

Agenda Item	7.
Report No	EDU/04/21

## HIGHLAND COUNCIL

**Committee:** Education

**Date:** 11 February 2021

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

**Report By:** Executive Chief Officer Education and Learning

### 1. Purpose/Executive Summary

- 1.1 Recent reports to Committee have provided updates regarding the ongoing rollout of 1140 hours of funded Early Learning and Childcare (ELC) provision in Highland. As the last report to November Committee highlighted, by April 2021 Highland will be delivering 1140 hours in circa 90% of settings. Progress is being made in other settings to move to delivery of 1140 hours sooner than August 2021.
- 1.2 This report provides an update on the return to ELC in this second lockdown, albeit at this time the duration of the latest lockdown and its impact on ELC expansion is unclear, and whether there will be any future restrictions and impacts on the capital/construction sector.
- 1.3 This report provides an update on the final 19 settings due to deliver 1140 hours from August 2021, providing members with the current position and expected timeline for completion of capital works. The interim or contingency arrangements are now confirmed and set out in the annex. In all cases the intent is to progress delivery of 1140 hours at the earliest possible opportunity.
- 1.4 Finally, this report provides further update on other developments in relation to ELC.

### 2. Recommendations

- 2.1 Members are asked to:
  - i. note the updated position regarding ELC and provision of 1140 hours;
  - ii. note the further progress towards delivering 1140 hours in all Highland settings;
  - iii. note the current status of ELC capital projects and work being taken forward to progress project delivery; and
  - iv. note the updates provided regarding ongoing discussion with Scottish Government and other local and national developments.

### 3. Implications

### 3.1 **Resource implications**

3.1.1 There are some one-off costs arising from contingencies, such as rent of additional buildings or rooms which is being met from within the current year budget. Due to Covid-19 delays and the phasing profile of 1140 rollout there remains a short-term underspend in the current year. Further details on the revenue monitoring position are set out within a separate report on this agenda.

3.1.2 Additional costs arising related to partner sustainable funding would be additional and unbudgeted costs.

3.1.3 Scottish Government have announced that grants will be available to partner settings including childminders, to support business sustainability on a 4-weekly basis during Covid-19 lockdown. Awaiting full details from Scottish Government.

### 3.2 **Legal**

3.2.1 The current statutory duty is for provision of 600 hours of funded Early Learning and Childcare, and The Highland Council is meeting and exceeding that duty. The update outlined in this report relates to plans to deliver 1140 hours across all settings no later than summer 2021.

3.2.2 The new date of August 2021 has now been agreed with local authority umbrella group COSLA. The Scottish Government intend to bring forward legislation in early 2021 so that the duty to deliver 1140 hours will come into force from August 2021.

### 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**

There remain a number of risks and challenges associated with the ELC expansion programme, in the main as a result of the scale and complexity of the programme, and in turn the impact of Covid-19. In relation to timescales for implementation of interim or contingency arrangements for 1140 expansion, and the timescales for ongoing delivery of capital projects, these remain at risk of any additional negative impact arising from Covid-19 and further lockdown or restrictions. In relation to scope and quality of provision, while any variation to arrangements will require agreement with Care Inspectorate and relevant standards, it is the case that many of the interim or contingency arrangements will represent pragmatic short term solutions and may not deliver the same breadth of learning provision. This may impact on the ELC provision itself, potentially also on the wider school accommodation if 1140 hours requires access to space currently used within the Primary School setting. In all cases any changes are discussed and agreed with the Head Teacher, and as above will require Care Inspectorate agreement. With regard to changes to operating models, this also represents a compromise and change from the model intended and parents may have expected. The offering of 1140 hours across a whole year, rather than term time, is a viable means to deliver 1140 hours short term but may not meet all parental expectations. In relation to Care Inspectorate agreement, it remains the case that Highland has a very significant number of settings and the capacity within Care Inspectorate to undertake all necessary reviews represents a risk. This risk existed pre-Covid-19 but has increased with Covid-19 implications. To mitigate, The Highland Council has and continues to engage regularly with the

Inspectorate at local level, and at a national level with working with Scottish Government to consider what further assistance they may be able to provide to support discussions. Finally, while the level of additional recruitment to settings is lower than had previously been anticipated, to deliver increased capacity for 1140 will clearly require an increase in overall staff Full Time Equivalents. In some locations, and in some disciplines (GME settings in particular) there are additional risks around staff availability, and this has been factored into the timescales assumed for 1140 provision where relevant.

