

Agenda Item	8.
Report No	EDU 18/20

HIGHLAND COUNCIL

Committee: Education

Date: 30 September 2020

Report Title: Early Learning and Childcare (ELC) 1140 Hours

Report By: Executive Chief Officer Education and Learning

1. Purpose/Executive Summary

- 1.1 The recommendation to the 6 August Education Committee was revised during Committee discussion and it was agreed that a review of the final phase of 1140 hours expansion should be undertaken as a matter of priority.
- 1.2 On 10 September Members were updated at Council on the recovery of ELC and an initial readiness assessment of the potential number of settings who could move to delivering 1140 hours of ELC prior to the October holidays, where safe and practical to do so, and overall no later than January 2021. It was agreed that funds would be released in order to take this step.
- 1.3 This report provides the higher level detail of the full review that has been undertaken. It includes an assessment of all settings in the final phase of The Highland Council's ELC delivery plan and their readiness to deliver 1140 hours, a step plan to move settings to 1140 hours from this point onward, and a clear plan to ensure all settings deliver 1140 hours provision no later than summer 2021 in anticipation of Scottish Government re-introducing a Statutory Duty for that timescale
- 1.4 There are 3 separate appendices included in this report presenting a RAG status of setting readiness and proposed timeline.
- 1.5 Based on the update provided in this report we will see an updated position of 22 settings delivering 1140 hours in the very near future, a further 32 settings from January, and a further 8 from April. With the remaining 30 settings, which are linked to capital investment projects, to be subject to a more detailed report back to November Committee on capital project status and updated contingency arrangements, to ensure 1140 hours delivery no later than summer 2021. This position will impact positively across the Highlands, as The Highland Council progresses with ELC expansion.

2. Recommendations

2.1 Members are asked to:

- i. note the updated position of ELC;
- ii. note the key outcomes of the review provided in the report and appendices;
- iii. note that 22 settings will deliver 1140 hours provision in the very near future, a further 32 by January 2021, and a further 8 by April 2021;
- iv. agree the actions outlined to progress further work around the remaining 30 settings linked to capital works, to report to the November Committee, status of capital works and contingency planning to ensure 1140 hours readiness for summer 2021.
- v. Note that all of the timelines as set out within this report remain predicated on The Highland Council's ability to progress expansion in a safe, practical and affordable manner during the Covid-19 pandemic.

3. Implications

3.1 Resource

The financial implications associated with ELC decisions were considered as part of past reports to Education Committee July 2020 (regarding 600/1140 hours funding) and the Corporate Resources Committee June 2020 (regarding partner provider keyworker funding). Further details regarding ELC funding and costs were also circulated to members of the Committee following the July meeting. A further assessment of financial impact had been part of the 1140 hours review that is being reported here. As has been reported to these previous meetings, there remain significant additional and exceptional costs and risks associated with Covid-19 and schools return, and the funding flexibility provided by Scottish Government around ELC and other funding streams remain vital to assisting The Highland Council's financial position. The costs as outlined in this report are part-year only and based on estimates of enrolment and provision of places. Further assessment of costs towards full year provision in the next financial year will be taken forward as part of budget planning for 2021/22.

3.2 Legal

Further delivery of 1140 hours will continue to be considered in line with Scottish Government direction and the reinstatement of Local Authorities statutory duty to provide 1140 hours of ELC.

3.3 Community (Equality, Poverty and Rural)

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

Risk management remains a key focus of further ELC planning and delivery. Further expansion needs to be considered in line with Scottish Government guidance, and the safety, practicality and affordability of delivery. Further lockdown or Covid-19 implications may alter the timescales and outcomes as described within this report. Cost assumptions are predicated on estimated levels of takeup, which may differ at a

local level. There is also the risk that parental choices differ from assumptions, and parents may be swayed towards particular settings based on the phasing in of 1140 hours provision. That may have risks in terms of ability to meet demand and also financial risks over increased places to be funded.

3.6 **Gaelic**

ELC settings include GME provision, and the update provided in this paper covers those settings also.

