

## **EAST AYRSHIRE COUNCIL**

**CABINET – 10 MARCH 2010**

### **EARLY EDUCATION AND CHILDCARE PROVISION FOR CHILDREN AGED 0-3 YEARS**

#### **Report by Executive Director of Educational and Social Services**

#### **1. PURPOSE OF REPORT**

- 1.1** The purpose of this report is to seek approval from Members of Cabinet to the outcome of the review carried out in respect of the current Early Education and Childcare Admissions Policy as it relates to children under 3 years of age.

#### **2. BACKGROUND**

- 2.1** Educational Services support children under 3 years of age through the provision of day care in community nurseries; the day care service, provided by trained childminders and the home visiting teacher.
- 2.2** Places for children in establishments who are under 3 years of age are at a premium. The 102 fulltime equivalent (FTE) places provided by five local authority Nursery and Family Centres do not currently meet the demand for children and their families.
- 2.3** In the period 1 April 2007 to 31 March 2008 there were 209 children accessing 102 FTE places. Twenty two of these children were in need of protection and 182 were either in need as defined by the Children (Scotland) Act 1995 or the Education (Additional Support for Learning) Act 2004.
- 2.4** The Council's Early Years Day Care Service is a targeted service for vulnerable children. Day Carers are often at the forefront of preventing a child from being accommodated. In the period 1 April 2007 to 31 March 2008 there were 41 children placed with 27 Day Carers throughout East Ayrshire. Twenty-eight of these children aged 0-3 years, 12 children aged 3-5 years and 1 child over 5 years.
- 2.5** Places in both the Council's nursery and family centres and day care service are allocated by a multi-agency admissions panel. The referral, placement and review arrangements in respect of day care placements are currently set out in the Early Education and Childcare Admissions Policy approved by Council in 2006.

#### **3. REVIEW OF 0-3 SERVICES**

- 3.1** The review is set within the context of the key national policy development, *Early Years Framework* and the key delivery tool for this, *Getting it Right For Every Child*.

- 3.2** The wider context of the *Early Years Framework* and *Getting it Right for Every Child* recognise that the universal services of education and health can support children age 3-5 years and their families. However, resources for children aged 0-3 years are not universal, apart from health care and therefore services require to be targeted at those children and families in greatest need and allocated based on an integrated needs assessment. In East Ayrshire this is known as the Integrated Assessment Framework.
- 3.3** The review has sought to better integrate and streamline the assessment, planning and review arrangements for very young children. It also recognises a key tenet of the Early Years Framework of providing better support to parents/carers of very young children.
- 3.4** The review has been shaped by the recognition that resources are finite and require to be utilised to support the best possible outcomes for the very youngest children.
- 3.5** Officers from across educational services; social work services and health services were involved in the review process.

#### **4. OUTCOME OF THE REVIEW**

- 4.1** The review considered the current criteria for the allocation of places in nursery and family centres and places with Day Carers though the Early Years Day Care Service alongside the eligibility criteria which social work services use for access to the children and families social work service. In addition, consideration was given to other services that the local authority offers to support parents and children 0-3 years and whether these should be fully integrated into the assessment, planning and review arrangements.
- 4.2** The outcome of the review will be reflected in a revised Educational Standard Circular for children under 3 years of age.

#### **5. PROPOSAL**

- 5.1** The procedures for accessing 0-3 Services are set within the context of increasing demand for services for vulnerable children under 3 years and their families and the need to ensure that resources are allocated appropriately, proportionately and timely.
- 5.2** Services will be allocated according to the needs of children who are either in need of protection, have additional support needs and/or are in need as defined by the Children (Scotland) Act 1995.
- 5.3** In terms of appropriate support for children and families, allocation of a nursery place or access to other services will be based on an integrated assessment process (IAF). A service could be a part-time nursery place, a placement with a Day Carer, access to a Family Care Worker, Home Visiting Teacher, or a parent and child placement.

**5.4** For some children, they may need to access more than one service and this would be identified through the integrated needs assessment.

## **6. REVISIONS TO CURRENT POLICY**

**6.1** The significant changes to the current policy are set out below:

- New Band 1 will be children on the Child Protection Register; children subject to a child protection investigation/children deemed at risk of significant harm; or children deregistered from the Child Protection Register within the previous 6 months;
- Allocation of 0-3 services will be for a specified period of time according to an integrated needs assessment;
- The minimum session offered will be 2 morning or 2 afternoon sessions and the maximum sessions offered will be 4 mornings or 4 afternoons. A proportion of full time places based on each nursery and family centres' full time equivalent places will be available to support families in emergencies or crisis situations;
- Parent and child placements will be introduced based in nursery and family centres one day per week. Staff will work alongside parents and their child to support parent: child interaction through play opportunities;
- Access to the Home Visiting Teacher will be through the Admissions Panel.

