

City of Edinburgh Council

10.00am, Thursday 27 May 2021

Motion by Councillor Mary Campbell - Deferred Start Funding – referral from the Education, Children and Families Committee

Executive/routine Executive
Wards
Council Commitments

1. For Decision/Action

- 1.1 The Education, Children and Families Committee has referred the motion by Councillor Mary Campbell to the City of Edinburgh Council as the terms of the motion called for expenditure which was not included in the annual revenue budget for financial year 2021/2022.
- 1.2 The City of Edinburgh Council is asked to note that the outstanding terms of the motion was accepted by the Education, Children and Families Committee.

Andrew Kerr

Chief Executive

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Referral Report

Motion by Councillor Mary Campbell - Deferred Start Funding

2. Terms of Referral

2.1 On 18 May 2021, the Education, Children and Families Committee considered the following motion by Councillor Mary Campbell.

Motion

- 1) To note that each year a number of families whose children were due to start school before the age of five contacted the Council to seek to defer the start of primary school for a year and to secure funding for a further year in a pre-school setting. Children who were not five until the following January or February would automatically receive government funding for a deferred year if they so applied, but that those whose fifth birthday fell August to December were funded on a case by case basis by the Council.
- 2) To note the forthcoming change which was planned in deferred places funding for children starting primary school, which meant that from 2023, children born from August to December would also be able to get deferred early learning and childcare places funded by the Scottish Government.
- 3) To note that under previous deferred places rules, Edinburgh had a large number of deferred places applications, and that the forthcoming change that was planned might increase pressure on early years places.
- 4) To agree that in light of the pending changes to deferrals, Committee requested a report, by December 2021, on the preparations that were needed to build capacity for this change, with a specific focus on how to level the application playing field so that the Council could ensure that the children who were most in need of a deferred start were encouraged to apply.
- 5) To agree to refer onto the City of Edinburgh Council to allow for their consideration the request that for the August 2021 intake, the unique circumstances of the year past and the level of applications for deferrals from parents concerned that their children have not been able to develop as well with so much time spent out of nursery; and so agreed to fund any non-granted requests from those families who have already applied for term

2021/2022; committee notes that this number will be known for certain after the appeals committee meets on the 13th of May, but will be fewer than 55 children.

- 6) To agree that Convener should write to the Minister for Childcare and the Early Years and COSLA to request consideration to be one of the pilot Council areas for 2022/2023, in order to learn as much as possible about the impact that would be likely, and so the Scottish Government could gain data from a large local authority with a likely high uptake rate.
- 7) To agree that the Convener of Education, Children and Families would write to the Minister for Childcare and the Early Years and COSLA to request additional legislative work to consider the circumstances of premature children, in light of evidence showing that premature birth was linked to additional learning challenges, and that premature children whose birthdays fell outside the considered deferral period, but whose expected due date would have qualified them for deferred enrolment, were put at a double disadvantage.

2.2 The Education, Children and Families Committee agreed:

2.2.1 To approve the motion by Councillor Mary Campbell.

2.2.2 To refer paragraph 5 of the motion to the City of Edinburgh Council as the terms of the motion called for expenditure which was not included in the annual revenue budget for financial year 2021/2022.

3. Background Reading/ External References

Education, Children and Families Committee of 18 May 2021 – Webcast

4. Appendices

Supplementary information on funding.

City Of Edinburgh Council

10.00am, 27 May 2021

Council Funding to Approve all Discretionary Deferral applications for an additional year of Early Learning and Childcare – Councillor Mary Campbell’s motion

Introduction

The Education, Children and Families Committee met on 18 May and agreed the majority of the Motion by Councillor Mary Campbell , apart from item 1.5 which states that the 2021-2022 applications for an additional funded year of Early Learning and Childcare for Children born August to December should be approved. This was referred to full council for a decision.

Financial Impact

For session 2021-2022, the City of Edinburgh received 106 applications for an additional year of funded early learning and childcare. The following outlines the outcome of our Discretionary Deferral process and the cost is based on the rate that will be paid to providers delivering 1,140 hours of ELC next session. (£6,177.80 + £570.00 for meals = £6,748.80)

Stage	Applications	Granted	Not Granted	Cost
Initial Panel	106	45	61	£303,696.00
Appeals Panel	30	21	9	£141,724.80
Total cost				£445,438.80

The cost of overturning the Discretionary Deferral process and granting the additional 40 applications is **£269,952.00**

(note : the 40 comprise 9 unsuccessful at appeal and 31 who chose not to appeal after being unsuccessful at the initial discretionary deferral panel)

If Council is minded to support the motion it needs to identify how the amount will be contained within the budget.

Background

If a parent chooses to defer their child's entry to P1, legislation determines whether they qualify for an additional year of funded ELC automatically, or at the local authority's discretion. For children who turn five after the school commencement date in August to the end of December, parents can still defer their entry to P1 for a year but local authorities decide whether additional

funded ELC will be made available using their discretionary powers as outlined in the Education (Scotland) Act 1980 (the 1980 Act).

The Scottish Government laid legislation in the Scottish Parliament in December 2020 which will mean that, from August 2023, all August to December born children will automatically be able to access funded early learning and childcare

Main report

Currently where a discretionary deferral application for an additional year of funded early learning and childcare is approved, the cost is met by the local authority through the early years budget. The Scottish Government funds deferrals for children born in January and February.

The assessment panel considers if the information contained within the application demonstrates evidence of an additional support need(s) that would be better supported in a nursery environment or, alternatively, able to be met in a Primary one setting. If the panel concludes that the evidence provided demonstrates the child's needs can be met in a Primary one setting, the parent is notified by letter of the decision not to grant an additional funded year at nursery. Parents can appeal this decision, and a separate panel is held to consider any appeals. This panel reviews the original information along with any additional supporting evidence that may not have been available to the original assessment panel.

Prior to 2011/12 when the current process was put in place, discretionary deferral applications for an additional year of funded ELC in Edinburgh were significantly higher and reached almost 200 per year. The introduction of a process which supports exceptional needs and recognises the GIRFEC process to evidence exceptionality reduced the number of applications and therefore the cost to the council.

Stakeholder /Community Impact

SIMD data for 40 applications not granted

SIMD Index Where 10 is the least deprived.	Number of funding applications
1	1
2	7
3	2
4	3
5	2
6	4
7	1
8	1
9	6
10	13
Total applications	40

Due to COVID 19, children have had less time in attendance at an Early Learning and Childcare setting than expected. Approximately 4,500 children are eligible to start Primary one in August 2021 and there is a potential for more families to express an additional year of nursery if funding is made available

Background reading/external references

Full Motion by Councillor Mary Campbell – item 8.1

<https://democracy.edinburgh.gov.uk/ieListDocuments.aspx?CId=143&MId=5588&Ver=4>

Scottish Government Publication “*Early learning and childcare access in deferred year: joint implementation plan*” (Dec 2020) <https://www.gov.scot/publications/funded-early-learning-and-childcare-places-joint-implementation-plan/#:~:text=We%20have%20laid%20legislation%20in,a%20deferred%20school%20start%20date>