4. **Background**

4.1 The Highland Council had been on target in its planning for Early Learning and Childcare (ELC) expansion for August 2020, with 56% of the current 241 settings in Highland delivering 1140 hours of ELC. With the suspension of the statutory duty on Local Authorities to provide 1140 hours from 1 August 2020; for local authorities to respond effectively to the needs of children and families during the pandemic, The Highland Council agreed to pause the final phase of their expansion programme during this financial year.

4.2 The Highland 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 hours would need to consider the full and wider costs and implications of service delivery across all council services during the return and recovery phase of the reopening of schools and ELC.

4.3 On 8 July, a letter from the Minister for Children and Young People reaffirmed the position that the legal obligation to increase provision to 1140 hours 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.

4.4 **ELC Return and Covid-19 recovery**

4.4.1 The Highland Council has achieved a safe return to ELC delivering a model that sees 3 and 4 year olds and eligible 2 year olds in Highland accessing the current statutory 600 hours safely and in line with ELC guidance. Our youngest children have returned feeling safe and nurtured in their ELC environment, despite some of the changes 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 in The Highland Council and Partner ELC Provision.

4.4.2 The return to ELC in Highland has ensured that quality of care is at the core of the funded entitlement with a focus on the wellbeing of all during the return and recovery phase. During lock down and to support the return and recovery phase The Highland Council's '*Bumps2Bairns*' resource provided information to support child development and learning. This resource was produced by The Highland Council and other staff with input from parents during this time and provided 80+ daily home learning activities for young children during lockdown, including those that could be done with family and friends over video calling. Activities were accessed over 45,000 times and they continue to provide a bank of resources to support the recovery curriculum in ELC.

- 4.4.3 Play pedagogy resources were also created and compiled by a group of experienced P1 teachers along with speech and language and occupational therapists to support the return to early learning and implementation of the new national guidance, *Realising the Ambition*. Both pieces of work developed in Highland have been endorsed by Education Scotland and Play Scotland in recent months and are hosted on a National resource to support the development of early level learning.
- 4.4.4 On 20 August, the First Minister announced that Scotland would remain in Phase 3 of the routemap. For ELC this means Public Health measures remain in place and published ELC guidance should be adhered to, with a continued focus on safety and wellbeing of all children and staff. A suite of guidance documents is updated regularly to ensure that ELC providers are well informed.
- 4.4.5 Due to continued focus on the safety and wellbeing of children, families and staff during the ongoing recovery phase, in line with updated guidance, settings in Highland are continuing to provide their services to families, with minimal restriction.

5. National Position ELC expansion

- 5.1 Recognising the significant impact of the coronavirus and the priority focus on recovery, the Scottish Government have recognised that “It will not be feasible to reinstate a universal 1140 hours duty in the academic year 20/21, or while the coronavirus public health measures, which significantly impact on ELC capacity, remain in place”.
- 5.2 A revised date for full implementation of the expansion to 1140 hours will be jointly agreed by Scottish Government and Local Government, taking full consideration of the factors impacting on delivery, including the disruption to capital programmes and operational and financial implications. Local Authorities will be given a six month notice of when the legal obligation to deliver 1140 hours comes into force.
- 5.3 Senior level discussions between Council Officers and Scottish Government Civil Servants have taken place, and recognising the scale of settings within Highland and the particular challenges that result, Scottish Government and The Highland Council will be working together over the coming weeks in terms of a readiness review, which will feed into the wider national readiness review and informing a re-setting of an implementation date for 1140 hours by Scottish Government.

6. Local Position ELC Expansion

- 6.1 The recommendation to the 6 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”*.
- 6.2 The operational and financial risks and challenges that led to the initial July Committee position on the pause of further expansion remain. Equally so, The Highland Council has learned many lessons during our response to Covid-19. The Recovery Board and the Action Plan has kept everyone focused on taking an agile and dynamic approach in progressing service priorities, within an overarching framework of risk assessment and

prioritisation of health and safety. Any further expansion still needs to consider these operational risks as we continue positively through the recovery phase.