**6.2** The revised Standard Circular is set out as an appendix to this report.

## **7. LEGAL/POLICY IMPLICATIONS**

**7.1** The revisions to the Policy take account of the Council's statutory duties under the Children (Scotland) Act 1995, and the Education (Additional Support for Learning)(Scotland) Act 2004 and 2009.

## **8. FINANCIAL IMPLICATIONS**

**8.1** Nil.

## **9. PERSONNEL IMPLICATIONS**

**9.1** Nil.

## **10. RISK MANAGEMENT IMPLICATIONS**

**10.1** The 0-3 Admissions Policy and Procedures are part of a staged intervention approach to supporting very young children, based on a robust process for assessing, care planning and reviewing children's needs.

**10.2** There are management of change issues in respect of establishing parent/child placements which will be addressed through training and development.

## **11. EQUALITIES**

**11.1** The Standard Circular will be subject to an Equalities Impact Assessment.

## **12. COMMUNITY PLANNING IMPLICATIONS**

**12.1** The proposals set out in this report support the key aims of Promoting Lifelong Learning Theme of the Community Plan by ensuring the best possible start in a child's life. It also links very closely with Promoting Health and Wellbeing.

## **13. RECOMMENDATIONS**

**13.1** Members of Cabinet are asked to:

- (i) approve the outcome of the review in respect of Early Education and Day Care Services for children under three years of age; and
- (ii) otherwise note the content of the report.

Graham Short  
Executive Director of Educational & Social Services

KG/SR  
11 February 2010

### **BACKGROUND PAPERS**

1. Early Education and Childcare Business Review: 0-3 Services 2010.

Members wishing further information should contact Kay Gilmour, Head of Community Support, Tel: (01563) 576104.

### **IMPLEMENTATION OFFICER:**

**KAY GILMOUR, HEAD OF SERVICE: COMMUNITY SUPPORT**

EAST AYRSHIRE COUNCIL: DEPARTMENT OF EDUCATIONAL & SOCIAL SERVICES

EARLY EDUCATION AND CHILDCARE PROCEDURES FOR ACCESSING 0-3 SERVICES

1. INTRODUCTION

The procedures for accessing 0-3 Services are set within the context of increasing demand for services for vulnerable children under 3 years and their families and the need to ensure that resources are allocated appropriately, proportionately and timely.

The wider context of the *Early Years Framework* and *Getting it Right for Every Child* recognise that universal services of education and health can support children age 3-5 years and their families. However, resources for children aged 0-3 years are not universal, apart from health care and therefore services require to be targeted at those children and families in greatest need and allocated based on an integrated needs assessment.

Services will be allocated according to Band 1 or Band 2 of the Council's Early Education and Childcare Procedures for Accessing 0-3 Services. This may be a part- time nursery place, a parent and child placement in a nursery and family centre, a placement with a Day Carer, access to a Family Care Worker or access to the Pre-School Home Visiting Teacher.

The two primary pieces of legislation which support and determine eligibility for 0-3 Services for children are the Children (Scotland) Act 1995 and the Education (Additional Support for Learning) (Scotland) Act 2004.

**ALLOCATION OF PLACES IN NURSERY AND FAMILY CENTRES, PLACES WITH DAYCARERS AND/OR SUPPORT FROM A FAMILY CARE WORKER, SUPPORT FROM THE PRE- SCHOOL HOME VISITING TEACHER.**

**FOR CHILDREN AGED 0-3 YEARS WHO RESIDE IN EAST AYRSHIRE**

- |               |   |
|---------------|---|
| <b>Band 1</b> | <b>Child Protection</b><br>Children on the Child Protection Register, children subject to a child protection investigation/children deemed at risk of significant harm, children de-registered from the Child Protection Register within the previous 6 months.   |
| <b>Band 2</b> | <b>Children in Need or Children with Additional Support for Learning Needs</b> – Children referred by Social Services, Psychological Services, health professionals as being “in need” in terms of the Children (Scotland) Act 1995 or the Education (Additional Support for Learning) (Scotland) Act 2004. |

2. CHILDREN AGED 0-3 YEARS - THE BANDS

It is important that the implementation of the Council's Early Education and Childcare Procedures for Accessing 0-3 Services be within the following guidelines at all times.

