

Item: 16

Education, Leisure and Housing Committee: 6 February 2019.

Early Learning and Childcare – Policy Update.

Report by Executive Director of Education, Leisure and Housing.

1. Purpose of Report

To review the Early Learning and Childcare Policy.

2. Recommendations

The Committee is invited to note:

2.1.

That, in October 2014, the Council adopted the Early Learning and Childcare Policy, which had been updated and revised to align with the Children and Young People (Scotland) Act 2014.

2.2.

That the Scottish Government is funding a phased increase to 1140 hours to the statutory hours of early learning and childcare to be completed by August 2020.

2.3.

That the expansion of Early Learning and Childcare and phasing activity over the next two years has resulted in the existing policy no longer meeting the needs of the service.

2.4.

That the proposed changes to the policy, detailed in section 4.1 of this report, should enable parents of eligible children to have increased choices to meet their childcare needs.

It is recommended:

2.5.

That the revised Early Learning and Childcare Policy, attached as Appendix 1 to this report, be approved.

3. Background

3.1.

The Early Learning and Childcare Policy has guided decisions about provision for a number of years. In October 2014, the Council approved a major revision of policy to reflect the Children and Young People (Scotland) Act 2014 and changes to entitlement. This included increasing the number of funded hours and extending the provision to eligible two year olds.

3.2.

In March 2017, the Scottish Government published 'A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland – 2017 to 2018 Action Plan' which detailed the expansion of funded provision to eligible children to 1140 hours by 2020.

3.3.

The principals for expansion included providing a high quality, accessible, flexible, affordable offer to parents of eligible children.

3.4.

Eligibility is set out in the Children and Young People (Scotland) Act 2014. A child aged three to five is eligible for free early learning and childcare as below:

- Children born between 1 March and 31 August can start in August following their third birthday and can attend for six terms or two full years
- Children born between 1 September and 31 December can start in January following their third birthday and can attend for five terms or one year and two terms. They are not entitled to another free year of early learning and childcare.
- Children born between 1 January and the end of February can start in April (summer term) following their third birthday and can attend for four terms or one year and one term. They are also entitled to an additional year of funded early learning and childcare.

3.5.

In early learning and childcare, August to December is counted as one term.

3.6.

The Early Learning and Childcare Delivery Plan sets out a range of models, including school day, term time provision in smaller settings, and all year, wrap around provision in the largest settings.

3.7.

Phasing activity is taking place, with settings increasing hours in the run up to 2020. This has led to an increase in parents making requests to outwith catchment areas for models of provision that better meet their childcare needs.

3.8.

The current policy is not tailored to this more flexible allocation of places, and therefore a revision is required, to meet the aspirations of the Blueprint referred to at section 3.2 above.

4. Revised Policy

4.1.

Attached at Appendix 1 to this report is the revised Early Learning and Childcare Policy. In addition to minor changes several key aspects have been updated including:

- The term 'early learning and childcare settings' now refers to a wider range of providers, including local authority nurseries, child-minders and private providers to better reflect the new landscape of provision.
- The order of allocation of places in local authority settings has been adjusted to accommodate placing requests for eligible children for childcare needs, for example, to access a year round model or extended day, above discretionary deferral places.
- There has been clarification of island offers to include funded early learning and childcare for non-eligible children where there are very few children living on an island, to support the development of social cohorts.
- Aspects that underpin quality, for example, engaging with families, high quality environments and learning through play have been added.
- Allocation of staff time, including non-contact time has been clarified, in particular, in settings that will move to a year round model.
- In a challenging funding climate, aspects relating to best value and the costs of funding non-statutory places (including discretionary deferrals) have been addressed.

4.2.

It is likely that a further revision of the Early Learning and Childcare Policy will need to take place in 2020 to 2021, to accommodate new ways of working when the full expansion is complete.

5. Human Resource Implications

Whilst there are no direct Human Resource implications as a result of consideration of the revised policy, implementation of the Scottish Government priority may well require increases in the levels of staffing employed within Early Learning and Childcare by the Council and may require existing working arrangements for staff to vary. Where this is the case relevant governance approval will be required for any increase in the staffing establishment and any change to working arrangements or other conditions of service will need to be carried out in consultation with Human Resources, the staff impacted and the relevant Trade Unions.

6. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.

