

# Impact Assessment

## Assessment of: Establishing School Based Nursery Provision

### 1. Description of project

Devon wide proposals to establish school based nursery provision.

### 2. Proposal, aims and objectives, and reason for change or review

The Department for Education (DfE) has launched a Capital Grant for state funded primary-phase schools in England to apply for the School Based Nursery (SBN) Capital Grant 2024-25. Through this grant, schools can bid for up to £150,000 of capital funding to create or expand school-based nursery provision by using surplus space in primary phase school buildings. Local Authority Maintained Schools and Academy Schools across Devon are applying for this capital grant to help establish nursery provision. This Impact Assessment will assess the impact of establishing nursery provision within a primary phase school, namely Shaldon Primary School.

### 3. Risk assessment, limitations and options explored (summary)

All schools who are interested in making an application for this capital funding are required to consult with DCC to ensure the proposal is supported by Devon's Pupil Place Planning team and Early Years team. This is to ensure that the net capacity of the school for school aged children is protected, as well as the Published Admission Number (PAN) and there is no pressure on classroom space for school aged children through the delivery of school based nursery provision. The Early Years and Childcare Service will review childcare sufficiency data in the relevant area to ensure there is a demand for places so that new or expanded provision is viable and that proposals do not have a detrimental impact on other early years providers.

The relevant freehold landowner must have been consulted ahead of completing the capital grant application and be content with the use of land for nursery provision.

## 4. People affected, diversity profile and analysis of needs

Pupils and their families, particularly children on roll in an existing Nursery Class and Reception Class;

Local families seeking nursery provision;

Staff in an existing Foundation Stage Unit/Nursery Class;

Wider school staff and local advocates;

Other Local Early Years Providers;

Land owners/site trustees.

The following changes to childcare funding for working parents are the key drivers for change:

- April 2024:- all working parents of two-year-olds can access 15 hours per week
- September 2024:- all working parents of children aged 9 months up to three-years-old can access 15 hours per week
- September 2025:- all working parents of children aged 9 months up to three-years-old can access 30 hours per week

It is likely that up to 60% of children in the age groups above will be eligible for the new entitlements. DCC's annual Childcare Sufficiency Assessment Report confirms there is a need for all-year round places for 2-year-olds and under. Additionally, there are a number of areas in Devon where there is not enough childcare provision, even during term times. There are a greater number of parents wanting to access childcare due to the introduction of the increased funding childcare entitlements for working parents.

## 5. Stakeholders, their interest and potential impacts

Pupils, parents and carers of children on roll of school;

Children on roll in a Nursery Class and, if an integrated Foundation Stage Unit the Reception Class, will be directly impacted by the proposal;

Local families who are seeking early years provision;

Diocese, for Church Schools;

Landowners; The relevant freehold landowner (such as a local authority, foundation, trust or relevant religious body) must be consulted ahead of completing the application for capital funding and the freehold landowner must be content with the use of their land for nursery provision, and consents to any necessary capital works. The freehold landowner or those holding leases must also be satisfied that the use of the land for a Nursery provision is compatible with the terms under which they hold their land – particularly where that land is of charitable origin.

Local EY Providers;

Local employers;

Other stakeholders;

Multi Academy Trusts (MATs);

Maintained Schools Federations or Trusts.

## 6. Additional relevant research used to inform this assessment

Department for Education: Making Significant Changes to an Academy, October 2024

Department for Education: Statutory Framework for the early years foundation stage

Cabinet Office guidance on Consultation Principles

The Childcare Act 2006

School-Based Nurseries Capital Grant 2024-2025 Information for applicants, October 2024

Making significant changes ('prescribed alterations' to maintained schools statutory DfE guidance, October 2024

School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

## 7. Description of consultation process and outcomes

All schools are required to carry out a 3-4 week consultation prior to submission of a capital bid. Any consultation will be circulated widely in accordance with legislation and guidance. Consultation will be carried out in term time and in accordance with the Cabinet Office guidance on consultation principles. Consultation will be widely circulated to include all parents/carers, staff, trustees and governors at the school. Consultation will also include County and District Councillors, Union representatives, equality groups, MP, local early years providers, all schools and the Town or Parish Council. The consultation will be published on the school's website and on DCC's Have Your Say consultation website.