Allocation of 0-3 services should be for a specified period of time according to an integrated needs assessment and based on the agreed criteria. Regular reviews should take place for all allocated services and placements continued, increased, decreased or terminated accordingly

All referrals for a service must be recorded by the Head of Establishment, Early Years Day Care Co-ordinator or the Pre-School Home Visiting Teacher on a Referral Register.

## 2.1 BAND 1 CHILD PROTECTION

Children on the Child Protection Register, children subject to a child protection investigation/children deemed at risk of significant harm, children de-registered from the Child Protection Register within the previous 6 months.

These children must be considered as a priority. Referrals will be made by Social Work Services based on Social Work Services Eligibility Criteria for a child where there is serious concern about their care, health and/or development; they will have suffered or be likely to suffer significant harm.

## 2.2 BAND 2 (CHILDREN IN NEED or CHILDREN WITH ADDITIONAL SUPPORT FOR LEARNING NEEDS)

The Children (Scotland) Act 1995 defines a child as being “in need” because:

- He/she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by the Local Authority;
- His/her health or development is likely to be significantly impaired if services are not provided;
- He/she is disabled; or
- He/she is affected adversely by the disability of any other person in his/her family.

Examples of “children in need” are listed below (this is not an exhaustive list):

- Children on a Supervision requirement Section 70 Children (Scotland) Act 1995, Looked After at home/in the community/with relatives.
- Children who are/have been the subject of a referral to the Scottish Children’s Reporters Administration (SCRA)
- Children/young people who are homeless (possible short term placement)
- Children who are adversely affected by the disability, a serious illness or a mental illness of any other person in his/her family.
- Children who live in violent environments or are affected by domestic abuse
- Children whose parents misuse substances/alcohol

The Education (Additional Support for Learning) (Scotland) Act 2004 places a duty on the education authority that will benefit children and parents.

Education Authorities must also provide appropriate additional support for disabled children under 3 (or under 5 if not in a public or partnership nursery) where the child has been referred by a health authority. **This additional support may not necessarily be a nursery place.**

Education authorities must make arrangements to identify additional support needs.

Psychological Services have a role in liaising with health colleagues re children under 3 years who have a disability.

East Ayrshire Council recognises that all children have needs but that some will require additional services to help them meet their full potential. It also believes that support should be offered, as far as possible, through services that are provided to the community as a whole in accordance with the principle of equality of opportunity. However, specialist services will be required by some children and families either for a short time or over a more prolonged period. For example, children under 3 years where a child has a sensory impairment, physical disability, complex and multiple disability, or medical interventions.

### 3. THE ROLE AND RESPONSIBILITIES OF THE 0-3 PANEL

#### 3.1 Composition of 0-3 Panel

The core members of the panel should remain constant.

Core Members: Head of Nursery and Family Centre  
Early Years Day Care Co-ordinator  
Representative from Social Work  
Representative from NHS Ayrshire & Arran (Health Visitor)  
Educational Psychologist, if appropriate

If a representative from both social work and health cannot attend the panel meeting, then the panel should be reconvened.

#### 3.2 Role of 0-3 Panel Members

- (i) The Head of the Nursery and Family Centre and Early Years Day Care Co-ordinator has a responsibility to propose bands for all referrals based on information from an Integrated Assessment. They should also provide lists of names, addresses and dates of birth for all referrals. This information should also be forwarded to the Early Education and Childcare Service for inclusion on the central 0-3 services database.
- (ii) Colleagues in other services or agencies bring their own professional perspective and can provide knowledge and insight not available to establishments. Advance notice of referrals to be discussed allows representatives to consult with their colleagues on individual cases as appropriate and accurately represent the views of their service or agency. The service standard is a minimum of 1 week in advance of the Panel meeting. As all members of the panel participate in the decision making process, representatives should be of an appropriate level of seniority.
- (iii) All education personnel should prioritise attendance. It is recognised that any priorities may be set in the context of meeting other statutory duties.

#### 3.3 Function of 0-3 Panel

The 0-3 Panel is responsible for confirming priority bandings for all referrals. In addition the panel will have a role in the review of all allocated services.

All information discussed by the Panel members shall follow the Information Sharing Protocol agreed between East Ayrshire, North Ayrshire and South Ayrshire Councils and NHS Ayrshire and Arran.