7. Corporate Governance

This report relates to governance and procedural issues and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

8. Financial Implications

There are no financial implications arising from the recommendations set out in this report. Funding from the Scottish Government for Early Learning and Childcare is being increased each year in preparation for delivery of 1140 hours in 2020.

9. Legal Aspects

Section 64(1) of the Local Government (Scotland) Act 1973 obliges the Council to appoint such officers as they think necessary for the proper discharge of their functions.

10. Contact Officers

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11. Appendices

Appendix 1: Revised Early Learning and Childcare Policy

Appendix 2: Equality Impact Assessment



Education, Leisure & Housing

EARLY LEARNING AND CHILDCARE POLICY

January 2019

Revised August 2014, March 2017

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1. Introduction

1.1.

Early learning and childcare is defined by the Children and Young People (Scotland) Act 2014 as “a service consisting of education and care, of a kind that is suitable in the ordinary case for children who are under school age, regard being had to the importance of interactions and other experiences which support learning and development in a caring and nurturing setting.” This definition emphasises the requirement to provide education and care in a seamless, integrated and holistic way.

1.2.

In 2014, the Government increased the quantity of early learning and childcare from 475 to 600 hours per year for eligible children. By August 2020, all eligible children will be entitled to 1140 hours of early learning and childcare. Orkney Islands Council is committed to working with local schools and partner providers across the islands to provide quality early learning and childcare for children and families.

2. Types of Provision

2.1.

Early learning and childcare may be provided through a range of providers, for example, local authority nursery classes within schools, stand-alone local authority settings and other partners, including private day care settings, voluntary sector organisations and child minders. All of these types of provider will be referred to as settings within this policy.

2.2.

The local authority will only enter into partnership with Partner Providers if potential partners are registered with the Care Inspectorate and staff are SSSC (Scottish Social Services Council) registered where appropriate. Potential partners must also meet acceptable standards of provision when inspected by HMIE (grades of satisfactory or better) or the Care Inspectorate (grades of good or better), or when quality assured by local authority officers.

2.3.

All partner provider settings enter into a Service Level Agreement with the local authority, which sets out the conditions for the provision.

2.4.

If sufficient local authority settings and/or partners are offering funded provision in an area to meet demand, the Local Authority may take the decision not to take on further funded providers. This is to ensure best value and business sustainability for existing providers.

3. Eligibility for early learning and childcare

3.1.

The legislation for eligibility for early learning and childcare and primary schools is set out in the Education (Scotland) Act of 1980, the Children and Young People (Scotland) Act 2014 and the Provision of Early Learning and Childcare (Specified Children)(Scotland) Order 2014.

3.2.

In determining enrolment procedures for entry into primary school and eligibility for early learning and childcare, Orkney Islands Council will take account of legislation and Scottish Government arrangements.

3.3.

Children are eligible for early learning and childcare from the term after their third birthday (taking up their place in August, January or April) and remain eligible for early learning and childcare until they have reached eligibility for school (see section on Deferred Entry). Therefore:

- Children born between 1st March and 31st August can start in August following their third birthday.
- Children born between 1st September and 31st December can start in January following their third birthday.
- Children born between 1st January and the end of February can start in April (summer term) following their third birthday.

3.4.

Children who are Looked After, under a kinship care order or have a parent appointed guardian (at any time after their second birthday) are eligible for early learning and childcare and family support from their second birthday.

3.5.

Children whose parents or carers are in receipt of particular benefits, as defined in the Specified Children Order (see Appendix 2), will be entitled to a minimum of 600 hours of early learning and childcare from the term after their 2nd birthday (taking up their place in August, January or April).

3.6.

During the phasing period up to 2020, some settings may offer more than 600 hours, up to 1140 hours per year. Information on the amount offered at each setting will be published at registration time.

3.7.

It is important to note that parents have no statutory obligation to access early learning and childcare and may choose how many hours they would like their child to access. There is no requirement to use all hours offered.

3.8.

If parents are using less than the hours available, and would like to request to an increase in hours, then this should be made towards the end of the term to start the following term. This enables staffing to be put in place.

4. Deferred entry to school and eligibility for an additional year of early learning and childcare

4.1.

