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Response to Public Consultation on the Closure of Ashgate Nursery School

UNISON was notified that Derby City Council would be opening a public consultation into the closure of Ashgate Nursery School. Whilst this is not at this stage a staff consultation, staff are able to respond as members of the public and residents of Derby City. UNISON has members at both Ashgate and Central Nursery Schools and as such offered support to our members when the consultation was announced.

Overwhelmingly, despite this being a public consultation on whether to close, members told us they felt this was a foregone conclusion and were incredibly fearful for their future.

Overwhelmingly, however, the first words in their response were always, “where will the children go and how will they be impacted”. Our members are public service workers, and it is clear from hearing from the school, the parents and the wider public, that the regard for children and families at this nursery is paramount and is of the highest nature. The potential loss of experienced staff as a result of this closure would be detrimental to the local area and the city. Others recommend the school because of the service it provides and the quality of its educators. It was apparent that the school was considered a focal point for family and community activity. It is not clear from the consultation at all, how that will be replaced and indeed many felt it could not be, particularly for the youngest of children (age 2) and the SEND children supported in this setting.

UNISON considers that the consultation does not meet the criteria on Equalities and does not offer enough alternative options for families with additional needs to respond. There is no telephone number on the consultation web page for example and to our knowledge there have been no public meetings or face to face consultation events, allowing those with literacy issues or English as a second language to provide verbal responses. We appreciate there was one staff meeting and one parent meeting at the school. We have assumed that the responses and the authorities answer to questions have been recorded as part of this consultation. Question 3 and Question 4 on the electronic consult have the answer fully oppose for Q3 and strongly oppose for Q4 this may have impacted the answers given as consistency is lacking and in addition may have been a barrier to those who have English as a second language.

It is UNISON's belief that it will not be possible for the Council to mitigate against the impact on those with a disability that closure of Ashgate Nursery School may have.

UNISON believe that this statement which opens the consultation is not accurate: Ashgate Nursery School has seen a falling number of children accessing their 2-, 3- and 4-year-old early years provision for a number of years. UNISON considers that evidence to support this is not demonstrated. The case for closure is not strong and it has not started with presumption against the closure. This is demonstrated by the fact, that right now the following criteria is not met:

- *plans to develop alternative early years provision clearly demonstrate that it will be at least equal in quality and 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".*

Here and now, there are insufficient local places in a maintained setting to meet the needs of the children and future children. Here and now, there are insufficient places. Here and now, the council would need to create places in other settings to meet need. None of this supports the starting point of presumption against closure because the solutions being sort all work on the basis the setting is closed. As such the consultation goes against the DfE criteria.

Having been involved in the EIA process on this occasion, it was clear that the Council could not be certain of this required criteria "*are sufficient surplus places elsewhere in the local area (my emphasis) to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term*" One factor that clearly demonstrates this was evidence from the school, staff and parents that due to particular need of some of the children they had already experienced the failure of another setting to meet need when looking at SEND. Moving to a completely different setting may simply just not be an option. The trauma on a child with disability cannot be mitigated against.

Unlike some other schools, maintained nurseries were not eligible for exceptional cost funding for Covid from Government and so have had to endure the most of these costs themselves. They were also not eligible for some government schemes which benefited private providers in the sector such as the business rates holiday or business loans.

A great body of research and evidence has shown the value, expertise, and system leadership role of maintained nurseries. Maintained nursery schools have been recognised for their vital role in areas of deprivation, closing educational gaps and providing support for children with additional needs. This school is considered a focal point for family and community activity.

Funding is set by Central Government and many nurseries were watching with interest the December 2022 report following government consultation. It is vital that fair funding for maintained nursery schools rises and continues. However Local Authorities are responsible for deciding the amount of money (pooled from either or both of their early years and high needs DSG funding) that they set aside for their SEND inclusion fund, and how the fund will be allocated to providers. It appears to be an accepted position that the level of SEND provision is a contributing factor to the funding deficits at Ashgate but closing Ashgate will not make Central more viable and if anything, closing Ashgate will add pressure to Central and

will potentially result in further loss of maintained nursery provision in the City. An action that this Council has a duty to avoid.

The maintained nursery sector is increasingly accommodating children with complex, life affecting conditions, who would usually have their needs met in a specialist setting with specialist resources. Research continues to show the knock-on effect of closure of any maintained nursery setting. The impact on the council's other services cannot be underestimated. The council's budget is likely to be impacted in areas such as social care safeguarding, health, and wellbeing, and SEND if the closure goes ahead. It is a false economy.

UNISON strongly opposes the closure of this maintained nursery school.

Yours sincerely,

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Regional Organiser

On behalf of UNISON Derby City Branch