

# Report

Report to:	<b>Education Resources Committee</b>
Date of Meeting:	<b>2 May 2023</b>
Report by:	<b>Executive Director (Education Resources)</b>

Subject:	<b>Review of Admissions Policy for Early Learning and Childcare Establishments 2023</b>
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## 1. Purpose of Report

### 1.1. The purpose of the report is to:-

- ◆ outline the review of the policy for admissions of children into early learning and childcare establishments in South Lanarkshire, including the process and outcome of consultation; and outline the admissions policy and process for the allocation of places to local authority and funded provider establishments from August 2023.

## 2. Recommendation(s)

### 2.1. The Committee is asked to approve the following recommendation(s):

- (1) that the priorities for admission to all early learning and childcare establishments, as detailed in Appendix 1, be approved;
- (2) that the admissions policy and process for the allocation of places to all early learning and childcare establishments be implemented from August 2023; and
- (3) that the admissions policy for Early Learning and Childcare (ELC) establishments be endorsed and referred to the Executive Committee for formal approval.

## 3. Background

- 3.1. The Education Resources Committee approved a new admissions policy for early years establishments in September 1996 following a period of consultation on priorities for admissions. The priorities took account of the new statutory duties of the Children (Scotland) Act 1995 which was due to be implemented in April 1997, ensuring that priority places would be available for 'children in need'.
- 3.2. On 31 March 1998, the Education Resources Committee approved a revised admissions policy in light of national policy development. The following paragraphs explain the national policy and legislation changes from this time.
- 3.3. The Government issued guidance under the Standards in Scotland's Schools etc Act 2000 which requires Councils to review their admissions policies every two years. The last review was completed in December 2020 and implemented in 2021.
- 3.4. To strengthen the role of early years support in children's and families' lives, the Act increased the amount and flexibility of free early learning and childcare from 475 hours a year to a minimum of 600 hours for 3 and 4 year olds, and 2 year olds who are, or have been at any time since turning 2, looked after or subject to a kinship care order.

The 600 hours was made available by local authorities within a minimum framework. This meant that a child's early learning and childcare pattern was not less than two and a half hours or more than eight hours a day. It was also available over at least 38 weeks throughout the year and could be outwith term time. This was implemented from August 2014.

- 3.5. In 2014 free early learning and childcare provision was further extended to every two-year-old from families seeking work. This provided places for 15% per cent of all two year-olds and was implemented from August 2014. A further expansion included 2 year olds, where eligibility was determined by criteria currently used for the provision for free school meals for school aged children. This development was implemented from October 2015.
- 3.6. The Children and Young People Act (Scotland) 2014 committed to almost double the entitlement to 1140 hours per year from August 2020. This commitment was first made in the 'One Scotland' Programme for Government 2014-2015.[\[4\]](#) Subsequent Programmes for Government have also reiterated this commitment.
- 3.7. In 2020 the Scottish Government through the 'Funding Follows the Child, Interim Guidance', provided the long-term policy framework to support the delivery of funded early learning and childcare which was subsequently endorsed by COSLA.
- 3.8. Due to the pandemic the Scottish Government revoked the legislation to deliver 1140 hours of Early Learning and Childcare for eligible 2 to 5 year old children from August 2020.
- 3.9. In December 2020, the Scottish Government advised local authorities of the new date of August 2021 for the statutory duty to be reinstated. The Scottish Government also advised of the plan to introduce legislation to expand full implementation of revised deferral eligibility in 2023.
- 3.10. The Scottish Government's entitlement to a funded Early Learning and Childcare place is the term following the child's 3<sup>rd</sup> birthday.

#### **4. Admissions Policy**

- 4.1. The Council approved 'early access for 3 year olds' in March 2019 and this has been fully implemented since August 2019. Across the Council, children can commence free early learning and childcare provision from the Monday following their 3<sup>rd</sup> birthday for children turning 3 from 31 August to the 28 February, thereby ensuring they receive their entitlement of up to 2 years of funded ELC.
- 4.2. The current admissions policy has a closing date of the end of February each year. This enables the Council to inform parents/carers of their child's place by no later than May of each year. Late applications received after the closing date will be considered in June of each year and, thereafter, on a monthly basis. The central admissions allocation process considers late applications each year on a monthly basis from September – February. Direct contact on any admissions enquiry now sits with the ELC Lead Locality Officers as part of a strategy to support effective communication. It is also worth noting that the closing dates for 'Early Entry to Primary School' and 'Deferred Entry from School' is 31 January so that parents/carers know what the decisions are prior to the closing date for early years admissions.

#### 4.3. Consultation and engagement

##### 4.3.1 Views were sought from parents/carers on the current admissions policy in March 2023.

- ◆ 381 responses were received in total.
- ◆ 281 individual responses were received from parents/carers, 84 from individual staff employed in Local Authority Establishments and 16 from Funded Providers.

