



Havering
LONDON BOROUGH

CHILDREN & LEARNING OVERVIEW & SCRUTINY COMMITTEE

26 January 2012

REPORT

Subject Heading:

Childcare Sufficiency Assessment 2011-14

CMT Lead:

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Policy context:

Section 11 Childcare Act 2006 requires Local Authorities to produce a Childcare Sufficiency Assessment (CSA) on a 3 year basis. The last Assessment was published on 1 April 2011. This report provides an update on the Local Authority's actions in meeting those recommendations and provides additional information on the consultation document on the delivery of Free Early Education for 2,3 and 4 year olds and on securing sufficient childcare across the Borough.

SUMMARY

Under Section 6 (1) of the Childcare Act 2006, local authorities have a duty to ensure there is sufficient childcare in their area, so far as is reasonably practicable. The findings from the Childcare Sufficiency Assessment (CSA) published on 1 April 2011 enabled the Local Authority to draw up an Action Plan aiming to narrow the gaps in childcare provision as highlighted.

This report details the progress towards meeting those actions as published. It also provides an opportunity to inform Councillors of the recently published consultation document which calls for significant changes in the way the Local Authority must ensure sufficiency in the childcare market and the Local Authority's statutory role on the delivery of free Early Education for 2,3 and 4 year olds.

RECOMMENDATIONS

- 1) To note the progress of the Local Authority in meeting the recommendations of the Childcare Sufficiency Assessment; and
- 2) To note the Local Authority's role in securing sufficient childcare, and the challenges faced, and its forthcoming statutory duty to provide Free Early Education for 2, 3 and 4 year olds.

REPORT DETAIL

Childcare Sufficiency Assessment (CSA) - Background

The current CSA is a lengthy document that meets the DFE toolkit requirements. However the key findings from the report to note and consider are:

- 1) Havering's Childcare Sufficiency Review 2011 reports that on the whole, the Local Authority is maintaining its commitment to high quality services and its local vision of "Havering: a place where every child and young person matters".
- 2) The quality of childcare provision available in the Borough continues to be higher than the national average in relation to Ofsted inspection outcomes. An increasing number of providers have successfully achieved Basic Skills Quality Assurance status. This allows for childminders to offer Early

Education Entitlement (EEE) creating additional flexibility for families accessing childcare.

- 3) The Local Authority is meeting its sufficiency duty as, the availability of childcare on a Borough wide basis continues to outstrip the number of 3 and 4 year olds in Havering.
- 4) In terms of inclusive access to childcare, the Local Authority has made available a variety of funding opportunities to provisions to ensure that all children can access suitable childcare. By April 2011 the Local Authority had supported a number of settings to become Disability Access Champions and completed works to ensure those settings were accessible to disabled children and their parents/carers.
- 5) The re-accredited Family Information Service provides an impartial and consistent quality service to local families and childcare providers and promotes and reports an increase in the take-up by local families accessing Working Tax Credit to help with their childcare costs.

Childcare Sufficiency Assessment - Action Plan (2011-2014)

The Childcare Sufficiency Assessment, as published in April 2011, made the following recommendations:

- The Local Authority continues to support provisions in offering more flexible places.
- The Local Authority continues to pro-actively support the development of holiday provision and promote its availability to parents in the borough.
- The Local Authority continues to promote Early Education Entitlement for 3 and 4 year olds, the pilot scheme providing funded places for 2 year olds and other help available to support childcare costs to eligible families. Eligibility is classified by the DfE as the term after which the children attains the required age e.g. 2, 3 or 4.
- The Local Authority continues supporting childcare providers to access training, including training on caring for children with disabilities and special educational needs, in line with the Local Authority's budget.
- The Local Authority continues to support new and existing childcare providers with achieving and maintaining the delivery of quality childcare.

An update of the Actions Taken and Planned in support of these recommendations is attached as Appendix 1 to this report.

Supporting Families in the Foundation Years: Proposed Changes to the Entitlement to free Early Education and Childcare Sufficiency

On the 11 November 2011 the Department for Education (DfE) published a consultation document setting out its proposals on the new entitlement for two year olds from September 2013, including which children will be eligible. It also includes proposals on the quality and flexibility of the entitlement for two, three and four year olds. The consultation will close on 3 February 2012 and comments will be collected from the Early Years Provider Reference Group, a statutory body of representatives from across the sector

Streamlined statutory guidance is planned to be introduced in September 2012 in readiness for the new entitlement for 2 year olds from September 2013, already passed in the Education Act 2011 (but not yet commenced) and to the making of new detailed regulations.