In Scotland there is one intake to primary school that takes place in the August of each year. Children born between March and the following February become eligible to start primary school in the August when they will be between four and a half and five and a half years old. Children born between 1st September and the end of February have the option of starting school either in the August preceding their fifth birthday or of delaying entry to the next August. Children born between 1st March and 31st August will start school in the year that they turn five. It is not possible for the local authority to change these conditions of eligibility.

4.2.

Some parents therefore have a choice as to when their child starts primary school. Although their child may be eligible to start school before their fifth birthday, parents may wish to delay entry until the following year when their child will be five. Taking the choice to delay school enrolment for a year is known as deferred entry.

4.3. Automatic Deferral

Children with birthdays in January or February will have the right to start school when they are four and a half. They will also have the right to defer entry and the local authority will provide early learning and childcare for an additional year if parents or carers request this.

4.4. Discretionary Deferral

Children with birthdays between 1st September and 31st December will have the right to start school. They can also defer entry to school. However there is no right to an additional year of early learning and childcare. The local authority has the discretion to provide early learning and childcare where there are significant reasons for a child to do so. These may include:

- A child with very significant learning needs where there is evidence that they will benefit from an additional year and where there is a comprehensive child's plan.

- A child who is looked after with a Looked After Child's Plan and where there is evidence that they will benefit from an additional year of early learning and childcare.

4.5.

Following an assessment of wellbeing, the case will be considered by the educational psychology service and the Lead Officer for Early Years. This will include assessing whether an additional year of nursery will be of significant benefit to the child. Following their recommendation, the child may then be allocated a funded place.

4.6.

Dependent on available capacity within each setting, it may be possible to accommodate other parental requests for a non-eligible discretionary deferral place within existing resources. Parents make a request for a discretionary deferred place in March before their child would be due to start school. Autumn born children are not entitled to an additional funded year of early learning and childcare, the allocation of a place to a non-eligible child is not automatic and is at the discretion of the local authority. There must be no additional costs incurred to the local authority, including requirements for additional staffing or additional hourly costs.

4.7.

Discretionary deferrals cannot be accommodated at any setting outwith Local Authority settings, as this will always incur an additional cost.

4.8.

If a setting is unable to offer a full place, the Local Authority may be able to offer a reduced number of hours to non-eligible discretionary deferral children, or a reduced offer at an alternative setting. A minimum offer would be likely to be four to five half days per week.

4.9.

If there are more requests for discretionary deferrals than available places, and there are no developmental reasons for a child to defer, then places will be prioritised by age, with December born, followed by November born children being offered the first places.

4.10.

When deciding on allocation of non-eligible places, the Authority will consider projected uptake as well as individual setting contexts and any decision on non-eligible spaces is at Local Authority discretion and is final.

5. Registration Procedures for Enrolment

5.1.

Registration for early learning and childcare takes place in February or March each year.

5.2.

The local authority advertises registration by using the local press, posters/leaflets, and via other agencies.

5.3.

Information about all available funded providers, plus enrolment documentation will be available on the Council Website (see appendix 1)

5.4.

Parents will be invited to seek further information, from the head teacher, the early learning and childcare manager, or practitioner from their preferred setting. Each setting will provide enrolment packs and further information for families.

5.5.

Registration will be carried out directly by individual settings. The local authority will set a 'registration week' during February or March during which most registration activity will take place. Registrations which are not straightforward (such as placing requests) will be referred to the Education Resources Manager.

5.6.

Each school or setting has a standard registration form which should be used by parents and carers to register their child and to indicate preferences. Information on registration numbers and number of sessions requested will be passed to the local authority by the end of March each year at the latest.

5.7.

Late enrolments will be carried out by the setting in consultation with the Local Authority, for, for example, families who come to Orkney after the normal registration date.

6. Allocation of Places

6.1.

Ordinarily, all eligible children are able to have an early learning and childcare place in the school or setting in their local catchment area.

6.2.

Exceptions might be if no provision exists in the local area, if a setting is full, or if a child arrived late into an area and the setting had no additional capacity. In these circumstances, the child will be offered a place in an alternative setting.

6.3.

Parents may make a placing request to the Education Resources Manager if they would like their child to go to a setting outwith their catchment area. Placing requests may be granted provided there are no unsustainable financial implications/additional costs for the Local authority.

6.4.

