

ABERDEEN CITY COUNCIL

COMMITTEE	Education Operational Delivery Committee
DATE	20 January 2021
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Early Learning and Childcare (ELC) Admissions Policy 2021
REPORT NUMBER	OPE/20/243
DIRECTOR	Rob Polkinghorne
CHIEF OFFICER	Eleanor Sheppard
REPORT AUTHOR	Louise Beaton and Aisling MacQuarrie
TERMS OF REFERENCE	1.1.5

1. PURPOSE OF REPORT

- 1.1 The aim of the Early Learning and Childcare (ELC) Admissions Policy is to give clear guidance to staff and parents/carers on the admissions process and procedures for Local Authority ELC settings.
- 1.2 This report seeks Committee approval of the updated ELC Admissions Policy 2021. This takes account of the ELC Expansion programme and the phasing in of additional hours up to 1140 hours funded ELC provision.

2. RECOMMENDATION

- 2.1 That the Committee approve the updated Aberdeen City Council ELC Admissions Policy 2021, and instruct the Chief Operating Officer to implement the policy with effect from 21 January 2021.

3. BACKGROUND

The National Context

- 3.1 A Blueprint for 2020: The Expansion of Early Learning and Childcare, published in March 2017, outlined the Scottish Government commitment to expanding the provision of funded ELC from 600 to 1140 hours by 2020.
- 3.2 In light of the impact of the Covid-19 pandemic, the Scottish Government and COSLA jointly agreed to remove the statutory duty on local authorities to provide 1140 hours of ELC from August 2020 earlier this year. On 14 December 2020, a joint letter to all Local Authorities from Maree Todd, Minister for Children and Young People and Cllr Stephen McCabe, COSLA Spokesperson for Children and Young People about the ELC Expansion, confirmed that the statutory duty would be reinstated, with 1140 hours to be reinstated for August 2021.

- 3.3 Currently all three and four year-olds, and eligible two-year olds, receive 600 hours of funded ELC per year. Under the new plans, this will almost double funded hours of ELC available to families. This means more funded hours, more choice of where children can go to access their ELC entitlement and more flexible models of ELC.
- 3.4 The guiding principles which underpin ELC expansion are:
- Quality
 - Flexibility
 - Affordability
 - Accessibility

The Local Context

- 3.5 The Aberdeen City: Early Learning and Childcare Delivery Plan was approved by Aberdeen City Council Education and Children's Services Committee on 16 November 2017. This sets out the Council's plan to provide local, flexible ELC which is accessible, affordable and of high quality.
- 3.6 Each local offer will be designed around the needs of families in each locality. The provision of universally accessible and high quality ELC will play a vital role in helping to close the poverty-related attainment gap.
- 3.7 Parents will have the choice to apply for the additional hours, up to 1140 hours per year. There is no legal requirement nor expectation for parents or carers to take up their full entitlement. Families can choose what works best for them.
- 3.8 In keeping with initial plans approved by Committee, Aberdeen City Council will offer a range of flexible models in each locality / Associated School Group (ASG):
- Full day provision
 - Half day provision – morning or afternoon
 - Blended provision – a combination of local authority and funded provider / childminder provision.
- 3.9 School settings and funded providers, including private nursery settings, playgroups and childminders, will be offering the additional hours. Continued partnership working is important. A significant number of children use funded providers and we would like to ensure additional hours can continue to be used in a range of settings to meet the needs of families.
- 3.10 All settings delivering 1140 hours are required to meet the National Standard (Grade 4 or above) to ensure a high quality ELC service is being delivered to the children of Aberdeen. This extends to local authority settings as well as private nurseries, playgroups and childminders in partnership with the Council.

Early Learning and Childcare (ELC) Admissions Policy 2021

- 3.11 The ELC Admissions Policy 2020 was approved by the Education Operational Delivery Committee on 12 November 2019.
- 3.12 The Policy gives clear guidance to staff and parents/carers about Aberdeen City Council's ELC admissions process and procedures for local authority ELC settings. It also outlines all ELC options via Associated School Group (ASG). This will also include Funded Providers and Childminders, which will give parents more information, choice and flexibility about accessing their ELC entitlement to meet their needs.
- 3.13 The Policy details our statutory duties, entitlement, eligible 2's and Additional Support Needs provision and criteria for admissions. Supporting guidance will be issued to local authority ELC settings in a separate document.
- 3.14 There are no proposals to change the criteria in the ELC Admissions Policy 2021 from those approved by Committee in November 2019. ELC places will continue to be allocated according to the following list of criteria:
1. All children looked after or assessed as 'in need' defined in the Children (Scotland) Act 1995. A Professional Support for Application to ELC form must be completed to determine whether a child meets the criteria.
 2. All applications for children who are currently attending an Eligible 2's place. A limited number of places may be reserved for Eligible children who will turn 2 during the school session.
 3. All applications for children in the Associated School Group (ASG) zone, oldest first. In the event of there being more applications than places at a setting, priority will be given to children living in the Primary School Zone in which the setting is based.
 4. All applications for children who have a sibling in the school parents are applying for, including those not resident in the City, in accordance with section 23(3A) of the Education (Scotland) Act 1980. The sibling criteria will only come into effect when children have a sibling in ELC or Primary 1-6 at the time of the application. Siblings from the same family, although not living together at the same address, can apply under this criteria.
 5. All other applications from children resident in the City. Places will be allocated in the first instance to children who have childcare in the ASG zone and then to children who live out of ASG zone, oldest first.
 6. Children who are resident outwith the City. For children resident outwith the city boundary, not including children with a sibling (as they will come under band 4), the address of a childminder or carer within the city does not entitle the child to an ELC place. Places will be allocated oldest first.
- 3.15 The ELC Admissions Policy 2021 has been updated to include:
- Priority ELC Places (at Section 4.2 of the draft Policy); and
 - Cross Boundary Agreement with Aberdeenshire Council (at Section 5.8).