- 6.3 As reported in previous Committee reports, there were several factors impacting on The Highland Council's final phase of ELC expansion. These have been compounded further by the impact of Covid-19. These include delays in recruitment plans to increase the workforce needed and delay in capital investment delivery. Members will be aware, from recent reports to Committee and to Council, of the general impact on capital programme delivery due to Covid-19 and lockdown. In particular, delays to on-site project delivery and construction activity which impacts on a number of ELC capital projects.
- 6.4 This report factors in expected timescales for recruitment to be progressed, to support further expansion, and current assessment of the timescale for capital projects being taken forward. Further work on this latter point is required, to reflect work still being progressed by Property colleagues to finalise revised capital programmes for ELC projects, and in turn to further develop contingency plans mindful that a lot of capital investment carries an element of programme risk, and for a number of settings summer 2021 remains a challenging timescale to conclude capital works. Further implications to moving more settings to 1140 hours include ongoing contingency planning for situations arising as a result of Covid-19 related incidences, potentially reduced capacity under health and safety guidelines, and the model of ELC delivery as a result.
- 6.5 Currently, individual setting circumstances can change as a result of staffing or Covid-19 implications. It is prudent therefore to apply a flexible mindset to an assessment of setting readiness over this continued period of recovery, ensuring that the health and safety of children and staff are the priority within any final decisions regarding further expansion of 1140 hours.
- 6.6 Throughout the phased delivery of the expansion of ELC we have considered the localised impact of settings moving to 1140 hours and this was further considered as a criterion within the review.

7. 1140 Hours Review - Key Outcomes

- 7.1 In acknowledging the readiness challenges and wider issues outlined above, the review that has been undertaken has considered a criterion based assessment approach. This approach has provided a matrix assessment of readiness, risk and cost impact across all settings who remain in the final phase of The Highland Council's delivery plan. With the over-arching intent to identify the earliest opportunity that a setting could move to 1140 hours provision, mindful of the current assessment and risks and issues remaining.
- 7.2 Assessment criteria included the following:
- staffing required based on 1140 hours August roll numbers and full take up;
 - current capital status;
 - contingency plans;
 - area implications (incl. provider neutrality, sustainability and equity);
 - financial implications;
 - deprivation (incl. free school meals, poverty index, and SIMD data) - to be used as part of prioritising settings considering overall readiness assessment; and

- Care Inspectorate gradings - whilst not key to deciding to move a setting to 1140 hours, part of readiness is the quality of a setting)

7.3 The enclosed appendices set out a RAG assessment of settings having undertaken the readiness assessment.

7.4 At the report to 10 September Council, an estimated circa 30 settings were indicated as being ready over the period from now through to January 2021. As a result of now completing the review in full, the overall number of settings assessed as being ready this financial year has in fact increased, to a maximum of 62. As noted below there are risks and challenges to be considered, particularly where different settings are at different stages of readiness, and a co-ordinated implementation timescale would be recommended, and mitigate some of these risks and challenges.

7.5 There are 22 settings that can start to move to delivering 1140 hours prior to the October holidays where safe and practical to do so. As noted within the next section of the report, even when 'ready' there remain a number of key operational and implementation steps to be progressed, including parental engagement, and as such the 'go live' operational delivery of 1140 hours may vary for individual settings. The clear intent however is to progress implementation as a priority, and support settings and partners to progress at the earliest possible opportunity. These 22 include both The Highland Council and Partner settings and they can move relatively quickly as there are no current staffing or capital requirements (**Appendix 1**). Moving these settings to 1140 hours would incur an estimated additional staffing cost of £275,000.

7.6 A further 40 settings (**Appendix 2**) are now assessed as having the ability to move to delivering 1140 hours, 32 from January 2021, and a further 8 settings delivering from April. Assessment of these settings shows that more time is required for implementation to ensure staff are recruited and minor capital works are completed, hence January 2021 onwards is the appropriate earliest timescale for this cohort of settings. There are also additional local considerations required, looking beyond the readiness of individual settings, and assessing implications across the wider locality. These wider implications are further described in section 8 below. Taken together with the 22 settings at paragraph 7.5, the cost impact in the current financial year is in the region of £500k to progress the proposed expansion to 1140 hours.