Eligible children are defined in sections 3.3 and 3.5. If local authority settings have limited capacity, places will be prioritised in the following way:

- Eligible child who lives in the catchment area. This would include automatic deferrals and agreed discretionary deferrals following an assessment of wellbeing (see 4.5).
- Eligible child outwith the catchment area who has additional support needs which are best met in the setting. This would include Looked After children.
- Placing or split placement request for an eligible child who lives outwith the catchment area who has a sibling already in that setting (in 2 year old provision or nursery).
- Placing or split placement request for an eligible child who lives outwith the catchment area who has a sibling already in school (P1-7).
- Placing or split placement request for eligible child to meet childcare requirements for working parents, for example, the setting offers an all year pattern.
- New placing requests not covered above.
- Discretionary deferrals for non-eligible child due to parental preference (see 4.6).

Local Authority settings must ensure that sufficient capacity is retained to accommodate new arrivals and that not all spare spaces are allocated to children outwith catchment or non-eligible children.

6.5.

Final decisions on split placements and placing requests will be made in early May. When deciding on split placements and placing requests, the Authority will consider projected uptake as well as individual setting contexts and any decision is at Local Authority discretion and is final. Parents can request that a decision be reconsidered, but there is no Right of Appeal.

6.6.

Requests for split placements between more than one school or setting, including partner providers, will be considered provided that:

- the total number of hours across the two placements do not exceed the amount a child would receive in their catchment school/setting as part of phasing arrangements
- no excessive or unaffordable costs are incurred to the local authority.

6.7.

Unless there are exceptional circumstances, requests to make or change the structure of a split placement that are made after budgets are set will only be considered if this does not incur an additional cost.

6.8.

Unless specifically stated at enrolment, once a child has been accepted for a three year old place at a setting, including placing and split placement requests, they will be entitled to finish their funded early learning and childcare experience at the same setting without making a new request or enrolment. This is to ensure continuity of provision.

6.9.

In specific circumstances, for example, a placing request at a setting that is predicted to become busier, a place may be given for one year only, rather than declining a request. This will be made clear to parents or carers when the place is offered.

6.10.

If a child is in two year old provision, their parents need to enrol them in 3-5 nursery provision as per normal procedures.

6.11.

Where capacity allows within existing resources, settings may offer a child who is registered at that setting for that academic year, an early learning and childcare place from their third birthday before they become eligible the term after they are three. This may include a reduced number of hours. However, early entry places cannot be offered if this incurs an additional cost to the Local Authority.

6.12.

Early entry places will not be offered to two year olds from their second birthday, unless they are looked after.

6.13.

In island schools with only one child on roll in the nursery, additional non-eligible children (for example, two year olds) may be offered a free early learning and childcare place so that a social cohort is created. If there are only three or fewer children aged 2-5 on an island, then the Local Authority may use their discretion to offer a free place to the third child to create a social cohort. However, these discretionary places cannot be offered if this incurs an additional cost to the Local Authority

6.14.

In Kirkwall, where more than one Local Authority setting may serve the same catchment area, new catchment based enrolments will be accepted on a first come first served basis.

7. Induction to Settings

7.1.

Information about the setting will normally be included in the school/setting handbook or information leaflets. Informal liaison prior to starting early learning and childcare is encouraged.

7.2.

Settings will use a range of approaches to support transition between home and school/nursery/other settings. This may include visits or sessions to which children and parents can be invited, visits to toddler groups by early years practitioners and stay and play events. Families may also be offered a home visit.

7.3.

Appropriate and timely information about children with additional support needs will be given to the school or setting by the Named Person or Lead Professional where appropriate.

7.4.

Attendance can be tailored to suit the child and family, e.g gradually increasing the number of sessions/length of sessions according to the wishes of the parents.

7.5.

No child will be given shorter or fewer sessions due to developmental needs or differences, for example toilet awareness issues.

8. Consultation with Parents, Carers and Practitioners

8.1.

The Children and Young People (Scotland) Act 2014 encourages Local Authorities to develop increasingly flexible provision over time. This means that not all settings will offer identical provision.

8.2.

Orkney Islands Council take account of parent and carer views when planning provision. Representative parents and carers will be consulted every two years and their views will inform models of delivery. Practitioners and managers in early learning and childcare settings will also contribute to the planning processes for the development of early learning and childcare.

8.3.

