

Notice of KEY Executive Decision

Subject Heading:	To approve and implement the Childcare Sufficiency Report 2019-2021
Cabinet Member:	Councillor Robert Benham, Cabinet Member for Children & Learning
SLT Lead:	Tim Aldridge, Director of Children's Services
Report Author and contact details:	Pooneeta Mahadeo, School Organisation Manager Pooneeta.mahadeo@havering.gov.uk Tel. 01708 431092
Policy context:	<p>Section 6, of The Childcare Act 2006 places a duty on local authorities in England to secure sufficient childcare so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children)</p> <p>Statutory Guidance states that Local authorities should report annually to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents.</p>
Financial summary:	<p>There are minimal financial implications from publication of the plan. Implementation of the proposed approaches is likely to have financial implications.</p> <p>The financial implications will be fully assessed as required.</p>

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Reason decision is Key	Significant effect on two or more wards
Date notice given of intended decision:	February 2019
Relevant OSC:	Children and Learning
Is it an urgent decision?	No
Is this decision exempt from being called-in?	No

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Securing sufficient childcare

- The Local Authority has a statutory duty so far as reasonably practicable to ensure a sufficiency of childcare for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children) .

The Lead Member is recommended:

- To approve and authorise the publication of the Childcare Sufficiency Report 2019- 2021 (CSR) attached as Appendix 1;
- To note, that whilst not all parents/carers take-up the Early Education Entitlement and not all those that do, do so in their home Ward; there are potential pressures on childcare places particularly in the Harold Wood, Gooshays, Elm Park, Rainham and Wennington and Squirrel Heath Wards;
- To note that these pressures particularly arise from an increasing under 5s population, the extension of the Early Education Entitlement to qualifying 2 year olds, the 30 hour free childcare offer from 2017 and housing developments;
- To approve the actions being taken and proposed in order to support the increase of the number of Early Education and Childcare places, the increase of the take-up of the Early Education Entitlement and the readiness for the delivery of the 30 hours free childcare.
- To approve the detailed action plan proposed in order to support the increase of Early Education and Childcare places, the increase of the take-up of the Early Education Entitlement (Ref. Section 6; Paragraph 6.2 of the CSR) ,noting that the implementation of the action plan will require separate decision making.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, Section 2.5 gives the relevant Cabinet Member authority to make this decision, namely powers (j) To consider and recommend plans in respect of the portfolio allocated. And (q) To agree minor matters and urgent or routine policy matters.

STATEMENT OF THE REASONS FOR THE DECISION

Securing sufficient childcare

Outcome: parents are able to work because childcare places are available,

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accessible

and affordable and are delivered flexibly in a range of high quality settings.

To secure sufficient childcare places, local authorities are required by legislation to:

1. Secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment, for children aged 0-14 (or up to 18 for disabled children).
2. To secure sufficient childcare places, local authorities should take into account:
 - what is 'reasonably practicable' when assessing what sufficient childcare means in their area; and
 - the state of the local childcare market, including the demand for specific types of providers in a particular locality and the amount and type of supply that currently exists;
 - the state of the local labour market including the sufficiency of the local childcare workforce;
 - the quality and capacity of childcare providers and childminders registered with a childminder agency, including their funding, staff, premises, experience and expertise;
 - should encourage schools in their area to offer out-of-hours childcare from 8.00am and 6.00pm and in school holidays;
 - should encourage existing providers to expand their provision and new providers to enter the local childcare market if needed.
 - should encourage providers to take a sustainable business approach to planning and signpost providers to resources to support them.
3. Report annually to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents.

Local authorities are responsible for determining the appropriate level of detail in their report, geographical division and date of publication. The report should include:

- a specific reference to how they are ensuring there is sufficient childcare available to meet the needs of: disabled children; children from families in receipt of the childcare element of Working Tax Credit or Universal Credit; children with parents who work irregular hours; children aged two, three and four taking up early education places; school age children; and children needing holiday care;
- information about the supply and demand of childcare for particular age ranges of children, and the affordability, accessibility and quality of provision; and
- details of how any gaps in childcare provision will be addressed.

OTHER OPTIONS CONSIDERED AND REJECTED

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No further options have been considered as Statutory Guidance states that the Local Authority should report annually to elected council members on how they are meeting their duty to secure sufficient childcare.

PRE-DECISION CONSULTATION

An online survey was available as well as a paper survey for a period of nine weeks. Awareness of the survey was raised through the London Borough of Havering sharing a link to the survey on their website and making key stakeholders aware of the consultation. Paper copies of the survey were made available in Children's Centres, Libraries and the Public Advice and Service Centre as well as other locations throughout the borough.

The findings of this survey are based on 13 questionnaire/responses all received online. The consultation report is included in Appendix 2.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 18/02/2019

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Authority's duties are set out at section 6 Childcare Act 2006 which states as follows:

6 Duty to secure sufficient childcare for working parents

(1) An English local authority must secure, so far as is reasonably practicable, that the provision of childcare (whether or not by them) is sufficient to meet the requirements of parents in their area who require childcare in order to enable them–

(a) to take up, or remain in, work, or

(b) to undertake education or training which could reasonably be expected to assist them to obtain work.

(2) In determining for the purposes of subsection (1) whether the provision of childcare is sufficient to meet those requirements, a local authority–

(a) must have regard to the needs of parents in their area for–

(i) the provision of childcare in respect of which the child care element of working tax credit is payable,

(ia) the provision of childcare in respect of which an amount in respect of childcare costs may be included under section 12 of the Welfare Reform Act 2012 in the calculation of an award of universal credit, and

(ii) the provision of childcare which is suitable for disabled children, and

(b) may have regard to any childcare which they expect to be available outside their area.

Whilst reporting on sufficiency is no longer a statutory duty as this was repealed in May 2014 it is good practice to do so to ensure that there is an assessment of the compliance with the statutory duties above.

There are no apparent legal implications in approving the Assessment or in noting the other matters set out in the Recommendations.

FINANCIAL IMPLICATIONS AND RISKS

There are no immediate financial implications associated with approving/publishing the plan itself which sets out the background to the shortfall of places and identifies approaches to be followed in order to address the need. However, there may be material risks and financial implications as detailed action plans are developed. These will be raised through the appropriate channels as needs arise, with any funding requirement being identified including where there are shortfalls in available budget to support the effective delivery of the proposals in ensuring the Council continues meet its statutory obligations.

Revenue funding for Early Years is received by the Council through the Early Years

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block of the Dedicated Schools' Grant. This is passed on to Early Years Providers by means of a formula determined locally within parameters set by national government. Both the funding the Council receives and the funding passed on to providers is determined by the total number of hours of early years participation. The creation of additional places and any increased hours of participation have no impact on the net revenue position of the Council.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no direct human resources implications arising from any of the recommendations made in this report.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

A full Equality Impact Assessment has been prepared attached as Appendix 3.

BACKGROUND PAPERS

Appendix 1 – Childcare Sufficiency Report 2019-21

Appendix 2 – CSR 2019-21 Consultation report

Appendix 3 – EqHIA

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed

Name:

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____