### 3.6 **Gaelic**

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

## 4. **Background**

4.1 Prior reports to Committee have provided Members with updates on the ELC expansion programme, and most recently the work undertaken to further rollout 1140 hours during the current financial year. Plans to roll out further will be dependent on Covid-19 restrictions and impacts.

4.2 Based upon past reports to Committee, and reflecting the up to date position at the timing of writing this report, the status across the 241 settings in Highland are as follows:

- 194 Providing 1140 hours at this time
- 15 Planned to move to 1140 hours April 2021
- 13 Settings inactive
- 19 Planning for August 2021 delivery

4.3 The 19 now subject to an update in this report, represent the remaining August delivery of the potential 26 reported at the last Committee. Further work may be required to review and report back on the status of Capital projects given the impact that lockdown and further restriction may have. This number has been revised down to 19 as a result of planning to move Bun-sgoil Shleite EM and GM, Beauly, Kirkhill, and St Josephs by April 2021 in addition to others previously reported. Where the opportunity exists to bring forward the provision of 1140 hours, these are being fully explored.

4.4 Interim arrangements or contingency plans for 1140 hours provision are developed, there is confidence about implementation and timescales dependent on Covid-19 restrictions. Progress has been made with registrations and variations with Care Inspectorate for both longer term and temporary arrangements.

4.5 The update set out within this report, and the work taking place to develop 1140 plans remains under regular review and is subject to ongoing discuss with Scottish Government and Scottish Futures Trust, who provide scrutiny, challenge and constructive support around The Highland Council's expansion programme.

## 5 **Return to Early learning and Childcare (ELC)**

5.1 Many partners were operating post-Christmas when the First Minister made the lockdown announcement 4 January, others were preparing for the phased return as planned prior to the festive break. Local Authority (LA) settings were preparing for the phased return for childcare 6-8 January, and online learning beginning 11 January.

- 5.2 Since the announcement, most ELC providers have chosen to remain open for service to keyworker and vulnerable children (KW&VC). Where it is not feasible for partners to remain open, due to very low numbers, local officers have worked with partners to provide adequate provision to those who require it. Most partners have around 10% of their normal attendance with exceptions in Inverness, where large numbers of parents are keyworkers, working for NHS at Raigmore.
- 5.3 Most LA ELC settings remain open, some on restricted hours or days, due to demand for service and a few, mostly remote and rural, are closed as no demand from KW&VC. The percentage attendance varies, due to numbers of KW&VC with some areas seeing high numbers in attendance despite rigorous application of the criteria.
- 5.4 Unlike the previous lockdown, there is no universally free ELC critical childcare for KW&VC. If families want to add additional hours in existing service (ELC, breakfast club and Out of School Care (OOSC) they need to fund this. For families with non-funded children, this continues to be self-funded.
- 5.5 The exception to provision for KW&VC only, is provision of service from childminders. Although childminding services currently caring for 12 or more children should also follow the vulnerable and keyworker guidance, childminding services caring for fewer than 12 children may continue to operate their setting for all children during this period. There are no additional restrictions placed on these childminding services, other than to follow the existing safe operating guidance.
- 5.6 The Early Years Education Support Officer team and Early years Educational Psychologist are working to ensure there are resources available to support ELC staff in providing online information and support for families. They can be found on the Early Learning and Childcare in Highland Blog and on the Bumps to Bairns website.
- 5.7 Funding for ELC partners will continue for funded 2s and 3-5s, as per agreed hours, to support sustainability of partner providers during this time. There are other funding streams available - Coronavirus Job Retention Scheme (Furlough) and the Self Employment Income Support Scheme (Childminders). Scottish Government is considering possible provision of additional financial support for partners.

## **6. Capital Works**

- 6.1 The appendix also sets out the updated position regarding capital works. While at the time of writing this report, the latest lockdown allows for ongoing working within the construction sector, clearly there remains risk and uncertainty that (1) there could be further restrictions applying to that sector going forward which impact on works or (2) even if no additional restrictions apply, there is nonetheless further delay around supply chain and construction sector capacity due to pandemic impacts. This position will be closely monitored for any consequence to the ELC capital programme.
- 6.2 The appendix reflects the status and timeline of projects based on current expectations around delivery, and as has been previously reported The Highland Council's ELC planning includes contingency planning to consider where there are mitigating actions that can be taken to support ELC 1140 delivery, and de-risk the impact of delayed capital works.