Responding to the views of managers and parents will mean that timings of sessions and models of delivery may change over time and across settings to be tailored to the needs of different communities. This will be published in registration information.

9. Family Engagement

9.1.

Engaging, learning from and working with parents, carers and families is a key part of the role of managers and practitioners in early learning and childcare settings.

9.2.

Settings will create a range of opportunities to engage families and other partners, for example, stay and play sessions, social experiences and working groups.

9.3.

Settings will support parents and carers to engage with their children's learning and will provide opportunities for parent and carers to find out about how very young children learn.

9.4.

Intergenerational working, including opportunities for children to engage with older people, will be offered where possible, as part of children's early years experience.

10. Charging for Additional Services and Hours

10.1.

All schools and settings will offer children a healthy snack based on the current nutritional guidance, Setting the Table (Nutritional guidance and food standards for early years childcare providers in Scotland, NHS Health Scotland 2014). A small contribution is requested to cover the cost of this and parents may choose to contribute this daily, weekly or termly.

10.2.

If capacity in settings allows, parents may be able to access more than the funded hours each year. A charge may be made for additional hours on top of the eligible entitlement. (See charging policy link in appendix 1)

10.3.

No charge will be made by any setting (Local Authority or partner funded provider) for the following:

- Funded early learning and childcare hours that form part of a child's allocation.
- Top up payments for funded hours other than in those contributions mentioned in 10.1.

- For children using a split placement, charges for unfilled hours at one setting when the child is using funded early learning and childcare at another setting.

11. Capacity of Settings

11.1.

The capacity of each setting is agreed with the Care Inspectorate taking into account National Care Standards, including factors such as building/infrastructure/ floor area, number of and access to toilets, and access to play areas etc.

11.2.

The Care Inspectorate Registration Certificate specifies the maximum number and the age groups permitted at any time in each setting.

11.3.

Local Authority settings are staffed for the number of eligible children registered each year. The staffing capacity of the setting may be less than the registered number.

11.4.

At registration time, where possible, one or two places should be kept for late enrolments in catchment areas or for requests by other agencies.

12. Children's Workforce and Staffing in Local Authority Settings

12.1.

Settings vary in size across Orkney from 1 to 80 children at any one time.

12.2.

The staffing ratio is specified by the National Care Standards and in nurseries is

- 1:10 for children aged 3 years and over if they stay for less than 4 hours
- 1:8 for children aged 3 and over who stay for more than 4 hours
- 1:5 for children aged 2-3 years

12.3.

Each setting will have a Care Inspectorate Registered Manager, which will be the head teacher or the early learning and childcare manager.

12.4.

It is a requirement that all staff will be registered to either the GTCS (General Teaching Council), or the SSSC (Scottish Social Services Council).

12.5.

Any member of staff who fails to register within the specified period, or maintain their registration will no longer be able to attend for work at the setting.

12.6.

Unqualified practitioners may be appointed to practitioner posts. Early years practitioners or support workers are appointed on the condition that they will complete a SSSC recognised qualification for practitioners in day care of children settings within three years of taking up post. Senior practitioners and managers are appointed on the condition that they complete a BA in Childhood Practice or other SSSC recognised qualification for managers in day care of children settings within five years of taking up post.

12.7.

All staff in Local Authority settings who require a qualification for their job role will have the course fees funded by the Local Authority. Attendance at SVQ training sessions will be paid (for example, two hour morning session). In addition, traveling expenses for isles staff will be funded.

12.8.

Settings with consistently less than 24 children will be led by an Early Years Lead Practitioner. If the numbers of children exceed the ratio for one member of staff, additional Early Years Practitioners will be appointed to work alongside the Lead Practitioner to meet ratio requirements.

12.9.

Settings with consistently more than 24 children will usually be staffed by a senior practitioner or registered manager and a number of Early Years Practitioners to meet the ratio requirement

12.10.

Early Years Support Workers may be appointed to work alongside the early years team to enhance the team capacity to work with children with additional support needs.

12.11.

Early Years Practitioners and Lead Practitioners who work full time term time only are employed for 35 hours per week for 41 weeks per year, plus holidays. This includes five in-service days plus 70 hours outwith the school term to be allocated in agreement with the manager. Appropriate use of this additional time could include attendance at the setting outwith term time to prepare the playroom and equipment, staff training, home visiting, running groups and other work with families. Additional time for part time staff is allocated on a pro-rata basis.

