

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Education Operational Delivery Committee
<b>DATE</b>	20 January 2021
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Early Learning and Childcare Expansion: Reinstatement of 1140 hours
<b>REPORT NUMBER</b>	OPE/21/007
<b>DIRECTOR</b>	Rob Polkinghorne
<b>CHIEF OFFICER</b>	Eleanor Sheppard
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<b>TERMS OF REFERENCE</b>	1.1.1; 1.1.2

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### 1. PURPOSE OF REPORT

- 1.1 The report provides an update to the Committee on the reinstatement of the statutory duty on Local Authorities to provide 1140 hours per annum of Early Learning and Childcare (ELC hereafter) to eligible 2-year olds and all 3 and 4 year old children from August 2021.
- 1.2 The report seeks to provide assurance of ongoing works to support the delivery of ELC expansion and meet the implementation date of August 2021.

### 2. RECOMMENDATIONS

That the Committee:-

- 2.1 acknowledge the work to date and agree to the new date of August 2021 for the reinstatement and implementation of 1140 hours of ELC provision; and
- 2.2 note service updates will be regularly circulated to Members to advise of ongoing works to support the delivery of ELC expansion.

### 3. BACKGROUND

#### Impact of Covid-19

- 3.1 The Scottish Government on the 30 March 2020 removed the duty on Local Authorities to make available 1140 hours of ELC to all eligible 2-year olds and all 3 and 4-year-old children from August 2020. On the aforementioned date, the Children and Young People (Scotland) Act 2014 (Modification) (No.2) Revocation Order 2020 was enacted. The Order revoked the change to the Children and Young People (Scotland) Act 2014, which required education authorities to secure 1140 hours of ELC provision for all eligible children from August 2020. The removal of the statutory duty was in recognition of the negative impact of coronavirus (Covid-19) restrictions and the ongoing response to the pandemic on planned work to deliver 1140 hours.

- 3.2 Regrettably, the pandemic disrupted planned workforce activities, caused delays to the capital programme and limited capacity in settings as a result of Covid-19 public health guidance. To this end, the Aberdeen City Council ELC Expansion team have reviewed and re-profiled the programme to ensure progress, where possible, has continued and the appropriate mitigations are in place to ensure the quality and integrity of the programme is not compromised. Robust governance arrangements are in place and programme progress is reported to and monitored by the ELC programme board on a monthly basis.

### **Revised Timeline: ELC Joint Delivery Board Recommendation**

- 3.3 The implementation of ELC expansion is overseen by the ELC Joint Delivery Board. The ELC Joint Delivery Board met on 4<sup>th</sup> December 2020 to consider a report on the revised date for full implementation of the expansion to 1140 hours. The Joint Delivery Board has recommended to Scottish Ministers and COSLA leaders that August 2021 should be the date to reinstate the 1140 hours duty. On 14 December 2020, this recommendation was agreed by Scottish Ministers and COSLA Leaders.
- 3.4 Further recommendations by the ELC Joint Delivery Board are the following:
- Agree that where there is potential to deliver expanded hours ahead of that date, this will be delivered to families;
  - Agree the end goal of the expansion is “That all eligible children whose families wish to access up to 1140 hours should be able to do so, in a way which meets the national standard and the principles of funding follows the child”;
  - Agree that from August 2021 the eligibility for the 2-year-old ELC offer is extended to include children with a parent with care experience. Legislation for this commitment will be developed by the Scottish Government in due course.

### **Current Position: Aberdeen City Council ELC Expansion Programme**

- 3.5 The transformational change necessary to deliver expanded services has centred around the following areas: Quality, Workforce, Capital and Digital / Communications. Since lockdown the team have been closely monitoring the impact of Covid-19 on the programme and adopted a solution focused approach to identify how to continue to progress the programme against changing circumstances.

#### **Quality**

- 3.6 The delivery of quality ELC is crucial to improving long term outcomes for children and families. Without high quality ELC – from both a structural and process point of view – the positive benefits will not be realised. Early Years can mitigate against the long-term costs to the system, but poor quality can increase the cost.

