 School Organisation Committee of Cabinet is asked to:**

Note the responses to the statutory and pre-publication consultations and consider the statutory proposal which is:

To discontinue (close) Pennywell Early Years Centre, Portland Road, Sunderland, SR4 9AX with effect from 31.12.190.

Implementation of the proposal will now not be possible by 31.12.19, so subject to Laidlaw Schools Trust obtaining the approval and registration required as outlined in paragraphs 7.1 and 7.2 of the report before 01.03.2020 the Committee is requested to approve the implementation of the proposal on 31.3.20.

In addition the Committee is requested to delegate authority to the Director of Neighbourhoods, in consultation with the Chair and Vice-Chair of the Committee, to:-

- i) modify the above implementation date in the event that Laidlaw Schools Trust have not received the approval and/or registration required as outlined in paragraphs 7.1 and 7.2 by 1 March 2020 or
- ii) publish a further statutory notice to revoke the existing discontinuance proposal.

**3. Current Position**

**3.1** Pennywell Early Years Centre currently operates as a local authority maintained nursery provision, offering education and day-care in the St Anne's ward of the city for children between the ages of 0 and 5 years old. It has been recognised as an outstanding provision by Ofsted.

**3.2** The nursery is a popular community resource, with 166 children on roll at the nursery as of the May 2019 School Census. However, changes in national education policy and funding are making it increasingly challenging for nursery schools to continue to operate. In January 2019, there were 392 state-funded nursery schools in England, a reduction of 85 since 2003. This

means that more than 17% of the country's nursery schools have closed or have ceased to be state run during this period. Pressures on nursery schools have been reflected in Sunderland, with the closure of Concord Nursery and Millfield Community Nursery a consequence of national and local pressures.

#### **4. Current Financial Position**

- 4.1 The nursery's outturn at the start of the 2019/20 financial year was a surplus of £249,715.
- 4.2 Financial projections estimate that the nursery will operate an outturn deficit by close of 2021-22. The table below provides the nursery's five-year financial projections.

| Pennywell EYC         | 2019-20  | 2020-21   | 2021-22   | 2022-23   | 2023-24   |
|-----------------------|----------|-----------|-----------|-----------|-----------|
| In Year Position (£)  | (91,124) | (125,400) | (147,463) | (164,798) | (168,817) |
| Cumulative Budget (£) | 249,715  | 124,315   | (23,147)  | (187,945) | (356,762) |

- 4.3 89% of the nursery's current costs are related to staff salaries and on costs.

#### **5.0 Numbers on Roll and Availability of Alternative Provision**

- 5.1 At May 2019 Census there were 166 children on roll at Pennywell Early Years Centre.
- 5.2 Should Pennywell Early Years Centre become unsustainable as a maintained nursery school setting, there would be limited alternative nursery places in the area to meet demand. The two school settings in closest proximity to Pennywell Early Years Centre (Academy 360 and Grindon Hall Christian School) do not currently offer a nursery provision. January Headcount data indicates that available nursery places at St Anne's RC Primary School and South Hylton Primary School are not sufficient to provide the required places for those on roll at Pennywell Early Years Centre.

#### **6.0 Consultation**

- 6.1 In May 2019 Cabinet approved a proposal to commence the School Organisation processes required to discontinue Pennywell Early Years Centre.
- 6.2 The pre-publication consultation was live between 17<sup>th</sup> May 2019 and 28<sup>th</sup> June 2019. The pre-publication consultation contained the Council's proposal to discontinue the nursery to facilitate the proposed amalgamation with Academy 360.
- 6.3 Consultation was carried out with the following groups
- Parents of pupils attending Pennywell Early Years Centre

- Current staff
- Local schools and nurseries
- Trade Union Representatives
- The wider local community
- Sunderland's Schools Forum

In total the Council received 20 responses to the pre-publication. Of the 20 responses received 18 (90%) agreed with the proposal to close Pennywell Early Years Centre to facilitate the amalgamation of the nursery with Academy 360. Responses are collated as Appendix 1 of this report.

6.4 The Council published notification of the statutory proposal to discontinue Pennywell Early Years Centre on 2<sup>nd</sup> September 2019. The statutory notice period ended 30<sup>th</sup> September 2019. The statutory notice was published in the following places:

- Sunderland City Council's website
- Pennywell Early Years Centre's website
- Academy 360's website
- The Sunderland Echo

The notice was also displayed at the entrances of the building used by Pennywell Early Years Centre.

6.5 In addition to the publication of notices the following groups were consulted with as part of this process:

- Parents of pupils attending the nursery
- Parents of pupils attending Academy 360
- Current staff
- Unions
- Local members
- The local Church of England diocese
- The local Roman Catholic diocese and
- The Secretary of State for Education.

6.6 The Council received no responses to the notice. The statutory notice and the full proposal document are attached at Appendix 2 and Appendix 3.

## **7.0 Next Steps**

7.1 LST, as the sponsor of Academy 360, are required to secure Regional Schools Commissioner approval on an associated proposal to lower the age range of the academy from 5 years old to 0 in advance of the nursery provision amalgamation with the Academy

7.2 LST are also required to attain Ofsted registration for the delivery of early years provision for 0 to 2 year olds attending the provision. It is anticipated that approvals will be in place by 1 March 2020.

- 7.3 Subject to the attainment of the above approvals and approval to implement the Council's proposal on the closure of the existing Pennywell Early Years Centre provision by the Committee, it is proposed that Pennywell Early Years Centre closes on 31 March 2020.
- 7.4 Nursery provision, previously offered by Pennywell Early Years Centre, will be operated by Academy 360 as part of LST from 1<sup>st</sup> April 2020
- 7.5 To cover for the eventuality that LST have not had a response to either of their proposals by the date above, it is proposed that delegated authority be given to the Executive Director of Neighbourhoods, in consultation with the Chair and Vice-Chair, to determine an extended, modified date to implement the discontinuance proposal. In addition, should it be the case that LST does not secure the necessary approvals to offer the full current nursery range, delegated authority is also sought to allow the necessary revocation proposals (of the discontinuance proposal) to be published. Representations in relation to such a further notice would be considered by the Committee.

## **8. Reasons for the Decision**

- 8.2 Sunderland City Council, the governing body of Pennywell Early Years Centre and Laidlaw Schools Trust (LST (on behalf of Academy 360) have recognised the need to sustain nursery provision in the St Anne's ward. Two of the four primary schools within the ward do not currently operate a nursery class. There would be insufficient alternative nursery places for the children in the local area should, as current 5 year budget projections indicate, Pennywell Early Years Centre becomes unsustainable in future years.
- 8.3 It is considered that merging Pennywell Early Years Centre with Academy 360 would ensure that Pennywell Early Years Centre's Outstanding provision would be sustained in the area. In addition to securing the long-term future of the nursery provision the proposal would also;
- Enable wider savings to be made through joint commissioning of goods and services between the nursery and Academy 360 (and the wider Laidlaw Schools Trust). This would create additional funding that could be re-invested in delivery of education at the nursery
  - Strengthen the relationship between Academy 360 and Pennywell Early Years Centre
  - Further assist the effective transition between children leaving Pennywell Early Years Centre to take up reception places at Academy 360 and
  - Enable Academy 360 to access the high-quality early years expertise of Pennywell Early Years Centre and to utilise this expertise in the Academy's wider educational delivery
- 8.4 Parents and children would continue to have the same experience in the nursery provision as part of the Academy. It is the intention of LST that the current nursery building would remain as the Nursery phase and accessed by users as it is now and that there would be no reduction in the capacity of the

nursery nor changes to the ages of children accessing it. Families would continue to access the nursery as they always have. However, closer co-operation with one of the local Primary phase providers should ensure that the children benefit from knowing the Primary building, staff and pupils very well before they transfer to Key Stage 1 education.

- 8.5 Current nursery staff would transfer from the Local Authority to LST and the nursery would remain under the same leadership. As a result, LST would benefit from the skills, experience and expertise of the nursery staff.
- 8.6 The current buildings operated by Pennywell Early Years Centre would continue to offer the nursery provision. Buildings will be leased to LST for the term remaining on the current Academy 360 academy lease.
- 8.7 There is not a process to facilitate the academisation of a stand-alone nursery setting. Therefore, to facilitate the entry of the provision delivered at Pennywell Early Years Centre into the LST organisational model it is necessary to discontinue the existing nursery provision, with the Academy Trust applying to the Regional Schools Commissioners Office to lower its age range to include the full range of provision offered by Pennywell Early Years Centre. Subject to approval of the Council and Academy Trust's proposals the provisions will amalgamate post approvals.

