

# Report

Report to: **Education Resources Committee**  
Date of Meeting: **19 January 2021**  
Report by: **Executive Director (Education Resources)**

Subject: **Review of Admissions Policy for Early Learning and  
Childcare Establishments**

## 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, following a consultation and to seek approval of the admissions policy for the allocation of places to local authority and funded provider establishments from March 2021.

## 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 March 2021; 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.
- 3.3. The Government issued guidance under the Standards in Scotland's Schools etc Act 2000 concerning Councils reviewing their admissions policies every two years, which guidance the Council has to have regard to. The last review was completed in November 2019 and reported to Committee on 10 December 2019 for implementation.
- 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 is made available by local authorities within a minimum framework. In current practice, this means that a child's early learning and childcare pattern is not less than two and a half hours or more than eight hours a day. It is also available over at least 38 weeks throughout the year and can be outwith term time. This was implemented from August 2014.

- 3.5. In January 2014, the First Minister announced that free early learning and childcare provision would be further extended to every two year-old from families seeking work. This provided places for around 15% of all two year-olds and was implemented from August 2014. A further expansion included 2 year olds, where eligibility is determined by criteria currently used for the provision for free school meals for school aged children. This development was implemented from October 2015 and provides places for 27% of all 2 year olds.
- 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. Subsequent Programmes for Government have also reiterated this commitment.
- 3.7. Funding Follows the Child, Interim Guidance, Scottish Government, August 2020 outlines the long-term policy framework that will support the delivery of funded ELC, and was agreed by both Scottish Government and COSLA.
- 3.8. In March 2020, the Scottish Government revoked the legislation to deliver 1140 hours of Early Learning and Childcare for eligible 2-5 year old children from August 2020 due to the on-going COVID pandemic. The impact of the lockdown from March was paused delays in recruitment and building programmes.
- 3.9. On 10 December 2020, Maree Todd, Minister for Children and Young People, informed Parliament that the joint delivery board had recommended a date of August 2021 for the statutory duty to be reinstated. This recommendation is now with ministers and COSLA leaders. We await confirmation of this implementation date.
- 3.10. The Minister also informed Parliament of the introduction to legislation on expanding full implementation of revised deferral eligibility in 2023 and we await further details on this.
- 3.11. 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 area, children can commence free early learning and childcare provision from the Monday following their 3<sup>rd</sup> birthday.
- 4.2. The current admissions policy has a closing date of the end of February each year which enables parents/carers to have their child's place confirmed no later than May of each year. In addition, closing dates for 'Early Entry to Primary School' and 'Deferred Entry from School' will be 20 January. Late applications received after the closing date are considered on a monthly basis. Direct contact on any admissions

enquiry now sits with the Early Years Manager and ELC Lead Locality Officers as part of a strategy to support effective communications.

- 4.3. Views were sought from parents/carers on the revised Policy. The current consultation was undertaken from October 2020 and concluded in November 2020. 373 individual responses were received from parents/carers, 104 from individual staff employed in Local Authority Establishments, 80 Local Authority Establishments and 43 from Funded Providers. It was noted that responses from establishments and funded providers reflected the opinions of their parents and staff. Responses were received from parents 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. 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 March 2021 and include the following:

Parents who wish their child to attend 38 weeks	59%
Parents who wish their child to attend more than 38 weeks up to 50 weeks	25%
Parents who wish their child to attend 52 weeks	16%
<ul style="list-style-type: none"> <li>64% of Parents confirmed that they would choose a minimum of 6 hour sessions no matter the provision for their child with 36% noting a range of options of full days or am/pm sessions between a minimum of a 4 hour session with up to 10 hour session.</li> <li>61% strongly confirming the need for greater flexibility and accessibility</li> <li>88% of Parents believe 'blended childcare' for children should be between two provisions, e.g., nursery class and funded provider or childminder and that one learning plan should be agreed between the two providers</li> </ul>	

- 4.5. There was overwhelming support and very positive feedback from Parents whose children are benefiting from 1140 hours early learning and childcare and the positive benefits for their children. They 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 proposed admissions policy is outlined in Appendix 1.
- 5.2. The admissions policy priorities will be 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. Where there are too many requests for the preferred sessions than places available, a ballot will be held in line with agreed procedures.