## **7. Delivering 1140, Interim Arrangements and Contingency Plans**

- 7.1 Work is ongoing to highlight any potential for interim arrangements or contingencies which will support 1140 hours delivery sooner than August 2021. Progress has been made in some settings with 19 likely to remain at August delivery, largely due to capital works.
- 7.2 From last Committee the decision was taken that families can access 1140 hours across 2 settings, despite the offer of hours in each. This enables many more families to access 1140 hours, if not in 1 setting across 2 or more. There has been positive feedback from families at access to the hours, albeit that the preference would be, to have all the hours in their preferred setting. The blending of placements and hours also supports partner sustainability as families 'top' up their local authority allocated hours, given all but 2 settings planned for August are LA settings.
- 7.3 Appendix 1 also provides a description, per setting, of the current expected interim or contingency options being considered, and as a result the expected timescale for delivery of 1140 hours. The phasing is within two 'windows' of April 2021 at the latest, or August 2021. The clear intent remains to implement at the earliest possible opportunity, subject of course to the risks and implications outlined within this report.
- 7.4 The ongoing support from Head Teachers, Partners in settings and Commissioned Childminders, is much appreciated in being flexible and creative in finding solutions.

## **8. Local and National Developments**

- 8.1 Regarding the Statutory Duty, pre-Christmas there had been a joint Cosla and Scottish Government commitment to August 2021 as a delivery date for 1140 hours and Scottish Government intent to bring forward legislation in that regard. With that commitment also extending to offering 1140 hours to families ahead of August 2021 where there is the potential to do so.
- 8.2 Ahead of this statement, and as reflected in past reports to this Committee, The Highland Council had already made commitments and progressed plans to ensure 1140 provision in place no later than August 2021. The joint statement is welcome and aligns with The Highland Council's own plans.
- 8.3 It is unclear at this time whether the latest lockdown, and for however long that continues, will have any impact on the intent related to August 2021. Nonetheless, and as set out within this report, subject to any further impact from Covid-19 on The Highland Council's own plans, The Highland Council continues to progress the rollout of 1140 as soon as can safely and practically be achieved.

Designation: Executive Chief Officer - Education and Learning

Date: 15 January 2020

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## APPENDIX 1 - ELC PROJECTS UPDATE

PART A: 1140 IMPLEMENTATION AND INTERIM OR CONTINGENCY ARRANGEMENTS					PART B: CAPITAL PROJECT UPDATE		
Setting Name	1140 Implementation Timescale Jan - April 21	1140 Implementation Timescale April - Aug 21	Interim or Contingency Arrangement Required	Current Interim or Contingency Arrangement in Consideration	Capital Project Status	Project Scope	Target Opening Date
Arisaig Primary Nursery	January		Interim	Use existing space	Pre-Construction	New Build	Aug-21
Avoch Primary Nursery		Aug	Contingency	Off-site or temp accommodation	Construction	Extension/Refurbishment	Aug-21
Balloch Primary Nursery		Aug	Contingency	Phasing e.g. as interim step increase from 600 hours until full 1140 can be offered	Pre-Construction	Refurbishment	Aug-21
Beauly Primary Nursery		Apr	Interim	Use additional class-room	Pre-Construction	Major Project	TBC
Ben Wyvis Primary Nursery		Aug	Interim	Operating model change	Pre-Construction	Extension	Dec-21
Bun-sgoil Shleite - EM		Apr	Contingency	Use existing space	Pre-Construction	New Build	Aug-21
Bun-sgoil Shleite - GM		Apr		Use existing space	Pre-Construction	New Build	Aug-21
Crown Primary Nursery	As interim: Increase hours 600+ from January	Aug	Contingency	Phasing e.g. as interim step increase from 600 hours until full 1140 can be offered	Pre-Construction	Extension	Aug-21
Golspie Primary Nursery	January		Not required	Not required	N/A	N/A	
Grantown Playgroup (P)		Aug	Not required	Not required	N/A	N/A	
Grantown Primary Nursery		Aug	Interim	Not required	Pre-Construction	Refurbishment	TBC
Hilton Primary Nursery	As interim: Increase hours 600+ from January	Aug	Interim	Use additional class-room	Tender	New Build	Oct-21
Holm Primary Nursery		Aug-21	Contingency	Use additional class-room	Pre-Construction	Refurbishment	Aug-21
Kinmylies Primary Nursery		Aug	Interim	Phasing e.g. as interim step increase from 600 hours until full 1140 can be offered	Pre-Construction	New Build	TBC
Kirkhill Primary Nursery		Apr	Not required	Not required	Construction	Extension/Refurbishment	Apr-21
Miller Academy Primary Nursery		Aug	Contingency	Use existing space	Construction	New Build	Aug-21
Mount Pleasant Primary Nursery - EM		Aug	Contingency	Not required	Pre-Construction	Refurbishment	Aug-21
Mount Pleasant Primary Nursery - GM		Aug	Contingency	Not required	N/A	N/A	Aug-21
Milton of Leys Primary Nursery	January		Interim	Operating model change	Pre-Construction	Major Project	TBC
Muirtown Primary Nursery		Aug	Contingency	Use additional class-room	Tender	Refurbishment	Aug-21
Locharhill Primary Nursery	January		Not required	Not required	N/A	N/A	
Newtonmore Primary Nursery - EM		Aug	Contingency	Off-site or temp accommodation	Construction	Refurbishment	Aug-21
Newtonmore Primary Nursery - GM		Aug	Contingency	Off-site or temp accommodation	Construction	Refurbishment	Aug-21
North Kessock Primary Nursery		Aug	Not required	Not required	Pre-Construction	New Build	Aug-21
Pennyland Primary Nursery		Aug	Contingency	Operating model change	Pre-Construction	Refurbishment	Aug-21
Raigmore Primary Nursery	January		Not required	Not required	Pre-Construction	New Build	Aug-21
Reay Under 5s (P)		Aug	Contingency	Off-site or temp accommodation	Tender	New Build	Aug-21
St Joseph's RC Primary Nursery		Apr	Contingency	Off-site or temp accommodation	Pre-Construction	Refurbishment	Aug-21
Shieldaig Primary Nursery		21-Aug	Contingency	Use existing space	Pre-Construction	Refurbishment	Aug-21

