



## CHILDREN, EDUCATION AND SAFEGUARDING COMITTEE

11 January 2021

<b>Title</b>	<b>Childcare Sufficiency Assessment</b>
<b>Report of</b>	Chairman of the Committee, Councillor David Longstaff
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	No
<b>Enclosures</b>	Appendix 1: Barnet Childcare Sufficiency Assessment 2020
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### Summary

Following the introduction of the Childcare Act (2006), all local authorities are under a statutory duty to secure sufficient childcare, so far as reasonably practicable, for parents of children aged 0-14years (up to 18 for disabled children) who are working, studying or in training in their local area.

Statutory guidance recommends that there is an annual report to elected council members on how the Council is meeting its duty to secure sufficient childcare, and to make this report available and accessible to parents.

This annual Childcare Sufficiency Assessment is set out in Appendix 1. This report for CES sets out key messages from the analysis of current childcare provision in the borough and identifies areas of development to meet future demand

# Officers Recommendations

1. That the Committee note the Barnet Childcare Sufficiency Assessment 2020 attached to this report as Appendix A.

## 1. WHY THIS REPORT IS NEEDED

- 1.1 Following the introduction of the Childcare Act (2006), all local authorities have a statutory duty to secure sufficient childcare, so far as reasonably practicable, for parents of children aged 0-14 years (up to 18 for disabled children) who are working, studying or in training in their local area.
- 1.2 Statutory Guidance for Local Authorities published by the Department for Education, "*Early education and childcare: Statutory guidance for local authorities – June 2018*", recommends that there is an annual report to elected council members on how the council is meeting its duty to secure sufficient childcare, and to make this report available and accessible to parents.
- 1.3 Local authorities are responsible for determining the appropriate level of detail in their report, geographical division and date of publication. The report should include:
  - a specific reference to how they are ensuring there is sufficient childcare available to meet the needs of:
    - disabled children;
    - children from families in receipt of the childcare element of Working Tax Credit or Universal Credit;
    - children with parents who work irregular hours;
    - children aged two, three and four taking up early education places;
    - school age children; and children needing holiday care;
  - information about the supply and demand of childcare for particular age ranges of children
  - the affordability, accessibility and quality of provision
  - details of how any gaps in childcare provision will be addressed.
- 1.4 The full Childcare Sufficiency Assessment for 2020 is attached to this report as Appendix A. A summary of the key themes and recommendations are presented below. The assessment will be updated on an annual basis, with the provision, quality and take up of childcare places will be monitored throughout the year.
- 1.5 The provision and quality of Early Education provision is good across the borough. 100% of two year olds, and 96% of three/four year olds attends a childcare provision which is rated good or outstanding by Ofsted.
- 1.6 The assessment has identified that there are small areas in the borough where there is lower take up of free funded places for 2, 3 and 4 year olds. These areas sit primarily within Colindale, Burnt Oak and Golders Green wards. The assessment established that in these areas there are two factors driving lower take up of places.

1. The identified wards are where our highest 0-4 year old population is, and as such demand has been higher than supply. To address this the Early Years Team have worked with providers to expand the number of places within these wards.
2. Work with the community has identified that there is little tradition of Early Education for some families due to religious or cultural views. To address this the Early Years team have worked closely with faith groups, particularly from the Jewish communities, to assist in an understanding of the importance of early education and school readiness to increase take up.

1.7 The Child Sufficiency Assessment also highlighted two areas for monitoring and development across 2020 – 2025, which are:

- The number of 0-4 year olds living in Barnet is due to grow until 2021, and then decline to be 1.3% less in 2025 when compared to 2019
- The number of 5-15 year olds living in Barnet is due to grow until 2022, and similarly decline slightly until 2025, but still be 2.8% higher in 2025 when compared to 2019;

These trends are not seen evenly across the borough, with Colindale, Burnt Oak, Hendon and Golders Green expected to have bigger increases in both of these age groups, whilst High Barnet, Totteridge and Oakleigh are expected to have a reduction in the number of 0-4 and 5-15 year olds;