- 3.7 As outlined in the Aberdeen City ELC Delivery Plan family learning is a key focus of the programme. ELC Expansion is an opportunity to support families to build capacity and crucially, deliver an offer that is shaped around the needs of families and the distinct needs of each locality. It is acknowledged that the pandemic will exacerbate and expose inequalities in our communities (financial, health and learning). To this end, the Early Years team have sought to upskill staff to support families who are in vulnerable situations and provide targeted support to children who are at risk of poor outcomes.
- 3.8 To support staff a comprehensive training needs assessment was undertaken to identify areas of professional development to enhance quality and support staff confidence in the implementation of expansion. In response to the challenges presented by Covid-19, the professional learning development programme is now online and fully accessible to all Early Years staff. Feedback from staff and the funded provider sector have shaped materials, activities and delivery.
- 3.9 Parents as Early Education Partners (PEEP) training has been delivered online to our Early Years workforce to ensure they are fully supported and ready to respond to the post-pandemic needs of children and families.
- 3.10 Excellence and Equity Practitioners will support fellow practitioners to measure the impact of change to ensure that work remains focused on improving outcomes for the least advantaged children. The Excellence and Equity Practitioners will play a key role in leading and responding to the distinct needs of each locality.
- 3.11 To improve outcomes for children and families the service seeks to build on a joined-up approach to early intervention strategies with Children's Social Work colleagues and Health partners. Following the completion of the refurbishment of Seaton (ex Woodlands) project, this facility will become a nursery for the delivery of 1140 and a hub for wrap around support. In addition to the provision of ELC, the hub will provide a wide range of family support to encourage family and community capacity building and address the equity agenda. Adopting an integrated approach will strengthen our preventative work to offer additional support to families in need.
- 3.12 By building capacity in the workforce through professional learning, and clarifying roles and responsibilities, we seek to develop the confidence and skills of the workforce as we transition towards the delivery of 1140. This will also enable staff to best meet the needs of children and families across the city.

### **Workforce**

- 3.13 The increase in ELC hours requires additional staff and has created new opportunities for the Aberdeen City Council workforce. The impact of Covid-19 and the ongoing response to the pandemic delayed and impacted on the overall workforce pipeline to deliver expansion. The urgent need to deliver critical childcare to the children of key workers and to families most in need took

precedence. However, the programme has resumed internal workforce planning and external recruitment activities.

- 3.14 In preparation of ELC expansion the staffing formula for ELC settings has been revised and new roles such as Support Worker and the Early Years Modern Apprenticeship established. The introduction of these roles creates a flexible and sustainable staffing model. The role of Support Worker (G9) is a more cost-effective way to deliver ELC. The creation of these roles offers a clear career pathway into the profession supporting career changers or school leavers. Longer term this approach supports workforce continuity. As a result of service redesign, approximately 25 FTE of Childcare Support Workers (G9) from Childcare Service within Integrated Children and Family Services have transferred into the Support Worker G9 role in ELC. To meet the resource gap, a very successful recruitment campaign was undertaken internally and externally to recruit to these key roles and Support Workers have now been placed in settings.
- 3.15 Expansion also necessitates the need for additional Senior Early Years Practitioners (SEYPs). To support succession planning and to reduce the need to recruit externally to these roles, a leadership programme has been developed to support aspiring Early Years Practitioners (EYPs) to step up into the leadership role of a SEYP. Recruitment to this first leadership cohort, consisting of 30 EYPs, has recently been completed and successful candidates placed into roles. Due to the success of this approach a second cohort of the 'Stepping into Leadership' programme has now commenced.
- 3.16 The 12-month EYP Trainee programme, which was open to Aberdeen City Council employees seeking to retrain and become qualified Early Years Practitioners, will create approximately 80 additional EYPs. Trainee cohorts 2 and 3 are due to complete by the new year of 2021 and Spring 2021, respectively. The aforementioned activities will contribute to increasing the capacity and capability in our workforce.
- 3.17 To deliver a fully flexible 'year-round' offer to families, existing staff had been offered the opportunity to move from a 39-week term time contract to a 52-week contract and/or increase their weekly working hours. Approximately, 60% of the Early Years workforce indicated they wished to change their current working arrangement. Following on from a three-month engagement programme with existing staff, working closely with People and Organisation and Trade Union colleagues, variations to contracts of employment were due to commence in mid-March 2020. This activity had been paused due to Covid-19 and the focus on delivering emergency childcare. It is our intention to re-engage with existing staff to discuss the opportunities and recommence that process in consultation with People and Organisation and Trade Union colleagues from January 2021 onwards.

### **Private, Voluntary and Independent (PVI) sector**

- 3.18 Supporting the resilience and sustainability of the Private Voluntary and Independent (PVI) sector has been a priority of the programme. ELC providers based in Aberdeen, who have applied to Aberdeen City Council to become a

funded provider have been able to offer up to 1140 hours, if they are able to do so, to city-resident families from August 2020. To note, a funded provider can be a private nursery, a playgroup and a childminder. Previously, childminders were not able to deliver funded hours. The variety of high-quality providers has offered more options to families to meet their childcare needs. By enabling partner providers to deliver up to 1140 hours of ELC we have increased flexibility and choice for families.