**PART C: UPDATE ON OTHER ELC CAPITAL PROJECTS. THOSE WHERE 1140 IMPLEMENTATION COVERED IN PREVIOUS COMMITTEE REPORTS**

Ardersier	Apr 21		Construction	New Build	Apr-21
Ardgour	Jan 21		Pre-Construction	Refurbishment	Aug-21
Auldearn	Apr 21		Construction	New Build	Apr-21
Bridgend	Currently delivering		Tender	Refurbishment	Aug-21
Coulhill	Jan 21		Tender	Refurbishment	Aug-21
Cromarty	Currently delivering		Pre-Construction	Refurbishment	Aug-21
Dingwall	Currently delivering		Pre-Construction	New Build	Aug-21
Duncan Forbes	Apr 21		Construction	New Build	Apr-21
Dunvegan	Currently delivering		Pre-Construction	Refurbishment	TBC
Gairloch	Jan 21		Pre-Construction	New Build	Aug-21
Glenurquhart GM	Apr 21		Construction	Refurbishment	Mar-21
Invergarry	Currently delivering		Construction	Refurbishment	Dec-20
<i>Inverness HS</i>	<i>Production Kitchen build</i>		Construction	N/A	Nov-20
Kiltearn	Currently delivering		Pre-Construction	Major Project	TBC
Kyle	Currently delivering		Pre-Construction	Refurbishment	Aug-21
Lairg	Currently delivering		Pre-Construction	Refurbishment	Aug-21
Lochcarron	Apr 21		Construction	Refurbishment	Apr-21
<b>Mallaig</b>	<b>Feb 21 TBC</b>	<b>awaiting works and staffing</b>	Complete	Refurbishment	Oct-20
Merkinch	Currently delivering		Complete	Major Project	Oct-20
Millbank	Jan 21		Pre-Construction	Refurbishment	Aug-21
Mulbuie	Apr 21		Construction	New Build	Apr-21
Ness Castle - New Primary School	New build		Pre-Construction	Major Project	TBC
Newtonpark	Nov 20		Pre-Construction	Refurbishment	Aug-21
Obsdale	Currently delivering		Construction	Refurbishment	Apr-21
Rosebank	Apr 21		Construction	Refurbishment	Jan-21
Strathconon	Inactive		Pre-Construction	Major Project	TBC
Strathpeffer	Apr 21		Construction	Refurbishment	Jan-21
Tomnacross	Jan 21		Construction	Refurbishment	Jan-21