

AGENDA MANAGEMENT SHEET

Name of Committee Warwick Area Committee

Date of Committee 13th March 2007

Report Title Implications of the Childcare Act 2006 and development of Children’s Centres

Summary This paper outlines the duties imposed on Local Authorities by the Childcare Act 2006 and gives information on the developments within Warwick District to meet them.

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Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision] No

Background papers

- Phase 2 Children’s Centres – Cabinet report 2.11.06
- Developing a Strategy for Children’s Centres across Warwickshire – Cabinet report 13.1.05

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

Local Member(s)

Other Elected Members Spokespersons for information:
 Cllr Richard Grant – “noted for consideration by the Area Committee”
 Cllr Jill Dill-Russell – no comment to make
 Cllr John Whitehouse

- Cabinet Member Cllr John Burton
- Other Cabinet Members consulted Cllr Izzi Seccombe – *“approve for consideration by Area Committee”*
- Chief Executive
- Legal Victoria Gould – comments incorporated in the report
- Finance
- Other Strategic Directors
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals

FINAL DECISION **YES**

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Warwick Area Committee – 13th March 2007

Implications of the Childcare Act 2006 and development of Children's Centres

Report of the Strategic Director for Children, Young People and Families

Recommendation:

That the Area Committee acknowledges the duties imposed on Warwickshire County Council by the Childcare Act 2006 and comments on the work in progress to meet them.

1. Background

- 1.1 The Childcare Act 2006 is the first piece of legislation that is solely dedicated to the provision of childcare and seeks to implement the proposals of the Government's ten year strategy for childcare, '*Choice for parents, the best start for children*' (December 2004).
- 1.2 The Act has four parts:
 - (1) Duties on Local Authorities on England
 - (2) Duties on Local Authorities in Wales
 - (3) Regulation and Inspection
 - (4) General provision.
- 1.3 The Act very clearly places a duty on Local Authorities to strategically lead the development of childcare facilities while working in partnership with other agencies in the statutory, private and voluntary sectors.

2. Definitions contained within the Act

- 2.1 The term 'childcare' is used in a variety of contexts and has different meanings for different agencies. To avoid such confusion the Act defines the terminology used and specifies the situations to which the term is not applicable, including care given by parents or persons with parental responsibility, relatives of the

child, foster parents, and care given in a care home, children's home or residential family centre.

- 2.2 The purpose of childcare is to enable parents to take up or remain in work or to undertake education or training that would assist them in finding work. (*Section 6*)
- 2.3 The definition of a 'young child' is also very clearly stated in that it applies to a child from birth to "immediately before the 1st September next following the date on which he attains the age of five". (*Section 19*)

3. The duties imposed on Local Authorities

There are two main duties imposed on Local Authorities:

- (1) The Outcomes Duty
- (2) The Sufficiency Duty.

3.1 The 'outcomes' duty

- 3.1.1 This duty is imposed to improve the Every Child Matters outcomes for all children under five years of age, to improve their well-being and reduce inequalities in achievements by helping them to access integrated, high quality early childhood services. In discharging their duties Local Authorities are required to work with partners in NHS, Jobcentre Plus, and private and voluntary sector providers to deliver services through Children's Centres.
- 3.1.2 It is this legislation that underpins the development of Children's Centres and prescribes the services that must be included:
- integrated early years provision – childcare and education
 - a childminding network
 - parenting education and family support services
 - education, training and employment services
 - health services relating to young children, parents or prospective parents
 - provision of information to parents
 - access to wider services.
- 3.1.3 It is the duty of the Local Authority to identify and assist those parents who would not otherwise access the services on offer and encourage them to take up those services.

3.1.4 The Early Years Foundation Stage

The Early Years Foundation Stage brings together Birth to Three Matters, the Foundation Stage and the national standards for daycare and childminding. The new framework will support providers in delivering quality, integrated services as a 0 – 5 years curriculum. All providers registered to deliver

services for this age group will be required to work to this curriculum and will be inspected against it by Ofsted. It will be especially relevant for the Children's Centres in the delivery of their 'core offer'.

