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REPORT TO: Education Committee (COVID-19 Emergency Recess Arrangements)

MEETING DATE:

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Update on 1140 Hours of Early Learning and Childcare

1 PURPOSE

- 1.1 To provide the Committee with an update on the impact of COVID-19 on the implementation of 1140 Hours of Early Learning and Childcare.
- 1.2 To seek approval from Committee to amend the number of admissions throughout the year to Early Learning and Childcare settings.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to note that the Scottish Government has removed the statutory duty on local authorities to implement the expansion of early learning and childcare to 1140 hours by August 2020.
- 2.2 The Committee is asked to note the impact of COVID-19 on the Council's programme of expansion of early learning and childcare to 1140 hours and ongoing planning for future implementation.
- 2.3 The Committee is asked to approve a change from four admissions to three from session 2020/21. This will include a change to the first intake in the year to include children with their third birthday in September who will start nursery that month.

3 BACKGROUND

Update on the Impact of COVID-19 on the 1140 Expansion Plans

- 3.1 As a result of the ongoing COVID-19 pandemic, the Scottish Government has set before Parliament a Bill to remove the duty on local authorities to provide 1140 hours of early learning and childcare from August 2020.
- 3.2 From 23 March 2020, all local authorities have been providing emergency childcare for children of keyworkers and for vulnerable children and those with severe and complex needs who can't be looked after at home. In East Lothian, we have established six childcare hubs, one in each locality. In addition, five of our partner provider nurseries have remained open and are providing emergency childcare in line with the Scottish Government guidelines. All other partner providers have closed and have furloughed their staff.
- 3.3 In order to ensure ongoing business sustainability and support, all local authorities were asked to continue to pay all partner providers for the number of children they would have routinely provided places for in term 4. In addition, flexibility in the use of the 1140 revenue grant has been offered in order to support providers through this challenging time. As a result, East Lothian Council has provided an additional payment to those partner providers who remain open, to support the provision of emergency childcare and to ensure their ongoing ability to provide this essential service during the pandemic. This is in addition to some staffing support and also help with provision of food in two nurseries to support our partners both now and for the future.
- 3.4 It should be noted that the COVID-19 outbreak is likely to significantly delay the plans for full implementation. Whilst no alternative date for implementation of the expansion has yet been given, the Scottish Government have asked all local authorities to consider how they can make available 1140 hours for the academic year 2020/2021 where practical and possible to do so. It is unlikely that schools and early learning and childcare settings will re-open fully in the near future and there are likely to be significant restrictions on numbers of children in each setting and operating practices such as hygiene control in place. This matter remains fluid and will need to be monitored and plans updated as this picture nationally becomes clearer.
- 3.5 The closure of the construction industry and knock-on impact to school expansions and building work will have a significant impact on the readiness and ability of some settings to implement the expansion. The Scottish Government and Improvement Service are reviewing this as they seek to determine a likely implementation date in the future.
- 3.6 As a result, the East Lothian Council Early Learning and Childcare Team have been reviewing our plans and considering what could be delivered and when. This essential planning work will involve careful monitoring of

the current COVID-19 situation and phasing to include those settings already trialling where their plans can continue alongside consideration at a later stage of those settings that can then introduce 1140 hours once there is greater certainty on recovery and how and when settings will fully reopen. We also recognise the need to review demand for places and that some parents may choose not to use their full entitlement.

- 3.7 Our planning for the phased introduction of 1140 hours is based on all nursery provision being open from August 2020. Should further restrictions be in place, our plans will be adjusted to ensure we follow the national advice and we will only implement where it is safe, practical and possible to do so. As it stands, we are planning that from August 2020, those nursery classes that are already offering 1140 hours as part of the trials will continue to do so. At this stage, having carefully considered all of the information available to us at this time and the impact on our plans, we do not envisage being able to introduce any further new Local Authority Nursery settings in August 2020. However, we anticipate that three private nurseries which currently offer 600 hours will introduce the 1140 hours in August 2020, if they are in a position to do so. We also expect that local authorities will be required to continue to provide some form of emergency childcare in the coming months and our staff working across the Council will require to have the capacity to respond to that demand. We will continue to work closely with staff and Trade Unions on our plans.

