

# Education, Children and Families Committee

10am, Tuesday, 6 October 2015

## Playgroups and Nurseries in the Voluntary Sector

Item number 7.10  
Report number  
Executive/routine  
Wards

### Executive summary

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This report outlines the Strategic plans of City of Edinburgh Council to support the voluntary playgroups. It identifies the particular challenges for the voluntary playgroups and outlines key strategies to provide support.

### Links

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Coalition pledges [P1](#), [P6](#)  
Council outcomes [CO1-CO4](#), [CO6](#)  
Single Outcome Agreement [SO3](#)

## Voluntary Playgroups and nurseries

### Recommendations

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The Committee is recommended to:

- 1.1 Note the wide range of support available from the Council for the playgroup sector.
- 1.2 Approve an increase from £50 per head per capita to £65 per head per capita for partner provider voluntary playgroups.

### Background

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- 2.1 For the purpose of this report the playgroups and nurseries in the voluntary sector will be referred to throughout this report as voluntary playgroups. There are 36 voluntary playgroups in Edinburgh. Eleven are in partnership with City of Edinburgh Council (CEC) to deliver 600 hours of early learning and childcare and 25 are not. The partner provider playgroups receive funding from the Council to provide 600 hours of early learning and child care (ELCC) for children three to five. This equates currently to £2,100 per child per annum. They also receive a per capita allocation of £50 PER fte. We would propose to increase this figure to £65 per FTE in line with the allocation to children attending local authority nurseries and in recognition of the additional hours. The number of children attending partner provider playgroups this term is 275. This will increase by another 30 over the course of the year. Non partner provider playgroups are not required to provide 600 hours of ELCC. Partner providers receive support from Quality Improvement Officers and can also access the support of peripatetic teachers employed by the Council. Non partner providers do not have access to QIO support but advice and support is now coordinated by an Early Years Strategic Development Officer (EYSDO) and one member of staff from each playgroup has free access to any course offered by the Council.
- 2.2 Playgroups operating for more than two hours daily require to be registered with the Care Inspectorate and the Scottish Social Services Council (SSSC). Regular inspections by the Care Inspectorate take place to ensure that they are providing quality of care for the children who attend the playgroup. Inspection reports are produced after each inspection which can be viewed by members of the public. Education Scotland also inspects partner provider playgroups using five quality indicators (QI) 1.1 improvement in performance, QI 2.1 children's experiences, QI

- 5.3 meeting children's learning needs, QI 5.1 curriculum and QI 5.9 improvement in self evaluation( see appendix 1 for Education Scotland inspection grades). Staff are required to be registered with the SSSC and abide by their codes of conduct. Early Years Practitioners are required to have an SVQ Level 3 qualification and Early Years Managers are required to have a BA in Childhood Practice or equivalent or be working towards achieving these qualifications within agreed time scales. All staff are required to have a Protection of Vulnerable Groups (PVG) Scheme Record check.
- 2.3 The playgroups are managed by committees, elected annually at a General meeting. The Management Committee members are generally parents/carers. However, one playgroup has two members of the church in the position of Chairperson and Treasurer and this is written into their Constitution. Management Committee members have the responsibility for fulfilling the playgroups legal duties and ensuring it is properly managed.
- 2.4 All the voluntary playgroups are registered charities and have to be registered with the Office of the Scottish Charity Regulator (OSCR). They are required to submit the playgroups annual returns and accounts to OSCR. The voluntary playgroups legal structures are either unincorporated associations or incorporated organisations such as a company limited by guarantee or a Scottish Charitable Incorporated Association (SCIO). Thirty one of the playgroups are unincorporated, four are companies limited by guarantee and one is a Scottish Charitable Incorporated Association.