Priority ELC Places (PELCP)

3.16 Family support is a key element of the ELC Expansion programme, adopting a whole family approach to support child and family wellbeing at a universal level. To this end, ELC capital projects have been designed to support family learning to create welcoming and inviting spaces for families and children, with the inclusion of family rooms, where possible. To support children and families who would benefit from early intervention and wrap around support by multi agencies, it is recommended that a portion of places be reserved at the recently refurbished Links Nursery and Hub to support families. The Links Nursery is a 90-place nursery, which will cater for eligible 2-year olds and all 3 to 4-year olds. It is recommended that 20% of the available places be reserved to support families in need, referred to as Priority ELC places. Applications will be linked to the single request for assistance application and reviewed throughout the year.

3.17 Requests can be made from the undernoted professionals:

- Education psychology services
- Social work
- Health professionals

With priority given to the following:

- Children on child protection register or identified through child protection procedures;
- Referrals from the social work department where a child is considered to be in need and would benefit from a Priority ELC place;
- Help the children remain within the family environment;
- Support the child's return to the family.

Where the aforementioned professionals for children are concerned about the circumstance of the child, parents or family such as:

- Speech and Language Therapy (SALT)
- Children who have had significant time out of settings for health reasons; and
- Children who are affected by the wellbeing of any person in the family.

3.18 This approach will strengthen our preventative work to support family wellbeing and contribute towards the Closing the Gap agenda and meet the aspirations of the LOIP to ensure every child has the best start to life. The remaining 80% of places will be allocated according to the criteria listed in 3.14 above.

Cross Boundary Agreement with Aberdeenshire Council

3.19 The Children and Young People (Scotland) Act 2014 places a statutory duty on Local Authorities to deliver ELC with sufficient flexibility to allow parents and carers, an appropriate degree of choice when accessing the services.

- 3.20 A Cross Boundary Agreement is currently being developed with Aberdeenshire Council.
- 3.21 Children resident in Aberdeenshire are already entitled to attend an Aberdeen City Local Authority ELC setting under bands 4 and 6 of the ELC Admissions criteria. However, a Cross Boundary Agreement with Aberdeenshire Council will ensure we have an agreed protocol in place to enable children from neighbouring authorities to take up their ELC entitlement at Funded Provider ELC settings in line with Funding Follows the Child and the Guiding Principles of ELC Expansion.
- 3.22 Both Aberdeen City Council and Aberdeenshire Council acknowledge and agree that the delivery of Cross Boundary Placements assists them both in discharging their duties under the Act, to provide ELC in a flexible manner.
- 3.23 Aberdeen City Council and Aberdeenshire Council have agreed to work together to facilitate the provision of ELC for eligible children outside their own authority areas within the other Party's authority area. Both Authorities have agreed to enter this agreement to outline the principles and funding arrangements that are agreed between them in respect of ELC delivered in the other's authority area.
- 3.24 The Agreement details:
- Application and Admissions
 - Performance of Cross Boundary Placements
 - Record Keeping
 - Costs – Reconciliation and Payments
 - Freedom of Information
 - Confidentiality
 - Complaints Procedures and Child Protection Issues

Consultation

- 3.25 The following people have been consulted during the process of drafting the ELC Admissions Policy 2021:
- Aberdeen City Council Administration Leaders: Cllr Laing; Cllr Lumsden; and Cllr Boulton
 - Aberdeen City Council EODC Convener and Vice Convener: Cllr Wheeler; and Cllr Malik
 - Aberdeen City Council Chief Executive
 - Aberdeen City Council Chief Operating Officer
 - Aberdeen City Council Chief Officer – Children's and Family Services
 - Aberdeen City Council Chief Education Officer
 - Aberdeen City Council Assurance Manager
 - Aberdeen City Council Data Protection Officer
 - Aberdeen City Council Chief Officer Digital
 - Aberdeen City Council Chief Officer Finance
 - Aberdeen City Council Chief Officer Governance

- Finance Partner
- Legal Services Manager
- Aberdeen City Council Early Years Team
- Aberdeen City Council Head Teachers
- Aberdeenshire Early Years Team

3.26 Focus Groups were held in September 2019, in advance of the new ELC Admissions Policy for 2020, to seek views on the Policy and the criteria in the Policy. This involved Head Teachers, Early Years Practitioners, Funded Providers and parents. The majority of stakeholders were in agreement with these and these remain unchanged in the updated 2021 Policy.