---

## Background information

### 8. Equality analysis

Under the Equality Act 2010, the local authority must consider how people will be affected by a service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations across protected characteristics of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (for work), sex, sexual orientation, race, and religion and belief. The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are: informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations; proportionate (negative impacts are proportionate to the aims of the policy decision); fair, necessary, reasonable, and those affected have been adequately consulted.

- a) Is this group negatively or potentially negatively impacted, and in what way?
- b) What could be done or has been done to remove the potential for direct or indirect discrimination, harassment or disadvantage and inequalities?
- c) In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?
- d) What can be done to advance equality further? This could include meeting specific needs, ensuring equality of opportunity and access, encouraging participation, empowering people, making adjustments for disabled people and action to reduce disparities and inequalities.
- e) Is there a need to foster good relations between groups (tackled prejudice and promote understanding) and help people to be safe and protected from harm? What can be done?

### **All residents by geographic area**

There is a potential negative impact on other local early years providers. However, DCC's Early Years and Childcare service will review sufficiency data to ensure proposals do not have a detrimental impact on other providers. Consultations will be sent to early years providers in the locality.

The proposals to develop and grow childcare provision are likely to have a positive impact for families in Devon. Proposals will increase the number of places for childcare which are available, and which may be able to provide more hours of free childcare for families as part of the national increased early years entitlements. This has the potential to positively impact parents and carers, who may be able to either return to work and/or increase their working hours as they are able to access more hours and/ or spaces which may become available in local childcare settings. This could help to support families financially at a time when cost of living is high, positively impacting the health and wellbeing of families. Moreover, an increase in childcare provision will mean more children in Devon are able to access a local setting where they can socialise with other children, make friends, develop age appropriate language and communication skills and physical, social and emotional development. School based nursery provision can help prepare children for the transition to the Reception class in primary school. Supporting young children's early learning and development is especially important for disadvantage 2-year-olds enabling a positive impact at a younger age and an easier transition to Reception class. Proposals will support the Council in meeting their statutory duties for families in supporting childcare sufficiency locally. The provision of early years places within a school can also help to support the sustainability of the school.

### **Age**

Proposals support the provision of additional nursery places for babies and children up to 4 years of age, where data supports the need for this development and where there is surplus capacity within a school. Proposals will not affect the net capacity of the school, nor the Published Admission Number, nor put pressure on classroom space for school aged

children. Proposals approved will provide improved local choice for nursery places for families. It is considered that the provision early years places will be positive as it will provide increased opportunities for children to access early education.

Providing 2-year-old places supports children to develop age appropriate language and communication skills and physical, social and emotional development. Supporting young children's early learning and development is especially important for disadvantaged 2 year olds enabling a positive impact at a younger age and easier transition.

Reception age children can benefit from the continued provision of a play based learning environment. For some children the transition from nursery to Reception class can be difficult. Allowing children to remain in the same environment until the start of key stage one can help build confidence and security. For Reception age children being able to continue to engage in developmental play and access appropriate resources can help increase maturity and self-reliance in readiness for key stage one. Older children can also benefit from developing their social and emotional skills, a sense of responsibility and independence along with citizenship. Younger children may benefit from playing and learning alongside older children.

**Disability (includes sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people**

No adverse impact is anticipated. Schools affected are providing mainstream education and offer appropriate educational provision for all children for whom a mainstream placement is considered appropriate. All Early Years settings have a responsibility to provide an inclusive service for all children and families including those with special educational needs and disabilities. Consultation documents will be made available in a different format upon request.

**Race and culture: nationality/national origin, ethnic origin, skin colour, religion and belief, asylum seeker and refugee status, language needs**

Places would be available for all children regardless of race, ethnicity, religion or belief. All settings will be working with families to promote a safe, welcoming and trusted provision for all types of families. Providers will promote equality, diversity and inclusive practices within their provision to make them accessible to all types of families taking into account the protected characteristics in line with the Equality Act 2010.

Consultation documents will be made available in a different language upon request.

**Sex and gender identity and reassignment (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)**

Proposals will support quality early years provision for children of all genders.

### **Sexual orientation, and marriage/civil partnership if work related**

Providers will be working with all families to promote a safe, welcoming and trusted environment, respecting and taking account of the protected characteristics such as sexual orientation and marriage/civil partnership for families in line with the Equality Act 2010.