## Main report

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### **Creation of a post to support the voluntary playgroups**

- 3.1 Previously, City of Edinburgh Council funded Scottish Preschool Play Association (renamed Early Years Scotland) to support the voluntary playgroups. Staff from Early Years Scotland visited the playgroups regularly to provide support. However, these workers were withdrawn when the funding was not continued. Playgroups can still access Early Years Scotland's support if they are members but the support they offer is by phone or email. Playgroups voiced their need for more face to face and intensive support. This led to the creation of an Early Years Strategic Development Officer Post to support the voluntary playgroups in August 2014.
- 3.2 Since the creation of the post, support has been offered in relation to building issues, training, management committees, constitutions, recruitment of staff and supporting staff to improve their practice in relation to progressing children's learning. A non partner provider playgroup was supported to improve their grades after the Care Inspectorate awarded them weak grades for quality of care and support, quality of environment, quality of staffing and quality of management and

leadership at their inspection in March 2015. At the inspection by the Care Inspectorate in June 2015, they were awarded adequate grades for quality of care and support, quality of environment, quality of staffing and quality of management and leadership. Continued support will be offered to further improve their grades. A significant piece of work has been raising awareness about the new pension laws which came into effect in October 2012 and the playgroups legal obligations with regards to providing pensions for their work force. The development officer organised training which was delivered by an independent financial adviser.

- 3.3 A pilot was established with the voluntary playgroups in an area of South Edinburgh to explore them working cooperatively, in line with the Council's Co-operative Capital Framework and their commitment to develop cooperative working. Meetings with the playgroups established that they were interested in working cooperatively. Regular meetings have been established and they have been working cooperatively to address common issues. A training session with peripatetic teachers took place to support them with observation and planning. They have met to draw up guidelines for good practice with regards to making management committees more workable.
- 3.4 A mapping exercise was completed of the voluntary playgroups in Edinburgh based on the new localities model. Information about which playgroups are based in the different localities is contained in table 1. A map of the voluntary playgroups in the four localities is in appendix 2.

Table 1: Voluntary playgroups/nurseries

<b>Locality</b>	<b>Voluntary playgroups/nurseries</b>
<b>North East</b>	Leith St Andrews Playgroup Craigentinny Castle Playgroup Portobello Toddler Hut Playgroup Northfield/Willowbrae Playgroup
<b>South East</b>	Nile Grove Playgroup Greenbank Preschool Bruntsfield Community Nursery Marchmont Playgroup Mayfield Salisbury Playgroup Newington Playgroup Holycorner Community Playgroup Nari Kallyan Shango St Mary's Playgroup
<b>South West</b>	North Merchiston Playgroup Balgreen Playgroup Stableroom Playgroup St Fillan's Playgroup Dreghorn Pre-school group

	Juniper Green Playgroup Riccarton Playgroup Currie Playgroup Compass Playgroup
<b>North West</b>	Rosebery playgroup Tom Thumb Nursery Kirkliston Playgroup Cramond Playgroup Gylemuir Playgroup Forrestine's Playgroup Corstorphine Village Playgroup Reindeer Playgroup The Prentice Centre Granton Toddler Playgroup Wardie Nursery Edzell Nursery Blackhall Nursery Blackhall Playgroup

- 3.5 Links were established with Lothian Association of Youth Clubs (LAYC) to learn from their experience of developing a cooperative model with after school clubs.
- 3.6 Over the next year, meetings will be established with the voluntary playgroups in each of the localities to explore their interest in working cooperatively. The plan is to set up a small grant to support this initiative.

### **Legal Status**

- 3.7 The majority of the voluntary playgroup's legal status is that they are unincorporated. The risks posed by a playgroup being an unincorporated association are that individual members of the management committee are personally responsible for the playgroup's obligations and debts and liable if the playgroup is sued. Therefore, a priority area of work would be to support the playgroups to become an incorporated organisation, for example a SCIO or a company limited by guarantee. However, as there are 31 playgroups that are unincorporated this will be a significant piece of work. Discussions are taking place with Edinburgh Voluntary Organisation Council (EVOC) to explore if this work could be done in partnership. A barrier to playgroups changing their legal status is that they would need to register as a new organisation with the Care Inspectorate and would lose their history. There would be no record on the Care Inspectorate website of previous grades awarded to them at inspections or inspection reports. There will be continued discussions with the Care Inspectorate, EVOC and Early Years Scotland to highlight this barrier to playgroups becoming incorporated and to explore how this barrier can be removed.