- 5.3. 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

- 5.4. In terms of delivering 1140 hours of early learning and childcare there will be 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

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

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.

- 5.6. This will only be considered where either of the following apply:-

- children whose 4th birthday falls in the January or February of the year they are due to start primary school. These children are considered returning children.
- when parent/carers wish to be considered for deferred entry for their child where the 4<sup>th</sup> birthday falls between August and December their application will be considered by an Admissions Scrutiny Group.

## 6. Employee Implications

- 6.1 In order to meet the requirements of the Act and ensure greater flexibility in future options of service delivery, the bi-annual review of the admissions policy, Education Resources will continue to engage with parents/families to assess how best to deliver 1140 hours of early learning and childcare for all eligible children.

## **7. Financial Implications**

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

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

- 8.1. There are no climate change, sustainability and environmental implications arising from this report.

## **9. Other Implications**

- 9.1. The main risk associated with this report in taking forward the legislative requirements in the Children and Young People (Scotland) Act at this stage is that we still await further additions to the legislation.

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.

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

- 10.1. This report introduces an amendment to the existing Admissions policy. Since it highlights the proposed expansion of free early learning and childcare provision, an equality impact assessment will be undertaken prior to the Council's full implementation in August 2021.
- 10.2. Consultation involved an on-line consultation for all stakeholders as well as focus discussions with identified groups.

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

23 December 2020

### **Link(s) to Council Values/Ambitions/Objectives**

- Improve achievement, raise educational attainment and support lifelong learning
- Protect vulnerable children, young people and adults

### **Previous References**

- Education Resources Committee – 10 December 2019
- Education Resources Committee – 6 February 2018
- Executive Committee – 28 February 2018

### **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 2021**

<b><i>Current Policy Children aged 0-3 years</i></b>	<b><i>New Proposed Policy Children aged 0-3 years</i></b>	<b><i>Current Policy Children aged 3-5 years</i></b>	<b><i>New Proposed Policy Children aged 3-5 years</i></b>
<b><i>Priority 1</i></b>	<b><i>Priority 1</i></b>	<b><i>Priority 1</i></b>	<b><i>Priority 1</i></b>
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 <i>All applications within Priority 1 must be substantiated by a wellbeing assessment/single agency assessment</i> *2 year olds as required by relevant legislation from time to time applying		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  <i>All applications within Priority 1 must be substantiated by a wellbeing assessment/single agency assessment</i> as required by relevant legislation from time to time applying	

<b>Current Policy Children aged 0-3 years</b>	<b>New Proposed Policy Children aged 0-3 years</b>	<b>Current Policy Children aged 3-5 years</b>	<b>New Proposed Policy Children aged 3-5 years</b>
<b>Priority 2</b>	<b>Priority 2</b>	<b>Priority 2</b>	<b>Priority 2</b>
New applications		Children in their pre-school year – new applications Deferred entry children Aug/Dec - approved Transfer application pre-school year children • change in circumstances	• those not receiving their first choice of provision
<b>Priority 3</b>	<b>Priority 3</b>	<b>Priority 3</b>	<b>Priority 3</b>
Transfer applications • change in circumstances	• those not receiving their first choice of provision	Transfer applications ante-pre-school year • change in circumstances	• those not receiving their first choice of provision
<b>Priority 4</b>	<b>Priority 4</b>	<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>	<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 and those exempt for charges
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 school nursery class does not guarantee a primary school place within the same primary school
- Children deferring entry from Primary 1 January and February birthdays Council are considered returning children
- Children deferring entry from Primary 1 August to December birthdays who have been approved for a deferred year of funding 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.
- 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