### **Other relevant socio-economic factors and intersectionality**

This includes:

- people on low incomes, children in care and care experienced people, armed services veterans, family background (size/single people/lone parents/family carers etc.), sub-cultures, refugee status, asylum seeker no recourse to public funds.
- housing quality and tenure, education and skills, language and literacy skills, health and wellbeing.
- rural isolation, access to services and transport, access to ICT/Broadband, social connectivity.

Also consider intersectionality with other characteristics.

The proposals to develop and grow childcare provision are likely to have a positive impact for families in Devon. Proposals will increase the number of places for childcare which are available to families and which may be able to provide more hours of free childcare for families as part of the national increased early years entitlements. This has the potential to positively impact parents and carers, who may be able to either return to work and/or increase their working hours as they are able to access more hours and/ or spaces which may become available in local childcare settings. This could help to support families financially at a time when cost of living is high, positively impacting the health and wellbeing of families. Without local provision, some parents/carers may need to drive to alternative provision which may prohibit some families from being able to access early years education.

The socio-economic benefits are great. There will be more choice for families. Childcare enables people to work, increase working hours and or return to work benefiting local businesses and the local economy and improves life chances for children and reduces social isolation.

## **9. Human rights considerations:**

We need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').

- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

Under section 6 of the Childcare Act 2006, the Local Authority must ensure there is sufficient childcare within the local area, sufficient to meet the requirements of parents in the area who require childcare in order to enable them to take up, or remain in, work or undertake education or training.

## 10. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 11, otherwise complete the environmental analysis information below):

<b>Devon County Council’s Environmental Review Process</b>	
<b>Planning Permission</b>	X
<b>Environmental Impact Assessment</b>	
<b>Strategic Environmental Assessment</b>	

- Description of any actual or potential negative consequences and consider how to mitigate against these.
- Description of any actual or potential neutral or positive outcomes and consider how to improve as far as possible.

Education infrastructure projects, such as an expansion to a school building to make provision for new nursery provision, may require planning consents where necessary. Any new provision will be designed to promote energy efficiency measures, good levels of insulation and renewable energy technologies to reduce its carbon footprint.

### **Reduce, reuse, recycle and compost**

Non applicable.

### **Conserve and enhance wildlife**

In line with any planning conditions where required.

## **Safeguard the distinctive characteristics, features and special qualities of Devon's landscape**

In line with any planning conditions where required.

## **Conserve and enhance Devon's cultural and historic heritage**

In line with any planning conditions from the Local Planning Authority, where required or any necessary permissions, where appropriate, for example from Historic England.

## **Minimise greenhouse gas emissions**

Education infrastructure projects, such as an expansion to a school building to make provision for new nursery provision, may require planning consents where necessary. Any new provision will be designed to promote energy efficiency measures, good levels of insulation and renewable energy technologies to reduce its carbon footprint.

## **Minimise pollution (including air, land, water, light and noise)**

Proposals will support more children to attend a local early years provider, reducing journey times to provision.

## **Contribute to reducing water consumption**

Not applicable.

## **Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level)**

Not applicable.

## **Other (please state below)**

Not applicable.

## **11. Economic analysis**

- a) Description of any actual or potential negative consequences and consider how to mitigate against these.
- b) Description of any actual or potential neutral or positive outcomes and consider how to improve as far as possible.
  - a. This will enable more places to be offered to 0–2-year-olds which will support the needs of the local community



- b. This will enable the recruitment of more staff to support the nursery provision at Shaldon Primary School

### **Impact on knowledge and skills**

Being able to offer places from 2-years-old will provide greater consistency and continuity for children before starting at school and enable staff to make a more significant impact on their learning and development as well as enabling earlier identification of children's needs well before they start in the reception class. The qualification requirements of staff will meet the requirements of the Early Years Foundation Stage Statutory Framework.

The provision of childcare enables parent to attend training. There is financial support for some students to help make childcare affordable as well as funding to enable parents to work and train.

### **Impact on employment levels**

Proposals have the potential to positively impact parents and carers, who may be able to either return to work and/or increase their working hours as they are able to access more hours and/ or spaces which may become available in local childcare settings. This could help to support families financially at a time when cost of living is high, positively impacting the health and wellbeing of families.

With increased take up to early years places further staff will be allocated to meet the requirements of the Early Years Foundation Stage Statutory Framework and staff:child ratios.

### **Impact on local business**

See above.