

Deputations

City of Edinburgh Council

10.00 am Thursday, 27th May, 2021

Virtual Meeting - via Microsoft Teams

Deputations

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Chief Executive

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CITY OF EDINBURGH COUNCIL

Item No 3

THE CITY OF EDINBURGH COUNCIL

27 May 2021

DEPUTATION REQUESTS

Subject	Deputation
3.1 In relation to Item 7.1 on the agenda - Motion by Councillor Mary Campbell - Deferred Start Funding - referral from the Education, Children and Families Committee	Give Them Time Campaign Group (written submission attached)
3.2 In relation to Item 8.4 on the agenda – Motion by Councillor Corbett - Bridges and Investment in Craiglockhart and Colinton Dells	Craiglockhart Community Council (written submission attached)

Give Them Time: Deferred Start Funding



Introduction/ motion

The Give Them Time Campaign group would like to make a deputation to the City of Edinburgh Council full council meeting on 27th May 2021 in relation to an item of business on the agenda pertaining to Councillor Mary Campbell's motion on discretionary deferral funding (deferred start funding).

Campaign aims/ calls to action

We are asking the City of Edinburgh Council to fund all discretionary deferrals this year, with specific consideration of the added impacts of the Covid-19 pandemic and subsequent restrictions as evidenced by multiple research publications (4)(5)(6)(7). The Jan 2021 law change will be fully rolled out in 2023 ending the postcode lottery of funding for deferrals as well as the stressful, often distressing and hugely time consuming process that some parents, particularly those in Edinburgh experience. Local Authorities have the power to fund discretionary deferrals now - they have the ability to prioritise this and some already have e.g. Falkirk and Highland (neither of these councils is part of the Scottish Government's pilot programme this year and many others have a history of funding all applications even though they do not have an official policy of doing so (almost 2/3 of council areas in 2020-2021 – see 'Supporting Evidence' doc).

Furthermore, we are asking the authority to change their policy in advance of the law change to ensure a child centred, transparent, consistent approach to meeting the health, wellbeing and education needs of all children aged 4yrs old living in Edinburgh who need more time in an Early Learning and Childcare (ELC) setting before transitioning to school at age 5yrs old. This change of policy needs to include premature born babies. Any child with a due date between August and December who was born early should automatically receive deferral funding also. This is because there is clear evidence that many premature babies need more time to develop compared with their peers born on or around their due date (see attached letter from Bliss in the 'Support Evidence' doc).

It is critical to reflect on the impact that Covid-19 has had on all of our lives, that 2021 is both the Year of Childhood - a campaign created and promoted by our Children's Parliament - as well as the unanimous agreement to embed the UNCRC into Scottish legislation which will force a change of practice in all local authorities in matters similar to the unfair deferral funding policies currently in place. We are urging Edinburgh to be proactive - don't wait for the legislation - invest in our children for short and long term benefits not only in relation to health and education but also for the wider economy and societal development.

Statutory guidance and relevant policies

As it stands, the City of Edinburgh Council's current policy and practices appears to contravene section 2.4 of the ADES Pre-Fives Sub Committee Guidance on Deferrals to Primary Education document which local authorities are bound to follow under section 3.8 and 3.9 of the Standards in Scotland's Schools ETC. Act 2000, Section 34: Guidance on Pre-School Education (1). Section 2.4 of the ADES document states that "*Some children were simply not ready for primary school. They should not have to prove any kind of educational or psychological deficiency in order to be considered for a deferred pre-school place*". The experience of parents living in Edinburgh reflects that children are only selected as eligible if they have particular characteristics that appear to be subjectively identified by Council officers.

Furthermore, the response this year and that of previous years appears to breach policy guidance as per *The Provision Of Early Learning And Childcare (Specified Children) (Scotland) Amendment Order 2020: business and regulatory impact assessment (2)*, which clearly states that the decision to defer should be 'based on the wellbeing of the individual child and not based on their access to early learning and childcare'. Parents are often told by Council employees of various professional pay grades that discretionary deferral is typically granted on the basis of the child having additional support needs or serious medical needs. Again, this defies policy and legislation in terms of UNCRC as well as Statutory guidance on ELC (3) as highlighted "*Education authorities' decisions about the provision of discretionary funded early learning and childcare should be separate from their considerations about children's additional support needs and the support that they may need. In relation to children with additional support needs (including those children with additional support needs arising from a disability within the meaning of the Equality Act 2010 ("the 2010 Act"))*"