Population increases are expected to be driven by regeneration programmes, particularly around Brent Cross/Cricklewood, Colindale, and Mill Hill East. Higher birth rates are also predicted in these areas in these areas;

Changes to future working patterns of parents/carers that may require a different delivery of childcare (e.g. shift work, weekdays only, weekends, evenings, home working) have not been identified, however given the way people work has changed during the pandemic will need to be explored to ensure sufficiency of childcare provision includes any increased demand for “atypical hours” (atypical hours is defined as any hours outside 8am to 6pm, Monday to Friday).

1.8 To seek to ensure continued sufficient childcare places across the borough the Early Years Team are working on the following areas:

- Continued work with existing providers in locations of population growth and in areas where demand is greater than provision to potentially expand places
- Support to potential new providers through the Early Years Registration Officer
- Increased outreach work by the Early Years Brokerage Officers through the 0-19 Early Help Hubs to proactively connect families with childcare places;
- The Early Years Team will continue to ensure that places are provided inclusive and accessible to children with SEND
- The Early Years data base is being updated so that it is able to provide real time information on vacancy levels and funded place take up. This will enable an

efficient and expedient response to developing new places, and targeting outreach with families

It is important to note that throughout the coronavirus pandemic, all settings across the borough have been following Government guidance with regards to delivery of childcare. In order to be 'Covid safe' in relation to Health and Safety requirements this has seen for a time a reduction in places offered and given parental concerns of the virus, a reduction in our expected take up across the borough. This is also reported by our neighbouring boroughs and nationally. Whilst the Government match funded the Summer and Winter terms funding to providers to 2019 payments, they have notified this will not continue in Spring 2021 which may impact on the sustainability of some providers/settings.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Members are asked to note the Childcare Sufficiency Assessment the plans identified to seek to ensure continued sufficient childcare provision in the borough

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

- 3.1 No alternative options have been considered for this paper

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The Childcare Sufficiency Assessment will be used to drive forward strategic work to address identified childcare gaps and that the Early Years team will proactively work to ensure that there is right type and amount of childcare provision in order to match changing demand.
- 4.2 Take up of funded 2, 3 and 4 year old places will continue to be reported every quarter to CES as part of the overall performance reports that it receives on its priorities.
- 4.3 The Childcare Sufficiency Assessment will be updated and reviewed following the January 2021 school census, and will be available for review in March 2021.

## **5. IMPLICATIONS OF DECISION**

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

- 5.1.1 Having sufficient good quality Early Education provision in the borough is a key mechanism that will support Barnet Council and its partners to deliver the vision to be the most family friendly borough in London.
- 5.1.2 The take up of good quality Early Education provision by parents for their children provides the foundation through which Barnet and its partners can achieve the CES priority to ensure that school attainment and progress remains in the top 10% nationally.

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

- 5.2.1 The Early Education Entitlement for 2, 3 and 4 year olds is funded through the Dedicated Schools Grant (DSG), the rates for 2 year olds in 2019/20 was £6 per hour and for 3 and 4 year olds £5.23 per hour (notionally £5.51 per hour including the deprivation supplement).
- 5.2.2 For 2019/20, the forecast expenditure for 3 and 4 year old places is £24,924,096 (this includes pupils eligible for 30 hour 'working parent' offer), plus Early Years Pupil Premium of £128,354, £92,865 Disability Access Funding and £2,608,502 for disadvantaged 2 year olds.

## **5.3 Social Value**

The Public Services (Social Value) Act 2013 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders.