Panels should be chaired and minuted by a representative from Educational Services. It is recommended that these posts be rotated. Individual panels should make appropriate arrangements for the duplication and distribution of minutes **no later than 2 weeks** after the panel meeting.

Minutes should record decisions taken by the panel with regard to confirmation of bandings and service allocated and anticipated outcomes. The summary minute of all meetings should be sent to the Principal Officer (Early Education and Childcare). The allocation of services will be logged on the central database to monitor uptake of places, identify vacancies available and support the weekly meeting of the GIRFEC multi-agency group.

Panels should meet regularly to ensure that due consideration is given to referrals and in order that reviews can be undertaken. It is recommended that panels meet on a four/six/eight weekly cycle, which will be dictated by the number of referrals to the panels.

Parents should always be made aware that the referral will be discussed at the Panel.

### **3.4 Considerations in services provided**

It is initially important to ensure consistency in the allocation of a 0-3 services so that parents know that the same procedures and principles operate across all local authority 0-3 services in East Ayrshire.

As places in Nursery and Family Centres are limited for children aged 0-3 years across the local authority area, places need to be maximized as far as possible. A proportionate number of full time places for children aged 0-3 years will be agreed for each Nursery and Family Centre based on the full time equivalent (FTE) places. These places will be allocated to support families in an emergency or crisis situation on a short term basis.

The Early Years Day Care Co-ordinator will arrange the placement of children aged 0-3 years with the parents and Day Carers.

It should not be assumed that a place must be allocated in a Nursery and Family Centre or with a Day Carer. It may be in the best interests of the child and parents, based on an integrated needs assessment, to have access to a Family Care Worker in a centre, at home or on an outreach basis in the community, time with the Pre- School Home-Visiting Teacher or be allocated time with their child in the nursery and family centre i.e. parent and child placement.

The Pre-School Home Visiting Teacher is part of a network of support for children during their pre-school years with identified additional support needs and is considered as providing additional support under the Education (Additional Support for Learning) (Scotland) Act 2004.

The service:

- offers support and guidance to parents or carers on the development of their child and on accessing support services
- work collaboratively with NHS colleagues to provide pre-3 groups for parents and children in the Kilmarnock and Cumnock areas.
- liaises with other service providers (early years establishments therapists etc) in order to co-ordinate targets on Individual Education Plans.

Family Care Workers can provide home based support to vulnerable families with children aged 0-8 years. The emphasis is on early intervention and preventative work with families.

The key objectives are to:

- support vulnerable families in raising their children in their own homes and communities
- enable parents to better understand and address their own and children's needs
- feel more confident and competent in their parenting
- support families to take up opportunities in their communities.

Band 1 referrals will always have priority. The service allocated should be carefully considered in the light of the assessed need and other demands for the service. If a place is allocated in a nursery and family centre, the number of sessions allocated should be based on an integrated needs assessment, as should the provision of a place with lunch. The minimum place offered should be 2 sessions i.e. 2 mornings or 2 afternoons per week and the maximum place offered should be 4 sessions per week i.e. 4 mornings or 4 afternoons.

All services and agencies must work together in the allocation of the most appropriate service to meet the needs and best interests of children and families.

### **3.5 Review of Service Allocated**

All 0-3 services are allocated for a specified period of time. It should be made clear to all parents that the service allocated will be reviewed. Placements in nursery and family centres, including the sessions and length of time allocated should be confirmed in writing to the parents.

Children who have been allocated a service under Band 1 will be subject to a Child Protection Review meeting and therefore the allocated service can be reviewed at this meeting.

The opportunity to review a service for children on the Pre-Scat Register will take place at the annual or bi-annual Pre-Scat meeting.

The 0-3 Panels should review all other services. As a guide, the first review should take place 16 weeks after the initial placement and future dates set thereafter. Parents should be informed prior to review meetings and suitable options discussed.

Parental circumstances should be treated sensitively when reviewing the allocation of placements. Parents and the referring agency should be invited to the review. Those involved in referral of an application should provide updated information, as appropriate

If, in an emergency or a crisis the number of sessions has been increased, on a short term basis, then the same principles and procedures apply if this requires to be reviewed.

The 0-3 Admissions Panels should be updated on the reviews that have taken place.

## **4. SUPPORT AND MONITORING**

It is the responsibility of the Principal Officer (Early Education and Childcare) to advise and support establishments in the implementation of these procedures and to advise the Head of Service: Community Support on issues arising.