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Evidence

Data to consider includes the UNICEF report published in 2020 (8) ranking the UK 29th out of 38 countries for child mental health; sitting in the bottom third of the worst countries for this area of children's and young people's lives. This concurs with statistics demonstrating the growing prevalence of childhood diagnoses of mental ill health. It is worth noting that those countries reporting the greatest mental health and wellbeing outcomes for children have older school starting ages. There is also indisputable data regarding the benefits and the imperative for outdoor play for children as the foundation of learning until the age of 8yrs old and our Freedom of Information requests reflect that Edinburgh does not guarantee this for every child in P1.

Evidence from Freedom of Information requests spanning the last 7 years clearly reflects that Edinburgh fails children and families as a result of funding significantly fewer discretionary deferrals than the rest of Scotland (see figure 2&3). Comparing Glasgow City Council with City of Edinburgh Council (in terms of population size) reflects that on average Glasgow spends more per pre school child than Edinburgh. This is on top of the fact that 4yr old children living in Glasgow have a significantly higher chance of accessing discretionary funding than a similar child living in Edinburgh (see figures 4-8). Surrounding authorities: East Lothian and Scottish Borders both fund 100% of discretionary deferrals. East Lothian in particular have made an active policy decision in response to constituents/parents working with the authority. **Last year Edinburgh authorised 97% of discretionary deferrals in recognition of Covid-19 impacts. It could be argued that this year the impacts are worse** with a longer lockdown and more deaths, hospitalisations and infections. Therefore this lack of consistency reflects poorly on the rights and needs of children in terms of GIRFEC and UNCRC.

Falkirk Council began funding 100% of deferral applications in 2018 for all children regardless of birth month when they are 4yrs old before the start of school term. It is worth noting that Falkirk Council are amongst a few authorities who spend the most per child during their pre school years. Last year 20 local authorities funded 100% of discretionary deferral applications. The number of authorities changing their practice and policy since our campaign began has increased year by year (see 'Supporting Evidence' doc).

When a local authority rejects a discretionary deferral application, funding is still provided to this child via primary school from the same budget it would have paid for the deferral year. A year of primary school for a 4yr old child in Scotland costs more than one year funded ELC. **It therefore can be concluded that deferral funding is a more cost effective use of an annual budget.** The extra funding for a child that is deferred is not realised until that child is in secondary school 13 years later, and only if that child chooses to stay until 6th year. **In terms of best value it appears ludicrous that the authority would choose to force 4yr olds into P1 with the requirement (in some cases) of significant additional support (1:1), thus increasing spending, time and resources on this for a setting that is already more expensive.** ELC settings with smaller staff to child ratios permit safe and child centred practices that will meet the child's needs. Parents and children do not want additional support when this is not required; they want more time in the setting most conducive to their needs. **Funding deferrals is not only more cost effective it is GIRFEC and UNCRC compliant.**

Since our campaign began, parents and professionals living in Edinburgh have consistently contacted us relaying similar experiences and views: that they are completely unsatisfied by the policy and practice of the authority not only in meeting children's needs but in terms of how they engage with parents and their view and value of ELC professionals. Where parents can afford to pay, they cannot even use their legal right to self-fund as Edinburgh prevents parents from doing this (see figure 9). (Please see quotations in the 'Supporting Evidence' doc about the experiences of both). This year in particular there has been huge support for parents applying for funding from professional experts on child development and early years including health visitors, early years practitioners, managers and allied health professionals. **To ignore these professionals' views and recommendations is to breach policy and guidance in relation to GIRFEC and UNCRC. There is no other situation where a professional's views would be ignored (for example child protection). Why is this acceptable at Edinburgh Council?**

Our campaign gained cross party support at national level from the outset. However, what parents, families, citizens and communities need to see is local government responding to local needs. We want to see a local government that works for the people. It would appear unethical and undemocratic to refuse the request of local constituents on this matter especially given the critical importance of the early years, education, the rights and needs of children and the longer term outcomes of children as they transition through to adulthood. Professor Heckman has clearly evidenced that investment (financially) in early years pays dividends across the lifecourse of the child with multiple impacts on society and the economy in a beneficial way (9). Please don't preside over a decision that results in 4yr old children

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being forced to school against parental and/ or professional concern, particularly when the majority of concerns centre on emotional/ mental and social health and wellbeing. **Give children time to thrive, develop and learn in the environment most conducive to meeting their needs and let parents use their legal responsibilities and rights to decide this.** Do not allow the continuing inequalities to be perpetuated for another two years by only permitting those who can afford to defer to use private and voluntary ELC providers at their own expense to fund this.