### **Capital**

- 3.19 As part of Aberdeen City Council's ELC Expansion programme, we are investing in our learning estate. The provision of 1140 necessitates changes to some of our current nursery environments to ensure they are fit for purpose to deliver additional hours as well as the establishment of new facilities. The programme seeks to create high quality and impactful learning environments.
- 3.20 The design team and main contractor have been evaluating the impact on the programme of Government guidance and the requirement to comply with physical distancing measures. The current projected programme dates of all twenty-seven capital projects are scheduled to be completed by August 2021 – subject to Scottish Government exercising their statutory authority and understanding that there could be further lockdowns or restrictions. To date, four projects of the twenty-seven projects have been completed: Greenbrae School nursery; Walker Road School nursery; Quarryhill School nursery and Tullos School nursery.
- 3.21 There are ongoing discussion with Education, Corporate Landlord and Capital teams to develop options to ensure the 1140 hours is available in the event a project is delayed or programmed completed beyond the new date for Local Authorities to deliver 1140 of ELC.

### **Digital and Communications**

- 3.22 SEEMiS Early Years is a data management system, which is currently being developed and designed by SEEMiS to enable Local Authorities and providers to manage funded 1140 places. The roll out of the system has been delayed to Summer '21. In lieu of the delay and to support the admissions process, which will open in January '21, the Early Years team have collaborated with Information Technology colleagues to develop an interim solution. This will result in the ELC nursery applications process moving online. The interim solution will be user friendly and accessible parents / carers seeking to apply for a nursery place.
- 3.23 Supporting communications will be distributed to parents/carers to advise that nursery applications can now be submitted online. This is part of a broader refreshed communications plan, which seeks to raise the profile of the programme and the investment Aberdeen City Council is making into Early Years to give children the best start to life.

## Transition to 1140 Hours

- 3.24 The disruption caused by Covid-19 has limited the ability of Aberdeen City Council settings to deliver additional hours/sessions. The introduction of 'bubbles', staff teams not being able to work across sessions, additional cleaning and the challenges of social distancing as per national guidance have also contributed to limiting settings capacity to offer additional hours to families. A measured and cautious approach was adopted to ensure that provision could be delivered safely for children, families and staff. In light of said circumstances, it was determined that local authority nurseries would offer the current statutory entitlement of 600 hours from August 2020 onwards.
- 3.25 However, in line with Aberdeen City Council's route map and current Scottish Government guidance, local authority nursery settings have sought to offer more flexibility to parents/carers, where possible. From October 2020, settings have been able to accommodate blended placement. More recently, staff teams have been able to work across sessions with the appropriate mitigations and risk assessments in place.
- 3.26 It is our plan to phase in additional hours from 2021 onwards, where possible, and subject to public health guidance and Covid-19 restrictions. The model of provision may need to be directive initially, but it would provide further flexibility to families and enable staff to develop practice in preparation of the reinstatement of 1140 hours.
- 3.27 The phasing in of additional hours is achievable as workforce planning activities have resumed, staff teams are also maximising the use of outdoor environment and new health and safety routines have become embedded.
- 3.28 It is recommended a phased approach is taken with priority areas offering increased hours from Term 3 in the first instance and as we progress towards Term 4 scale up the offer across settings more widely. The Early Years team will support settings and ensure that robust risk assessments are in place. Staff will also be in place and there will be no additional staffing costs to scaling up the offer. The introduction of additional hours will provide greater flexibility to parents and the provision of high-quality ELC will support child development and improve the early years' experience of our youngest children.

## 4. FINANCIAL IMPLICATIONS

- 4.1 The Scottish Government and COSLA agreed a multi-year funding package to deliver ELC expansion.

### Revenue Allocation:

2017/18 £'m	2018/19 £'m	2019/20 £'m	2020/21 £'m	2021/22 £'m
£0.89	£2.30	£12.04	£23.24	£25.19

#### Capital Allocation:

2017/18 £'m	2018/19 £'m	2019/20 £'m	2020/21 £'m	Total
£1.040	£7.400	£8.000	£6.000	£23.040

4.2 Staffing entitlements for all settings have been built into the Revenue budget. In Capital, where appropriate, contingency planning has been included in the current estimated final cost. The Expansion team continue to work closely with colleagues in Finance to monitor spend and ensure robust financial planning is in place.

## 5. LEGAL IMPLICATIONS

5.1 The reinstatement of 1140 hours of ELC to all eligible children, following agreement between Scottish Ministers and COSLA, will become a statutory duty from August 2021.

5.2 The expansion of ELC will bring a number of duties on the Local Authority under the Children and Young People (Scotland) Act 2014.