## **9. Alternative Options**

### **Retain Pennywell Early Years Centre.**

- 9.1 It is not anticipated that the associated revenue from future cohorts will provide sufficient funding to prevent the nursery entering a financial deficit position and that deficit increasing in future years, with the nursery projected to have a £0.36m outturn deficit by 2024. Based on financial projections the nursery is not a sustainable long term setting as a Local Authority nursery provision

### **Amalgamate with an Alternative Provider**

- 9.2 Pennywell Early Years Centre is based in the immediate vicinity of Academy 360. It serves as a natural feeder provision for the academy. The proximity of the two settings provides greater scope for cost savings between Pennywell Early Years Centre and Academy 360, which will serve to increase the sustainability of the setting.
- 9.3 Academy 360 is also one of only two primary aged settings in the area without an existing nursery provision, the other Christ's College - the former Grindon Hall Christian School. Given the geographical location, lack of current early years provision at Academy 360 and the prevalence of an existing early years provision at the majority of neighbouring schools and academies, the proposal to amalgamate with Academy 360 is a reasonable proposal.

## 10. Impact Analysis

**Sustainability** – It has been identified that, as a consequence of Pennywell Early Years Centre’s projected financial position, the setting is not sustainable within current funding conditions.

The above proposal will ensure that, while the setting will no longer be a Local Authority maintained nursery, there will remain sufficient alternative local 2, 3 and 4-year old nursery places in the St Anne’s ward. All pupils currently attending Pennywell Early Years Centre can continue to access a place at the setting. Therefore, this proposal will not lead to the sustainability of wider nursery provision declining.

Pennywell Early Years Centre, as with all local maintained nursery settings, is currently a recipient of a yearly lump sum payment. The lump sum is calculated based on the number of pupils attending statutory aged nursery provision across the city. The lump sum is divided equally across all local settings, regardless of the numbers of pupils attending the settings. This results in some nursery schools receiving a greater proportion of the lump sum than they generate through their own pupil numbers. However, Pennywell Early Years Centre generates a greater proportion of the lump sum than they receive as a setting. Therefore, the discontinuation of the nursery will result in a decreased share of the lump sum to other maintained nurseries.

**Equalities Analysis** – The proposal is not projected to disadvantage any individual, social group or organisation. The proposal seeks to retain the current provision including staff and leadership at the nursery. The capacity of the nursery and the age ranges for which provision is offered will not change as a result of this proposal

## 11. Other Relevant Considerations / Consultations

- 11.1 Co-operative values** – At Annual Council in May 2015, it was resolved that the following statement be included in the Constitution to reflect the values of the “Co-operative Council”.

*“Sunderland City Council is a co-operative council and in being so will act ethically in all its actions while adhering to and actively promoting its co-operative values of self-help, self-responsibility, democracy, equality, equity and solidarity. These values will underpin its decision making and actions.”*

### 11.2 Financial implications

There are no redundancy costs associated with this proposal. Staff currently employed by Sunderland City Council will transfer in accordance with TUPE Regulations to Laidlaw Schools Trust. The nursery does not currently have a financial deficit, therefore there will be no cost to the Council to resolve the nursery’s financial position prior to discontinuation of the provision.



### **11.3 Legal Implications**

Throughout the process, from informal consultation to the publication of the statutory proposals, the Council has complied with the requirements of the applicable legislation (the Education and Inspections Act 2006 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013) and has also adhered to the Department for Education's Statutory Guidance – Opening and Closing Maintained Schools, November 2018.

### **12. Appendices**

Appendix 1 – Pre-Publication Consultation Outcomes

Appendix 2 – Statutory Notice to Discontinue Pennywell Early Years Centre

Appendix 3 – Full Proposal Document

Appendix 4 – Equalities Assessment

### **13. Background Papers**

May 2019 Cabinet report



## Report Settings Summary

|                   |  |
|-------------------|--|
| Event             | <b>Potential Merger of Pennywell Early Years</b> |
| Total Responses   | <b>20</b>  |
| Total Respondents | <b>1</b>   |
| Questions         | <b>All</b>                                       |
| Filter            | <i>(none)</i>                                    |
| Pivot             | <i>(none)</i>                                    |
| Document Name     | Pennywell Early Years - 10 July 2019             |
| Created on        | 2019-07-10 08:43:13                              |
| Created by        | Victoria Moseley                                 |

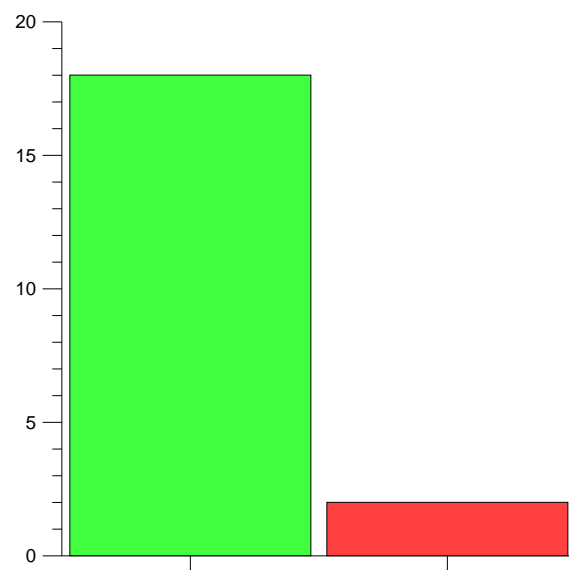
Contents

|   |           |
|---|-----------|
| <b>Question 1</b> .....                         | <b>3</b>  |
| <b>Question 1 - If no</b> .....                 | <b>4</b>  |
| <b>Question 2</b> .....                         | <b>6</b>  |
| <b>Are you responding as: -</b> .....           | <b>8</b>  |
| <b>Responding to consultation - other</b> ..... | <b>9</b>  |
| <b>Age</b> .....                                | <b>11</b> |
| <b>Gender</b> .....                             | <b>12</b> |
| <b>Prefer to self describe</b> .....            | <b>13</b> |
| <b>Trans</b> .....                              | <b>14</b> |
| <b>Sexual orientation</b> .....                 | <b>15</b> |
| <b>Prefer to self describe</b> .....            | <b>16</b> |
| <b>Ethnicity</b> .....                          | <b>17</b> |
| <b>Other ethnicity</b> .....                    | <b>19</b> |
| <b>Religious belief</b> .....                   | <b>20</b> |
| <b>Other religion</b> .....                     | <b>21</b> |
| <b>Disability</b> .....                         | <b>22</b> |
| <b>Impairment</b> .....                         | <b>23</b> |
| <b>Impairment other</b> .....                   | <b>24</b> |

### Question 1

Question responses: **20 (100.00%)**

Do you agree with the proposal to amalgamate Pennywell Early Years Centre and Academy 360?



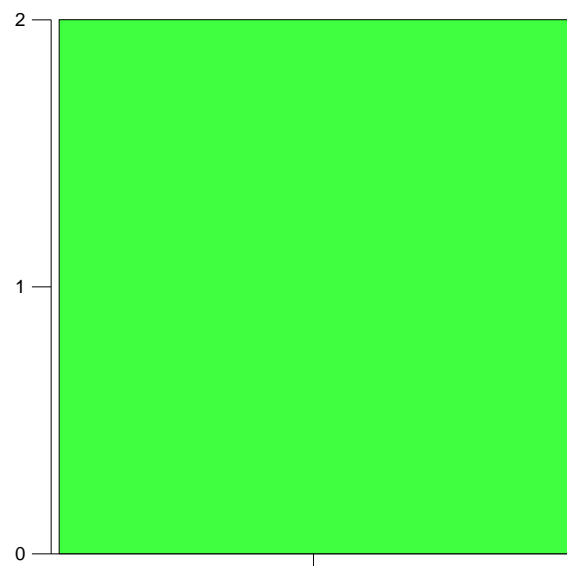
|   | % Total | % Answer | Count |
|---|---------|----------|-------|
| <span style="color: blue;">■</span> Yes | 90.00%  | 90.00%   | 18    |
| <span style="color: red;">■</span> No   | 10.00%  | 10.00%   | 2     |
| Total                                   | 100.00% | 100.00%  | 20    |

Question 1 - If no

Question 1 - If no

Question responses: **2 (10.00%)**

Please tell us here why you do not agree with the proposal.



|   | % Total | % Answer | Count |
|---|---------|----------|-------|
| <input checked="" type="checkbox"/> [Responses] | 10.00%  | 100.00%  | 2     |
| <input type="checkbox"/> [No Response]          | 90.00%  | --       | 18    |
| Total   | 100.00% | 100.00%  | 20    |

| ID | Consultation Point | Consultee | Agent | Answer   | Date              | Version | Status    | Type |
|----|--------------------|-----------|-------|--|-------------------|---------|-----------|------|
| 4  |                    |           |       | This will lock out other schools from sharing the Early Years provisions and its services.               | 29/05/19<br>15:25 | 0.1     | Submitted | web  |
| 5  |                    |           |       | There is no evidence presented of Academy 360's track record as an early years provider The benefits, as | 29/05/19<br>15:39 | 0.1     | Submitted | web  |