Key points:

- **Pushing 4 year old children into a formal school environment before they are ready will be severely detrimental to their mental health and wellbeing**
- The science is clear – if we try to teach children before they are ready, it will damage their education for life and all evidence points to the fact that children should not start school so early.
- Many nursery children have missed out on large chunks of their early level education due to lockdown and continue to be impacted upon in different ways through this pandemic. **Many opportunities for social and emotional development have been severely curtailed and this must not be ignored.**
- Automatic funding will be awarded by law by August 2023 - why wait for this enforcement? Most other councils are doing so automatically with no arguments, no stress to parents and no waste of time for anybody.
- What about the rights of children and GIRFEC for the next 2 years? Do these children not count?
- The postcode lottery of discretionary deferral funding is ultimately forcing some parents to send their child to school in Edinburgh despite feeling concerned about their ability to cope. All families should have the right to make decisions based on what they feel is in the best interests of the child, without the financial barrier. **It should be about what is best for the individual child, not which local authority they live in.**
- How can a panel make such life changing decisions about a child when they have never met them, not least had a discussion with the parents and/or nursery?
- Why is Edinburgh Council choosing to ignore the professional viewpoints of nurseries and parents and refuse funding?
- There is no recognition of the needs of premature born children, especially those where their original due date would have put them in the 'eligible' criteria for deferral funding.
- **By pushing children into formal education before they are ready, Edinburgh Council is setting them up to fail.**

Contact Us

If you have any questions on the information provided, please do not hesitate to contact the Give Them Time campaign by emailing givethemtime.scot@gmail.com. Further information on the Give them Time campaign is available here: <https://givethemtime.org/>