## **Management Committees**

- 3.8 Playgroups have difficulty recruiting management committee members and this threatens their sustainability. Several playgroups have faced possible closure due to the difficulties recruiting a viable management committee. Factors which have influenced this are:
- 3.8.1 The trend towards both parents working results in less available time to volunteer to be on the committee;
  - 3.8.2 Parents whose children attend non partner provider playgroups often only stay on the committee for a year as they move their child to a partner provider when their child is three years old so they can get their funded 600 hours of ELCC;
  - 3.8.3 Parents increased awareness of individual members of the management committee being personally liable if the playgroup is an unincorporated association. If playgroups legal status is changed to an incorporated organisation this will help to recruit management committee members;
  - 3.8.4 The increasingly onerous duties of management committee members and lack of training to help them to take on these duties. There is a need for training to be run at the start of the year when new management committee members adopt their roles. There are discussions with EVOG about how training can be delivered in partnership.

## **Constitutions**

- 3.9 Voluntary playgroups who are members of Early Years Scotland use their constitution for playgroups. Many playgroups are not using the most up to date constitution. It is often outdated and inappropriate, making it difficult to understand and adhere to. Some management committee members lack understanding about the process of adopting and altering a constitution and that it is a legal document once adopted. Playgroups need support to ensure that the constitution they are using is up to date and appropriate for their needs. Training of management committees needs to include information about constitutions.

## **Qualifications**

- 3.10 The requirement for managers in day care of children services from the 1<sup>st</sup> of December 2011 to have or be working towards the Childhood Practice Award has meant that many managers in playgroups will be required to undertake the BA in Childhood Practice or equivalent qualification. Some managers have made the decision not to do the qualification and resign when they have to re-register with the SSSC. Many playgroups are concerned that because staff are historically poorly paid in comparison to the local authority and private sector, they may find it hard to recruit a qualified manager. An area where playgroups could cooperate is to employ a peripatetic manager working across two playgroups that are geographically close together.

## **Training and access to resources**

- 3.11 Partner provider playgroups can access support from Quality Improvement Officers and peripatetic teachers because they are in contract with the council to deliver ELCC over 600 hours. They can also access the Council's resource centre. Currently, non partner provider playgroups are not able to access these resources. However, with the support of the EYSDO, a plan is being developed for non partner provider playgroups to be able to access the council resource centre and free training delivered by peripatetic teachers and Early Years Strategic Development Officers. The voluntary playgroups can access one free space on the Council's Continuing Professional Development courses which has enabled them to undertake training which they would not have been able to afford. A benefit of them working more cooperatively would be that they could share the cost of training. With the increased expectations of Education Scotland and the Care Inspectorate, both partner and non partner provider playgroups need access to training and support in order to provide good quality ELCC.

## **Planning and observations**

- 3.12 The Children and Young People (Scotland) Act 2014 increased a child's entitlement to ELCC for three and four year olds from 475 hours to 600 hours per year. With the increase in hours, partner providers find it hard to find time to do additional tasks, for example observations of children, planning and completing personal learning profiles. Although this issue has been raised by staff across all Early Learning and Child Care establishments, playgroups generally operate from community buildings which mean staff have to set up and put away play equipment every day. This is an added pressure on staff time. Also, because voluntary playgroups are a charity and have less available funds, staff generally are not paid for many additional hours above those that they are employed to work in the playgroup.

## **Pensions**

- 3.13 Due to the law on work place pensions changing in October 2012, the voluntary playgroups are now legally required to automatically enrol certain staff in to a pension scheme and make contributions. They need to assess all their staff to ascertain if anyone needs to be automatically enrolled in to a pension scheme on their staging date or if staff have the right to opt in or to join the pension scheme. Therefore, playgroups will need to seek independent financial advice in order to set up a pension scheme. Failure to comply with the new legislation could incur a fine. A significant area of support provided by the EYSDO over the last year has been raising awareness about the change in the law on work place pensions. The EYSDO organised training delivered by an independent financial adviser and plans to organise further training. Playgroups require ongoing support to fulfil their legal obligations with regards to providing a work place pension.