12.12.

Nursery staff who work in settings providing all year round provision are employed for 35 hours per week for 50 weeks per year.

12.13.

Practitioners in all settings will have an allocation of planning, preparation, collegiate and development time. For full time staff, this will be at least 8.5 hours per week during school term times. For part time staff, this will be on a pro-rata basis. The manager or head teacher will agree the use of these hours.

12.14.

All practitioners will undertake a minimum of 12 hours Continuous Professional Development per year and managers will ensure that they allocate time within in-service days and/or non-contact time or cover ratios to enable this to happen.

13. High Quality Environments

13.1.

All settings should provide a rich, stimulating, age appropriate learning environment for young children. Settings should be warm, welcoming and nurturing, staffed by practitioners who understand that relational ways of working are key to children's wellbeing.

13.2.

Children should have daily access to extended periods of time in a naturalistic outside environment. Where a setting has more than one member of staff, this should be offered as a free-flow experience.

14. Learning Through Play

14.1.

Practitioners should plan high quality first hand play based experiences that are responsive to children's needs and interests.

14.2.

Learning should be documented in individual folders, plus, for example, group floorbooks, planning walls or documentation, and wall displays.

14.3.

Children should be engaged in planning and leading their own learning and practitioners should use innovative and age appropriate ways to support children to do this.

15. Management and Quality Assurance/Improvement

15.1.

The local authority and the Care Inspectorate have the responsibility to oversee the development, delivery and quality of early learning and childcare in all settings that are offering funded early learning and childcare.

15.2.

Within a Local Authority school based setting, the overall management rests with the head teacher or early learning and childcare manager, who will ensure that the provision is a fully integrated part of the whole school. In partner provider nurseries, there will be a registered manager who is responsible for the management of the setting.

15.3.

School and setting managers will ensure that all registrations of provision and practitioners are completed and kept up to date with the appropriate national bodies i.e. Care Inspectorate, GTCS, SSSC.

15.4.

At least 12 hours of professional learning and development and CPD opportunities will be made available to all early learning and child care practitioners each year. This could include collaborative training with early years practitioners in other agencies as well as practitioners and childminders across other aspects of early learning and childcare

15.5.

The manager will ensure that self-evaluation is consistently carried out by the setting and helps to inform provision, staff development needs, development priorities to be included in the school/setting improvement plan, and the standards and quality report.

15.6.

Quality Assurance processes will be carried out at:-

- setting/school level (self-evaluation processes eg How Good is Our Early Learning and Childcare)
- local authority level (quality assurance and improvement processes)
- national level (Care Inspectorate/HMle inspection processes)

15.7.

Following an HMle or Care Inspectorate inspection, or a local authority review, the local authority will support the school/setting in creating and implementing an Action Plan if appropriate.

15.8.

If a partner provider has failed to improve within 12 months despite input from the Local Authority, then the Local Authority will no longer be able to use the setting as a partner provider.

16. Attendance

16.1.

A register of children will be kept for school/setting records and for census purposes.

16.2.

At registration, parents request the number of sessions/hours that they would like each term. This may be varied (increased and decreased) in discussion with the setting.

16.3.

Daily attendance will be kept on a register. Failure to attend as expected will be treated as non-attendance and followed up appropriately, which might include phoning parents or contacting the Health Visitor.

16.4.

The manager of the setting has the authority to discuss a child's irregular attendance with the parent.

17. Food

17.1.

All children who stay for a morning and afternoon session are entitled to a lunch, and a small snack is usually served during a morning, afternoon or late afternoon session.

17.2.

Any food served will comply with current nutritional guidance for children aged 2 to 5 years.

17.3.

Until full implementation in 2020, there may be a charge for any meals provided unless the child is entitled to a free school meal.

17.4.

Parents may choose to bring a packed lunch for their child. In these circumstances, each setting should support parents to provide a healthy packed lunch in line with current nutritional guidance.

18. Safety and Managing Risk

18.1.

The Authority and Care Inspectorate's guidelines on safety and security in settings must be strictly followed.

18.2.

Settings will use risk benefit assessments to manage risk and to support children to develop their skills in managing risk.

18.3.

Settings must ensure that children are appropriately supervised at all times. Staff should be particularly watchful at arrival and departure times.