##### 4.3.2 It was noted that responses from establishments and funded providers reflected the opinions of their parents and staff. Responses were received from parents/carers with children aged birth to five years and a range of opinions from those who attend local authority, funded providers, childminders, parent and toddler groups, playgroups and also parents who are not currently using any ELC provision.

##### 4.3.3 Responses were also received from a number of grandparents and parents who are yet to use early learning and childcare provision. It is worth noting that responses were received from all postcode areas of the Council.

##### 4.4. Some of the main points raised by parents/carers in the consultation exercise will be taken forward and implemented from August 2023, and include the following:

Parents who wish their child to attend 38 weeks	42%
Parents who wish their child to attend more than 38 weeks up to 52 weeks	57%
Parents who are looking for more bespoke patterns	1%
<ul style="list-style-type: none"><li>◆ 90% of parents confirmed that they would like the option to purchase additional hours within the term time, 9am – 3pm nursery class model.</li><li>◆ 89% of parents confirmed that additional hours requested should be allocated to working parents and also those involved in training or study</li><li>◆ 83% of parents confirmed that they would like the option to request a change to their allocated sessions to support changes to personal circumstances e.g. working patterns</li><li>◆ 47% of parents disagreed that children should only be able to attend one provision for their funded place</li></ul>	

##### 4.5. There was overwhelming support and very positive feedback from parents whose children are benefitting from 1140 hours of Early Learning and Childcare. The feedback also confirmed the level of support this provides for working families, those engaged in training/study and those seeking employment.

##### 4.6. Parents and staff were unanimous that all early learning and childcare provision must be of the highest quality and meet the needs of all children.

#### 5. Proposals

##### 5.1. The admissions policy priorities are used for the allocation of all early learning and childcare places. Once all places are allocated, particular patterns of sessions are then matched, wherever possible, and should address options for increased flexibility. When there are more requests for the preferred sessions than places available, a ballot will be held in line with agreed and established procedures.

- 5.2. In relation to the proposed priorities for allocation of additional hours, a number of Local Authority Early Learning and Childcare establishments may be able to offer additional hours on a paid basis or to children who fall within the Council's exemption criteria, if they have sufficient places and staff. The charge to parents and/or carers for this service is detailed within the Council's Nursery Fees Policy.

Additional hours will be allocated in accordance with the following priorities:

Category 1	All Priority 1 children
Category 2	Children whose parents and/or carer are in employment or education and those exempt for charges
Category 3	All other children

- 5.3. In terms of delivering 1140 hours of early learning and childcare, there is a range of options available for parents/carers to enable them to choose a term time 38 weeks or provision up to 52 weeks per year.

Week and hours	Sessions
◆ 38 week (term time) provision	◆ 5 sessions of 6 hours per day
◆ 48 week 23 hours 45 minutes per week	◆ 5 sessions of 4 hours 45 minutes
◆ 50 week 23 hours per week	◆ 5 sessions of 4 hours 40 minutes
◆ 52 week 22 hours per week	◆ 5 sessions of 4 hours 25 minutes

- 5.4. Funding can also be used for a full day pattern of a maximum of 10 hours per day. Some examples are as follows:

Week and hours	Sessions
◆ 48 week 23 hours 45 minutes per week	◆ 2 full days of 9 hours 30 minutes and one session of 4 hours 45 minutes
◆ 50 week 23 hours per week	◆ 2 full days and one session of 3 hours
◆ 52 week 22 hours per week	◆ 2 full days and one session of 2 hours

5.5. *Deferred entry to Primary School*

- 5.5.1 If a parent and/or carer applies for deferred entry to primary school for their child they may be able to access an additional year of funded Early Learning and Childcare.

5.5.2 The new legislation for deferred entry to Primary School is as follows:-

- ◆ Children whose 4th birthday falls from the first day of the new school term in August.
- ◆ These children are considered returning children.

**6. Proposal on Admission Policy for 2023**

- 6.1. The committee is asked to approve the proposed admissions policy for 2023 as outlined in Appendix 1.

**7. Employee Implications**

- 7.1. There are no direct implications for employees if the proposal for the new admissions policy is approved.

**8. Financial Implications**

- 8.1. The Nursery Charges Policy will apply to the allocation of nursery places, where applicable, and will reflect inflationary increase.

## **9. Climate Change, Sustainability and Environmental Implications**

- 9.1. There are no significant implications for climate change, sustainability and the environment arising from the recommendations in this report.

## **10. Other Implications**

- 10.1. To mitigate the risk, a further evaluation on the impact on the new legislation and the eligibility criteria to determine affordability and sustainability will be monitored.