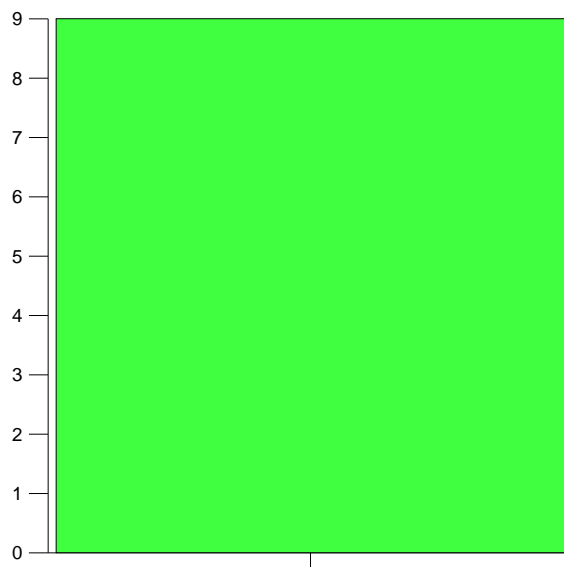
| ID | Consultation Point | Consultee | Agent | Answer   | Date | Version | Status | Type |
|----|--------------------|-----------|-------|--|------|---------|--------|------|
|    |                    |           |       | <p>described, are all one way to Academy 360. There is no 'quid pro quo' or reciprocity highlighted within the deal. Who is funding this 'new' arrangement? SCC via a procurement to Academy 360? What financial input will the latter be providing? Its unclear. What are these 'wider savings' referred to? There is no guarantee that the 'outstanding provision' will be sustained particuarly to a provider with no track</p> |      |         |        |      |

Question 2

Question 2

Question responses: **9 (45.00%)**

Do you have any other comments regarding this proposal?



|   | % Total        | % Answer       | Count     |
|---|----------------|----------------|-----------|
| <input checked="" type="checkbox"/> [Responses] | 45.00%         | 100.00%        | 9         |
| <input type="checkbox"/> [No Response]          | 55.00%         | --             | 11        |
| <b>Total</b>                                    | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

| ID | Consultation Point | Consultee | Agent | Answer  | Date              | Version | Status    | Type |
|----|--------------------|-----------|-------|---|-------------------|---------|-----------|------|
| 2  |                    |           |       | no , sounds fine  | 29/05/19<br>12:14 | 0.1     | Submitted | web  |
| 4  |                    |           |       | There should be fixed service level agreements made between the Council and the Trust with penalties for non conformance. | 29/05/19<br>15:25 | 0.1     | Submitted | web  |



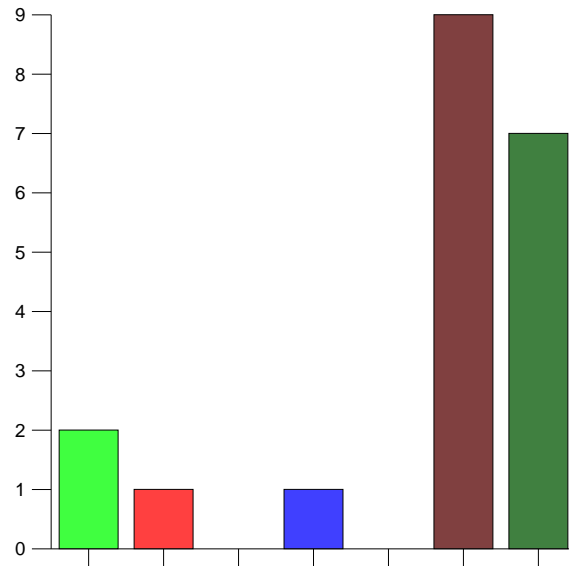
| ID | Consultation Point | Consultee | Agent | Answer  | Date              | Version | Status    | Type |
|----|--------------------|-----------|-------|---|-------------------|---------|-----------|------|
| 5  |                    |           |       | My response is based on the little information provided in the 'blurb' above. I'm intrigued as to whether any other options were provided as part of an options appraisal.  | 29/05/19<br>15:39 | 0.1     | Submitted | web  |
| 9  |                    |           |       | No.   | 30/05/19<br>10:23 | 0.1     | Submitted | web  |
| 11 |                    |           |       | A sensible proposal for her community   | 31/05/19<br>15:33 | 0.1     | Submitted | web  |
| 17 |                    |           |       | I believe this would help the nursery to grow and meet the needs of all children within the local area. We can not afford to lose the early years centre  | 20/06/19<br>09:26 | 0.1     | Submitted | web  |
| 18 |                    |           |       | would the staff maintain their length of service in the event of future redundancies? has there been sufficient consultation with staff about the implications for their jobs? is there any guarantee that the quality of provision will not be diminished? | 23/06/19<br>22:56 | 0.1     | Submitted | web  |
| 19 |                    |           |       | Would like clarification that all terms and conditions will definitely remain the same  | 02/07/19<br>19:43 | 0.1     | Submitted | web  |
| 20 |                    |           |       | Would like clarification that all terms and conditions will definitely remain the same  | 02/07/19<br>19:43 | 0.1     | Submitted | web  |

Are you responding as: -

Are you responding as: -

Question responses: **20 (100.00%)**

Are you responding to this consultation as a

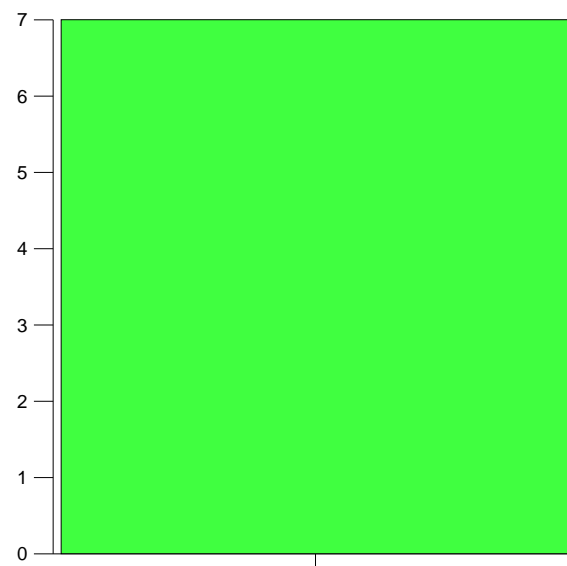


|                  | % Total        | % Answer       | Count     |
|------------------|----------------|----------------|-----------|
| Parent           | 10.00%         | 10.00%         | 2         |
| Carer            | 5.00%          | 5.00%          | 1         |
| School Teacher   | 0.00%          | 0.00%          | 0         |
| Governor         | 5.00%          | 5.00%          | 1         |
| Local Councillor | 0.00%          | 0.00%          | 0         |
| Local Resident   | 45.00%         | 45.00%         | 9         |
| Other            | 35.00%         | 35.00%         | 7         |
| <b>Total</b>     | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

## Responding to consultation - other

Question responses: 7 (35.00%)

Other, please tell us here



|   | % Total        | % Answer       | Count     |
|---|----------------|----------------|-----------|
| <input checked="" type="checkbox"/> [Responses] | 35.00%         | 100.00%        | 7         |
| <input type="checkbox"/> [No Response]          | 65.00%         | --             | 13        |
| <b>Total</b>                                    | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

| ID | Consultation Point | Consultee | Agent | Answer   | Date              | Version | Status    | Type |
|----|--------------------|-----------|-------|--|-------------------|---------|-----------|------|
| 2  |                    |           |       | local resident   | 29/05/19<br>12:14 | 0.1     | Submitted | web  |
| 3  |                    |           |       | I'm an retired primary teacher from Broadway Junior school who has taught a large number of children who live in the Pennywell catchment area. | 29/05/19<br>12:16 | 0.1     | Submitted | web  |