## **Building issues**

- 3.14 Some of the voluntary playgroups are operating from a range of community premises that are not fit for purpose. The council have funded improvements to some of the council buildings that the voluntary playgroups operate from. In response to building issues raised by some of the playgroups, the EYSDO liaised with Corporate Property and Services for Communities to facilitate outstanding repairs being completed. The EYSDO also liaised with Services for Communities and Edinburgh Scientific Services to establish Legionella testing and an asbestos register after some playgroups raised concern that regular Legionella testing was not happening and they did not have an asbestos register. The EYSDO plans to support one of the playgroups to explore alternative premises after services for communities raised concern about the poor state of the building.

## **Playgroup grant**

- 3.15 Non partner provider playgroups can apply annually for the small playgroup grant to help towards the cost of running the playgroup. For playgroups to qualify for the grant they must have a minimum of eight children attending and provide good quality early learning and child care as reflected in the Care Inspectorate grades. Applications need to be submitted by the end of February and if successful grant payment will be made by quarterly instalments. To ensure that the playgroup grant can be used to support smaller playgroups, organisations that provide a wider range of services will no longer be able to apply however they can choose to apply for funding through the new Children and Families Grant Programme 2016-2019. Organisations that will be affected by this change have been notified.

## **Nursery Application Management System (NAMS)**

- 3.16 In August 2014, partner providers, including voluntary playgroups were required to use the Nursery Application Management System (NAMS) to record all children who were on the waiting list and who had started their funded place in playgroup. Some playgroups have complained about the additional administrative burden this has placed on them. Playgroups have managed this by either the manager or a member of the management committee recording the data on NAMS or by employing a business manager or increasing the hours of the existing business manager to do it. Consideration is being given to paying the partner provider playgroups an administration fee to support them with NAMS.

## **Closure of playgroups**

- 3.17 In December 2014, a partner provider playgroup was jointly inspected by Education Scotland and the Care Inspectorate. They were awarded four adequate grades by the Care Inspectorate and two satisfactory grades and three weak grades by Education Scotland. Quality Improvement Officers, Early Years Strategic Development Officers and a peripatetic teacher provided support to improve their grades to enable them to remain in partnership. Unfortunately, they were unable to improve their grades within the time scale and partnership status



was withdrawn. The playgroup made the decision that it was not viable to continue as a non partner provider due to lack of numbers and closed the playgroup at the end of June 2015.

- 3.18 In May 2015, a non partner provider playgroup received two good grades and two weak grades at their inspection by the Care Inspectorate. Staff advised that they had not completed qualifications in order to meet their conditions of registration with SSSC. The development officer offered them support to address the issues raised by the Care Inspectorate and explored different options. However, staff wanted to reduce the playgroups hours to less than two hours so they no longer had to be registered with the Care Inspectorate or SSSC. They held an Emergency General Meeting and parents voted for the playgroups hours to be reduced to less than two hours.
- 3.19 A partner provider playgroup received four weak grades at their Care Inspection in March 2015. The Quality Improvement Officer, Early Years Managers and development officer offered intensive support but despite this all the staff resigned just before the end of term in June. Some of the management committee members stepped down and despite difficulties with recruitment they managed to recruit a chairperson, treasurer and secretary. This new management committee were unable to recruit a new staff team despite the EYSDO supporting them with the recruitment process. They held an emergency general meeting to discuss the future of the nursery and are not currently registering new children.
- 3.20 The council built a new nursery in the campus of Fox Covert Primary schools. Fox Covert Nursery held an Emergency General Meeting and parents voted to close the nursery. A successful outcome was that most of the staff were transferred over to work in the new nursery under the transfer of undertakings (Protection of Employment) Regulations 1981(TUPE). The good practice from the voluntary nursery will continue in the new nursery.

### **Affordable Early Learning and Child Care**

- 3.21 Most of the playgroups offer sessions in the mornings but some provide morning and afternoon sessions. A number of playgroups have started to offer wraparound in the mornings and at lunchtimes and transport the children to another establishment in the afternoons which provides parents with affordable childcare. This has enabled some non partner providers to be more financially sustainable.

### **Future sustainability**

- 3.22 Non partner providers have raised concerns about the impact of the provision of early learning and childcare for eligible two year olds on attendance at playgroups. As they predominantly work with two years olds, this impacts more significantly on non partner providers. The council have been able to fund places for eligible two year olds in two partner provider voluntary playgroups on a trial basis at the parent's request.