18.4.

No child should be allowed to leave the premises with an unknown or unauthorised person.

18.5.

Any adults (including frequent volunteers) who have regular access to children in the setting will be required to join the PVG scheme. This would not apply to parents or carers sharing a session, who will be supervised by members of staff.

18.6.

Should an incident or accident occur in a setting, it should be recorded using the Local Authority or setting procedures (if not a Local Authority setting). Depending on the nature of the incident or accident, the Local Authority should be informed, and the Care Inspectorate should be notified (see appendix 1).

19. Access to Provision

19.1.

Transport is not provided by the Local Authority for children below school age and parents are responsible for making their own arrangements.

19.2.

Some funding may be available through Sure Start for instance where a child's attendance at a setting is curtailed or precluded due to real difficulties being experienced by the family. Application forms are available on the Council Website (see appendix 1).

19.3.

For children who may be unable to access provision for extended periods, for example due to illness, some support for the child and communication with the family may be provided from the school/setting/ or early years team.

20. Complaints

All settings will ensure that complaints procedures are clearly displayed on notice boards and in setting information handbooks or leaflets. In addition to making a complaint to the setting or Local Authority, parent and carers should be notified of their right to make a complaint directly to the Care Inspectorate.

Appendix 1: Useful links

Early Learning and Childcare information on the Council Website:

<http://www.orkney.gov.uk/Service-Directory/P/Early-Learning-and-Childcare.htm>

Charging policy:

www.orkney.gov.uk/Service-Directory/P/buying-additional-hours.htm

School Attendance Policy:

Information on Care Inspectorate Notifications:

<http://hub.careinspectorate.com/media/481042/records-that-all-registered-care-services-must-keep-and-guidance-on-notification-reporting.pdf>

Appendix 2: Eligibility for Two Year Old provision

Qualifying benefit
Universal Credit
Income Support
Income Based Jobseekers Allowance
Employment & Support Allowance (Income Related)
Child Tax Credit, but not Working Tax Credit (income less than £16,105)
Child Tax Credit and Working Tax Credit (income below £6,420)
Age 16-18 and claiming any of these benefits in your own right
Incapacity Benefit or Severe Disablement Allowance
Pension Credit
Asylum Seeker receiving support under Part VI of Immigration & Asylum Act 1999



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Early Education and Childcare Policy Update
Service / service area responsible.	Education, Leisure and Housing
Name of person carrying out the assessment and contact details.	Catherine Diamond Lead Officer Early Years
Date of assessment.	January 2019
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Revision of current Early Learning and Childcare Policy

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To address the new challenges of providing flexible, accessible early learning and childcare during the phasing period. To enable parents of eligible children to have increased choices to meet their childcare needs
Is the function / policy / plan strategically important?	Yes, this forms part of the Council Early Learning and Childcare (ELC) Delivery Plan
State who is, or may be affected by this function / policy / plan, and how.	Practitioner who deliver early learning and childcare. Parents and carers Children aged 2-5 years Communities

<p>How have stakeholders been involved in the development of this function / policy / plan?</p>	<p>Early learning and childcare managers, including head teachers have been involved in deciding allocation of places.</p>
<p>Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>The proposed measures relate to the expansion of early learning and childcare, and in particular, preparation for 1140 hours in 2020.</p> <p>The Scottish Government published an Equality Impacts Assessment when the Children and Young People Bill was introduced to the parliament in 2013, which (with respect to the increase to 600 hours early education and childcare) concluded:- 'The increased hours and flexibility provisions will have a positive impact on children aged 3 and 4, those aged 2 year olds subject to a kinship care order, as well as parents, carers and families'.</p> <p>They considered the impact on the workforce, 'it is believed that the extension of the number of hours of early learning and childcare and increased flexibility in how it is used will bring particular benefits for women as the primary carers, particularly impacting upon the cost and accessibility of childcare as a barrier to return to work.</p> <p>Expansion of early learning and childcare provision will also lead to an increased demand for numbers in the early years workforce. At present, this workforce is overwhelmingly feminised so this would impact significantly more on female members of the workforce.'</p> <p>The further expansion of hours will have a similar impact on children, families and workers.</p> <p>The full impact assessment can be accessed by following the link below:- http://www.scotland.gov.uk/Resource/0041/00418730.pdf</p>
<p>Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome</p>	<p>The equality impact assessment carried out by the Scottish Government referred to the 'Effective Provision of Pre-School Education' study¹ which found that 'High quality pre-school experiences lead to better intellectual and social/behavioural development, and that</p>