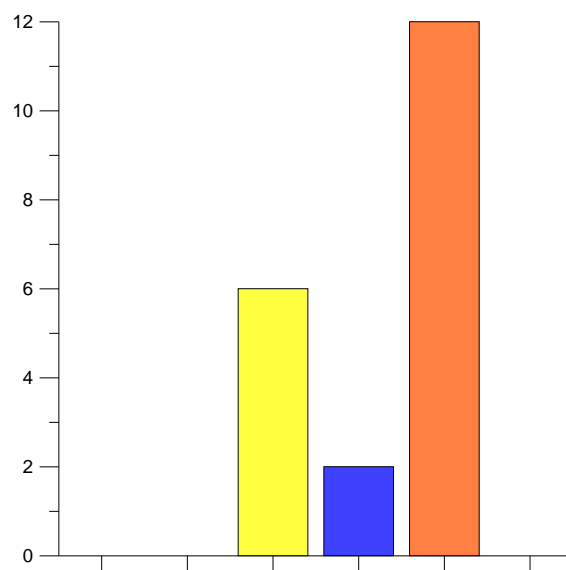
Responding to consultation - other

| ID | Consultation Point | Consultee | Agent | Answer                                      | Date              | Version | Status    | Type |
|----|--------------------|-----------|-------|---|-------------------|---------|-----------|------|
| 4  |                    |           |       | Governor of another School in the area      | 29/05/19<br>15:25 | 0.1     | Submitted | web  |
| 12 |                    |           |       | Part of wider Sunderland Consultation Group | 01/06/19<br>08:51 | 0.1     | Submitted | web  |
| 18 |                    |           |       | concerned citizen                           | 23/06/19<br>22:56 | 0.1     | Submitted | web  |
| 19 |                    |           |       | Practitioner                                | 02/07/19<br>19:43 | 0.1     | Submitted | web  |
| 20 |                    |           |       | Practitioner                                | 02/07/19<br>19:43 | 0.1     | Submitted | web  |

## Age

Question responses: **20 (100.00%)**

Please specify your age group

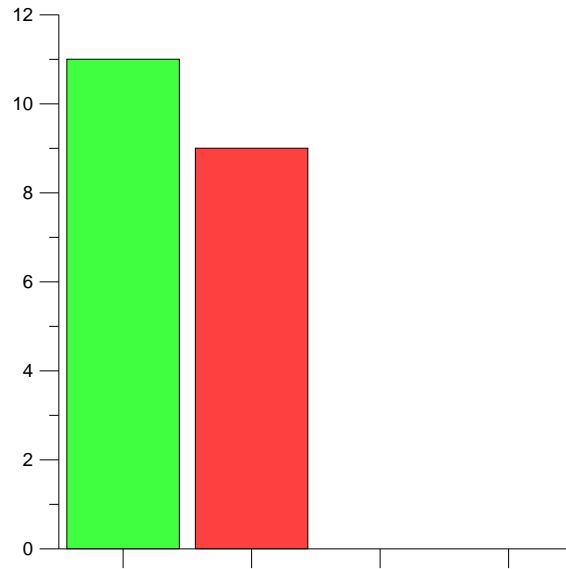


|  | % Total        | % Answer       | Count     |
|--|----------------|----------------|-----------|
| <span style="color: green;">■</span> 17 or under       | 0.00%          | 0.00%          | 0         |
| <span style="color: red;">■</span> 18-24               | 0.00%          | 0.00%          | 0         |
| <span style="color: yellow;">■</span> 25-44            | 30.00%         | 30.00%         | 6         |
| <span style="color: blue;">■</span> 45-59              | 10.00%         | 10.00%         | 2         |
| <span style="color: orange;">■</span> Over 60 years    | 60.00%         | 60.00%         | 12        |
| <span style="color: brown;">■</span> Prefer not to say | 0.00%          | 0.00%          | 0         |
| <b>Total</b>   | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

Gender

Question responses: **20 (100.00%)**

What best describes your gender

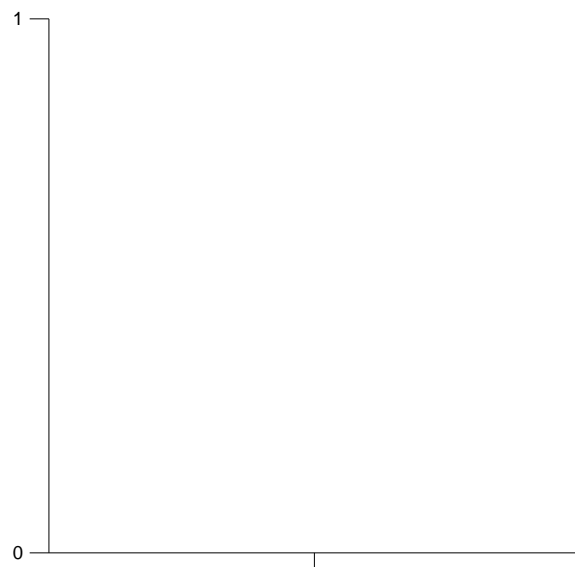


|   | % Total        | % Answer       | Count     |
|---|----------------|----------------|-----------|
| Female  | 55.00%         | 55.00%         | 11        |
| Male  | 45.00%         | 45.00%         | 9         |
| Prefer not to say                               | 0.00%          | 0.00%          | 0         |
| Prefer to self describe<br>(please state below) | 0.00%          | 0.00%          | 0         |
| <b>Total</b>                                    | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

## Prefer to self describe

Question responses: **0 (0.00%)**

Prefer to self describe, please tell us here.



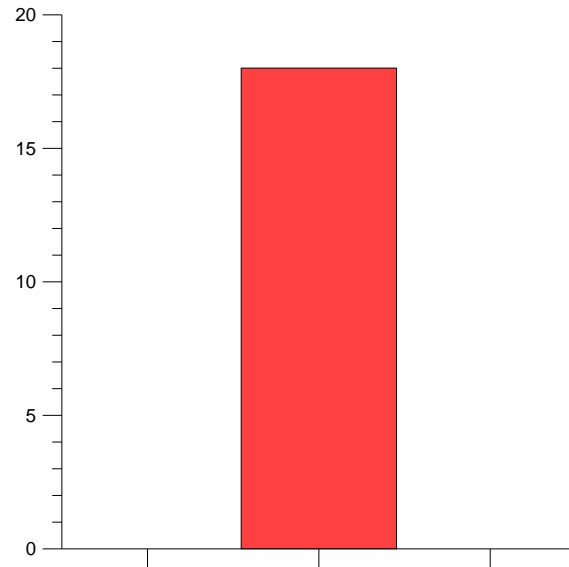
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> [Responses]   | 0.00%   | 0%       | 0     |
| <input type="checkbox"/> [No Response] | 100.00% | --       | 20    |
| Total                                  | 100.00% | 0%       | 20    |

There is no data to display for this question

Trans

Question responses: 18 (90.00%)

Do you identify as Trans?



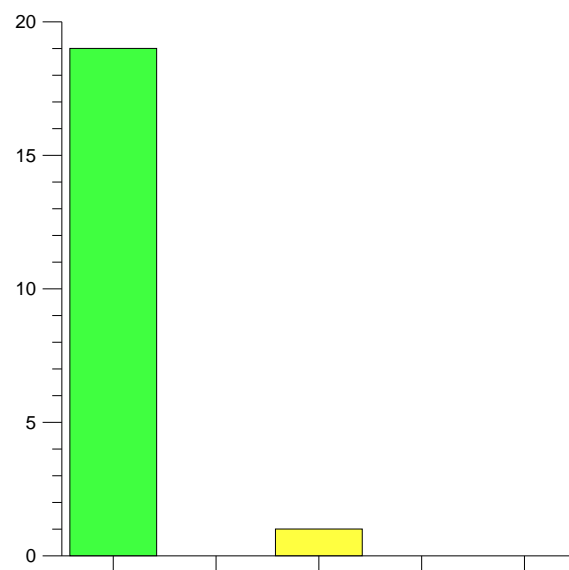
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> Yes               | 0.00%   | 0.00%    | 0     |
| <input checked="" type="checkbox"/> No     | 90.00%  | 100.00%  | 18    |
| <input type="checkbox"/> Prefer not to say | 0.00%   | 0.00%    | 0     |
| <input type="checkbox"/> [No Response]     | 10.00%  | --       | 2     |
| Total                                      | 100.00% | 100.00%  | 20    |



## Sexual orientation

Question responses: **20 (100.00%)**

How would you define your sexual orientation?