7.7 The remaining 30 settings (**Appendix 3**) have been assessed as requiring a longer period of planning in order to deliver 1140 hours due to major capital works, and the need to conclude further work on updated capital programme timescales, but also updated contingency plans for those settings where the timescale for completing capital works remains a risk. A further report will come to the November Committee setting out updated plans and timelines for these settings, with the focus being to have clear plans (capital and contingency where required) to ensure 1140 hours delivery no later than summer 2021 can be achieved.

8 Operational Delivery Steps, Wider Risks and Implications

8.1 While the appendices accompanying this report provide detail on a setting by setting basis, it is important that the assessment of setting readiness, risk and cost implications are considered fully in the decisions regarding further expansion.

8.2 In addition, it must be recognised that for effective implementation there are several operational considerations that need to be noted before confirming a proposed start date of further delivery of 1140. These include:

- consultation with parents to ensure that demand and requests for patterns of attendance are clear and can be accommodated and planned for accordingly;
- ensure staff are in place before an offer of hours is communicated to parents - some rural/GM provision it is difficult to recruit to so this could delay a proposed timeline;
- consultation with Setting Managers/Head Teachers who are already under considerable pressure to meet the requirements of being open with Covid-19 restrictions so further rollout needs to be in a managed way ensuring wellbeing of staff;
- where variations/notifications are required to increase capacity or register additional space with the Care Inspectorate this can take up to 3 months and have been taking longer due to Covid-19; and
- raising expectations – there is a risk that supply does not meet demand in some settings, more so if some settings move before others in a community and the demand is higher than places available. This requires careful management, communication and engagement, and hence the timelines and recommendations within this report allow for sufficient time to assess these wider issues.

8.3 The points above, and these further risks below, will continue to be considered and taken forward as part of The Highland Council's implementation arrangements, and its ongoing discussion and engagement with parents, partners and other stakeholders. To ensure a robust risk management approach is in place.

- a risk that parents may choose to leave a setting because another one in the area can now deliver the 1140 hours of ELC;
- this could create additional capacity issues, which could compound displacement of partner settings if a Council or other partner setting moves before that partner setting in a community;
- this raises continued issues regarding equity for parents and partners; and
- there may be business impact concerns and implications in terms of The Highland Council's obligation to ensure a provider neutral provision.

8.4 A measured and locality driven approach to 1140 hours expansion has been the intent from the outset, and the time to ensure that a locality wide approach is considered is vital, to mitigate some of the risks and challenges outlined above. It is not the case that all settings in a locality must move to 1140 hours at the same time, and nor has that been a stipulation to date. It is however imperative that the assessment of wider locality risks and implications is considered, so that where appropriate, the move to 1140 hours is co-ordinated across settings.

9. Next Steps

9.1 As outlined within this report, a further update will come to the November committee, setting out further assessment and timescales for the final phase of settings to move to 1140 hours by summer 2021. The Highland Council will also have progressed further discussions with the Scottish Government over that period, as part of wider national readiness assessments.

- 9.2 There will also likely be further clarity at a national level in relation to Scottish Government expectations around a new 1140 hours timeline.
- 9.3 Further recommendations around the 1140 hours programme will continue to be founded around safety, practicality and affordability, for as long as The Highland Council is faced with the challenges and risks of the Covid-19 pandemic.

Designation: Executive Chief Officer - Education and Learning

Date: 18 September 2020

Author: Kirsty Henry, Service Manager Early Years

Appendices: Appendix 1 – Ready and Recommended for 1140 hours
Appendix 2 – Delivery from January/April 2021
Appendix 3 – Delivery dependant on Capital Works/Contingencies

