

To: Education and Children's Services Policy Board

On: 14 March 2024

Report by: Director of Children's Services

Heading: Early Learning and Childcare Entitlement – Proposed Changes to Starting Dates for Children Aged 3

1. Summary

- 1.1. The Scottish Government's Early Learning and Childcare Statutory Guidance, July 2021 on the delivery of 1,140 hours sets out starting dates for children to access their early learning and childcare entitlement. Currently, in Renfrewshire some children aged 3 years of age can access their early learning and childcare place in advance of the starting dates set in the Scottish Government's Statutory Guidance.
 - 1.2. This report advises of the proposal to realign children's starting date entitlement to early learning and childcare within Renfrewshire to the Scottish Government's Early Learning and Childcare Statutory Guidance, July 2021 and of the related amendments to Standard Circular 3a: Early Learning and Childcare Admissions policy guidance for staff to reflect this change. This change to starting dates will take effect from the first day of the new school session in August 2024.
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2. Recommendations

- 2.1 The Education and Children's Services Policy Board is asked:
 - (i) to approve the proposal to realign Child entitlement to 1140 hours of early learning and childcare to the Early Learning and Childcare Statutory Guidance, July 2021. This change to starting dates will take effect from the first day of the new school session in August 2024.

- (ii) to note the changes to Standard Circular 3a: Early Learning and Childcare Admissions policy guidance for staff to reflect this change in entitlement.

3. Background

- 3.1 The Scottish Government's Early Learning and Childcare Statutory Guidance, July 2021 ("Statutory Guidance") places a duty on local authorities to ensure that funded early learning and childcare is made available to eligible children in their area. All children aged 3 and 4 and also some 2 year olds are eligible to 1140 hours of Early Learning and Childcare.
- 3.2 The Provision of Early Learning and Childcare (Specified Children) (Scotland) Order 2014 sets out dates for eligibility to access funded early learning and childcare. Eligible 2 year old children and all 3 year old children are eligible for funded early learning and childcare from the beginning of the first term after the respective child's 2nd or 3rd birthday. The dates for a 2 or 3 year old child starting their entitlement of 1140 hours of early learning and childcare are set within the Statutory Guidance, is as follows:

Children born between:	Eligible starting date / term
1 March to 31 August	August / Autumn Term occurring in that year
1 September to 31 December	January / Spring Term following their birthday
1 January to last day February	April / Summer Term following their birthday

4. Early Learning and Childcare Entitlement – Proposed Changes to Starting Dates for Children Aged 3 Years of Age

- 4.1 Within Renfrewshire, under the discretionary powers within section 1(1C) of the Education (Scotland) Act 1980, eligible children aged 3 years of age have been able to access funded early learning and childcare earlier than the statutory start dates, with a child normally able to start receiving a funded early learning and childcare place from the month after the Child's third birthday. For some children access to a funded place can be significantly in advance to their actual entitlement per 3.2 above.
- 4.2 The proposal is to realign children's starting date for their entitlement to early learning and childcare within Renfrewshire Council area to the Statutory Guidance as noted in 3.2 above. This proposed change of start date will take effect from August 2024.
- 4.3 To ensure a Provider neutral approach, as per Statutory Guidance, this policy change would be implemented across both our local authority and our approved Funded Provider Settings.

- 4.4 Eligible 2 year old children access their early learning and childcare place in accordance with the Statutory Guidance. No change is proposed to this arrangement.
- 4.5 The proposal to realign dates for children aged 3 year old to Statutory Guidance will require a change to the Council guidance provided in Standard Circular 3a: Early Learning and Childcare Admissions Policy and Guidance for staff. Sections 1.26 and 3.17 of the guidance has been amended to reflect the proposed realignment. No change is required to be made to the Admissions Policy. The updated Standard Circular 3A can be accessed via the attached link [..\..\..\Standard Circulars\Current\Early Learning and childcare admissions policy standard circular 3a -ONLY - Updated February 2024.docx](#)
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Implications of this report

1. Financial

This realignment to Statutory Guidance levels will result in an estimated annual saving of £0.125m from financial year 2024/25, resulting from the decreased cost of this discretionary provision.

2. HR and Organisational Development

None

3. Community/Council Planning

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| Our Renfrewshire is thriving | - Ensuring the best start in life for children and young people. |
| Our Renfrewshire is well | - Early intervention will lead to healthier outcomes for children and young people. |
| Our Renfrewshire is safe | - Local services will benefit children, young people and members of the community. |
| Building strong, safe and resilient communities | - The quality of community life is enhanced by supporting parents, children and young people. |
| Tackling inequality, ensuring opportunities for all | - Effective governance arrangements ensure that the organisations receiving funding comply with legislative requirements. |
| Creating a sustainable Renfrewshire for all to enjoy | - Flexible childcare placements will support parents to access and sustain employment, training or education. |

4. Legal

None

5. Property/Assets

None

6. Information Technology

None

7. Equality and Human Rights

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. Children aged 3 years of age will continue to access their entitlement to 1140 hours of funded early learning and childcare. Parents can also purchase early learning and childcare until their child becomes eligible to a funded place. If required, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. Health and Safety

None

9. Procurement

None

10. Risk

The realignment of the starting date for a child accessing their entitlement to 1140 hours of early learning and childcare and subsequent funding arrangements to Funded Providers may impact on parents, carers and Funded Early Learning and Childcare Providers. Parents are used to children starting earlier than their entitlement, with the payment being made to Funded Providers in line with this current arrangement. Parents will be able to purchase early learning and childcare until the revised eligible start day. Funded Providers will be able to continue to charge parents for their child's early learning and childcare until the child is eligible to access their funded place.

11. Privacy Impact

Personal information will only be held as required to deliver the service. This will be done in accordance with data protection legislation.

12. COSLA Policy Position

None

13. Climate Risk

None

List of Background Papers

The foregoing background papers will be retained within children's services for inspection by the public for the prescribed period of four years from the date of the meeting.

- Early learning and childcare guidance, Scottish Government, July 2021
<https://www.gov.scot/publications/early-learning-childcare-statutory-guidance-july-2021/>

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