3.27 A comprehensive ELC Expansion Consultation was undertaken at the end of 2019. This sought the views of parents, carers and parents-to-be on the increased ELC entitlement and uptake and shaped the proposed ELC offer in each Locality.

4. FINANCIAL IMPLICATIONS

4.1 Aberdeen City Council, as primary guarantor of quality and key enabler of flexibility and choice, is currently funded by a specific grant from the Scottish Government to deliver ELC. Officers have worked with finance colleagues to ensure that our plans realise a sustainable Early Learning and Childcare provision. In 2021/22 the ELC Expansion funding will remain ring fenced & will form part of GAE in 2022/23.

4.2 Reciprocal arrangements will be in place via a Cross Boundary Agreement with Aberdeenshire Council. This means that an equal number of ELC places will be provided by each neighbouring Local Authority. For example, if Aberdeen City Council provide more funded ELC places than Aberdeenshire Council, the additional places will be recharged to Aberdeenshire Council in line with the Reconciliation and Payments part of the Cross Boundary Agreement on a quarterly basis. This ensures equity and Best Value for both Authorities.

5. LEGAL IMPLICATIONS

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

- Aberdeen City Council will retain the statutory responsibility for ensuring that funded ELC entitlement is available to all eligible children in the city.
- 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 This report is brought to the January meeting of the Education Operational Delivery Committee in order to have the updated Policy approved in time for the commencement of the Admissions Process for August 2021 at the end of January 2021.

6.2 Any delay in commencing the ELC Admissions process could cause risks to customer, employee and reputation. For example, applications not being processed, and places not being allocated in time.

6.3 The following risks have been considered as part of the overall ELC Expansion Delivery Programme:

Category	Risk	Low (L) Medium (M) High (H)	Mitigation
Strategic Risk	Risk of not delivering on legal obligations by August 2021.	Medium	Mitigated by the work of the ELC Programme Board and associated projects.
Compliance	Risk of not meeting statutory obligations around 1140 hours.	Low	Mitigated by the work of the ELC Programme Board and associated projects.
Operational	Risk of not designing an offer around the needs of our customers. Risk of not attracting enough new practitioners into the workforce.	Low Low	Mitigated through consultation with communities and the creation of Early Learning and Childcare Locality Lead Officer posts which support ELC in each Locality. Mitigated through the activities being undertaken as approved in Aberdeen City: Workforce Delivery Plan – Early Learning and Childcare approved by Education Operational Delivery Committee on 6 December 2018.
Financial	Risk of building a financially unsustainable model.	Low	Care has been taken to redesign ELC around improving quality rather than simply doubling to reflect the additional hours.
Reputational	Risk of not delivering on legal obligations by August 2021	Medium	Mitigated by the work of the ELC Programme Board and associated projects.
Environment / Climate	N/A		

7. OUTCOMES

<u>COUNCIL DELIVERY PLAN</u>	
	Impact of Report
Aberdeen City Council Policy Statement	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.
Aberdeen City Local Outcome Improvement Plan	
Prosperous Economy Stretch Outcomes	<p>The Expansion of Early Learning and Childcare (ELC) 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: 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>
Prosperous People Stretch Outcomes	<p>The provision of high quality ELC 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: The provision of high quality ELC 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>
Prosperous Place Stretch Outcomes	<p>The provision of high quality ELC 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>

	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.
Regional and City Strategies	The proposals within this report support the Strategic Development Plan by supporting the workforce. The provision of high quality ELC will support families to take up employment and training opportunities.
UK and Scottish Legislative and Policy Programmes	The report sets out the Council's ELC Admissions Policy, which supports the duty placed upon the Council by the Children and Young People (Scotland) Act 2014, to deliver ELC to all three and four-year olds and eligible two-year olds.

8. IMPACT ASSESSMENTS

Assessment	Outcome
Impact Assessment	EHRIA completed.
Data Protection Impact Assessment	A Data Protection Impact Assessment is currently being developed to support the new online application process for ELC Admissions from 2021.

9. BACKGROUND PAPERS

None

10. APPENDICES

Appendix 1 Aberdeen City Council Early Learning and Childcare Admission Policy 2021 (Draft)

Appendix 2 Early Learning and Childcare Settings in Aberdeen City listed by Associated School Group (ASG)

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