

EARLY YEARS PROVISION – POLICY AND SCHOOLS’ GUIDANCE

To: **Cabinet**

Date: **17 April 2012**

From: **Executive Director, Children and Young People’s Services**

Electoral division(s): **All**

Forward Plan ref: **Not applicable** *Key decision:* **No**

Purpose: **To seek Cabinet’s comments and advice on a revised policy in respect of Early Years Provision.**

Recommendation: **Cabinet is asked to approve the revised Early Years Provision policy for adoption with immediate effect.**

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1.0 BACKGROUND

- 1.1 In April 2004, local authorities became responsible for securing a free part-time education placement for every child from the term following their third birthday.
- 1.2 Under the Childcare Act 2006, local authorities have a specific duty to secure a sufficient early years places for the families of all three- and four-year-olds living in their area of responsibility whose parents/ carers wish to take up their entitlement (section7). Sufficiency is formally assessed through a statutory Childcare Sufficiency Assessment (required every three years) and reviewed on an annual basis.
- 1.3 In Cambridgeshire, the majority of children attend private, voluntary or independent settings such as pre-schools and day nurseries. Only 24 of the Authority's schools have nursery classes, whilst 4 have maintained playgroups. In addition, there are 7 maintained nursery schools. The pattern and distribution of maintained nursery provision has remained largely unchanged since 1974. It is a result, principally, of the policies of the education authorities that combined to create Cambridgeshire County Council at that time. This policy provides the Authority with a clearer framework for ensuring that all children have access to high quality early years provision.
- 1.4 The Authority expects all early years' provision to be of high quality irrespective of who runs and manages it.
- 1.4 The decision by the Schools' Adjudicator in Spring 2011, to grant the creation of a new Nursery School in place of the King's Hedges Primary School nursery class, highlighted gaps in the existing local policy framework, and a need for clarity on the rationale for funding more expensive types of early years provision, especially where run by schools.
- 1.5 A revised policy statement was requested by the Executive Director of Children's Services. The policy statement was prepared by a small working group led by the Early Years Policy Manager and the Head of Early Years, and has been considered by Children and Young People's Services (CYPS) Management Team following consultation with schools. It has been amended to place school-run provision in the wider context of a mixed market with a range of different types of provider.

2.0 MAIN ISSUES

- 2.1 Early years provision is a universal entitlement for all children from the term following their third birthday until they enter Reception year at school (in the year of their fifth birthday). The Authority funds a range of providers in the private, voluntary and independent sectors, as well as school run provision, in support of its duties under the Childcare Act 2006. This range of provision should offer a choice within a local area to enable parents to work or train.
- 2.2 The policy (attached as **Appendix 1**) sets out for the first time the Authority's position as a market manager and facilitator, only being a provider in the last resort where the market is unable to do so. Schools are a key provider of early years education and care – they have appropriate facilities and skills, and are

located in local communities. Where they do not provide this service directly, they may enable its provision by providing space or a site for other groups, often run by voluntary management committees, to operate.

- 2.3 The Authority will seek to encourage the market to provide places wherever possible, but historically, private providers have been reluctant to set up provision in areas of social need, due to lower demand and smaller returns. This is reflected in Cambridgeshire, where many areas of social need are served by school-run provision.
- 2.4 Early years provision is funded on the basis of places taken up each term, with different rates for different types of providers. Maintained nursery schools receive the highest level of funding, and deliver a high quality service (per Ofsted inspection outcomes). Evidence on the quality of other types of provision and, therefore, on wider value for money issues, is incomplete and inconclusive.

3.0 ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING

3.1 Developing the local economy for the benefit of all

- 3.1.1 The new policy reflects the diverse market of provision and a range of options for schools as early years education providers. As such, it supports the free operation of a diverse market, whilst retaining review mechanisms for schools where demand for places is not high.
- 3.1.2 Under Section 6 of the Childcare Act 2006 local authorities have a duty to 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 order to enable them to work or undertake training leading to work. This applies to childcare for children aged 0 – 14 years, and up to 18 years for those with disabilities.

3.2 Helping people live healthy and independent lives

- 3.2.1 Accessible early years and childcare provision is a major contributor to helping people live healthy and independent lives as it provides opportunities for parents to train and/or take up employment.

3.3 Supporting and protecting vulnerable people

- 3.3.1 There are no significant implications for this priority.

3.4 Ways of Working

- 3.4.1 The policy re-frames the Authority's role in managing the market, and identifies a range of ways in which schools could deliver early years provision in a diverse market, and the conditions under which they can do so. It reflects the changed context in which schools and the Authority operate.
- 3.4.2 The policy aims to ensure the right services are provided in local communities in a cost-effective way, recognising that there are still gaps in the evidence-base around quality, and therefore value for money.

4.0 SIGNIFICANT IMPLICATIONS

4.1 Resource and Performance Implications

- 4.1.1 There are no direct financial implications of the policy. There are cost implications of the conversion of nursery classes to nursery schools, as nursery schools receive a lump sum to fund a dedicated head teacher, as well as an enhanced sum per pupil. The policy clarifies the position on the creation of new nursery schools from nursery classes, so as to limit the scope for future conversions, and to secure improved outcomes from such changes.

4.2 Statutory, Risk and Legal Implications

- 4.2.1 The aim of the policy is to clarify the framework within which early years provision will be managed, and how schools link to this. It represents a change from the previous policy, which reflected a top-down organisational model in which the Authority was the principal provider. It aims to support CYPS in managing the local market, and to avoid difficulties in relationships between different types of providers.

4.3 Equality and Diversity Implications

- 4.3.1 The policy does not refer specifically to the impact on children with additional needs or at risk of exclusion. However, sufficient good quality provision is essential in securing better outcomes for all disadvantaged groups, and a clear policy framework will support the sufficiency duty.

4.4 Engagement and Consultation

- 4.4.1 The need for a revised policy has been discussed with the Cambridgeshire Primary Head teachers' Forum (CPH) and Cambridgeshire Forum.

Source Documents	Location
Existing Policy on Nursery Provision	2nd Floor, B Wing, Castle Court
Childcare Act 2006	http://www.legislation.gov.uk/ukpga/2006/21/contents/enacted
Securing Sufficient Childcare: Statutory guidance	https://www.education.gov.uk/publications/standard/publicationDetail/Page1/D-CSF-00274-2010