

	<p align="center"><b>Children, Education, Libraries and Safeguarding Committee</b></p> <p align="center"><b>10<sup>th</sup> June 2015</b></p>
<p align="center"><b>Title</b></p>	<p><b>Free Early Educational Entitlement for two year olds – procurement of capital works</b></p>
<p align="center"><b>Report of</b></p>	<p>Commissioning Director, Children and Young People and Director of Children’s Services</p> <p>Assistant Director, Early Intervention and Prevention, Family Services</p>
<p align="center"><b>Wards</b></p>	<p>All</p>
<p align="center"><b>Status</b></p>	<p>Public</p>
<p align="center"><b>Enclosures</b></p>	<p>None</p>
<p align="center"><b>Officer Contact Details</b></p>	<p>Chris Munday, Commissioning Director, Children and Young People and Director of Children’s Services <a href="mailto:Chris.munday@barnet.gov.uk">Chris.munday@barnet.gov.uk</a> 0208 359 7099</p> <p>Duncan Tessier, Assistant Director, Early Intervention and Prevention, Family Services <a href="mailto:Duncan.tessier@barnet.gov.uk">Duncan.tessier@barnet.gov.uk</a> Tel: 020 8359 4504</p>

<h2>Summary</h2>	
<p>This report provides an update to the report considered by the Children, Education, Libraries and Safeguarding Committee on the 20<sup>th</sup> April 2015 in relation to the development of the free early educational offer for disadvantaged two year olds in the Borough.</p>	
<p>The report also seeks permission to enable procurement for capital works that will allow schools and other providers to deliver free educational entitlement for two year olds.</p>	

## **Recommendations**

- 1. That the Children, Education, Libraries and Safeguarding Committee authorise the procurement of capital works to enable the delivery of places for two year olds to receive free early years education. The procurement process will be conducted in line with the Council Constitution's Contract Procedure Rules.**

### **1. WHY THIS REPORT IS NEEDED**

#### **1.1 The requirement to provide free early years education for two year olds**

1.1.1 As set out in the Children, Education, Libraries and Safeguarding Committee report on 20 April 2015, since 1 September 2013 local authorities have been required to fund free early years education for disadvantaged two year olds (FEE2). The offer, funded by central government grant, is to provide 15 hours of quality childcare provision per week for the 40 percent most deprived two year olds in each local authority area. The intention is to improve disadvantaged children's social and cognitive outcomes so that by the age of 5 they are as ready as their more advantaged peers to start and fully benefit from school.

1.1.2 Barnet's strategy to increase two year old places addresses two key issues:

- a) How to increase the demand amongst parents to take up places as many parents choose not to: and
- b) How to increase the supply of two year old places across the Borough.

1.1.3 As also set out in the Children, Education, Libraries and Safeguarding Committee report on 20 April 2015, around 40% of Barnet families eligible to take up the offer have done so. The average take up across London of the 2 year old offer was 50% (Autumn 2014) compared to 62% nationally. However, Barnet's statistical neighbours have managed to secure 57%.

1.2 An area for further activity identified in the report on the 20 April 2015 related specifically to encouraging Barnet schools and other settings to develop more provision for two year olds. To progress this, a range of activity has been undertaken including:

- Identifying the equipment and capital works required in schools, Children Centres and other settings in the private, voluntary and independent sector to create new/more places
- Working closely with the Education and Skills delivery unit and head teachers to shortlist suitable schools in the target wards
- Visiting schools to put forward the case and encourage schools to create places for free education entitlement for two year olds. Taking into consideration our insight data and the information provided by the Education and Skills delivery unit, 37 schools were targeted in May to early June. The schools fall into the following Wards: Hendon, West Hendon, Burnt Oak, Underhill, Hale, Colindale, Mill Hill, Edgware,

Brunswick Park, West Finchley, Garden Suburb, Child's Hill, Totteridge, Golders Green, Woodhouse, Coppetts and East Barnet