- 3.23 With the political agenda to further increase the funded 600 hours of early learning and childcare, voluntary playgroups have highlighted concerns about the impact this will have on them. As playgroups predominantly operate from community buildings which are shared with other user groups they may not be in a position to extend the opening hours of the playgroup. Further consideration is required to address this issue.

## Measures of success

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- 4.1 Cooperative working is established amongst the voluntary playgroups in each of the four localities.
- 4.2 An annual time table of training for management committees is established, enabling management committee members to feel more confident to take on their committee roles.
- 4.3 Voluntary playgroups are supported to change their legal status to incorporated organisations.

## Financial impact

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- 5.1 All the proposed recommendations will be met from within the existing Early Year's budget.

## Risk, policy, compliance and governance impact

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- 6.1 There is no risk, policy, compliance and governance impact arising directly from this report.

## Equalities impact

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- 7.1 There is no negative equality or human rights impact arising from this report.
- 7.2 The voluntary playgroups provide early learning and childcare to a small number of children with Additional Support Needs. Some of the voluntary playgroups are in Social Inclusion Partnership areas and help to provide affordable early learning and childcare. Many playgroups provide a break from caring for children for lone parents or parents with mental health problems. Through supporting the voluntary playgroups to continue to be sustainable we are enabling them to offer this support to families.

## Sustainability impact

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- 8.1 There is no impact on carbon, adaptation to climate change or sustainable development arising directly from this report.

## Consultation and engagement

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- 9.1 Consultation has taken place with the voluntary playgroups to seek their views on the issues affecting them and ways of addressing them.
- 9.2 Consultation took place with the voluntary playgroups involved in the pilot exploring if they would be interested in working cooperatively. Consultations will take place with the voluntary playgroups in the localities to ascertain their interest in working cooperatively.

## Background reading/external references

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### **Gillian Tee**

Executive Director of Communities and Families

Contact: Aileen McLean, Senior Education Manager (Early Stages)