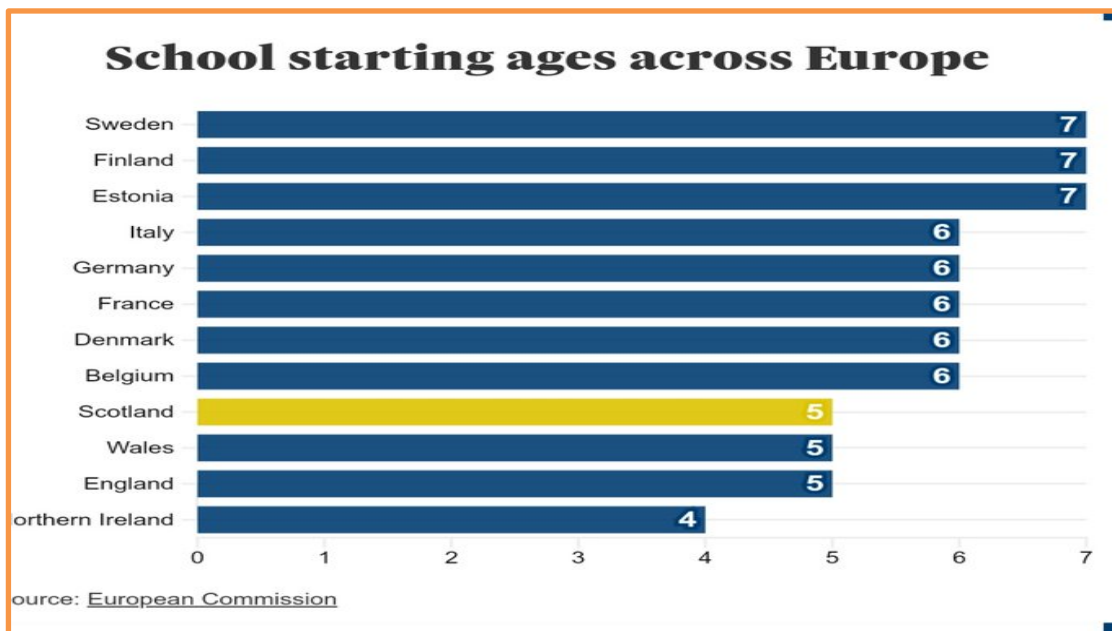
References

- (1) <https://www.gov.scot/publications/statutory-guidance-standards-scotlands-schools-etc-act-2000-9781786528759/>
- (2) <https://www.gov.scot/publications/provision-early-learning-childcare-specified-children-scotland-amendment-order-2020-final-business-regulatory-impact-assessment/?fbclid=IwAR1GJaldr7gle2WqS9oKQq-nfuZWHor2YrUH7sw3zpADLhJC2C8Cx5JdpkQ>
- (3) <https://www.gov.scot/publications/report-covid-19-children-young-people-families-october-2020-evidence-summary/pages/8/>
- (4) <https://publichealthscotland.scot/media/2881/the-impact-of-covid-19-on-children-and-young-people-2-4-year-olds-nov2020-english.pdf>
- (5) <https://cypcs.org.uk/coronavirus/independent-impact-assessment/pandemic-impact-children-young-people-child-protection-child-hearings-care/>
- (6) <https://www.scotpho.org.uk/comparative-health/coronavirus-covid-19/covid-19-wider-impacts/>
- (7) <https://downloads.unicef.org.uk/wp-content/uploads/2020/04/Unicef-UK-Children-In-Lockdown-Coronavirus-Impacts-Snapshot.pdf>
- (8) <https://www.unicef-irc.org/publications/pdf/Report-Card-16-Worlds-of-Influence-child-wellbeing.pdf>
- (9) <https://heckmanequation.org>



Supporting Evidence

Figure 1:
School starting ages across Europe



Figures 2 and 3 (Glasgow and Edinburgh City): Discretionary deferral applications, number of applications, total funded granted and the overall percentage (Source: FoI requests to both local authorities)

GLASGOW			
Year	Number of Requests	Total Number Granted	Percentage
2013-2014	105	99	94%
2014-2015	96	79	82%
2015-2016	69	64	93%
2016-2017	64	57	89%
2017-2018	72	72	100%
2018-2019	83	83	100%
2019-2020	88	81	92%
2020-2021	168	156	93%
Average	93	86	93%

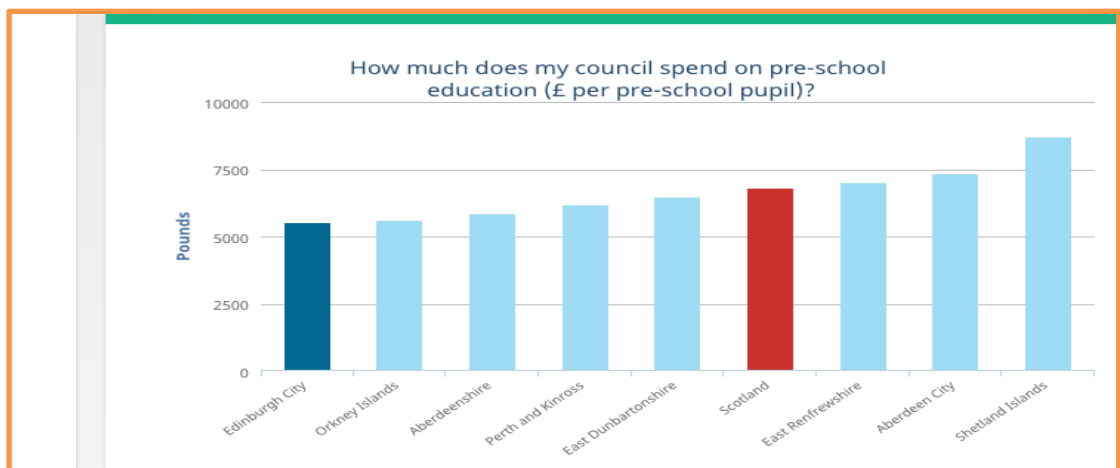
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EDINBURGH CITY			
Year	Number of Requests	Total Number Granted	Percentage
2013-2014	89	58	65%
2014-2015	80	45	56%
2015-2016	93	57	61%
2016-2017	105	51	49%
2017-2018	118	56	47%
2018-2019	87	43	49%
2019-2020	97	59	61%
2020-2021	118	115	97%
Average	98	61	61%

