

## **APPENDIX 1**

### **POLICY FOR PROVISION OF EARLY YEARS EDUCATION AND CHILDCARE IN CAMBRIDGESHIRE**

**February 2016**

## **1 INTRODUCTION**

1.1 The principles underpinning this policy are as follows:

- All children should have an equal start in life
- All families should have access to high-quality early learning and care
- Services should, as far as possible, be organised to meet the needs of the child and his/her family
- Effective partnerships are critical and these must include parents, the voluntary, private and independent sector and other agencies
- There should be choice and diversity in the provision available to families with no single model or provider dominating or monopolising the market.

1.2 A key priority for the Authority is to accelerate the achievement of those children with the lowest educational performance so that the gap between them and those with the highest performance closes. Evidence shows that good quality early years education and childcare provision makes a significant contribution to children's attainment and future life chances. The Authority is committed, therefore, to securing and maintaining sufficient high-quality early years and childcare provision to meet the current and future needs of Cambridgeshire's families.

1.3 The Authority recognises that there is a key role for those providers judged to be offering the highest quality early years provision in modelling and disseminating their outstanding practice. An example of this is the Cambridge Early Years Teaching School Alliance, a partnership of Cambridgeshire nursery schools working with the Faculty of Education and the Authority's Early Years Service to promote sector-led improvement. The Authority will continue to develop this way of working, and where appropriate, to act as the broker between providers.

1.4 The Authority funds provision on the basis of compliance with conditions on quality, national conditions set out in the relevant Code of Practice, and on actual take-up of places, measured annually.

## **2 RELEVANT LEGISLATION**

2.1 The Childcare Act 2006 formalised the important strategic role that all local authorities play in the planning and commissioning of early years provision. It sets out a number of statutory duties that all local authorities must fulfil. These are to:

- improve the well-being of young children
- reduce inequalities between children
- secure for working parents who need it, sufficient childcare for children up to 14 years old, and for disabled children up to 19 years old (this includes breakfast, after school and holiday provision)

- secure, free of charge, the statutory weekly entitlement of early years provision for 3 and 4 year olds, and for 2 year olds who meet eligibility criteria
- provide a parental information service
- prepare assessments of the sufficiency of childcare provision every three years (since 2014 this has been replaced by an annual review\*) and to keep the sufficiency of places under review.

\*This will be delivered as part of the Cambridgeshire Education Organisation Plan which is reviewed and published annually in the autumn term. In addition, as the Authority still considers it good practice to assess the wider sufficiency needs in the County it will continue to undertake a sufficiency assessment every three years.

2.2 Statutory Guidance published in January 2014 has strengthened the role of schools as providers of early years education and childcare. It enables schools (those maintained by local authorities as well as academies and free schools which operate independently of local authorities) to initiate changes to their age range by up to two years, to admit children as young as 2 without having to undertake any form of statutory process. (We are awaiting revised regulations to align with statutory guidance). Any review of provision would be subject to consultation with the local community.

2.3 Local authorities are still required to follow a statutory process where **they** propose to make changes to a maintained school's age range, including the publication of statutory proposals for change, providing further opportunity for representations to be made.

2.4 There is no longer a requirement for any provision for 2 year olds operated by a school to be separately registered with the Office for Standards in Education (Ofsted).

### **3 PROVISION OF EARLY YEARS PLACES**

3.1 To fulfil its statutory responsibility, the Authority funds part-time education places for 2, 3 and 4 year olds in settings under the management of:

- Voluntary management committees
- Private businesses, including private schools
- Maintained schools
- Academies and free schools
- Home-based childcare providers (accredited networked childminders).

The majority of provision in Cambridgeshire is run and managed by providers in the private, voluntary and independent sectors (PVI).

3.2 The Authority expects all early years provision to be of high quality. To that end, it will provide support to encourage the following aspects of high quality provision:

- appropriately trained and qualified leaders and staff

- expertise in recognising and meeting a range of needs within the setting
- commitment to and evidence of inclusive practice and promotion of equality and diversity.

#### **4 COMMISSIONING NEW EARLY YEARS PROVISION**

- 4.1 In its role as commissioner, the Authority's long-term aim is to secure equity of provision across Cambridgeshire in the form of locally accessible, high-quality early years education and childcare, which is responsive to the changing needs of children and their families.
- 4.2 The Authority will indicate through its Market Position Statement (MPS) where gaps and potential pressures on early years places exist. It will review, commission and support the development of new high-quality provision as appropriate to ensure that the needs of families are met. This may include advice on setting up new or expanding existing good provision, help in finding and registering suitable premises, training for staff and financial support in set-up and initial operating costs.
- 4.3 In new communities or in areas of demographic growth, the Authority may formally commission new provision to meet forecast parental demand. The nature of this provision will depend on the number of places required and the anticipated needs of the community.
- 4.4 In cases of acute and critical shortage, the Authority may work with one or more local schools to extend their age range by up to 2 years, or failing that it may take the decision to run provision directly if the market has failed to supply it.