The allocation of a service will be logged on the 0-3 services central database. This will provide a mechanism to monitor uptake of places, identify vacancies available and support the weekly meeting of the GIRFEC multi-agency group.

## **5. ASSESSMENT OF REFERRALS**

Referral forms are local authority documents and should be used at the appropriate stage. Communication with parents and other agencies is essential the referral process.

Heads of Centre, the Day Care Co-ordinator and the Pre- School Home Visiting Teacher should make an initial assessment of a referral to discuss further at the 0-3 services multi-agency panel meeting.

## **6. GUIDANCE FOR REFERRALS - Band 1 and 2**

Official East Ayrshire inter-agency referral forms must be used by **all agencies** to request placing for children in **Band 1 and 2**.

Referrals can only be made by an agency worker. Agency workers must be informed of this responsibility and the need for all of the questions to have detailed responses.

The onus is on the referee to supply an integrated needs assessment in order that the aims and objectives of the placement can be set and agreed by both parties.

The referral must be made using the inter-agency referral form along with the completed application form. The responsibility for this lies with the referrer.

If a Head of Establishment, Day Care Co-ordinator or Pre- School Home Visiting Teacher is contacted by a parent whose circumstances appear to suggest this degree of priority then the Head should either:

- (i) suggest that the parent contact a relevant agency to ask whether or not a formal referral can be made;
- (ii) with the parent's permission, contact an agency or agencies on the parent's behalf to arrange for a referral to be made.

No referral will be accepted for Band 1 and Band 2 unless there is an integrated needs assessment which clearly describes the circumstances of the child and the family in terms of Child Protection, "Children in Need", Children (Scotland) Act 1995 or the Education (Additional Support for Learning) (Scotland) Act 2004.

It is important to be told by the referring agency:

- (i) the objectives of the service
- (ii) the expectations of the services' contribution;
- (iii) details of the on-going support from all agencies

Where a Referral form provides inadequate information, a letter should be sent to immediately to the referrer with request for more detailed information. If information is not provided by the referrer after two requests the application will be held on the central 0-3 services register.

## **7. EMERGENCY/CRISIS INTERVENTION**

In an emergency or a crisis, a referring agency can request a **short-term placement** to a Nursery and Family Centre or the Early Years Day Care Service.

Parents are usually under stress in an emergency or crisis and therefore tactful, sensitive discussion is needed. This should be followed by a written statement to be given to all the parties concerned in arranging the short-term placement, that is parent(s) and the person(s) involved in making the referral. The statement should indicate the proposed length of placement, date on which the necessity for it will be reviewed and be signed by the parent and the referrer.

Parents, in particular, should be fully aware that a placement for a child aged 0-3 years in a Nursery and Family Centre or the Early Years Day Care Service has not been made to last until the child starts primary school. It may be that subsequent events in the family put the child into Band 1 or Band 2. In such cases, they will be treated as any other referral in this band.

## **8. TRANSITION TO A PRE-SCHOOL EDUCATION PLACE**

Parents should be encouraged to apply for a pre-school education place at their local nursery.

At the point when a child is eligible for pre-school education and if the child is remaining in the Nursery and Family Centre, the pre- school education place allocated should be a maximum of 5 x 2.5 hour sessions (5 mornings or 5 afternoons) or alternately a split session pre- school education place will be offered i.e. 2 or 3 x 2.5 hour sessions per week

Any time allocated in addition to the 5 session place requires to be ratified via the panel process and a comprehensive needs assessment evidenced to support the allocation of additional sessions.

9. **GENERAL POINTS**

Confidentiality is particularly important and should be respected with regard to the band status of any referral.

The child's usual place of residence will apply to bands 1 and 2.

10. **RULE 9 – NON DISCLOSURE OF PLACE OF RESIDENCE PR WHEREABOUTS**

**A children's hearing can insist that any place where a child is stated as residing at, by a supervision requirement, must not be disclosed to any person. There are similar provisions in relation to a place of safety warrant and the continuation of child protection orders.**

**The Children's Reporter will determine whether to withhold information to prevent disclosure if it considered that a child may be at serious risk of harm. This is classed as Rule 9.**

**When a Rule 9 prevents disclosure of information in relation to the whereabouts of a child or relevant person, all agencies require to ensure that the whereabouts of a child cannot be known under any circumstances.**

Graham R Short  
Executive Director of Educational & Social Services

February 2010

**NB** *This document will be subject to ongoing review in the light of your experiences. The guidance has been framed so that the most vulnerable and those living in conditions of greatest social need can benefit from the service first.*