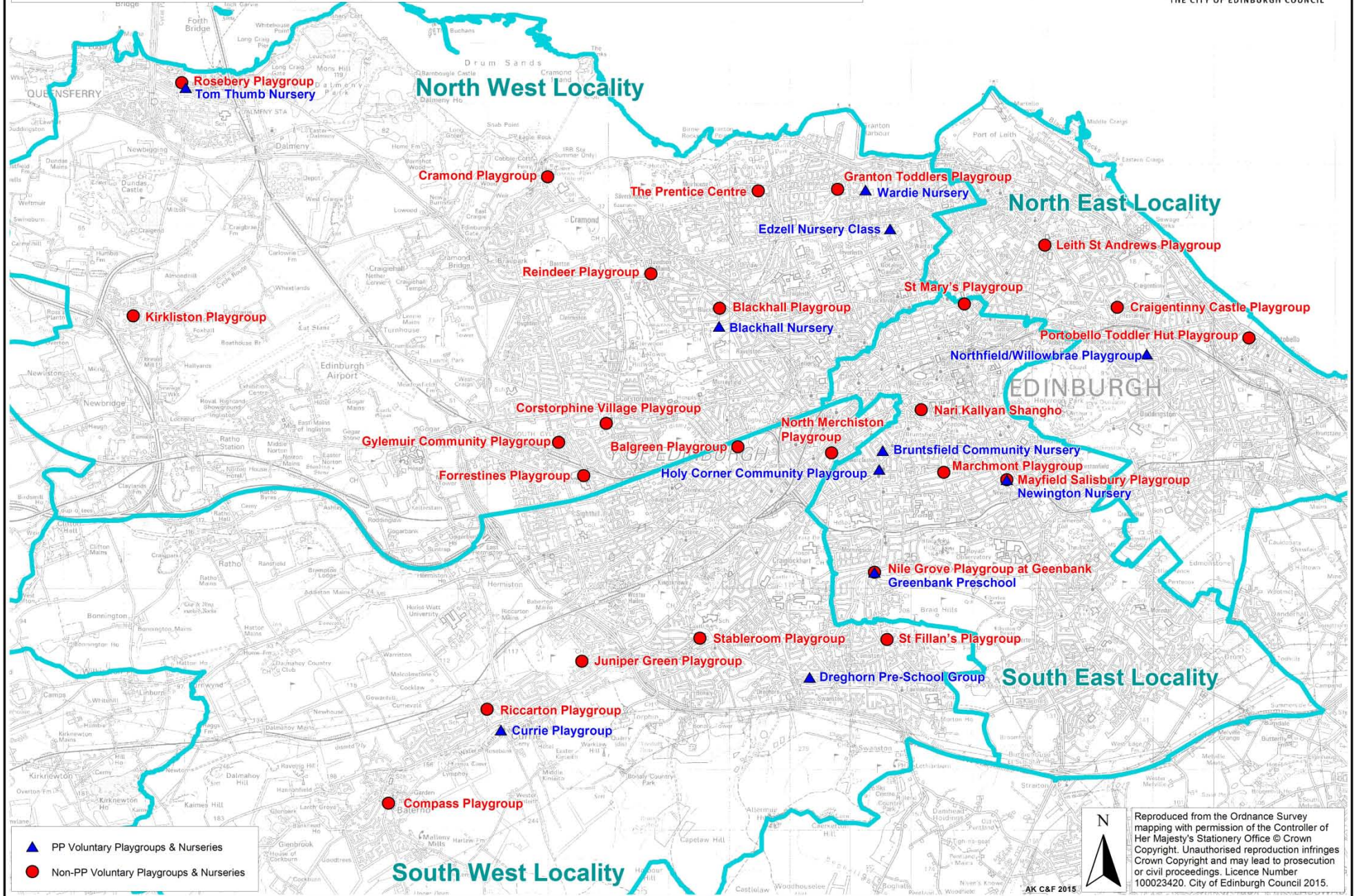
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<b>Coalition pledges</b>	<p>P1 – Increase support for vulnerable children, including help for families so that fewer go in to care.</p> <p>P6 – Establish city-wide co-operatives for affordable childcare for working parents.</p>
<b>Council outcomes</b>	<p>CO1 – Our children have the best start in life, are able to make and sustain relationships and are ready to succeed.</p> <p>CO2 – Our children and young people are successful learners, confident individuals and responsible citizens making a positive contribution to their communities.</p> <p>CO3 – Our children and young people at risk, or with a disability, have improved life chances.</p> <p>CO4 – Our children and young people are physically and emotionally healthy.</p> <p>CO6 – Our children and young people’s outcomes are not determined by poverty and inequality.</p>
<b>Single Outcome Agreement</b>	<p>SO3 – Edinburgh’s children and young people enjoy their childhood and fulfil their potential.</p>
<b>Appendices</b>	<p>1 – Education Scotland’s inspection grades for partner provider voluntary playgroups and nurseries.</p> <p>2 – Map of the voluntary playgroups and nurseries in the four localities.</p>

## Appendix 1: Partner provider Voluntary playgroups-Education Scotland Inspection Grades

<b>Voluntary Playgroup</b>	<b>Improvements in Performance</b>	<b>Children's Experiences</b>	<b>Meeting Learning Needs</b>	<b>Curriculum</b>	<b>Improvement through Self-evaluation</b>	<b>Inspection Date</b>
Blackhall Nursery	Very Good	Very Good	Good	Good	Very Good	April 2012
Bruntsfield Community Nursery	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	March 2009
Currie Playgroup	Good	Good	Satisfactory	Satisfactory	Good	March 2014
Dreghorn Pre-school	Good	Good	Very Good	Satisfactory	Good	May 2012
Edzell Nursery	The gradings not in the format that is now used as report old					June 2006
Greenbank Pre-school	The gradings not in the format that is now used as report old					February 2008
Holy Corner Community Playgroup	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory	April 2013
Newington Nursery	Good	Good	Good	Good	Satisfactory	March 2009
Northfield/Willowbrae Playgroup	Very good	Very good	Very good	Good	Good	June 2011
Tom Thumb Nursery	Good	Very good	Very good	Good	Good	March 2015
Wardie Nursery	The gradings not in the format that is now used as report old.					June 2006

**PP & Non-PP Voluntary Playgroups & Nurseries With The 4 Localities**



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