

Agenda Item	14
Report No	HC/30/20

Committee: The Highland Council

Date: 10th September 2020

Report Title: Education Recovery - Early Learning and Childcare

Report By: Executive Chief Officer Education

1. Purpose/Executive Summary

- 1.1 The Council is committed to the delivery of 1140 hours of early learning and childcare for all families across the Highlands in partnership with a range of Private, Voluntary and Independent Sector (PVI) providers and childminders, in addition to the Council's own settings.
- 1.2 Education return continues to be a significant recovery task for the Council and at all times the safety and wellbeing of children, young people, staff, families and communities has been paramount. All stakeholders are learning and impact assessing risk as a core concept within recovery. At the same time, the Council is adapting and being agile within the ever changing context of the COVID 19. In recent weeks local outbreaks in education and community settings and changing guidance have evidenced the need for such agility. Almost all stakeholders have responded positively to the many challenges being faced on a daily basis and have worked well together in managing and responding to risk. The Council's recovery of ELC is now able to progress at a faster pace owing to such a positive and agile response. However, it must be noted that the Council must continue to plan for a range of possible scenarios: Scenario A - full schools/ ELC return; Scenario B - partial return and learning delivered at home; and Scenario C - lockdown and no children in school buildings. These scenarios continue to be part of the recovery planning and resilience.
- 1.3 Members are being updated on the recovery of ELC and recommendations resulting from an initial readiness assessment of settings, and are being asked to agree to the release of funds to enable circa 30 settings across the Highlands, both Council and Partner/Childminder, to move to providing 1140 hours as soon as possible, for some prior to the October holidays where safe and practical to do so, and overall no later than January 2021.
- 1.4 The details of the readiness assessment are still being finalised, and will be part of the report to Education Committee on 30th September. Given many settings are partner or

childminder provision, there is also a need to further engage with those partners on their implementation plans, and it would not be appropriate to confirm individual settings until those discussions have completed.

2. Recommendations

2.1 Members are asked to:

- I. Agree that funds can be released to enable circa 30 settings to provide 1140 hours of ELC as soon as possible, with some prior to the October holidays where safe and practical to do so, and overall no later than January 2021.
- II. Note that the additional costs of moving settings will be in the region of £250k and that updated costs will be reported to the Corporate Resources Committee and the Education Committee.
- III. Note that the Education Committee on 30th September will receive a detailed report on the review of 1140 hours provision, and information relating to individual settings.

3. Implications

- 3.1 **Resource:** The maximum resource required to support the expansion of ELC settings as intimated within this report for this financial year is expected to be no greater than £250k based on the initial readiness assessment. However, this could be affected by the continuing risks presented by delivering services and being responsive within the COVID 19 virus context.
- 3.2 **Legal:** There are no legal implications contained within this report. The Scottish Government removed the statutory duty to provide 1140 hours from August 2020. However, the statutory date is now under review and it would be advisable that the Council makes as much progress as possible in expanding the provision of 1140 hours so that it is able to meet the revised statutory date which is expected to be at some point in 2021. The Council is fully engaged with the Scottish Government on assessing the Council's readiness for full implementation and in regular contact regarding progress.
- 3.3 **Community/rural/island and equalities:** the basis of recommendations within this report take account of setting readiness, including staffing, capital and other related criteria, and cover settings across the Highlands and across Council and partner settings. The report to Education Committee on 30th September will provide further details on a setting by setting basis, and implications. The further expansion of 1140 hours, will provide further support to families, and to partners, and would be expected to have a positive economic impact as a result.
- 3.4 **Climate Change /Carbon clever:** Implications associated with capital projects will be considered as part of regular capital project management arrangements.
- 3.5 **Risk:** Each provision must produce a detailed risk assessment to ensure that the health and safety of children, families and staff are fully considered and mitigated in light of the COVID 19 context.

- 3.6 Gaelic: The report encompasses Gaelic ELC provision and evidences that the expansion of Gaelic 1140 hours provision has been considered and is being prioritised.

4. Introduction

- 4.1 At the Education Committee on the 6th August a progress report was noted regarding the progress to date and plans for the 1140 ELC expansion in the months ahead. It was agreed that an urgent review of the proposed 1140 hours delivery be undertaken with the report on that review brought to the Education Committee on the 30th September. This report is still intended to be taken in detail to the Education Committee. However, as schools and early learning have returned successfully, work has been able to take place to assess and plan for further 1140 hours expansion as part of the Council's recovery programme. The broader success of the Council's approach to recovery has supported progress and there are circa 30 settings where based on an initial readiness assessment, an early move to delivering 1140 hours can be recommended. This report is being brought as part of the Recovery Action Plan (Education Return) to Council to enable more families to access additional hours at the earliest possible opportunity, and allow for further work to move forward in relation to implementation, and not have to wait until the outcome of the report to Education Committee at the end of the month. The report is being circulated late as staff have been working to make as much progress with the expansion programme as possible.
- 4.2 The report to Education Committee on the 30th September will provide a more detailed position across all Highland settings, and include an updated position in relation to the implementation of expansion to 1140 hours, and reflect the outcome of further discussion and engagement with partners regarding 1140 implementation. Early consideration of this report, and release of funds, will allow implementation plans to progress over the coming weeks, and to support as early a move to 1140 hours in those settings as can be achieved safely, and practically. It is expected that it will be possible to offer 1140 hours in some settings in the coming weeks, and in some cases prior to the October school holidays. Further local engagement with Council settings and partners is required to finalise timescales, and allow confirmation of settings.