## **5.4 Legal and Constitutional References**

- 5.4.1 Section 6 of the Childcare Act 2006 places a duty on local authorities to secure, so far as is reasonably practicable, that the provision of childcare is sufficient to meet the requirements of parents in their area who require it in order to take up or remain in work or undertake education or training in order to obtain work. In determining whether childcare is sufficient, a local authority must have regard to the needs of parents in their area for the provision of childcare in respect of which the childcare element of working tax credit is payable, the provision of childcare in respect of which an amount in respect of childcare costs may be included in the calculation of an award of universal credit and provision of childcare which is suitable for disabled children. In considering its duty, the local authority may take account of childcare available outside their area. This duty only applies to children up to the age of 14, except in the case of disabled children.
- 5.4.2 Statutory guidance has been published as referred to above and regard must be had to this when discharging the above duty.
- 5.4.3 Under the Council's Constitution, Article 7 the terms of reference of the Children, Education and Safeguarding Committee includes responsibility for all matters relating to children, schools and education.

## **5.5 Risk Management**

- 5.5.1 There is currently a risk within the Family Services Risk Register, which is: *"As a result of an absence of providers in the market the Council are unable to meet Free Entitlement to*

*Early Education (FEE2) and 30 hours free childcare demand across the borough which could result in children being unable to access their statutory entitlement, reputational damage, budgetary impacts.”*

5.5.2 The likelihood of this risk happening is judged to be a high likelihood of occurring, and a high impact if it did occur, **without mitigation**. With mitigation, this rating falls to a low likelihood of occurring, and a medium impact.

The mitigation is to:

- Forecast the number and type of places needed through the Sufficiency Assessment
- Clear communication and partnership work with providers to ensure that the free entitlement is offered widely
- Work with current and new providers to build provision in areas of shortage
- Monitor take up, and provide outreach to areas where take up is low
- Monitor national take up, trends and what other Local Authorities are doing to ensure provision

## 5.6 Equalities and Diversity

5.6.1 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

5.6.2 The Childcare Sufficiency Assessment in Appendix 1 outlines the ethnicity and disabilities children aged 0-4 and 5-16 in Barnet

5.6.3 The table below shows the number of children supported in educational settings within Barnet as of the January 2019 School Census. We do not currently collect data in relation to the take up of childcare places by children with disabilities. We are currently reviewing how we collect this information in future.

Age	Number of children with EHCP	Number of children with SEN Support
Birth to school age	51	287
Primary school (reception to year 6)	993	4,920
Secondary school (year 7 to 13)	956	3,248

5.6.4 Decision makers should have due regard to the public sector equality duty in making their decisions. The equalities duties are continuing duties they are not duties to secure a particular outcome. The equalities impact will be revisited on each of the proposals as they are developed. Consideration of the duties should precede the decision. It is

important that Cabinet has regard to the statutory grounds in the light of all available material such as consultation responses. The statutory grounds of the public sector equality duty are found at section 149 of the Equality Act 2010 and are as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c) Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- a) Tackle prejudice, and
- b) Promote understanding.

Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act. The relevant protected characteristics are:

- a) Age
- b) Disability
- c) Gender reassignment
- d) Pregnancy and maternity
- e) Race
- f) Religion or belief
- g) Sex
- h) Sexual orientation
- i) Marriage and civil partnership

## **5.7 Corporate Parenting**

- 5.7.1 Some Children in Care or Care Leavers may be pregnant or be a parent. These young people are supported by the Onwards and Upwards team, Children in Care team and Early Help Hubs to connect with childcare whilst they may be studying or working, and also ensure that they take up their free entitlement to childcare when their child reaches the appropriate age.
- 5.7.2 Foster Carers of Children in Care are eligible for Free Early Education places. Social Workers and the Early Education Team work with Foster Carers to ensure that they are aware of, and take up the entitlement.

## **5.8 Consultation and Engagement**

- 5.8.1 The Early Years team is in constant discussion with childcare providers currently operating in the borough, and uses their feedback, alongside other sources of information to determine the strategy for delivering childcare in the borough.

## **5.9 Insight**

- 5.9.1 Insight data will continue to be regularly collected and used to monitor the progress of the provision and take up of good quality childcare places.

## **6 BACKGROUND PAPERS**

- 6.1 Department for Education, "*Early education and childcare: Statutory guidance for local authorities*", June 2018  
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