¹¹ Sylva, K., Melhuish, E., Sammons, P., Siraj-Blatchford, I. & Taggart, B. *The Effective Provision of Pre-School Education (EPPE) Project: Final Report*, The Institute of Education (2004) <http://media.education.gov.uk/assets/files/pdf/e/eppe%20final%20report%202004.pdf>

<p>in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Interim Guidance for Public Bodies for further information.</p>	<p>disadvantaged children in particular benefitted significantly from good quality pre-school experiences.’</p> <p>The equality impact assessment went on to say that, by focusing on early years and young people, the Bill in general would promote equality of opportunity amongst adults from different backgrounds in future years.</p>
<p>Could the function / policy have a differential impact on any of the following equality areas?</p>	<p>(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).</p>
<p>1. Race: this includes ethnic or national groups, colour and nationality.</p>	<p>No (local) differential impact anticipated. There is some anecdotal evidence to indicate lower uptake of early education and childcare by individual families within some groups, but numbers are too low to be statistically reliable or valid</p>
<p>2. Sex: a man or a woman.</p>	<p>It is anticipated that the extension of the number of hours of early learning and childcare and increased flexibility in how it is used will bring particular benefits for women as the primary carers, particularly impacting upon the cost and accessibility of childcare as a barrier to return to work.</p> <p>The workforce is predominantly female, so additional employment opportunities will benefit this group. Alternative working patterns may present a difficulty to some workers.</p>
<p>3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p>	<p>No known differential impact, however this is an area where little is known about the issues faced by LGBT parents/carers</p>
<p>4. Gender Reassignment: the process of transitioning from one gender to another.</p>	<p>No anticipated differential impact</p>
<p>5. Pregnancy and maternity.</p>	<p>No anticipated differential impact</p>
<p>6. Age: people of different ages.</p>	<p>Provisions relating to early learning and childcare will primarily impact on 3 and 4 year olds, looked after children aged 2 and 2 year olds subject to a kinship care order. Where grandparents are used as part of a young child's early care, the new provision may reduce demand on their time and energy. There is insufficient evidence to</p>

	indicate what the impact of this might be.
7. Religion or beliefs or none (atheists).	No anticipated differential impact
8. Caring responsibilities.	The change may have an impact on carers by reducing the hours of care they provide, or by providing more flexibility in how they support formal early learning and care; but there is not sufficient evidence to indicate what this impact might be
9. Care experienced.	The change will potentially have a positive impact on care experienced parents by increasing the hours and flexibility of early learning and childcare and increasing access to support from early years professionals
10. Marriage and Civil Partnerships.	No anticipated differential impact
11. Disability: people with disabilities (whether registered or not).	The change will potentially have a positive impact on disabled children and their families by increasing financial support and increasing the hours and flexibility of early learning and childcare
12. Socio-economic disadvantage.	The change will potentially have a positive impact on socio-economic disadvantage by reducing childcare costs and increasing the hours and flexibility of early learning and childcare.
13. Island Proofing	The policy revision proposes a flexibility in how places may be offered on very small islands to non-eligible children to create social cohorts. This will be of benefit to families in very small islands.

3. Impact Assessment

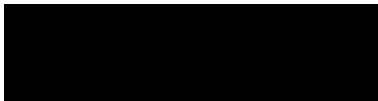
Does the analysis above identify any differential impacts which need to be addressed?	No
How could you minimise or remove any potential negative impacts?	None identified
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. Conclusions and Planned Action

Is further work required?	Monitoring of the early learning and childcare
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	expansion and feedback gathered will be used to inform gaps in evidence relating to equality impacts where relevant
What action is to be taken?	No immediate action required- monitoring will be ongoing
Who will undertake it?	Catherine Diamond/Early Years Team
When will it be done?	At each phase of the implementation
How will it be monitored? (e.g. through service plans).	This will be monitored by gathering feedback from settings and service users as part of two yearly consultation

Signature:



Date:

Name: CATHERINE DIAMOND

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrsupport@orkney.gov.uk