

ANGUS COUNCIL

CHILDREN AND LEARNING COMMITTEE – 30 MARCH 2021

**ADDITIONAL YEAR OF FUNDED EARLY LEARNING & CHILDCARE & EARLY ENTRY TO
PRIMARY ONE**

REPORT BY KELLY MCINTOSH, DIRECTOR OF EDUCATION AND LIFELONG LEARNING

ABSTRACT

This report provides Committee with information regarding changes to the entitlement for families who wish to access an additional year of funded early learning and childcare (ELC) and seeks approval for the implementation of a new policy regarding requests for early entry to primary one.

1. RECOMMENDATION

It is recommended that the Committee:

- (i) Notes the national plan to broaden the criteria for eligibility for an additional year of funded ELC from August 2023, and Angus Council's role in the pilot scheme commencing in 2021;
- (ii) Notes the change made to the ELC application categories as a result of the pilot scheme;
- (iii) Agrees to confirm the Angus policy that all requests for early entry of children to primary one will be declined, with immediate effect.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan:

The best start in life for children
Improved physical, mental and emotional health and wellbeing
More opportunities for people to achieve success

3. BACKGROUND

Reference is made to Committee Report No [37/19](#), approved by the Children and Learning Committee on 29 January 2019, which sought approval for the implementation of new admissions criteria for ELC placements in Angus.

4. CURRENT POSITION

Deferred entry to primary one

- 4.1 All parents and carers in Scotland have the legal right to defer their child's entry to primary one if the child is not yet five years old at the beginning of the school year. In the current system, the youngest children (those with a January or February birth date) are automatically entitled to an additional year of funded ELC when they defer their primary one start. Those with an August to December birthday can still defer their entry to primary one, but have to apply to the local authority to request funding for the additional year.
- 4.2 Children with a birthday between 1 March and the start of term in August must start primary school in the year of their fifth birthday, or be educated at home.

- 4.3 On 7 December 2020, Scottish Government laid legislation before the Scottish Parliament which will mean that, from August 2023, all children who defer will automatically be able to access funded ELC without the need to apply for funding.
- 4.4 From August 2021, five local authorities in Scotland will pilot the additional year of funded ELC for all children with a deferred school start date. Angus is one of the five pilot areas in the first year. During the pilot scheme, Scottish Government will provide funding for all of the additional ELC provided to children deferring their entry to primary one.
- 4.5 As a pilot local authority, Angus Council will have an opportunity to inform learning at national level and will help to shape the wider roll-out of the new entitlement in 2023. The council will be involved in collecting and evaluating data on the impact of the pilot on ELC capacities and financial implications, and through local learning will contribute to the national communication strategy to support parental choice.

ELC Application Categories

- 4.6 Report [37/19](#) sought approval for the implementation of seven criteria to be used as the primary prioritisation method for ELC applications. As a result of Angus Council's participation in the pilot scheme, a change has been made to three of the criteria as follows:
- Category 1 has been simplified to say "Existing children remaining in the setting", removing any reference to funded deferrals;
 - Category 3 has been simplified to say "Children who are accessing an additional year of funded ELC, who are not currently attending a setting in their catchment primary school, requesting the additional funded year of early learning and childcare within their catchment primary school", removing any reference to deferrals;
 - Category 6 has been deleted, as this category referred to deferral requests which were not being funded. As of August 2021, all deferring children will be funded.

Early entry to primary one

- 4.7 A small number of requests for early entry to primary one, usually one or two, are received each year in Angus. There is currently no agreed and published Angus policy for dealing with these requests. Early entry requests to primary one are defined as being requests for children to start primary one in the year before the commencement date that would normally apply to children of their birth date. Section 32 of the Education (Scotland) Act 1980 asks local authorities to set both a school commencement date and an appropriate latest date from which any child starting at that commencement date must have turned 5 years old. That date is known as the "appropriate latest date". This latest date cannot usually be more than 6 months and seven days before the next year's school commencement date (unless the consent of the Scottish Ministers has been obtained).
- 4.8 No requests for early entry to primary one have been approved by Angus Council, on the basis of the clear and demonstrable benefits of ELC for children aged between two and five. Play is acknowledged as a right of all children (Article 31, UNCRC) and is essential in the development of children's social, cognitive and emotional development and wellbeing. In ELC provision, children enjoy child-centred, holistic learning experiences, in environments both indoors and outdoors, where they learn exclusively through play. Realising the Ambition (Scottish Government, 2020) highlights the importance of play in children's development through purposeful interactions, experiences and spaces which are carefully planned and nurtured in the ELC context. Children also enjoy access to higher ratios of adult to child individualised care in ELC from a range of staff, ensuring support for their development and learning needs within Curriculum for Excellence, Early Level, which spans ELC and primary one.
- 4.9 In the absence of an agreed and published policy on early entry to primary one, the process of refusing such requests from parents and carers is complex. The publication of Angus Council's position on early entry to primary one, along with clarification that all such requests will be refused, will simplify this process and provide a clearer context for any discussions with parents and carers on how their child's learning will be supported and extended within the ELC environment.

5. PROPOSALS

- 5.1 Note the national plan to broaden the criteria for eligibility for an additional year of funded ELC from August 2023, and Angus Council's role in the pilot scheme commencing in 2021.
- 5.2 Note the change made to the ELC application categories as a result of the pilot scheme.
- 5.3 Agree to confirm the Angus policy that all requests for early entry of children to primary one will be declined, with immediate effect.

6. FINANCIAL IMPLICATIONS

The pilot scheme from August 2021, and the subsequent wider implementation of the new rules from August 2023, will result in an improved financial position for Angus Council. This is because from August 2021, all deferrals will be funded by Scottish Government. Prior to the launch of the pilot scheme, the additional year of funded ELC for those deferring children with a birthday between August and December would have been funded from within Angus budgets.

7. OTHER IMPLICATIONS

An Equality Impact Assessment is appended to this report.

8. CONSULTATION

The Director of Finance and the Director of Legal & Democratic have been consulted in the preparation of this report.

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List of appendices:

Appendix 1 Equality Impact Assessment