Appendix 1: Ready and Recommended for 1140 hours.					Settings:	22
Setting	Operator	Capital	Staffing		Earliest Delivery of 1140 Hours	
Mid						
DINGWALL						
Muir of Ord Playgroup [CALA]	PC				asap	
West						
GAIRLOCH						
Toybox 2s	PC				asap	
MALLAIG						
Eigg Primary Nursery	LA				asap	
Muck Primary Nursery	LA				asap	
South						
CULLODEN						
Cradlehall Primary Nursery	LA				asap	
Smithton Primary ELC	LA				asap	
KINGUSSIE						
Aviemore Early Learning and Childcare Service	LA				asap	
Cairngorm ELC	PC				asap	
Rosebuds (2 yr provision)	PC				asap	
MILLBURN						
Wimberley Estate Childcare Facility [CALA]	PC				asap	
NAIRN						
1st Steps	PC				asap	
Junior World Childcare Group [CALA]	PC				asap	
Nairn Gaelic Playgroup / Croileagan Inbhir Narainn [CALA]	PC				asap	
North						
GOLSPIE						
Golspie Playgroup [CALA]	PC				asap	
Sutherland Stepping Stones [CALA]	PC				asap	
KINLOCHBERVIE						
Durness Primary Nursery	LA				asap	
THURSO						
Playden	PC				asap	
Sallywags	LA				asap	
WICK						
Bower Busy Bees	PC				asap	
PPP	PC				asap	
Newton Park Primary Nursery	LA	Aug-21			asap	
Noss Primary Nursery	LA				asap	
Additional estimated staffing / partner centre payment cost for current financial year:					£	275,000

Appendix 2: Delivery from Jan-21 / Apr-21					Settings:	40
Setting	Operator	Capital	Staffing		Earliest Delivery of 1140 Hours	Comments
Mid						
ALNESS						
Highlife Highland Katz (2s only)	PC				Jan-21	Dependent on HLH reopening the premises (currently closed due to Covid-19)
DINGWALL						
Strathgarve Primary Nursery	LA				Jan-21	Recruitment required
Tarradale Primary Nursery	LA				Jan-21	Recruitment required
Strathpeffer Primary Nursery	LA	Dec-20			Apr-21	Capital scheduled for Dec-20, with possible delay - allowing for recruitment
St Clement's School Nursery	LA				Apr-21	Recruitment required. Specialist staffing and transport arrangements to be in place.
Mulbuie Primary Nursery	LA	Jan-21			Apr-21	Based on capital works completing. Recruitment required.
FORTROSE						
Fortrose Pre-school Limited [CALA]	PC				Jan-21	Recruitment required
Munloch Pre-School Centre [CALA]	PC				Jan-21	Recruitment required
West						
ARDNAMURCHAN						
Ardgour Primary Nursery	LA	Aug-21			Jan-21	Contingency agreed prior to works completion. Recruitment required also.
Kilchoan Primary Nursery	LA				Jan-21	Recruitment required
Strontian Primary Nursery	LA				Jan-21	Recruitment required
Lochaline Primary Nursery	LA				Jan-21	Recruitment required
GAIRLOCH						
Bualnaluib Primary Nursery	LA				Jan-21	Recruitment required
Gairloch Primary Nursery - EM	LA	Aug-21			Jan-21	Recruitment required
Gairloch Primary Nursery - GM	LA	Aug-21			Jan-21	Recruitment required
Kinlochewe Primary Nursery	LA				Jan-21	Recruitment required
KINLOCHLEVEN						
Ballachulish Primary Nursery	LA				Jan-21	Recruitment required
Kinlochleven Primary Nursery	LA				Jan-21	Recruitment required
St Bride's Primary Nursery	LA				Jan-21	Recruitment required
MALLAIG						
Inverie Primary Nursery	LA				Jan-21	Recruitment required
Mallaig Primary Nursery - EM	LA	Aug-20			Jan-21	Recruitment required
Mallaig Primary Nursery - GM	LA	Aug-20			Jan-21	Recruitment required
PLOCKTON						