Nursery Admissions

- 3.8 East Lothian Council currently has four admissions throughout the year where children start nursery in the term after their third birthday – August, October, January and Easter. We are one of only two local authorities in Scotland to have continued with four intakes, the remaining 30 local authorities have reduced to either three or two.
- 3.9 From session 2020/21, we propose to change our practice to three admissions - August, January and Easter, removing the October admission. This brings the admission process into line with Scottish Government guidance and the practice across Scotland. This change will ensure a more equitable approach and allow more effective and efficient planning and provision of Early Learning and Childcare placements when the legislative change to entitle all eligible children to 1140 hours of early learning and childcare is implemented. Children whose third birthday falls in either August or September will be able to start nursery immediately after their birthday. Children whose birthday falls in October, November or December will start nursery in January. These changes will ensure that children starting nursery will have an equitable amount of time to settle before new children join. In the context of COVID-19, this will be critical in supporting children through the lifting of lockdown and the reopening of settings. In addition, this provides greater efficiency in the provision and allocation of staffing as part of the funding from the 1140 revenue grant.
- 3.10 In moving from a 4-term to a 3-term entry we will continue to support early entry for children with particular needs or those considered as vulnerable,

as is the case now, to ensure no educational disadvantage. This is consistent with our commitment to early intervention and supporting the needs of all children. Such cases would be dealt with on an individual basis.

- 3.11 The Education Service consulted on the change in admissions in the spring of 2020 via the East Lothian Council Consultation Hub. The consultation was shared with those parents/carers who would be affected by the change. A total of 91 responses were received, 90 from individuals and 1 from an organisation. Of these 91 responses, 10 were submitted by respondents whose children were not born in the specified date ranges or who misunderstood the proposal.
- 3.12 Responses from parents/carers whose children will be three years of age between 19 August and 31 August 2020 indicated that around 66% were either positive or held no particular view about the proposal. Of those, 47.6% of those respondents were in favour of the proposal, 19.1% held a neutral view whilst 23.8% were not in favour and 9.5% provided no response at all. Most parents/carers of children who will be three years of age between 1 September 2020 and 27 October 2020 were not in favour of this change.
- 3.13 A number of themes emerged from the consultation responses:
- Positive comments that changing to three nursery intakes will be less disruptive for children in the nursery and potentially less stressful for staff.
 - Positive comments about aligning with neighbouring councils.
 - Some concerns that there will be too long a wait to start nursery for children born in September and that having fewer intakes will result in more children starting at the same time and therefore be more disruptive for the nursery.
 - Concerns that it is too tight a timescale for parents to adapt to, preference for the changes to come into effect from August 2021.
- 3.14 The original consultation did not include the option of the rolling intake for children whose birthday falls in September to be able to start nursery after their third birthday. East Lothian Council has taken account of the concerns expressed by parents in the consultation that there would be too long for children to wait to start nursery.

Conclusion

- 3.14 The implementation of 1140 hours is a Scottish Government flagship policy, with much advertising and promotion of the benefits to both parents and children. This has created a high level of expectation from parents. The Council website has been updated to reflect the change brought about by the decision to remove the duty on local authorities to provide 1140 hours as a result of COVID-19. Information on the same has been circulated through social media and the Scottish Government's Parent

Club website. We remain committed to introducing the expansion as soon as it is safe and practical to do so and will communicate with parents, as soon as the national position on opening settings becomes clearer.

- 3.15 Changes to the number of admissions each year, and specifically the removal of the October intake and adjustment for children whose third birthday falls in September, will ensure an equitable experience for children when settling in to nursery. It will also ensure that we are in line with Scottish Government guidance and practice across Scotland, thereby ensuring equity for all children. It will ensure more efficient and effective use of available resources.

4 POLICY IMPLICATIONS

- 4.1 This is an update to the current policy changing from 4 to 3 termly admissions.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process specifically to consider the impact on families of changing the number of intakes from four to three.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – Scottish Government have provided flexibility in the use of the 1140 hours grant funding in order to support providers through COVID-19. Any expenditure is being closely monitored, to ensure no detrimental impact on the delivery of the plan which was previously costed and achievable within the funding provided by the Scottish Government.
- 6.2 Personnel – We are continuing to recruit additional Senior Early Years Practitioners and Early Years Practitioners to ensure we can resume delivery as soon as schools and nurseries reopen. This takes account of the change from 1 adult to 10 children to 1 adult to 8 children when offering extended hours.
- 6.3 Other – none.

7 BACKGROUND PAPERS

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DATE	11 May 2020