
To: Education and Children's Services Policy Board

On: 27 October 2022

Report by: Director of Children's Services

Heading: Standard Circular 3a - Early Learning and Childcare Admission Policy

1. Summary

- 1.1. The existing Standard Circular 3a: Early Learning and Childcare Admission Policy and guidance for staff was approved by the Education and Children's Services Policy Board on 20 January 2020. Standard Circular 3a details the Early Year's Admissions Policy and Guidance on the implementation of the policy.
- 1.2. This report advises of an amendment to the policy to reflect a change in the legislation on primary one deferral and early learning and childcare eligibility.

2. Recommendations

- 2.1. The Education and Children's Services Policy Board is asked to approve the revised Standard Circular 3a: Early Learning and Childcare Admissions Policy which is attached as an appendix one to this report.

3. Background

- 3.1 The current Early Learning and Childcare policy and guidance for staff was updated and approved by the Education and Children's Services Policy Board in January 2022. A link to the previous policy board and standard circular is available in the background section of this report.
- 3.2 Further amendments to the policy and guidance are required to take account of legislative changes related to deferrals.
- 3.3 Currently, in terms of deferrals to primary, the school age is defined in sections 31 and 32 of the Education (Scotland) Act 1980. Parents of children

that are still 4 years old on the date they are eligible to start school can defer their child's start at primary school for a year.

- 3.4 From the 1 August 2023, children who are still 4 years old on the date they are eligible to start school (with birth dates on or between the day after the school commencement date in August and the last day in February), whose parent have chosen to defer the child's start at primary school for a year will automatically be provided with an additional year of funded early learning and childcare. Currently 8 local authorities are involved in a Scottish Government pilot to provide automatic entitlement to children who are still 4 years old at the start of the school term in August and end of February. Renfrewshire is not part of this pilot, therefore the discretionary powers provided to education authorities (under the 1980 Act) will continue to apply in Renfrewshire until August 2023.

4 Revised Standard Circular 3(a) - Early Learning and Childcare Admission Policy and Guidance for Staff

- 4.1 The Scottish Government confirmed in a letter on 8 September 2022 that there will be a change in legislation from 1 August 2023 relating to funded early learning and childcare and Primary 1 deferral.
- 4.2 As outlined in paragraph 3.4, children who are still 4 years old on the date they are eligible to start school in August and the last day in February will automatically access an additional year of funded early learning and childcare if their parents choose to defer their entry to school. This change will align the funded early learning and childcare offer more closely with the existing right to defer for children with a January or February birthday.
- 4.3 This change will allow families to make decisions based on what they feel is in the best interests of their child, without the financial barrier of additional early learning and childcare costs. Guidance explaining the change is available online on the Scottish Government website
<https://www.gov.scot/publications/early-learning-childcare-statutory-guidance/>
- 4.4 These funded early learning and childcare places will be available from August 2023 so can be applied to deferrals for the school year beginning August 2023.
- 4.5 Given the planned change to the legislation the amendment to the policy is as follows:

Priority 3B(a) relates to children born in January and February with an entitlement to an additional year of early learning and childcare or where a deferred year has been approved for children born between August and December. This has been amended to 'children born between August (if a child is still 4 years old on the date they are eligible to start school) and February with an entitlement to an additional year'.

- 4.7 The guidance for staff has been amended to reflect the policy changes as specified above and to provide further clarification and guidance on the implementation of the policy.
- 4.8 A copy of the full revised Standard Circular 3a, can be accessed via the attached link: [I:\early education and childcare\Admissions\Admissions Policy\Oct 22 Policy Board](#)

- 4.9 We will provide an update to board on the impact of the changes to admissions policy next year.

Implications of this report

1. Financial

The financial implication of this will become clearer when we have an understanding of the level of deferment.

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

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 because the service is being extended. 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

It is integral to the Council's aim of securing the health and wellbeing of employees and those affected by its undertakings and without this continued effective focus, there is a risk that will adversely impact on the Council both financially and in terms of service delivery.

9. Procurement

None

10. Risk

None

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.

- (i) [Early Learn and Childcare Admissions Policy Standard Circular 3a ECSPB.pdf](#) Education and Children's Services Policy Board, 20.01.2022
Primary 1 deferral and early learning and childcare eligibility letter, Scottish Government, September 2022

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Early Learning and Childcare Admission Policy