Lochcarron Primary Nursery	LA	Feb-21			Apr-21	Based upon capital works completing. Recruitment required.
South						
CHARLESTON						
Jannies House Kinmylies 2s	PC				Jan-21	Not yet operational, service in development
Tomnacross Primary Nursery	LA	Aug-20			Jan-21	Recruitment required
CULLODEN						
Ardersier Primary Nursery	LA	Feb-21			Apr-21	Based upon capital works completing. Recruitment required.
Duncan Forbes Primary Nursery	LA	Feb-21			Apr-21	Based upon capital works completing. Recruitment required.
GRANTOWN						
Deshar Primary Nursery	LA				Jan-21	Recruitment required
INVERNESS ROYAL						
Bun-sgoil Ghaidhlig Inbhir Nis Nursery	LA				Jan-21	Recruitment required
KINGUSSIE						
Kingussie Primary Nursery	LA				Jan-21	Recruitment required
MILLBURN						
Drakies Primary Nursery	LA				Jan-21	Recruitment required
Playpen Day Nursery	PC				Jan-21	Meal arrangements to be finalised.
Raigmore Jannies House - [CALA]	PC				Jan-21	Internal works to be completed.
St John's Pre-school Centre [CALA]	PC				Jan-21	Implications relating to Crown provision being considered
Strathdearn Primary Nursery	LA				Jan-21	Recruitment required
NAIRN						
Millbank Primary Nursery	LA				Jan-21	Recruitment required
Auldearn Primary Nursery	LA	Feb-21			Apr-21	Based upon capital works completing. Recruitment required.
Rosebank Primary Nursery	LA	Dec-20			Apr-21	Based upon capital works completing. Recruitment required.
North						
FARR						
Tongue Primary Nursery	LA				Jan-21	Recruitment required
GOLSPIE						
Brora Primary Nursery	LA				Jan-21	Recruitment required

Appendix 3: Delivery dependent on capital works / contingencies **Settings:** **30**

Setting	Operator	Capital	Staffing	Earliest Delivery of 1140 Hours	Comments
Mid					
DINGWALL					
Ben Wyvis Primary Nursery	LA	Aug-21		Aug-21	
FORTROSE					
Avoch Primary Nursery	LA	Aug-21		Aug-21	
North Kessock Primary Nursery	LA	Aug-21		Aug-21	
West					
GAIRLOCH					
Shieldaig Primary Nursery	LA	Aug-21		Aug-21	
MALLAIG					
Arisaig Primary Nursery	LA	Jul-21		Aug-21	
PORTREE					
Bun-sgoil Shleite - EM	LA	Aug-21		Aug-21	
Bun-sgoil Shleite - GM	LA	Aug-21		Aug-21	
South					
CHARLESTON					
Beauly Primary Nursery	LA	TBC		Aug-21	
Kinmylies Primary Nursery	LA	TBC		Aug-21	
Kirkhill Primary Nursery	LA	TBC		Aug-21	
Muirtown Primary Nursery	LA	TBC		Aug-21	
CULLODEN					
Balloch Primary Nursery	LA	Aug-21		Aug-21	
GRANTOWN					
Grantown Playgroup	PC			Aug-21	
Grantown Primary Nursery	LA			Aug-21	
INVERNESS HIGH					
St Joseph's RC Primary Nursery	LA	Oct-21		Aug-21	
INVERNESS ROYAL					
Hilton Primary Nursery	LA	Aug-21		Aug-21	
Holm Primary Nursery	LA			Aug-21	
Lochardil Primary Nursery	LA			Aug-21	
KINGUSSIE					
Newtonmore Primary Nursery - EM	LA	Aug-21		Aug-21	
Newtonmore Primary Nursery - GM	LA	Aug-21		Aug-21	
MILLBURN					
Crown Primary Nursery	LA	Aug-21		Aug-21	

Milton of Leys Primary Nursery	LA	Oct-21			Aug-21	
Raigmore Primary Nursery	LA	Aug-21			Aug-21	
North						
GOLSPIE						
Golspie Primary Nursery	LA	TBC			Aug-21	
THURSO						
Miller Academy Primary Nursery	LA	Jun-21			Aug-21	
Mount Pleasant Primary Nursery - EM	LA	Jun-21			Aug-21	
Mount Pleasant Primary Nursery - GM	LA	Jun-21			Aug-21	
Pennyland Primary Nursery	LA	Jun-21			Aug-21	
Reay Under 5s	PC	Jun-21			Aug-21	