## **11. Equality Impact Assessment and Consultation Arrangements**

- 11.1. The equality impact assessment, introduced in 2021, has been reviewed and continues to be valid and appropriate.
- 11.2. Consultation involved an on-line consultation with stakeholders as well as focus discussions with identified groups with details on the outcomes of engagement activities being highlighted in paragraph 4.

**Tony McDaid,  
Executive Director (Education Resources)**

6 April 2023

## **Link(s) to Council Values/Priorities/Outcomes**

- ♦ Education and learning: inspiring learners, transforming learning, strengthening partnerships

## **Previous References**

- ♦ Education Resources Committee – 19 January 2021

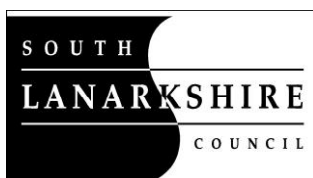
## **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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**EDUCATION RESOURCES  
SOUTH LANARKSHIRE COUNCIL EARLY LEARNING AND CHILDCARE  
ADMISSIONS POLICY 2023**

<b><i>Proposed Policy Children aged 0-3 years</i></b>	<b><i>Proposed Policy Children aged 3-5 years</i></b>
<b><i>Priority 1</i></b>	<b><i>Priority 1</i></b>
<p>Children affected by Abuse Children with additional support needs Looked after and Accommodated Children from birth up to 2 years old Children who at any time from the age of 2 years have been a) Looked after and Accommodated or b) subject to a Kinship Care Order Children affected by Domestic Violence Children affected by Substance Misuse Children affected by a disability within the home. Children with refugee status Parents who have been previously care experienced.</p> <p><i>All applications within Priority 1 must be substantiated by a wellbeing assessment/single agency assessment.</i></p> <p>*Eligible 2-year-olds as required by relevant legislation from time of application.</p>	<p>Children affected by Abuse Children with additional support needs Children who at any time have been a) Looked after and Accommodated or b) subject to a Kinship Care Order Children affected by Domestic Violence Children affected by Substance Misuse Children affected by a disability within the Home Children with refugee status Parents who have been previously care experienced.</p> <p><i>All applications within Priority 1 must be substantiated by a wellbeing assessment/single agency assessment.</i></p>
<b><i>Priority 2</i></b>	<b><i>Priority 2</i></b>
New applications	<p>Children in their pre-school year – new applications Eligible deferred entry children Transfer application pre-school year children where there is:</p> <ul style="list-style-type: none"> <li>◆ A change in circumstances</li> <li>◆ those not receiving their first choice of provision</li> </ul>
<b><i>Priority 3</i></b>	<b><i>Priority 3</i></b>

Transfer applications where there is: <ul style="list-style-type: none"> <li>◆ A change in circumstances</li> <li>◆ those not receiving their first choice of provision</li> </ul>	Transfer applications ante-pre-school year where there is: <ul style="list-style-type: none"> <li>◆ A change in circumstances</li> <li>◆ those not receiving their first choice of provision</li> </ul>
<b>Priority 4</b>	<b>Priority 4</b>
Transfer applications – parental choice	Transfer application pre-school year children - parental choice Transfer applications ante-pre-school year – parental choice
<b>Priority 5</b>	<b>Priority 5</b>
All children resident outwith South Lanarkshire Council who are within a catchment area of a primary school within the Council Area	All children resident outwith South Lanarkshire Council who are within a catchment area of a primary school within the Council Area
<b>Priority 6</b>	<b>Priority 6</b>
All children resident outwith South Lanarkshire Council	All children resident outwith South Lanarkshire Council

The allocation of any place within an early learning and childcare establishment must be allocated using the following policy.

#### Additional Hours Allocation Criteria

- Category 1 All Priority 1 Children
- Category 2 Children whose parents and/or carer are in employment or education
- Category 3 All other children

- ◆ Priorities 1-5 are children who are resident within South Lanarkshire Council Area and those children who are catchment pupils for a South Lanarkshire Council Primary school.
- ◆ All children (non SLC primary school catchment children) residing outwith the Council no matter the circumstances are considered priority 6.
- ◆ Eligible children will have access to Early Learning and Childcare regardless of age, gender, race, religion or need.
- ◆ Early Learning and Childcare will be provided on a non-denominational basis.
- ◆ Securing a place in a primary school nursery class does not provide a priority primary school place within the same primary school.
- ◆ Eligible children deferring entry from Primary are considered returning children.
- ◆ Additional hours are only considered once all eligible children have been allocated their entitlement. Transfer applications no matter when received will only be applicable within one academic year.
- ◆ Siblings and multiple birth families will be offered the same pattern of attendance/Session within the same nursery once they have been allocated a space and where possible.

- ◆ All applications from parents for Cross Border funding will be considered by the Cross Border Funding Protocol Admissions Group.
- ◆ Blended models agreed between two providers.
- ◆ Where possible bespoke patterns of attendance are considered on request.