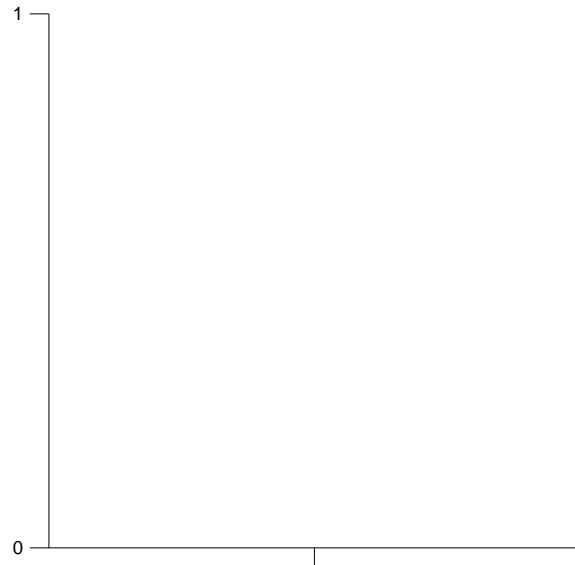


|   | % Total | % Answer | Count |
|---|---------|----------|-------|
| <span style="color: green;">■</span> Heterosexual/Straight                          | 95.00%  | 95.00%   | 19    |
| <span style="color: red;">■</span> Lesbian or Gay                                   | 0.00%   | 0.00%    | 0     |
| <span style="color: yellow;">■</span> Bisexual                                      | 5.00%   | 5.00%    | 1     |
| <span style="color: blue;">■</span> Prefer to self describe<br>(please state below) | 0.00%   | 0.00%    | 0     |
| <span style="color: orange;">■</span> Prefer not to say                             | 0.00%   | 0.00%    | 0     |
| Total   | 100.00% | 100.00%  | 20    |

**Prefer to self describe**

Question responses: **0 (0.00%)**

Prefer to self describe, please tell us here.



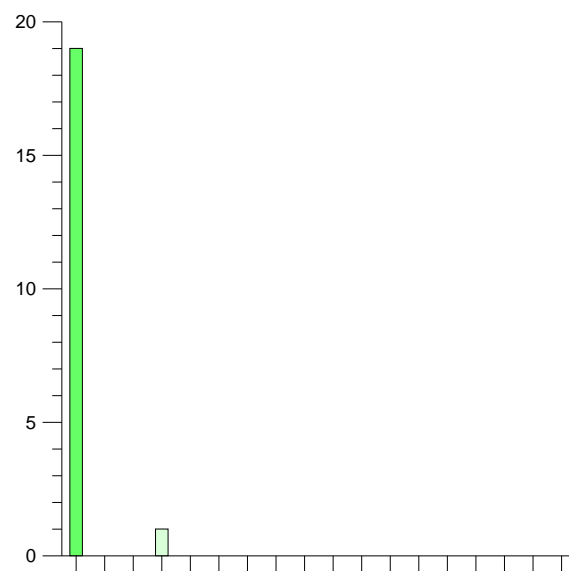
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> [Responses]   | 0.00%   | 0%       | 0     |
| <input type="checkbox"/> [No Response] | 100.00% | --       | 20    |
| Total                                  | 100.00% | 0%       | 20    |

There is no data to display for this question









## Ethnicity

Question responses: 20 (100.00%)

What is your ethnic group



|   | % Total | % Answer | Count |
|---|---------|----------|-------|
| <b>White</b>  |         |          |       |
| English / Welsh / Scottish / Northern Irish / British | 95.00%  | 95.00%   | 19    |
| Irish   | 0.00%   | 0.00%    | 0     |
| Gypsy or Irish Traveller                              | 0.00%   | 0.00%    | 0     |
| Any other White background                            | 5.00%   | 5.00%    | 1     |
| <b>Mixed/Multiple Ethnic Groups</b>                   |         |          |       |
| White and Black Caribbean                             | 0.00%   | 0.00%    | 0     |
| White and Black African                               | 0.00%   | 0.00%    | 0     |
| White and Asian                                       | 0.00%   | 0.00%    | 0     |
| Any other Mixed background                            | 0.00%   | 0.00%    | 0     |
| <b>Asian or Asian British</b>                         |         |          |       |
| Indian  | 0.00%   | 0.00%    | 0     |
| Pakistani   | 0.00%   | 0.00%    | 0     |

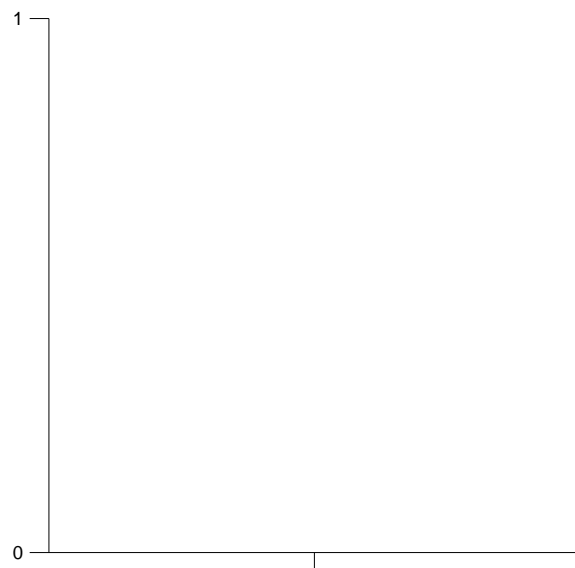
|  | <b>% Total</b> | <b>% Answer</b> | <b>Count</b> |
|--|----------------|-----------------|--------------|
|  Bangladeshi                | 0.00%          | 0.00%           | 0            |
|  Chinese                    | 0.00%          | 0.00%           | 0            |
|  Any other Asian background | 0.00%          | 0.00%           | 0            |
| <b>Black/African/Caribbean/Black British</b>   |                |                 |              |
|  Caribbean                  | 0.00%          | 0.00%           | 0            |
|  African                    | 0.00%          | 0.00%           | 0            |
|  Any other Black background | 0.00%          | 0.00%           | 0            |
| <b>Other Ethnic Group</b>  |                |                 |              |
|  Arab                       | 0.00%          | 0.00%           | 0            |
|  Any other ethnic group     | 0.00%          | 0.00%           | 0            |
| <b>Total</b>   | <b>100.00%</b> | <b>100.00%</b>  | <b>20</b>    |

## Other ethnicity

Question responses: **0 (0.00%)**

The above ethnic groups are those categories used on the 2011 census. If you feel that these categories do not represent your ethnicity please use your preferred description here e.g. Polish

If you selected other, please write in your ethnic group in the box below



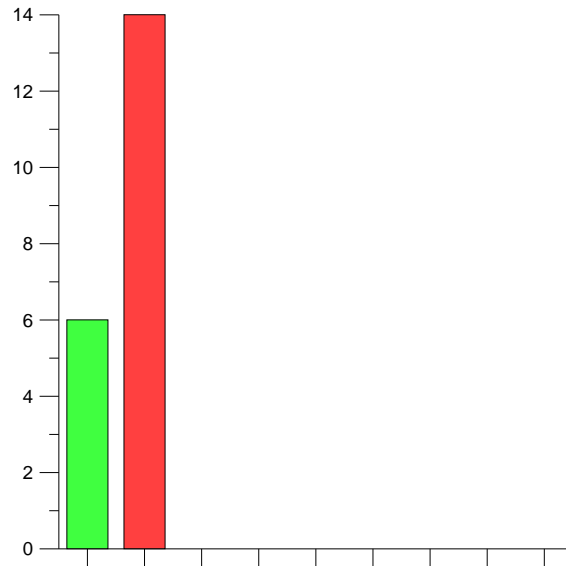
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> [Responses]   | 0.00%   | 0%       | 0     |
| <input type="checkbox"/> [No Response] | 100.00% | --       | 20    |
| Total                                  | 100.00% | 0%       | 20    |

There is no data to display for this question

Religious belief

Question responses: **20 (100.00%)**

What is your religion?

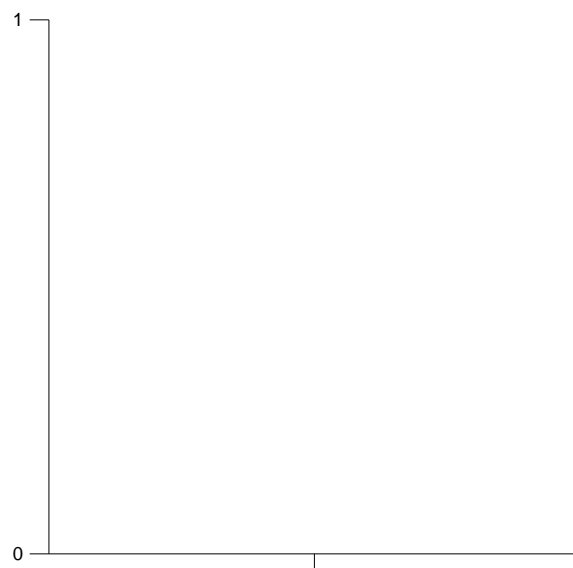


|  | % Total        | % Answer       | Count     |
|--|----------------|----------------|-----------|
| <span style="color: green;">■</span> No religion   | 30.00%         | 30.00%         | 6         |
| <span style="color: red;">■</span> Christian (including Church of England, Catholic, Protestant and all other Christian denominations) | 70.00%         | 70.00%         | 14        |
| <span style="color: yellow;">■</span> Buddhist   | 0.00%          | 0.00%          | 0         |
| <span style="color: blue;">■</span> Hindu  | 0.00%          | 0.00%          | 0         |
| <span style="color: orange;">■</span> Jewish   | 0.00%          | 0.00%          | 0         |
| <span style="color: brown;">■</span> Muslim  | 0.00%          | 0.00%          | 0         |
| <span style="color: darkgreen;">■</span> Sikh  | 0.00%          | 0.00%          | 0         |
| <span style="color: darkblue;">■</span> Any other religion (please write your religion in the box below)                               | 0.00%          | 0.00%          | 0         |
| <span style="color: darkred;">■</span> Prefer not to say   | 0.00%          | 0.00%          | 0         |
| <b>Total</b>   | <b>100.00%</b> | <b>100.00%</b> | <b>20</b> |

## Other religion

Question responses: **0 (0.00%)**

Any other religion, please tell us here.