3.2 The 'sufficiency' duty

- 3.2.1 Local Authorities are required to assess the local childcare market and secure sufficient childcare to enable parents to access work or education that would lead to employment opportunities. Childcare will only be deemed sufficient if it meets the needs of the community it serves but, in particular, it must meet the needs of families on lower incomes and families who have a disabled child.
- 3.2.2 Local Authorities must take the strategic lead in developing services but will not be expected to provide them directly. They must work with providers from the private, voluntary and independent sectors to secure appropriate, accessible and affordable levels of provision to meet local need. Included here is the duty to provide a free early years place for every child whose parents wish them to have it. This is currently administered under the Nursery Education Grant system but will in future be known as the 'Free Entitlement'. It is currently 12.5 hours per week, over 38 weeks per year, but will rise to 15 hours per week by 2010.
- 3.2.3 The duty to secure childcare applies to children up to the age of 14, except in the case of disabled children for whom the range is extended to 17. However, the sufficiency duty extends to the provision of information for parents and the age range for this is extended to the young person's 20th birthday. The range of information to be provided will also extend to include information on all services or publications that would be of benefit to parents or children and young people, particularly those with a disability. Local Authorities will also be required to actively assist parents and young people to access the services that they need, rather than merely providing information on where services are based.

4. Regulation of childcare

The Act seeks to simplify the framework regulation of childcare and early education to reduce bureaucracy and raise standards. All providers caring for children under five will be required to register with Ofsted and deliver the Early Years Foundation Stage. Childcare settings providing for school-age children will be judged against a streamlined set of Ofsted Childcare Register standards. These criteria will be compulsory for all settings caring for children under eight. Other providers may join the register on a voluntary basis which would allow parents to claim tax credits by using a registered provider.

5. How the Childcare Act is being implemented in Warwick District

- 5.1 Warwickshire is already developing a range of Children's Centres. Phase 1 of this initiative (2004/06) concentrated on the 20% most disadvantaged wards in the county but also incorporated Early Excellence Centres and Sure Start Local Programmes which were part of earlier initiatives.
- 5.2 Thirteen Children's Centres have been designated as part of the first phase. Three of these are in Warwick District. They are in Lillington, Whitnash and Kingsway, and all three originate from the Leamington Sure Start Local Programme which is now known as Leamington Children's Centres.
- 5.3 Phase 2 of the programme concentrates on the 30% most disadvantaged Super Output Areas (SOAs) of the country and in Warwickshire it is intended that there will be 18 Children's Centres (on 21 sites) developed by March 2008.
- 5.4 In Warwick District in Phase 2 there will be a further five Children's Centres across six sites. These are at:
- Kenilworth Nursery School, Kenilworth
 - St. John's Primary School, Kenilworth
 - Sydenham Primary School, Leamington Spa
 - Warwick Nursery School, Warwick
 - Newburgh and Westgate Primary Schools, Warwick (this is a jointly developed project between the two schools).
- 5.5 These schools have been asked to confirm their preferred governance arrangements for their Children's Centre and where school governors have not expressed a wish to run the services themselves this will go out to a block tender during March 2007.
- 5.6 All six school sites have had detailed design drawings for their Children's Centre drawn up and we are currently awaiting decisions about Planning Permission for the majority of these. (The Children's Centre at Sydenham School is internal remodelling and refurbishment only so does not require Planning Permission.)
- 5.7 The detailed designs are also waiting for approval from Atkins (the Government appointed agents who oversee the capital aspect of this work). Atkins check designs, value for money, fitness of purpose, etc. The Capital Programme Project Team are confident that requirements are being addressed and this approval will be forthcoming in the near future. At this point the Capital Programme for Children's Centres locally is on track to achieve the deadline for completion (March 2008).
- 5.8 Alongside the capital development, all the Phase 2 Children's Centres are working on consulting locally with parents, identifying service needs and planning for operational delivery from March 2008. The progress of service development is monitored by local steering groups / partnerships and all work

with the Area Manager for Early Years and Childcare in planning for high quality services from April 2008.