5. Background

- 5.1 The Council had been on target in its planning for Early Learning and Childcare (ELC) expansion for August 2020. With the suspension of the statutory duty on Local authorities to provide 1140 from 1st August 2020; in order for local authorities to respond effectively to the needs of children and families during the pandemic, the Council agreed to pause the final phase of their expansion programme.
- 5.2 The Council agreed to continue to fund ELC settings at the same levels prior to Covid 19 to ensure the same level of service provision. It was agreed that any further plans for 1140 would need to consider the implications of service delivery across all Council services during the return and recovery phase of the reopening of schools and ELC.
- 5.3 On the 8th July a letter from the Minister for Children and Young People reaffirmed the position that the legal obligation to increase provision to 1140hrs from August 2020 had been suspended; and that Local Authorities should focus on delivering a model of funded ELC during the recovery period that reflected the principles of the strategic

Framework for Reopening Schools and ELC. The Scottish Government committed to give at least 6 months notice to Councils of a new date for the legal obligation to deliver 1140 hours. The Council has recently had further constructive discussions with Scottish Government regarding ELC readiness, and given the high number of settings within Highland, Scottish Government will be working with the Council as part of national ELC readiness assessment to inform Scottish Government consideration of the re-introduction of the Statutory Duty.

6. ELC Return and Covid 19 Recovery

6.1 The Council has achieved a safe return to ELC delivering a model that sees 3 and 4 year olds and eligible 2s in Highland accessing the current statutory 600 hrs safely and in line with ELC guidance. The children have returned feeling safe and nurtured in their ELC setting, despite some of the changes to the environment and usual practices that have had to be put in place to ensure the continued safety of both children and staff during this recovery phase. This is a testament to all early years staff, families and the children themselves in our Highland Council settings and partner and childminder provision.

6.2 The recommendation to the 6th August Education Committee was revised during Committee discussion and it was agreed “that an urgent review of the proposed 1140 hours delivery be undertaken with the report on that review being brought to the next Committee which includes an assessment of which providers are ready to deliver 1140 hours, assesses the impact of Covid-19 on the ability to implement the roll out of 1140 hours, what options are available to address this and a proposed detailed timetable”.

6.3 The operational challenges and the financial risks that led to the initial July Committee position on the pause of further expansion remain. Equally so, the Council has learned many lessons during our response to COVID and the Recovery Board and the Action Plan has kept everyone focused on taking an agile and dynamic approach in progressing service priorities at a pace within an overarching framework of risk assessment and prioritisation of health and safety.

6.4 There are a range of factors to be considered in relation to the expansion to 1140 hours, and which will form the substance of the review report due to be considered by the Education Committee on 30th September:

- Staffing required, based on 1140 August roll numbers and full take up
- Capital status
- Contingency plans
- Area implications incl provider neutrality, sustainability and equity
- Financial implications ie a best value approach within a locality with partner providers and third sector partners
- Deprivation (incl. free school meals, poverty index, and SIMD data)
- Care Inspectorate gradings (whilst not key to deciding to move a setting to 1140, part of readiness is the quality of a setting)

6.5 For the purposes of this report to Council, an initial readiness assessment has been undertaken, to determine that circa 30 settings could move at an early stage to 1140 hours, and these form the basis of the recommendation to Council in this report. In the

main those settings which can move quickly are those with no current staffing requirements, or where staffing requirements can be addressed in a relatively short timescale. In some other settings, with a more significant staffing impact, or where other local changes would require to be made, a slightly longer lead time may be required and hence January 2021 has been indicated as the backstop date to give a realistic timescale for implementation, whether that be a Council or a partner setting. The main barrier preventing some settings moving to 1140 within the short-term remain physical capacity constraints and delays to capital project works.

- 6.6 The report to Education Committee on 30th September will provide further detail and context around the review of 1140 hours provision, including a timetable for the earliest date at which settings could offer 1140 hours.
- 6.7 Given the key role of partner providers in the provision of ELC, and the need to ensure partners are fully engaged in decisions around 1140 provision, specific settings are not named in this report, to allow for ongoing discussions and to conclude the review activity which will feature in the report to the 30th September Education Committee. It would not be appropriate to name partner settings, or indicate timescales for a move to 1140 hours without those discussions being concluded.
- 6.8 For the purposes of this report, and the initial readiness assessment, Member approval is being sought to progress circa 30 settings within a financial envelope of approximately £250k. With further details to be reported to the Education Committee later this month.
- 6.9 It should be noted that Education and ELC return and recovery remain subject to significant challenges and the need for continued agility and response. Delivery is also dependent on a whole Council approach, and the implications on other Council Services such as Cleaning and FM being considered as key elements of supporting the provision in ELC settings. The Recovery continues to progress within Public Health and Scottish Government Guidance. Local outbreaks recently evidence that provision can be significantly affected eg staffing absence; project delivery dates; closure of places of employment. It is also important that a whole locality approach is taken and that in all we do, the role of partners is treated with equal value and respect and the Council must ensure that sustainability of all providers is taken into account during the expansion and delivery of 1140 hours. The interdependency of provision within localities will be detailed in the 30th September Education Committee report.

Designation: Executive Chief Officer Education

Date: 6th September 2020

Authors: Nicky Grant , Annika Jansson , Kirsty Henry