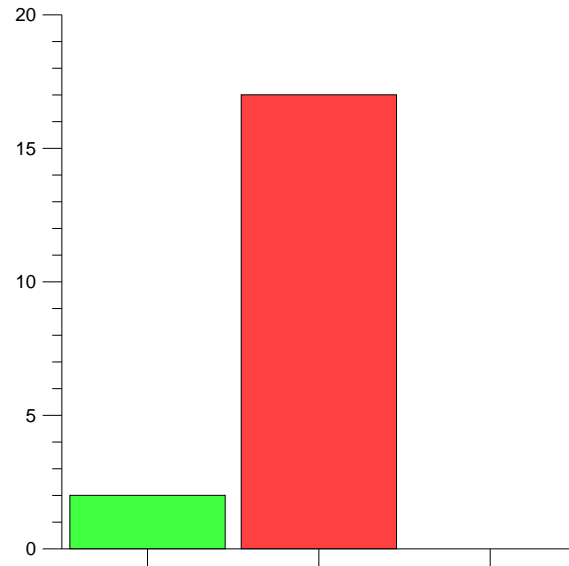
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> [Responses]   | 0.00%   | 0%       | 0     |
| <input type="checkbox"/> [No Response] | 100.00% | --       | 20    |
| Total                                  | 100.00% | 0%       | 20    |

There is no data to display for this question

**Disability**

Question responses: **19 (95.00%)**

Do you consider yourself to have a disability?



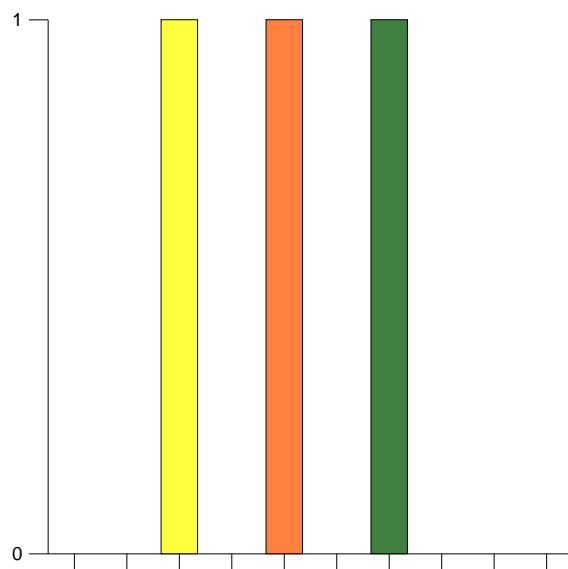
|  | % Total | % Answer | Count |
|--|---------|----------|-------|
| <input type="checkbox"/> Yes               | 10.00%  | 10.53%   | 2     |
| <input type="checkbox"/> No                | 85.00%  | 89.47%   | 17    |
| <input type="checkbox"/> Prefer not to say | 0.00%   | 0.00%    | 0     |
| <input type="checkbox"/> [No Response]     | 5.00%   | --       | 1     |
| Total                                      | 100.00% | 100.00%  | 20    |



## Impairment

Question responses: **2 (10.00%)**

How would you describe your disability?

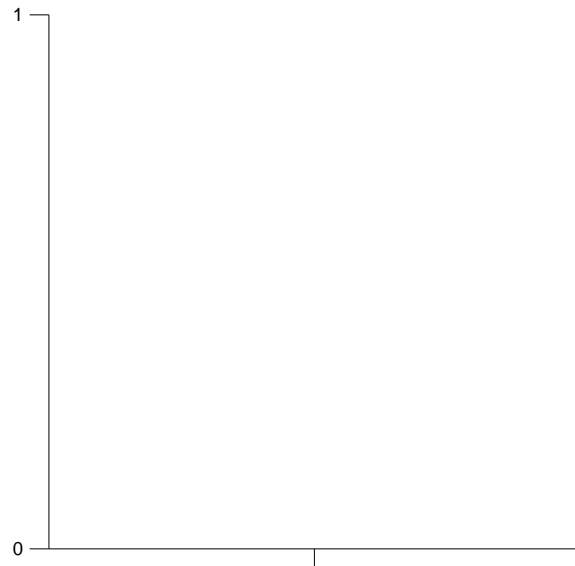


|                                  | % Total        | % Answer       | Frequency | Count     |
|----------------------------------|----------------|----------------|-----------|-----------|
| Visual impairment                | 0.00%          | 0.00%          | 0.00%     | 0         |
| Speech impairment                | 0.00%          | 0.00%          | 0.00%     | 0         |
| Hearing impairment               | 4.76%          | 33.33%         | 5.00%     | 1         |
| Mobility (a wheelchair user)     | 0.00%          | 0.00%          | 0.00%     | 0         |
| Mobility (not a wheelchair user) | 4.76%          | 33.33%         | 5.00%     | 1         |
| Mental health condition          | 0.00%          | 0.00%          | 0.00%     | 0         |
| Long term medical condition      | 4.76%          | 33.33%         | 5.00%     | 1         |
| Learning disability              | 0.00%          | 0.00%          | 0.00%     | 0         |
| Hidden impairment                | 0.00%          | 0.00%          | 0.00%     | 0         |
| Other                            | 0.00%          | 0.00%          | 0.00%     | 0         |
| [No Response]                    | 85.71%         | --             | 90.00%    | 18        |
| <b>Total</b>                     | <b>100.00%</b> | <b>100.00%</b> | <b>0%</b> | <b>21</b> |

Impairment other

Question responses: **0 (0.00%)**

Please specify disability



|   | % Total | % Answer | Count |
|---|---------|----------|-------|
| <input checked="" type="checkbox"/> [Responses] | 0.00%   | 0%       | 0     |
| <input type="checkbox"/> [No Response]          | 100.00% | --       | 20    |
| Total   | 100.00% | 0%       | 20    |

There is no data to display for this question

**THE COUNCIL OF THE CITY OF SUNDERLAND**

**NOTICE OF STATUTORY PROPOSAL FOR THE CLOSURE OF PENNYWELL EARLY YEARS CENTRE**

Notice is hereby given in accordance with Section 15 of the Education and Inspections Act 2006, that it is the intention of Sunderland City Council, Civic Centre, Burdon Road, Sunderland, SR2 7DN to discontinue (close) the following school with effect from 31<sup>st</sup> December 2019:

- **Pennywell Early Years Centre, Portsmouth Road, Sunderland, SR4 9AX**

This proposal is linked to the Laidlaw Schools Trust's proposal to reduce the age of entry at Academy 360, Portsmouth Road, Sunderland, from 5 years old to 0 years old.

This Notice is an extract from the complete proposal. The complete proposal has been published on the website <https://www.sunderland.gov.uk/article/13038/School-organisation-consultations>

Copies of the complete proposal can be obtained from: Retained Education Functions Lead, Neighbourhoods, Sunderland City Council, Civic Centre, Burdon Road, Sunderland SR2 7DN,

by telephoning (0191) 561 1372 or by e-mailing [schoolorganisation@sunderland.gov.uk](mailto:schoolorganisation@sunderland.gov.uk)

Within four weeks from the date of publication of the proposal, any person may object to or make comments on the proposal by sending them to the Retained Education Functions Lead, Neighbourhoods, Civic Centre, Burdon Road, Sunderland, SR2 7DN, or by e-mailing them to [schoolorganisation@sunderland.gov.uk](mailto:schoolorganisation@sunderland.gov.uk).