This report asks Councillors to note the following proposed changes currently subject to consultation.

- 1) The Local Authority to provide 500 places for eligible 2 year olds from **September 2013**. The funding route for delivery is still being considered but will potentially be Early Intervention Grant.
- 2) To increase the number of free hours for 2 year olds from 10 per week to 15 per week by September 2013.
- 3) Introduce an eligibility criteria that considers the potential to qualify for Free School Meals as an indicator of economic disadvantage.
- 4) Looked After Children and children with Special Educational Needs to be given the legal entitlement to Free Early Education at age 2 regardless of economic disadvantage.
- 5) Allow local authorities to fund providers to deliver free hours between 7am and 7pm (but retain the suggested limit of 10 hours per day)
- 6) Remove the limit that the full 15 free hours should be taken over no few than three days.
- 7) Replace the current quality assurance system with a “basket” of eligibility criteria approach, under which local authorities would require providers of free early education to meet.
- 8) No free provision to be based in OfSTED “inadequate” settings.
- 9) Streamline the Childcare Sufficiency Assessment and propose that local authorities report annually on their Section 6 sufficiency duty to elected council members and parents. [Is this in draft Regulations or Guidance. I couldn't find it.]

10) Repeal the Section 11 duty to undertake a nationally prescribed assessment every 3 years.

IMPLICATIONS AND RISKS

Financial implications and risks:

Caroline May – Corporate Finance

The recommendations implemented to date have been funded from within existing Learning and Achievement resources.

The ten changes listed above as a result of the Education Bill will bring new responsibilities that do carry financial implications. From Sept 2013 there will be a need to realign Learning and Achievement budgets to support the new responsibilities, so some re-modelling of resources will be necessary. The service are planning for this and further scoping will take place in the period to Sept 2013. It is currently forecast that the implications can be contained within Learning and Achievement resources. This will be monitored on an ongoing basis, and risks around budget realignment considered in a timely manner.

Legal implications and risks:

Stephen Doye – Legal Services

The Childcare Act 2006 places specific duties on the local authority to secure sufficient childcare and to carry out a Childcare sufficiency Assessment. The purpose is to enable parents to take up or remain in work and to undertake education or training which could lead to work

Failure to secure any shortfall in childcare provision highlighted by the CSA would render the local authority liable to a challenge that it was not meeting its statutory duties under the Childcare Act 2006.

The findings of the CSA demonstrate that there is an appropriate match between demand and supply for childcare within Havering and the local authority is, therefore, meeting its duty.

Human Resources implications and risks:

Eve Anderson – HR Business Partner

There are no human resource implications or risks attached to this report.

Equalities implications and risks:

The Childcare Sufficiency consultation process was carefully considered to allow access and participation from all communities to ensure full representation. An Equality Impact Assessment was drafted and approved and attached at Appendix 2.

BACKGROUND PAPERS

Supporting Families in the Foundation Stage consultation Document
Childcare Sufficiency Assessment 2011

APPENDIX 1

**Actions Taken and Planned in Support of the Recommendations of the
Childcare Sufficiency Assessment 2011- 2014**

Recommendation 1 - The Local Authority continues to support provisions in offering more flexible places

The significant majority of settings delivering the Early Education Entitlement (EEE) are providing this entitlement flexibly. Of the 121 Private, Voluntary and Independent School (PVI) Providers and Maintained Schools with Nursery Classes, 113 (93%) provide this offer flexibly or in accordance with parental needs. (figures as at April 2011);

All settings are requested to carry out an annual survey of parental requirements and to submit these to the Local Authority to demonstrate their continued consultation with parents in regards to their needs.

Havering's Early Years Single Funding Formula (EYSFF), the funding mechanism for Providers delivering EEE, includes a supplement for those Providers that have carried out this survey and are meeting parental needs, as far as is reasonably practicable. The high numbers of settings delivering a flexible offer may mean that this supplement can be reviewed and some funding re-prioritised to supplement the Quality and/or Deprivation Supplement.

No complaints have been received from parents unable to access a flexible offer;

The Family Information Service continues to offer a brokerage service to parents that includes identifying settings that can meet particular needs.