Priority One – Child protection and children in need (allocate in priority order)		
(A)	Any child considered in need of protection	Children on the child protection register or identified through child protection procedures.
(B)	Request for assistance from Social Work where a child is deemed to be in need	Request for assistance from Social Work where either: <ul style="list-style-type: none"> - The placement would help the child remain within the family environment rather than be looked after by the Local Authority. - The child is currently or has been subject to a statutory order, looked after, under a kinship care order or with a parent appointed guardian. - The placement would support the child's return to the family. - Children born to parents under 18 years of age who are in full-time education provided within a secondary school or to allow the parents to return to education.
Priority Two – Referral for Children and families identified as requiring support (allocate in priority order)		
(A)	Request for assistance from Social Work or health professionals for children with complex or multiple needs.	Children who require substantial direct and continuing intervention from at least one other agency out with education and whose additional support needs are putting the child at an educational and social disadvantage, including children born pre-term below 32 weeks.
(B)	Request for assistance where it has been identified that substantial family support is required.	Children and families who have been identified as requiring substantial support through an integrated assessment .
(C)	Request for assistance for children and families experiencing acute stress requiring high levels of support.	Children and families experiencing acute stress due to the following: <ul style="list-style-type: none"> • Asylum seekers; • Refugees; • Living in bed and breakfast, transient or who have a pattern of homelessness; • Military families; • Children of care experienced parents; and • Other acute family circumstances.
(D)	Request for assistance from other professionals for children with less significant additional support needs or where there are concerns about the circumstances of the child, parents, or family.	Children who require support because of circumstances which are placing the child, parent, or family at an educational, social or health disadvantage. This includes children who are adversely affected by the disability of any other person in the family or where there is a high level of support required for English as an additional language. The professionals who would request assistance within this priority includes education settings; health agencies; Social Work services; voluntary sector agencies.

Priority Three: children entitled to early learning and childcare (allocate in priority order)		
(A)	Early learning and childcare entitlement for eligible two-year olds.	<div>Eligible two-year olds - includes children:</div> <div><div>- who at any time since their 2nd birthday have been looked after by a local council, the subject of a kinship care order, the subject of a parent appointed guardian;</div><div>- who have a care experienced parent; or</div><div>- whose parents are in receipt of qualifying benefits, as specified within the Scottish Government website - https://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare</div></div>
(B)	Early learning and childcare entitlement for children aged 3 to starting school.	(a) Children born between August (if a child is still 4 years old on the date they are eligible to start school) and February with an entitlement to an additional year.
		(b) Children transferring from English reception class.
		(c) Children in their pre-school year residing in Renfrewshire within the admission panel designated area.
		(d) Children in their ante pre-school year residing in Renfrewshire within the admission panel designated area.
		(e) Children in their pre-school year residing in Renfrewshire from out with the admission panel designated area.
		(f) Children in their ante pre-school year residing in Renfrewshire from out with the admission panel designated area.
Priority Three – Further priority is given to children whose parents are: (NB allocate in priority order) <ul style="list-style-type: none">• in receipt of qualifying benefits in line with free school meals and or clothing grants- https://www.renfrewshire.gov.uk/article/3338/Free-school-meals-and-clothing-grants• Both parents / lone parent is in employment, education, or training.• One of two parents are in employment, education, or training.		
Priority Four – children from birth to 3 years (not entitled to funded early learning and childcare)		
	<div>Children from birth to 3 years residing in Renfrewshire.</div> <div><i>(wraparound care charges apply for places allocated within this priority)</i></div>	<div>Priority is given to children whose parents are:</div> <div>(NB allocate in priority order)</div> <div><div>• in receipt of qualifying benefits in line with free school meals and or clothing grants- https://www.renfrewshire.gov.uk/article/3338/Free-school-meals-and-clothing-grants</div><div>• Both parents / lone parent in employment, education, or training.</div><div>• One of two parents are in employment, education, or training.</div></div>

Priority Five: children from birth to starting school residing out with Renfrewshire (allocate in priority order)

(A)	Early learning and childcare entitlement for eligible two-year olds.	<p>Eligible two-year olds - includes children:</p> <ul style="list-style-type: none"> - who at any time since their 2nd birthday have been looked after by a local council, the subject of a kinship care order, the subject of a parent appointed guardian; - who have a care experienced parent; or - whose parents are in receipt of qualifying benefits, as specified within the Scottish Government website - https://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare
(B)	Early learning and childcare entitlement for children aged 3 to starting school	<p>(NB allocate in priority order):</p> <ul style="list-style-type: none"> • Children born between August (if a child is still 4 years old on the date they are eligible to start school) and February with an entitlement to an additional year. • Children transferring from English reception class • Children in their pre-school year • Children in their ante pre-school year. <p><i>Further priority is given to children whose parents are:</i> (NB allocate in priority order):</p> <ul style="list-style-type: none"> • in receipt of qualifying benefits in line with free school meals and or clothing grants- https://www.renfrewshire.gov.uk/article/3338/Free-school-meals-and-clothing-grants • Both parents / lone parent in employment, education, or training. • One of two parents are in employment, education, or training.
(C)	<p>Children from birth to 3 years</p> <p><i>(wraparound care charges may apply for places allocated within this priority)</i></p>	<p>Priority is given to (NB allocate in priority order):</p> <ul style="list-style-type: none"> • Child protection and children in need (in line with priority 1 • Children and families identified as requiring support (in line with priority 2) • Children from birth to 3 years who are not entitled to funded early learning and childcare (wraparound charges apply). <p>Priority is given to children whose parents are: (NB allocate in priority order):</p> <ul style="list-style-type: none"> • in receipt of qualifying benefits in line with free school meals and or clothing grants- https://www.renfrewshire.gov.uk/article/3338/Free-school-meals-and-clothing-grants • Both parents / lone parent in employment, education, or training. • One of two parents are in employment, education, or training.