- 5.9 There is a network of Children's Centres from both Phases whose heads, managers and partners come together regularly to share good practice and ensure that target areas are being addressed. The Centres are also required to provide information on a quarterly basis, some of which is fed back to the Sure Start Unit.
- 5.10 All the existing designated Centres have input from one of the County's qualified early years teachers, all of whom are already familiar with the Early Years Foundation Stage and ready to implement it when final guidance is issued.
- 6.1 In addition to the Children's Centres development, work will continue, through the local Warwick District Provider Development Service, to offer training, advice and support to all registered providers of childcare, including childminders. Advisory Teachers and the Registration Adviser will continue the excellent work in which they are involved. The Provider Development Manager will continue to lead local consultation, encouraging participation of providers through Early Years Forums and through the local newsletters.
- 6.2 An assessment of the sufficiency of childcare is being undertaken through a thorough needs analysis in each of the five districts in the county. Using the *Dartington i* research as a basis, information is being gathered at the five Provider Development Centres across the county and, from that, gaps in provision can be identified and addressed.
- 6.3 In addition to this, there has been a Gap Analysis undertaken in the county for the past five years to assess the numbers of children entering reception class without any pre-school education. Evidence gathered from this exercise has informed decisions on the establishment of nursery classes and on funding providers to work in certain areas. In recent discussions with a Strategic Development Officer from Government Office West Midlands, the practice was commended and will be recommended to other Local Authorities to assist them in assessing their sufficiency of provision for under fives.
7. The Children's Information Service has been moved from the Early Years and Childcare Team to the Family and Parent Support Team, both of which sit within the Family and Community Service and work very closely together. This has been done specifically to meet the duty to provide information, advice and assistance to parents and prospective parents. (In Warwickshire a commitment has been made to ensure that such services are also available to those with responsibility for looked-after children.) Planning is already underway to ensure that the duties are met.

8. Warwickshire has enjoyed good working relationships with Ofsted in the past and, although they have reorganised their teams and work bases, we endeavour to retain those relationships to facilitate good practice and effective communication. The local Registration Advisor remains the first point of contact for both existing and potential providers on any issue relating to registration and inspection. They are aware of the proposed changes and the need to provide accurate and current advice.

9. Proposals for Phase 3 Children's Centres

- 9.1 No information has yet been released about the scope or funding for Phase 3 Children's Centres. Funding for Phase 2 capital development and Phase 1 revenue has been set for 2006/07 and 2007/08 but there is no information beyond that.
- 9.2 The situation in Warwickshire is that if we achieve our target of creating 18 Children's Centres across 21 sites we will have reached our Phase 1 and 2 targets for reaching children and families. Furthermore, we will have incorporated the strategic development plans and will have sited Children's Centres in all priority areas, leaving only the gaps in service delivery to be considered.
- 9.3 It is the aim of the DfES and the Ten Year Childcare Strategy to ensure that there is a Children's Centre in every community by 2010 and that every child under five will have access to a Children's Centre. However, it is not clear at this stage to what extent those Children's Centres will have to meet the core offer. Although information about capital funding has not been released there are indications, which have been supported in speeches given by senior civil servants at various conferences, that it is unlikely that funding will be available at the levels seen in Phases 1 and 2.
- 9.4 If the core offer is not necessarily to be provided and there is no or very limited funding, the options for developing new Children's Centres are limited. Only by fully utilising existing resources are we likely to provide an acceptable service to families in Warwickshire, especially those living in rural areas.

10. Conclusion

- 10.1 The Childcare Act 2006 has imposed new duties on Local Authorities to improve the well-being of children under five and to secure sufficient childcare to meet local demand. In doing so, Local Authorities must work with partners in other agencies, including the private and voluntary sector, to deliver services that will meet the performance indicators that have recently been issued by the DfES.
- 10.2 In Warwick District the development of Children's Centres is on track. Assessment of childcare available also indicates that there is sufficient provision to

meet demand currently, but this will be monitored in accordance with our quarterly procedures to ensure that this level is maintained.

- 10.3 At this point we have no clear strategy from central government about Phase 3 of Children's Centre development. However, we are committed to providing Children's Centre services to all children in the county and need to be ready to move forward with proposals for development regardless of the level of resources that will be made available to us.

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