Signed: Patrick Melia

Chief Executive

Sunderland City Council

Publication Date: 2nd September 2019



**THE COUNCIL OF THE CITY OF SUNDERLAND**

**NOTIFICATION OF STATUTORY PROPOSAL FOR THE DISCONTINUATION OF  
PENNYWELL EARLY YEARS CENTRE NURSERY SCHOOL**

**Local Authority Proposals and Contact Details**

Notice is hereby given in accordance with Section 15 of the Education and Inspections Act 2006, that it is the intention of Sunderland City Council, Civic Centre, Burdon Road, Sunderland, SR2 7DN to discontinue (close) the following school:

- **Pennywell Early Years Centre, Portsmouth Road, Pennywell, Sunderland, SR4 9AX** with effect from 31<sup>st</sup> December 2019.

Pennywell Early Years Centre is a nursery school maintained by Sunderland City Council.

**Implementation.**

- Pennywell Early Years Centre is proposed to close with effect from 31<sup>st</sup> December 2019

This proposal is required to facilitate the amalgamation of Pennywell Early Years Centre and Academy 360 (part of the Laidlaw Schools Trust (LST)).

Legally, there is no formal process for a nursery to join an academy group so to enable this proposal to proceed it will be necessary to merge Pennywell Early Years Centre and Academy 360. This would require the nursery to be technically closed from 31<sup>st</sup> December 2019 and the lower age range of the Primary School extended to accommodate the nursery aged pupils. Pennywell Early Years Centre would then become part of Academy 360, under LST, from 1<sup>st</sup> January 2020.

This would enable the two schools to work seamlessly and bring together all systems and staff. There would be one overall budget and one OFSTED inspection but no change in staff, leadership at the nursery or the education provision delivered by the Pennywell Early Years Centre. This proposal is therefore subject to the approval of the Laidlaw Schools Trust's proposal to reduce the age range at Academy 360 (Portsmouth Road, Sunderland, SR4 9BA) from 5 years of age to 0. Subject to approval of both proposals, the buildings, staff and physical assets of Pennywell Early Years Centre are proposed to transfer to the Laidlaw Schools Trust on 1<sup>st</sup> January 2020.

**Reason for Closure of Pennywell Early Years Centre**

Pennywell Early Years Centre currently operates as a local authority maintained nursery provision, offering education and day-care in the St Anne's ward of the city for children between the ages of 0 and 5 years old. It has been recognised as an outstanding provision by Ofsted.

The nursery is a popular community resource, with 166 children on roll at the nursery as of the May 2019 School Census. However, changes in national education policy and funding are

making it increasingly challenging for nursery schools to continue to operate. In January 2019, there were 392 state-funded nursery schools in England, a reduction of 85 since 2003. This means that more than 17% of the country's nursery schools have closed or have ceased to be state run during this period. Pressures on nursery schools have been reflected in Sunderland, with the closure of Concord Nursery and Millfield Community Nursery a consequence of national and local pressures.

Sunderland City Council, the governing body of Pennywell Early Years Centre and LST (on behalf of Academy 360) have recognised the need to sustain nursery provision in the St Anne's ward. Two of the four primary schools within the ward do not currently operate a nursery class. There would be insufficient alternative nursery places for the children in the local area should Pennywell Early Years Centre become unsustainable in future years.

It is considered that merging Pennywell Early Years Centre with Academy 360 would ensure that Pennywell Early Years Centre's Outstanding provision would be sustained in the area. In addition to securing the long-term future of the nursery provision the proposal would also;

- Enable wider savings to be made through joint commissioning of goods and services between the nursery and Academy 360 (and the wider Laidlaw Schools Trust). This would create additional funding that could be re-invested in delivery of education at the nursery
- Strengthen the relationship between Academy 360 and Pennywell Early Years Centre
- Further assist the effective transition between children leaving Pennywell Early Years Centre to take up reception places at Academy 360 and
- Enable Academy 360 to access the high-quality early years expertise of Pennywell Early Years Centre and to utilise this expertise in the Academy's wider educational delivery.

Parents and children would continue to have the same excellent experience in the nursery provision as part of the Academy. It is the intention of LST that the current nursery building would remain as the Nursery phase and accessed by users as it is now and that there would be no reduction in the capacity of the nursery nor changes to the ages of children accessing it. Families would continue to access the nursery as they always have. However, even closer co-operation with one of the local Primary phase providers should ensure that the children benefit from knowing the Primary building, staff and pupils very well before they transfer to Key Stage 1 education.

Current nursery staff would transfer from the Local Authority to LST and the nursery would remain under the same leadership. As a result LST would benefit from the skills, experience and expertise of the nursery staff.

### **Effect on other Schools, Academies and Educational Institutions in the Area**

This proposal seeks to continue current processes and relationships that exist between the management of Pennywell Early Years Centre and neighbouring nursery schools, primary schools and academies. Where pupils attending the nursery are projected to attend primary education at a local provider other than Academy 360 current practices will be retained relating to appropriate sharing of data and resources. Current best practice sharing between Pennywell Early Years Centre and other Sunderland based nursery schools will continue.

The proposal will result in a reduction in Sunderland's nursery 'Lump Sum' allocation. This allocation is calculated based on the number of pupils attending local maintained nursery provision, with the cumulative citywide total allocation then split equally across all local authority maintained nursery schools. Pupils attending Pennywell Early Years Centre would no longer be included in the lump sum calculation. Based on the city's 2019/20 lump sum allocation this would result in a £101,834 reduction in the overall lump sum. As Pennywell Early Years Centre would also cease to be a recipient of the lump sum, with the nursery projected to receive £80,005 in

2019/20, this would equate to a lump sum allocation reduction of £3,119 for each remaining setting.

Currently the Local Authority is not in receipt of the city's projected lump sum allocation for 2020/21.

### **Project Costs**

This proposal is not anticipated to result in any costs related to redundancy, capital or the need to meet existing deficit requirements. Project costs related to legal services will be met by Laidlaw Schools Trust and Pennywell Early Years Centre.

### **Pupil Numbers and Admissions**

Given the nature of maintained nursery provision numbers on roll are subject to some fluctuation. The numbers included below are from the May 2019 School Census.

|           |                 |
|-----------|-----------------|
| Number    | 166*            |
| Age Range | 2 - 5 years old |
| Boys      | 78              |
| Girls     | 88              |
| SEND      | 1               |

\*The numbers noted above only include funded nursery places and do not include fee paying day-care placements.

### **Displaced Pupils**

There will be no pupil displacement because of this proposal. The capacity of the nursery and the nursery's admission criteria are not proposed to change as part of this proposal. Pupils currently attending the nursery will continue to have the opportunity to do so post implementation and prospective pupils would be subject to the current admissions criteria at the nursery.

### **Impact on the Community**

There is not anticipated to be an immediate net impact to the wider community as part of this proposal. However, in the long term the community will benefit from the long-term sustainability of the nursery setting, the key driver behind this proposal, and the potential increases in quality at both the nursery and Academy 360 as a result of shared best practice and resources.

### **Balance of Denominational Provision**

There would be no impact on the balance of denominational provision as the nursery does not have a religious character.

### **Rural Primary Schools**

Pennywell Early Years Centre does not fall within the categorisation of a rural primary as set out in Section 15 of the Education and Inspections Act 2006. Furthermore, the school is not listed on the DfE's List of Designated Rural Primary Schools 2018.

### **Maintained Nursery Schools**

This proposal is for the discontinuation of an existing maintained nursery provision. The Statutory Guidance 'Opening and Closing Maintained Schools' (November 2018) identified the presumption against closure of a maintained nursery school. The Guidance states that this does not mean that a nursery will never close, but the case for closure should be strong and should demonstrate that:

- plans to develop alternative early years provision clearly demonstrate that it will be at least equal in quantity to the provision provided by the nursery school with no loss of expertise and specialism; and
- replacement provision is more accessible and more convenient for local parents.

The proposal to discontinue the nursery is linked to the Laidlaw Schools Trust's proposal to incorporate Pennywell Early Years Centre within its Multi Academy Trust. This proposal will not result in the removal of local provision, the requirement for alternative local provision or any change to structure or governance that would necessitate a reduction in the quality of delivery.

It is the intention of LST that the capacity of Pennywell Early Years Centre, location of the provision, staffing and current leadership of the nursery will remain in place, and that there will be no change in the admissions criteria of the nursery

### **Sixth Form Provision**

Not applicable - There is no provision for students aged 16 to 19.

### **Special Educational Needs Provision (SEND)**

Pennywell Early Years Centre is not designated as a provider of Special Educational Needs Provision. This proposal will not result in the discontinuation of SEND provision in Sunderland. However, there will be ongoing engagement to ensure the needs of children with SEN attending the nursery setting are met.

### **Travel**

The Council has considered the impact of travel within this proposal. It is considered that, given the nursery will continue to operate from its current building and there will not be a reduction in the capacity of the nursery, there will be no requirement for any parent or carer of a pupil currently on roll or any prospective pupil to seek an alternative setting and, therefore, there are no travel implications associated with this proposal.