The draft revised Code of Practice for delivery of EEE, which is currently under consultation from the Department for Education, is proposing an extension of the hours of early education/childcare from 8 am – 6 pm to 7 am – 7 pm and enabling the entitlement to be taken over 2 days rather than the current 3 days. Assuming that these changes are including in the final published Code of Practice, officers will be working with Providers to support this delivery.

Recommendation 2 -The Local Authority continues to pro-actively support the development of holiday provision and promote its availability to parents in the borough.

The Foundation Years and Independent Advice Service (FYIAS) Education Advisers and Officers continue to support holiday provisions and out of school clubs in meeting the requirements of the Early Years Foundation Stage;

The re-structure of the FYIAS team to work on a Partnership/Locality basis, will greatly assist the identification and options to meet local needs and specific projects around sufficiency which are being developed;

Bespoke training is being made available for these provisions during the Spring Term 2012 which provides particular support around the delivery of the Early Years Foundation Stage.

The Family Information Service continues to provide information on the provision available and sustainability consideration is given to holiday provisions where there is a threat of closure.

Recommendation 3 – The Local Authority continues to promote Early Education Entitlement (EEE) for 3 and 4 year olds, the pilot scheme providing funded places for 2 year olds and other help available to support childcare costs to eligible families

The EEE will continue to be promoted through the Family Information Service, its Brokerage Service and through promotion in the Partnership/Locality areas;

The pilot 2 Year Old Offer for the 15% most disadvantaged children has been very successful in Havering. The Local Authority met its target of 71 placements per term and it has been possible to extend this to 95 places pending the Government's announcement of its statutory scheme.

Following the passing of the Education Act 2011, the Chancellor of the Exchequer in his Autumn Statement announced that the 2 Year Old Offer would be extended to 40% of all 2 Year Olds, from September 2013. For Havering this is expected to represent 500 children. The offer is also being extended from a maximum of 10 hours per week to 15 hours per week. This significant extension of the 2 Year Old Offer will require careful planning and (as expected by the Government) a build up to the expected number of places. This planning is in progress and includes identification of places available, action to increase places where needed, ensuring quality of settings and training for Providers. The 2 Year Old Offer will play a significant role in the Local Authority's Prevention and Intervention Strategy by identifying those most at need at the very earliest stage.

The Disability Access Champions' works project has been completed and will be further reviewed to ensure the best promotion of these settings to ensure disabled children are able to access suitable early education/childcare;

Whilst the Local Authority has sufficient childcare places across the Borough as a whole, there are some areas, particularly Hylands, Cranham and Mawney Wards that have insufficient places in the immediate area. Support will be given to new businesses, particularly seeking to start-up in these areas. Officers will work with other Local Authority Departments, for example Planning, to ensure that the Authority's statutory duty to provide sufficient childcare places is met, wherever possible, when making or recommending decisions.

Recommendation 4 –The Local Authority continues supporting childcare providers to access training, including training on caring for children with disabilities and special educational needs, in line with the Local Authority’s budget

The Local Authority’s Training Programme for PVI Providers has been reviewed in order to move to a fully identified targeted programme from 2012/13 and to continue to meet efficiency savings.

Additional training options for Providers including a number of Business Support Courses such as Business Planning and Business Sustainability will be available and in addition, a wider range of “sign-posted” courses will be included.

Additional targeted free training will continue to be provided for specific priorities such as Disability and Elklan. The continuation of the WELLCOMM programme will extend during 2012/13 after extensive evaluation shows the programme to be adding value.

Recommendation 5 - The Local Authority continues to support new and existing childcare providers with achieving and maintaining the delivery of quality childcare

The corporate target of 70% of settings having a “Good” or above Ofsted Inspection outcome has been achieved. This target is to be reviewed to ensure continuous improvement for 2012/13.

The number of PVI Providers judged to be Green (under a RAG rating system) as part of the Targeted Support Package has increased each year since 2009. Currently 71% of all PVI providers are judged to be Green by the Local Authority (as at 7 December 2011). To this end they receive the maximum funding available under the Early Years Single Funding Formula (EYSFF) and the least support from the Council, thus moving in the same direction as the Havering 2014 agenda – working with those most at need. At the other end of the scale are the settings judged to be Red, currently 4% who receive the lowest level of funding but the highest level of training and targeted support.

The Targeted Support Package for PVI Providers has been reviewed for 2012, to ensure continuous improvement. The EYSFF Includes a Supplement for Quality. The level of funding will be reviewed following the Government’s own review of School Funding.