(Source: Glasgow City Council and City of Edinburgh Council via FOI)

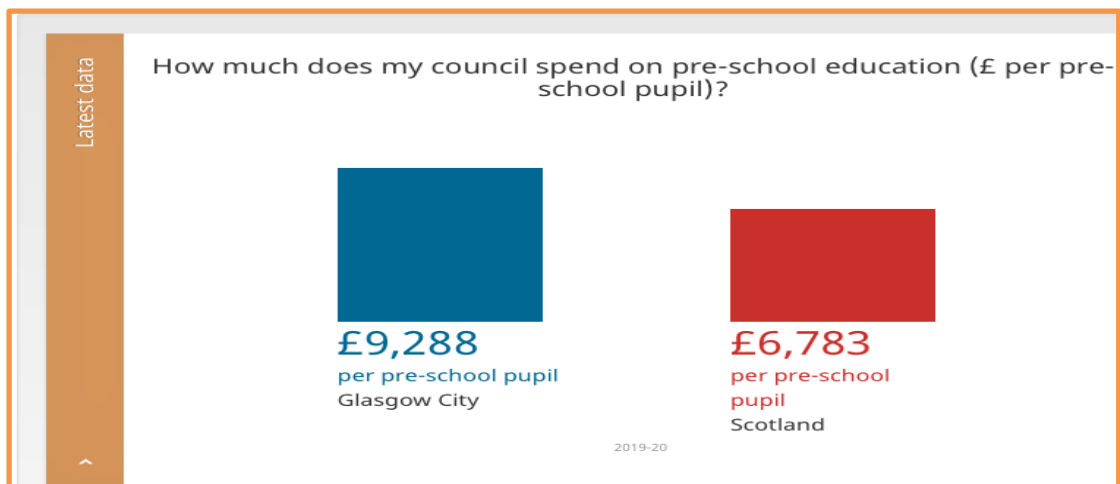
A comparison of the contrasting processes for applying for deferral funding in Glasgow and Edinburgh can be read in this article written for Sceptical Scot: [Tale of Two Cities \(and a large town\)](#).

Figure 4: Spending per pre-school pupil comparisons similar local authorities



of

Figure 5: Cost per pre-school pupil Glasgow vs. Scotland



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Figure 6: Cost per pre-school pupil in Edinburgh vs. Scotland