#### Next steps

- During June/early July, feasibility studies will be undertaken at those schools and other settings that have expressed an interest to identify a programme of capital works. The feasibility studies will inform a business case for investment that will be considered by an officer board. This report seeks authority for the procurement of capital works to deliver the programme of investment.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The main purpose of this report is to seek the authority of the Children, Education, Libraries and Safeguarding Committee to procure capital works to enable the delivery of places for two year olds.
- 2.2 This authority will enable the project to keep momentum and the good will of providers in a timely manner. The aim is that the capital investment can proceed to enable deliver of free education places for two years olds in September 2015 and January 2016.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not investing in capital works will significantly impede the ability to deliver the required number of two year old places. This was rejected due to the benefits for vulnerable two year olds that arise from the offer of free early education.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The feasibility studies, business case development and the delivery of the programme of capital works will proceed. As the capital programme is developed, the programme will be reported to the Performance and Contract Monitoring Committee.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 This programme supports the delivery of the council's Corporate Plan to ensure that 'Barnet's children and young people will receive a great start in life'. The programme will improve school readiness and life chances for the most disadvantaged children as well as a reduction in child poverty. The two year old offer is a key strand of the council's early intervention and prevention approach, through supporting the early identification of emerging needs and appropriate interventions, to change the trajectory of a young child's journey and improve their outcomes.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.2.1 The capital budget consists of a capital grant of 785K allocated by central Government to Barnet in 2013/14 for the two year old offer. The council has identified £3 million borrowing to increase early years provision as part of the medium term financial strategy.

### 5.3 Legal and Constitutional References

5.3.1 Each Local Authority has a statutory duty to ensure there are sufficient places for 2, 3 and 4 year olds under Section 11 of the Childcare Act 2006.

5.3.2 Section 6 An English local authority must secure, so far as is reasonably practicable, that the provision of childcare (whether or not by them) is sufficient to meet the requirements of parents in their area who require childcare in order to enable them—

(a) to take up, or remain in, work, or

(b) to undertake education or training which could reasonably be expected to assist them to obtain work

5.3.3 Section 7 An English local authority must secure that early years provision of such description as may be prescribed is available free of charge, in accordance with any regulations under this subsection, for each young child in their area who—

(a) is under compulsory school age, and

(b) is of such description as may be prescribed.

5.3.4 From 1 September 2013, all local authorities have a statutory duty to provide sufficient early education places for 20% of the most deprived two year olds with 15 hours of quality childcare provision per week. The eligibility criteria to access the offer are:

- Children from families in receipt of qualifying benefits for the Free
- School Meals (FSM) criteria or Children who are looked after by the local authority

5.3.5. From 1 September 2014 a second phase of expansion took place and statutory duty was extend to 40% of the most deprived two year olds. In addition to the above qualifying criteria additional groups of children have an entitlement:

- Children whose families receive Working Tax credits (income less than £16,190 per year)
- Children with a current statement of special educational needs (SEN) or an education, health and care plan
- Children who receive Disability Living Allowance;
- Children who have left care through special guardianship or through an adoption of residence order.

The London Borough of Barnet has adopted these criteria to identify and fund two year olds.

5.3.6 The Constitution, Responsibility for Functions – Annex A, states that the Children, Education, Libraries and Safeguarding Committee has responsibility for the following:

- Providing effective support for young people in care and enhancing the Council's corporate parenting role.
- To ensure that the Council's safeguarding responsibilities are taken into account.

5.3.7. The Contract Procedure Rules – as outlined in the Council's Constitution – states that in order to commence a procurement of value greater than £172,514 the relevant Thematic Committee must give authorisation.

## 5.4 Risk Management

5.4.1 The recommendation outlined in the report will support an increase in free educational places for two year olds in Barnet. Without approval it is likely to impact the timeframes in which new places can be created. This is partially due to the limited window in which works at schools and other settings can take place – usually over holiday periods.

## 5.5 Equalities and Diversity

5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
- advance equality of opportunity between people from different groups
- foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services. The protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

5.5.2. Detailed profiling has been undertaken in order to identify eligible children in Barnet, this includes a wide range of characteristics. Data shows that parents from a Black And Minority Ethnic, Muslim and older background are less likely to take up Free Educational Entitlement for two years olds. The project should increase provision and therefore have a positive effect on the protected characteristics religion, age and ethnicity.

## 5.6 Consultation and Engagement

5.6.1 As part of Barnet's implement of Free Early Educational Entitlement for two year olds, there has been a wide range of consultation and engagement, particularly with schools and Children Centre's.

## 6. BACKGROUND PAPERS

Children, Education, Libraries and Safeguarding Committee on the 20<sup>th</sup> April 2015