5.3 Aberdeen City Council will retain the statutory responsibility for ensuring that funded ELC entitlement is available to all eligible children in the city.

5.4 Aberdeen City Council will continue to be the primary guarantor of quality and key enabler of flexibility and choice, ensuring that there is a range of options for all families in the city.

## 6. MANAGEMENT OF RISK

6.1 The following risks have been considered as part of the overall Early Learning and Childcare Expansion Delivery Programme:

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
<b>Strategic Risk</b>	Risk of not delivering on legal obligations by August 2021.	L	Mitigated by the work of the ELC Programme Board and associated projects.
<b>Compliance</b>	Risk of not meeting statutory obligations around 1140 hours.	L	Mitigated by the work of the ELC Programme Board and associated projects.
<b>Operational</b>	Risk of not designing an offer around the needs of our customers.	M	Mitigated through consultation with communities and the creation of Early Learning and Childcare Locality Lead Officer posts which support Early Learning and Childcare in each Locality.

	Covid-19 risk and restrictions dependent on tier category	M	ACC will be led by public health and national guidance to ensure the safe delivery of ELC.
<b>Financial</b>	Risk of building a financially unsustainable model	L	Care has been taken to redesign ELC to create a sustainable delivery model.
<b>Reputational</b>	Risk of not delivering on legal obligations by August 2021	L	Mitigated by the work of the ELC Programme Board and associated projects.
<b>Environment / Climate</b>	N/A		

## 7. OUTCOMES

<b><u>COUNCIL DELIVERY PLAN</u></b>	
<b>Impact of Report</b>	
<b>Aberdeen City Council Policy Statement</b>	The proposals within this report support the delivery of Policy Statement 3 (People) - Work with the Scottish Government to provide flexible and affordable childcare for working families on the lowest incomes.
<b>Aberdeen City Local Outcome Improvement Plan</b>	
Prosperous Economy Stretch Outcomes	<p>The Expansion of Early Learning and Childcare will have an extremely positive impact on this priority theme and will help to deliver the LOIP Stretch Outcome 1 '10% increase in employment across priority and volume growth sectors by 2026'.</p> <p>Example:</p> <p>The workforce needs to increase significantly in order to deliver the increase in ELC provision.</p> <p>29 Aberdeen City Council employees retrained as Early Years Practitioners in Cohort 1 of the Retraining Programme. A further 29 are near completion of their retraining as Early Years Practitioners in Cohort 2 and 16 in Cohort 3.</p> <p>In addition, we have 7 Modern Apprenticeships training to become Early Years Practitioners as part of our 'Grow Our Own' workforce strategy. This is a new role in our Local Authority ELC settings and provides a positive destination and career pathway for our young people.</p>



<p>Prosperous People Stretch Outcomes</p>	<p>The provision of high quality Early Learning and Childcare will help to deliver the LOIP Stretch Outcome 3 ‘95% of children (0-5 years) will reach their expected developmental milestones by the time of their child health reviews by 2026’.</p> <p>Example:</p> <p>The provision of high-quality Early Learning and Childcare will support early speech, language and literacy; will ensure that families receive the parenting and family support they need; and will enable families to take up employment and training opportunities.</p>
<p>Prosperous Place Stretch Outcomes</p>	<p>The provision of high quality Early Learning and Childcare will help to deliver the LOIP Stretch Aim 13 ‘No one in Aberdeen will go without food due to poverty by 2026’</p> <p>Example:</p> <p>The increase in funded ELC will enable more families to take up employment and training opportunities, thus reducing poverty. More hours will be available in Local Authority ELC settings and Funded Provider ELC settings will be an option for many families who could not afford this previously.</p>
<p><b>Regional and City Strategies</b></p>	<p>The proposals within this report support the Strategic Development Plan by supporting the workforce. The provision of high-quality Early Learning and Childcare will support families to take up employment and training opportunities.</p>
<p><b>UK and Scottish Legislative and Policy Programmes</b></p>	<p>The report sets out the Council’s Early Learning and Childcare Admissions Policy, which supports the duty placed upon the Council by the Children and Young People (Scotland) Act 2014, to deliver Early Learning and Childcare to all three and four-year olds and eligible two-year olds.</p>

## 8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	EHIRA completed
Data Protection Impact Assessment	Not required.

## 9. BACKGROUND PAPERS

- 9.1. Item 10.02 Early Learning and Childcare Delivery Plan; Education and Children's Services Committee 14<sup>th</sup> September 2017
- 9.2. Item 4(b) General Fund Revenue Budget, Council Budget Meeting 5<sup>th</sup> March 2019.

## 10. APPENDICES

N/A

## 11. REPORT AUTHOR CONTACT DETAILS

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