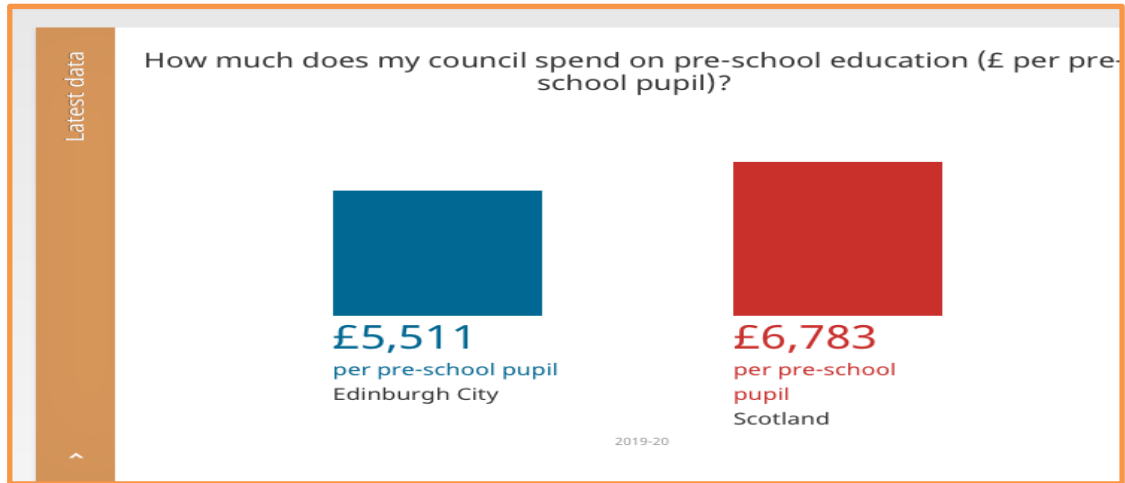


Figure 7: Cost per pre-school pupil in Falkirk vs. Scotland

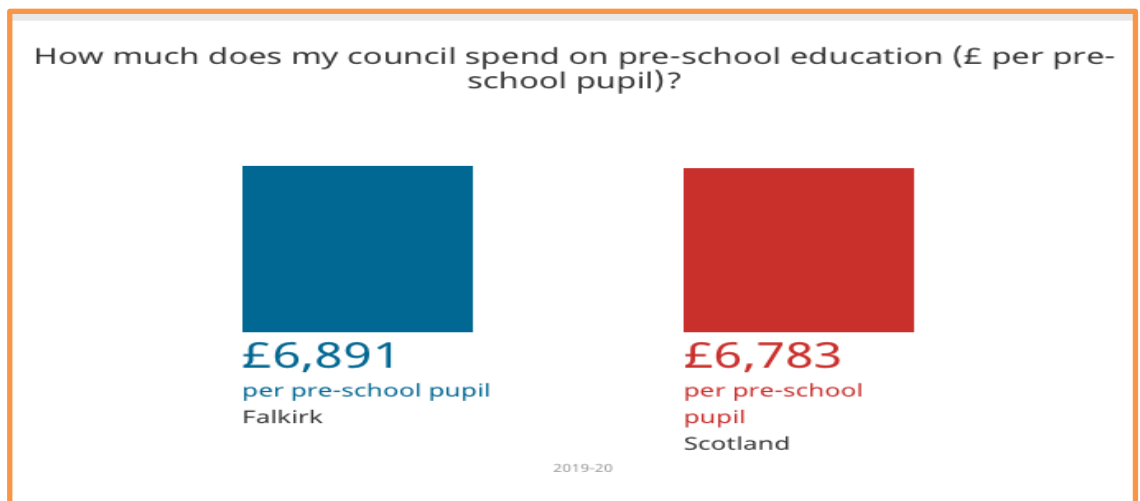
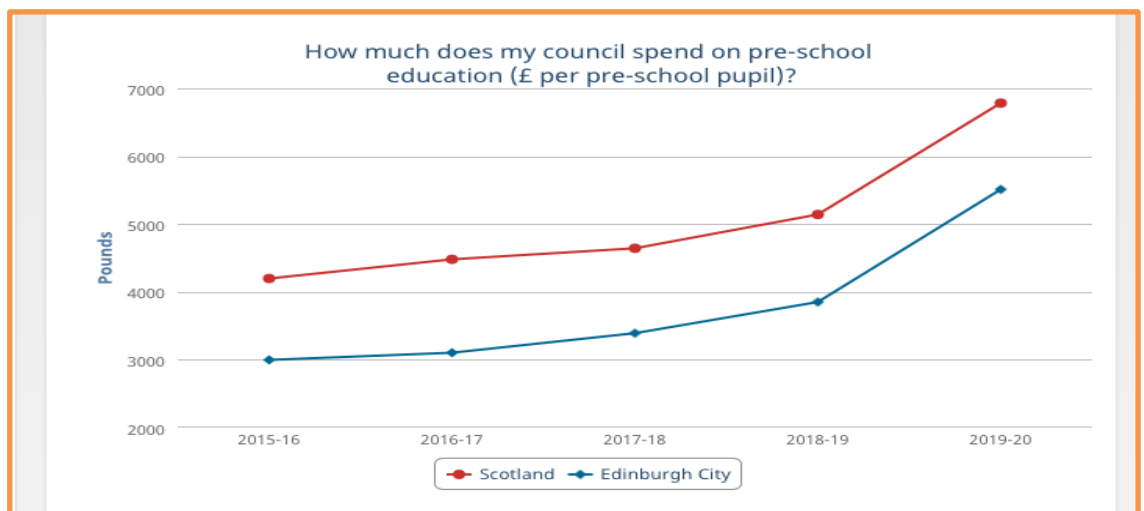


Figure 8: Changing costs over time Edinburgh vs. Scotland per pre school pupil



(Source: <https://www.improvementservice.org.uk/benchmarking/explore-the-data>)

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Figure 9: Local Authorities who permit parents to self fund a deferral.