#### **5 Early Years education and childcare in new schools**

- 5.1 The Education Act 2011 presumes that all new schools will be established as either academies or free schools (the establishment of a Voluntary Aided (VA) school is a legitimate exception to the academy/free school presumption). Given the statutory entitlement to early years education, the Authority will require potential sponsors to establish the first school in a new community to serve the 2-11 age range.
- 5.2 Where new schools are required to serve existing communities these will be planned to serve the 4-11 age range but with on-site accommodation provided specifically for the delivery of early years and childcare. The rooms may also be used by an out-of-school club where the Authority or the school identify that there is sufficient demand to make the provision financially sustainable.
- 5.3 All potential school sponsors will need to commit to guarantee to make this accommodation available for the delivery of early years and childcare for children aged 2 - 4 from the day on which the school opens.

- 5.4 Potential sponsors will be asked to indicate whether they intend to run the early years provision themselves or if they wish to tender for a PVI provider to do so.
- 5.5 If the potential sponsor wishes to run the early years provision in the new school themselves, as part of the sponsor application process they will be required to set out in detail how:
- they will ensure that provision is of high quality
  - the provision will be organised (i.e. staffing structure, opening hours and financial robustness).
- 5.6 If the potential sponsor does not wish to run the provision themselves they will be invited to carry out a tender process to secure a PVI provider to run and manage it and then work in partnership with the provider to meet the needs of children and families in the local area.

## **6 Early Years education and childcare in existing communities**

- 6.1 The Authority may also seek to develop new early years provision in existing communities where there is evidence of shortage. In addition to publicising the need in the MPS, the Authority's officers will work with existing providers in the PVI sector, as well as schools, to meet the need.
- 6.2 Where new provision, to be run and managed by a PVI provider, is established on a school site, the collaboration of the host school will be essential in establishing (at the earliest possible stage) clear arrangements for usage of the accommodation and facilities, and a fair allocation of any shared costs. Support in developing these arrangements will be offered through the Authority's Strategic Assets service.
- 6.3 Funding for early years provision, through the Early Years single funding formula, is subject to approval through the Cambridgeshire Schools' Forum, and the payments to settings for children entitled to free early years provision is administered by the Authority. Funding is made in accordance with the Early Education & Childcare Statutory Guidance for local authorities. There is also an expectation that providers will sign up to the Local Agreement with the Authority. The Local Agreement for childcare providers sets out the Council's responsibilities and the expectations it has of early years and childcare providers and the support available to them.

## **EARLY YEARS AND CHILDCARE PROVISION GLOSSARY**

### **Free entitlement for three and four year olds**

All children are entitled to 15 hours of early education per week (term time), from the term after they turn three and until they reach statutory school age.

### **Free entitlement for two year olds**

Some 2 year olds will be eligible for 15 hours of early education per week (term time). This entitlement is to support the most vulnerable two year olds and eligibility is dependant on the family meeting set criteria (income).

(Free entitlements can be stretched over 50 weeks of the year if a parent chooses – this is most common in full day care and where parents work).

### **Full day care / childcare places / Out of school childcare**

Terms generally used to refer to childcare for families who are working.

### **Wrap around care**

Childcare that wraps around a free entitlement or the school day to enable parents to work a longer day than the free entitlement or school hours would normally allow.

### **Early years places**

A general term for all early years and childcare provision for 0-5 year olds.

### **Crèche**

Offers care for a child where the parent remains on the same site to do an activity, such as gym, learning workshop.

The crèche has a requirement to ensure the safety and welfare of the child but has no long term involvement in the early education of a child and will not offer free entitlements.

This type of care does not meet the needs of working parents.

### **Childminder**

A person who is registered with Ofsted to deliver care within their own home. A childminder can offer just the childcare element for all age ranges or they may also be accredited which enables them to draw down the funding from the Authority to offer free entitlements.

### **Day Nursery**

Offers full day care to children aged 3 months to 5 years, usually open for long days, Monday to Friday all year round. Nurseries can be approved to draw down the funding from the Authority to offer free entitlements.

Some day nurseries may also offer out of school club and holiday care for school age children.

### **Pre-school / sessional day care / maintained (school run) nursery class**

Provision that generally offers short sessions of 3 hours and open term time only. Age range 2 years and 9 months to statutory school age. Will be

approved to draw down funding from the Authority to deliver the free entitlements. Some may also offer wrap around care outside these hours to enable parents to work, (sometimes referred to as extended day pre-school).

**Maintained Nursery school**

A school maintained by the Authority which is registered with Ofsted to provide education for children aged between 2 and 4.

**Early years provision**

A general term for any provision that delivers early years places. This could be a day nursery, pre-school or childminder

**Out of/after school clubs**

Offer childcare before (often referred to as a breakfast club) and after school and also school holidays to allow parents to work.