

REPORT TO: Education Committee

MEETING DATE: 17 November 2020

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Update on Expansion of Early Learning and Childcare to 1140 Hours

1 PURPOSE

- 1.1 To provide a further update on the impact of COVID-19 on the implementation of 1140 hours of early learning and childcare in East Lothian.
- 1.2 To update the Committee on the implications of the flexible use of 1140 hours revenue funding for COVID-19 related expenses on the programme.

2 RECOMMENDATIONS

- 2.1 The Committee is asked to:
 - i. Note this further update on progress with reinstating those settings previously offering 1140 hours as part of the implementation of the expansion plan.
 - ii. Note the financial implications arising from the flexible use of the 1140 hours revenue funding for COVID-19 related expenses on the programme.
 - iii. Note that, as previously agreed, the Council will be unable to introduce any further 1140 hours settings beyond those already mentioned in this report, in financial year 2020/2021. All future developments will be 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.

3 BACKGROUND

- 3.1 As a result of the ongoing COVID-19 pandemic, the Scottish Government set before Parliament a Bill to remove the duty on local authorities to provide 1140 hours of early learning and childcare from August 2020. To

date, no new date for statutory implementation has been set by the Scottish Government.

- 3.2 Throughout lockdown, all local authorities provided emergency childcare for children of keyworkers and for vulnerable children and those with severe and complex needs who couldn't be looked after at home. In East Lothian, we established six childcare hubs, one in each locality. In addition, five of our partner provider nurseries and three partner childminders remained open and provided emergency childcare, in line with the Scottish Government guidelines. All other partner provider nurseries closed and furloughed their staff. During the course of summer 2020, the Scottish Government permitted early learning and childcare settings to begin to reopen and put in place specific guidance that set out the expectations on operation of settings in order to mitigate the possible transmission of the virus.
- 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 of session 2019/20. In addition, as part of wider flexibility in the use of the 1140 revenue grant, it was possible to offer to support to providers through this challenging time. As a result, East Lothian Council provided an additional payment to those partner providers who remained open, to support the provision of emergency childcare and to ensure their ongoing ability to provide this essential service during the pandemic. This also supported their ongoing business sustainability in recognition of their considerable contribution to the overall deliverability of the expansion of early learning and childcare across East Lothian. A decision is expected to be taken before the end of calendar year.

Update

- 3.4 The COVID-19 outbreak is significantly delaying the plans for full implementation of 1140 hours. Whilst no new date for the statutory implementation of the expansion has yet been set, the Scottish Government has 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. The Scottish Government Delivery Assurance Team are currently engaging with all local authorities in order to determine progress and to gather evidence that will support decisions to be taken by Scottish Ministers on the new statutory implementation date.
- 3.5 Following a meeting of Group Leaders in May as part of the Council's Emergency Recess procedures, East Lothian Council committed to reinstating as many of those settings that had been offering 1140 hours pre-COVID019 as possible, as soon as it was possible to do so. The Education Service has begun to reinstate almost all of those settings to 1140 hours and is currently liaising with staff on the practical implications of this and engaging with parents on their intention to take up this offer. For a very small number of settings, it has not yet been possible to reinstate the 1140 hours provision at this time, due to the overall availability of staffing and availability of nursery places. The Education Service continues to keep this under review in light of any updated COVID-19 guidance from the Scottish Government.

- 3.6 The closure of the construction industry and knock on impact to school and nursery expansions and building work continues to 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 new statutory implementation date in the future. Officers in the Early Learning and Childcare team are actively planning contingency arrangements.
- 3.7 It is also important to note that local authority settings represent only a part of the totality of 1140 provision across the local authority area. In addition, 42 funded providers are also offering 1140 hours. Taking all of this in to account, the full complement of local authority and funded provider settings operating across the county and the fact that many children access their 1140 hours through blended placements across settings, this represents just under 70% of the total available 1140 provision available in East Lothian.
- 3.8 East Lothian Council has committed revenue funding from the 1140 hours budget for the provision of extended hours in these settings. As a result of the significant additional costs incurred by the Council in order to safely reopen schools, the uncommitted 1140 hours revenue funding has been redirected to COVID-19 children and families expenses as permitted by the direction provided by the Scottish Government offering full financial flexibility in the use of this grant to support COVID-19 expenses. As a result, the Council will be unable to introduce any additional 1140 hours settings beyond those already mentioned in this report, in this financial year. Notwithstanding the fact that many of these COVID-19 related expenses are recurring in nature, flexibility in the use of 1140 grant beyond 31 March 2021 cannot be assumed.
- 3.9 Should the new statutory date be set at August 2021, East Lothian Council will reassess plans for the full implementation of 1140 hours at the start of the new financial year (April 2021), with a view to ensuring that all children are able to access their entitlement by the statutory implementation date.
- 3.10 The Early Learning and Childcare Support Team continued to support all settings in East Lothian during the pandemic, supporting distanced learning and staff professional development during lockdown. Since children have returned to all settings, the team has worked with all providers to support them in becoming compliant with Scottish Government's regulations for reopening ELC provision and continue to work on quality improvement, with the aim of supporting all settings to be at National Standard when they begin to offer the extended hours.

Conclusion

- 3.11 East Lothian Council remains fully committed to introducing the expansion of Early Learning and Childcare to 1140 hours as soon as it is safe and financially possible to do so. There is no doubt that the COVID-19 pandemic has had a significant impact on our plans relating to both practical issues and also the significant financial pressures the Council faces. We will continue to engage fully with the Scottish Government Delivery and Assurance Team and provide a further update to the

Committee once the Statutory implementation date is known and our plans reviewed in accordance with the new date.

4 POLICY IMPLICATIONS

4.1 None

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – Implementation of the 1140 hours programme is directly funded through a specific grant from Scottish Government. In May of this year, Scottish Government provided flexibility in the use of the 1140 hours grant funding in order to support the overall COVID-19 response in support of children and families. Any uncommitted resource has been redirected to these costs and any new areas for development will be delayed until the start of the next financial year.

6.2 Personnel – We have recruited additional Senior Early Years Practitioners and Early Years Practitioners to ensure we can maintain existing delivery and to prepare for full implementation. We will continue to have a rolling programme of recruitment to ensure we have sufficient staffing to meet the demand for places.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 None

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