(Source: Fol requests to all local authorities)

	Council	Do you permit parents to self-finance a place (subject to availability) in a council nursery after a discretionary deferral funding request has been refused?
1	Falkirk	All discretionary funding requests for children legally deferring p1 are automatically granted in Falkirk Council
2	Highland	All discretionary funding requests for children legally deferring p1 are automatically granted in Highland Council
3	Angus	Most likely free
4	Renfrewshire	Most likely free
5	East Ayrshire	Most likely free
6	Orkney	Most likely free
7	Moray	Most likely free
8	South Ayrshire	Most likely free
9	West Dunbartonshire	Most likely free
10	North Lanarkshire	No
11	Aberdeen City	No
12	Aberdeenshire	No
13	Argyll & Bute	No
14	Dumfries & Galloway	No
15	Fife	No
16	North Ayrshire	No
17	Perth & Kinross	No
18	Scottish Borders	No
19	East Lothian	No
20	Edinburgh	No
21	West Lothian	No
22	Dundee City	Yes
23	East Dunbartonshire	Yes
24	East Renfrewshire	Yes
25	Glasgow	Yes
26	Shetland	Yes
27	Stirling	Yes
28	Inverclyde	Yes
29	Comhairle nan Eilean Siar	Yes
30	Clackmannanshire	Yes
31	Midlothian	Yes
32	South Lanarkshire	Yes

Further evidence of regional discrepancies can be viewed on the [Evidence page](#) of the Give Them Time campaign's website.

ADDITIONAL EVIDENCE: DIRECT QUOTES FROM EDINBURGH PARENTS VIASURVEY MONKEY (2019 – PRESENT DAY)

Question: Please provide a brief summary of your experience of deferral?

QUOTES FROM PARENTS

- "I was made to feel that I was being very awkward"
- "Nursery seemed a bit confused about what to do with the forms"
- "The child ended up redoing primary 1"
- "It was a lengthy process and it seemed as though it really had to be justified to get funding despite it being clear that our child really needed to defer. As parents we felt like it was a little bit of a lottery!"
- "Granted on appeal, very stressful ordeal"
- "Not enough info available"
- "Felt like it didn't matter what I said on my form- Edinburgh Council were never going to pay for an additional year. The nursery were fully supportive of our application"
- "I researched a lot of the information about deferral myself. I felt lucky that with a February birthday it was a straightforward process to get funding/deferral. It was definitely the right decision for my child."

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- *“My son has very complex needs with a December birthday we applied to defer and was refused. Thankfully on appeal we were granted. There was no way my son was in no way ready to manage school”*
- *“Staff at Council nursery strongly supported the deferral application on the grounds that the child was not ready to thrive at school. Very hard to find definitive guidance, especially about the legal position. The panel disregarded evidence and said the child’s needs could be met in school, but this would have been impossible given the nursery head’s view of the importance of continued higher child to adult ratio and unrestricted free play”*
- *“Stressful!!!!”*
- *“I had to gather information/evidence from healthcare professionals & it was a stressful process “*
- *“Our school nursery are very vague on the process of discretionary deferral as they have never supported a family through this before. They can't tell me if we need them to tick a box to say they will support our application as they have not seen the forms yet as they are not available until January. It's hard to find all the information we need.“*
- *“The assessment is made without meeting the child and disregards medical input. The decision appears to be made on financial basis rather than what is right for child. It’s also miss leading. Refusal to grant funding does not mean child has to go into P1, it means council won’t provide funding for a private nursery place or a place in council ran nursery. This means parents can Still defer but need to fund full cost themselves. That’s not clear. I have no doubt my child would have been the naughty kid who couldn’t keep up and acted out due to lack of attention. Failure to listen to professionals including NHS workers advising on deferral will lead to children out of their depth in a system that might promise increased support but has no way of providing it.”*
- *“Felt like the first application was an automatic denial without considering the child/facts. Letter back from the council was poor: addressed to the wrong person, ambiguous in it’s content, reasons seemed the standard spiel, LA contact details were incorrect. Appeal then submitted and the response was much more personalised and we felt ‘heard”*
- *“No mention from council school nursery as an option or consideration, disappointing considering our child was barely speaking due to ear problems. It was GP who suggested this route & we followed it up. Once we knew about it, we had no problem getting it authorised, however, child was a February birthday”*
- *“I felt like my daughter was just a number. No personalised response acknowledging my concerns and offering help. I felt the council/head teacher did not give my daughter any consideration“*
- *“It's clear that *** fundamentally disapproves of parental choice and sees it as a challenge to her authority. This goes against parental choice, economic parity and GIRfec. Its very shady and her motivations must be examined.”*
- *“For my daughter, she is very small for her age and requires 1:1 support to ensure she eats and finishes her meals; without this our experience is she eats very little and loses weight. With 1:1 support in place her weight has increased from 29lbs to 32lbs in 3 months this year, We are fearful of this suddenly being removed in August as when 29lbs (an average weight for a 2 not 4 year old) our daughter was very lethargic and anaemia she couldn’t make it through the nursery day without nap and cuddle time.”*