## Consultation

An informal (pre-publication) consultation upon the proposals took place during the following dates:

- 17th May to Friday 5<sup>th</sup> July 2019

Consultees recommended in the relevant statutory guidance were consulted via a Consultation Document that was made widely available on the Council's website, Pennywell Early Years Centre and the Laidlaw Schools Trust websites. Consultees included parents, staff, pupils, local schools and academies, early-years providers, the local ward councillors and staff representatives (unions).

## Submission of Objections and Comments on Proposal

A copy of this proposal can be viewed on the Sunderland City Council website at

<https://www.sunderland.gov.uk/article/13038/School-organisation-consultations>

It can also be requested via:

E-mail: [alan.rowan@sunderland.gov.uk](mailto:alan.rowan@sunderland.gov.uk)

Telephone: 0191 5611372

Post: Retained Education Functions Lead, Civic Centre, Burdon Road, Sunderland, SR2 7DN.

Within four weeks of the Publication Date below, any person may object to or make comments on the proposals by sending their written representations:

*By e-mail to :-*

[schoolorganisation@sunderland.gov.uk](mailto:schoolorganisation@sunderland.gov.uk)

*Or by post to :-*

*Alan Rowan*

*Retained Education Functions Lead*

*Civic Centre*

*Burdon Road*

*Sunderland*

*SR2 7DN*

Signed : Patrick Melia,  
Chief Executive,  
Sunderland City Council.

Publication Date: 2<sup>nd</sup> September 2019



**Section A - EQUALITY ANALYSIS TEMPLATE**

You must complete this in conjunction with reading Equality Analysis Guidance

**Name of Decision: Closure of Pennywell Early Years Centre**

**Date: 07/11/2019**

**Version Number: 1**

**Equality Analysis completed by:**  
**Name: Alan Rowan**  
**Job title: Retained Education Functions Lead**

**Responsible Officer or Group:**  
**Name: Alan Rowan**  
**Job title: Retained Education Functions Lead**

**Is the Activity:**  
**New/Proposed (X)      Changing/Being Reviewed ( )      Other ( )**

## Part 1. Purpose and Scope

### Purpose

In this section outline briefly:

- what the policy, decision or activity is and what the intended outcomes/benefits are (linked to the Corporate Outcomes Framework)
- over what period of time the outcomes will be achieved
- why it needs to be implemented or revised
- what populations are affected by the proposal
- who is expected to benefit and how, i.e. young people, older people, carers, BME groups, ward areas/communities, etc
- whether there are any overlaps with regional, sub-regional, national priorities.

### [Further Guidance](#)

#### Proposal

To discontinue (close) Pennywell Early Years Centre, Portland Road, Sunderland, SR4 9AX with effect from 31.12.190.

Sunderland Council has Proposed that current Pennywell Early Years Centre is discontinued from 31<sup>st</sup> March. The discontinuation of the nursery as a local authority maintained setting is required as part of a wider proposal to amalgamate the early years provision offered by Pennywell Early Years with the school aged provision offered by Academy 360 as part of the wider academy provision offered by the Laidlaw Schools Trust (LST).

There is no current mechanism to facilitate the 'academisation' of a local authority maintained nursery provision. To enable the nursery provision to become part of Academy 360, and therefore LST, it is necessary for the Council to discontinue the existing provision and LST, subject to Regional School Commissioner (RSC) approval, to seek approval on a proposal to amend the age range of Academy 360 from 5 to 16 to 0 to 16.

The proposal seeks to ensure the long term sustainability of early years provision in the St Anne's ward of the city. Local Authority nursery provisions have become increasingly financially vulnerable in recent years, highlighted by the closure of Concord and Millfield Nursery provisions. It is considered that this proposal will enable the nursery to make financial efficiencies through commissioning of services, increased sharing of resources and procurement efficiencies that will support the long term sustainability of the provision of early years delivery in St Anne's

It is anticipated that the proposal will be implemented on 31<sup>st</sup> March 2020

The proposal does not seek to amend the existing sufficiency of early years places, admissions processes at the nursery, the relationship between the nursery and neighbouring schools and academies in the area or to impact on current staffing and delivery at Pennywell Early Years Centre. On this basis the proposal while the proposal is projected to have a net equality impact the long term sustainability of the nursery will result in a positive outcome for families and carers with young children not yet of statutory school age and, to a lesser extent, children with special educational needs accessing provision at Pennywell Early Years Centre

## Intelligence and Analysis

Please describe:

- What sources of information have been used to inform this assessment/analysis (this should include but is not limited to consultations, resident/service user feedback and statistical data and intelligence)
- **What the information is telling you** – this should be broken down by each of the protected characteristics or other identified groups which could be disadvantaged. Each of the aims of the equality act should be considered in relation to each of the protected characteristics.

### [Further Guidance](#)

The Council conducted a seven week informal pre-publication consultation on the proposal between 17<sup>th</sup> May 2019 and 28<sup>th</sup> June 2019. There were 20 responses the consultation with 18 (90%) of responses agreeing with the proposal.

The Council did not receive any representations during the four week statutory publication representation period that ran between 2<sup>nd</sup> September 2019 and 30<sup>th</sup> September 2019.

### **Gaps in intelligence and information**

Having analysed the information available to you:

- are there any gaps in intelligence or areas where understanding needs to be improved? Please describe what these are and what actions you intend to take to obtain/improve the information. These actions should be covered in the action plan.
- are there any groups who should be expected to benefit who do not? Please describe why not and whether you will amend the decision to change this outcome. This should also be covered in the action plan.

#### [Further Guidance](#)

NA

**Additional Impacts**

The policy or action may also have an impact on other groups or individuals which are not covered by statutory requirements. Please outline any additional individuals or groups which have not already been covered. This could include socio-economic groups, voluntary and community sector, carers or specific communities which face additional challenges (such as former coal mining areas or areas of high deprivation)

[Further Guidance](#)

NA



## Part 2. Analysis of Impact on People

In this section you must **review the intelligence described above and summarise the intended and potential impact of the policy, decision or activity** on the people of Sunderland. This includes specific consideration of the impact on individuals, groups with protected characteristics and communities of interest within the city. Please briefly outline any positive, neutral or negative impacts on the specific groups below. Please note that any negative impacts should have a corresponding action in the action plan in the page below.

In this assessment it is important to remember the **Council is required to give due regard to:**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

**Each of these aims must be summarised in turn in relation to the groups outlined below.**

### [Further Guidance](#)

| Characteristic               | List of Impacts  |           |          |
|------------------------------|--|-----------|----------|
|                              | Positive   | Neutral   | Negative |
| Age                          | The long term sustainability of early years provision ensures that children that are not yet of statutory school age will continue to have access to suitable places at an education setting |           |          |
| Disability                   | Specialism in SEN delivery to children accessing early years provision, currently delivered by Pennywell Early Years Centre, will be sustained in future years                               |           |          |
| Gender/Sex                   |  | No Impact |          |
| Marriage & Civil Partnership |  | No Impact |          |
| Pregnancy and maternity      |  |           |          |

|                    |  |           |  |
|--------------------|--|-----------|--|
|                    |  |           |  |
| Race/Ethnicity     |  | No impact |  |
| Religion/belief    |  | No Impact |  |
| Sexual Orientation |  | No Impact |  |
| Gender identity    |  | No Impact |  |

**Please add any additional groups mentioned in the “additional impacts” section above.**

### Part 3. Response to Analysis, Action Plan and Monitoring

In this section please outline what actions you propose to take to minimise the negative, and maximise the positive, impacts that have been identified through the analysis. By considering and implementing these actions the policy or action can be refined to make sure that the greatest benefits are achieved for the people of Sunderland. The performance monitoring process should also be set out to explain how ongoing progress is going to be followed to make sure that the aims are met.

From the analysis four broad approaches can be taken, (No major change; continue with the policy/action despite negative implications; adjust the policy/decision/action; or stop the policy/action). Please indicate, using the list below, which is proposed.

- No Major Change  ( X )
- Continue Despite Negative Implications  ( )
- Adjust the Policy/Decision/Project/Activity  ( )
- Stop  ( )

#### Action Plan

[Further Guidance](#)

| ACTION | WHO | WHEN | MONITORING ARRANGEMENTS |
|--------|-----|------|-------------------------|
|        |     |      |                         |
|        |     |      |                         |
|        |     |      |                         |
|        |     |      |                         |

**PLEASE ENSURE THAT THIS TEMPLATE IS PUBLISHED ON <http://citypoint/equalityanalysis/default.aspx>, WITH THE RELEVANT ACCOMPANYING DOCUMENTATION APPENDED, i.e. POLICY/STRATEGY. THE EQUALITY ANALYSIS MUST BE PRESENTED AT ANY DECISION POINT.**