QUOTES FROM PROFESSIONALS

- *“....Perhaps the most vexing part of involvement in the deferral of a child is the feeling of dismay when my professional assessment and knowledge is over-riden by a panel who do not know said child, nor have they ever met or worked with the child YET their say-so makes the decision which has life-long consequences...”*
- *“21st century research clearly evidences that a later start to formal schooling is best for children, but Edinburgh – unlike some other Las- appears to be reluctant to automatically award funding for Mid-Aug-Dec birthdays. Why?”*

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- *“When outdoor learning, movement, independence, conversation, collaboration, co-operation, are all deemed to be pre-cursors to more formal learning why oh why do parents and nursery staff have to jump through hoops to try to get funding for our very youngest children? P1 cannot do what nurseries can – at least until P1 and P2 become part of a kindergarten stage”.*
- *“Fight for deferral funding is one of the most exhausting and demoralising experiences of my teaching career. I am made to feel my professional opinion is worthless. If it were not so important for each individual child I would have given up and used my energy elsewhere.”*



19th April 2021

Dear Sir / Madam,

Prematurity and starting school

Every year in Scotland more than 4,000 babies are born premature (before 37 weeks gestation). Many of these babies will be admitted to neonatal care for specialist treatment. The challenges that these babies face do not always finish when they go home. Attention-span, coordination or simply their smaller stature can all be significant issues for a premature child. For some children this means they are simply not ready to start school at the same time as their peers.

Due to being born premature, some children will be born into the 'wrong' school year. This means they become eligible to start school in the academic year prior to the year they would have become eligible had they been born around their due date.

For premature children it is more appropriate to assess their developmental age on their expected, rather than actual date of birth. In many cases they have yet to fully develop the social and cognitive skills needed to start school by the August when they are only 4 ½ years old, and may benefit from another year of Early Learning and Childcare to support the transition.

Central to the values and principles of the Getting It Right For Every Child (GIRFEC) approach is the need to “ensure that the child - and their family - is at the centre of decision-making” and that any decision “takes into consideration the wider influences on a child or young person and their developmental needs when thinking about their well-being, so that the right support can be offered.” More information on this can be found on the Scottish Government website.

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The Scottish Government has already recognised the benefits of supporting the choice to defer children with August – December birthdays. By August 2023, all families will be able to access a further year of Early Learning and Childcare provision if they want their child to defer entry to primary school.

I would ask you to look favourably on this request to provide a further year's Early Learning and Childcare funding to a premature child. Families do not make the decision to postpone their child's school start lightly. They do so because they have genuine concerns for their child and how he or she will cope. I hope the information above, together with the guidance in GIRFEC and supporting information from their parents, enables you to come to the right decision for this child.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Caroline Lee-Davey', written in a cursive style.

Caroline Lee-Davey

Chief Executive, Bliss

24 May, 2021

Deputation from Craiglockhart Community Council in support of the Motion by the Green Group

Bridges and Investment in Craiglockhart and Colinton Dells, Water of Leith

Craiglockhart Community Council fully supports this motion.

- The Water of Leith is an iconic asset “a silver thread in a ribbon of green” flowing through Edinburgh.
- COVID 19 has increased the pressure on shared public outdoor space in Edinburgh.
- There is an urgent need for investment in Craiglockhart and Colinton Dells due to bridge and path failures over the last few years.

While the local community stands willing to help through volunteering and fundraising, it is hope that despite tight budgets, CEC will show a similar commitment.

Craiglockhart Community Council would ask that you support this motion.

Peter Mavor
Chairperson
Craiglockhart Community Council