

EAST AYRSHIRE COUNCIL

CABINET – 10 MARCH 2010

PRE- SCHOOL EDUCATION ADMISSIONS POLICY

Report by Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to seek agreement from Members of Cabinet to the proposed revisions to the Early Education and Childcare Admissions Policy.

2. BACKGROUND

- 2.1** The Early Education and Childcare Admissions Policy was last reviewed in 2006. At that time the review took account of the new Education (Additional Support for Learning) (Scotland) Act 2004. The Admissions Policy at that stage also included places for children 0-3 years of age. A separate report is presented to Cabinet on 10 March 2010 regarding provision for children under 3 years of age.
- 2.2** East Ayrshire Council is in a position to offer an ante pre-school or pre-school place to every child whose parent wishes one. Children in their pre-school year are entitled to five morning or afternoon sessions, whilst those in their ante pre-school year may be offered split places.
- 2.3** In academic session 2009/10, 2,143 children will have accessed a local authority nursery and 414 children, a Partner Provider. The number of full-time equivalent places (FTE) is 1151 FTE pre-school education places in local authority nurseries and 345 FTE pre- school education places in partner providers.

3. REVISION OF POLICY

- 3.1** The proposed revisions to this Policy reflect experience over the last four years and recent changes in respect of proposed eligibility dates for accessing a place. It is also proposed to rename the Early Education and Childcare Admission Policy to the Pre- School Education Admissions Policy.

Changes relate to:

- children in need of protection;
- changes in respect of the eligibility dates for accessing an ante pre-school place;
- changes to multi-member wards.

- 3.2 In respect of children in need of protection; it is proposed to refine the current Band 1.

Band 1 **Child Protection** – Children on the Child Protection Register, Children subject to a Child Protection investigation/Children deemed at risk or significant harm, children de-registered from the Child Protection Register within the previous 6 months.

3.3 **Eligibility Dates for Children Accessing an Ante-Pre-School Place**

- 3.3.1 It is proposed that children can now access an ante-pre school educational place the month after their third birthday as opposed to the term after their third birthday. This relates to children who are currently entitled to a place in any one academic session. Children whose birthday falls on or between 1 March and 30 June will still be entitled to a place in the following academic session.

3.4 **Balloting of Places**

- 3.4.1 As there are now multi-member wards it is proposed that minor revisions are made to the Policy to reflect this. The proposed revised Policy as set out in an Educational Standard Circular is an appendix to this report.

4. **PERSONNEL IMPLICATIONS**

- 4.1 Nil

5. **FINANCIAL IMPLICATIONS**

- 5.1 The additional cost in financial year 2010/2011 based on 2009/2010 admission will be £30,000.

6. **LEGAL/POLICY IMPLICATIONS**

- 6.1 The revisions to this Policy take account of the Council's statutory duties under the Children (Scotland) Act 1995, the Standards in Scotland's Schools etc Act 2000 and the Education (Additional Support for Learning (Scotland) Act 2004/2009.

7. **COMMUNITY PLANNING IMPLICATIONS**

- 7.1 The Early Education and Childcare Admissions Policy reflects the priorities set out under the themes of promoting health and wellbeing and promoting lifelong learning.

8. **RISK MANAGEMENT**

- 8.1 The Admissions Policy reflects the universal nature of pre-school places and sets out clear procedures for accessing places.

9. EQUALITIES IMPLICATIONS

9.1 The Policy will be subject to an Equalities Impact Assessment.

10. RECOMMENDATIONS

10.1 It is recommended that Members of Cabinet:

- (i) approve the revised Policy in respect of pre-school education for children aged 3 to 5 years; and
- (ii) otherwise note the contents of the report.

Graham Short
Executive Director of Educational and Social Services

Feb 2010
KG/JBS

LIST OF BACKGROUND PAPERS

1. Standard Circular No.2 – Early Education and Childcare Admissions Policy (2006).

Members wishing further information should contact Kay Gilmour, Head of Service:
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EAST AYRSHIRE COUNCIL: DEPARTMENT OF EDUCATIONAL & SOCIAL SERVICES

PRE- SCHOOL EDUCATION ADMISSIONS POLICY

1. PURPOSE

This standard circular is designed to assist in the admission of eligible children to establishments that provide pre-school education in East Ayrshire.

2. RELATED REFERENCES

- The Children (Scotland) Act 1995
- Data Protection Act 1998
- Standards in Scotland's Schools etc. Act 2000
- Regulation of Care (Scotland) Act 2001
- Protection of Children (Scotland) Act 2003
- The Education (Additional Support for Learning) (Scotland) Act 2004
- Protection of Children: A Framework for Standards Scottish Executive 2004
- East Ayrshire ICT Security Policy User Code of Practice
- Circular Per 8/2007 - Acceptable Use Policy Governing the Personal Use of Communications Systems - All Employees
- Improving Child Protection: sharing and recording information to help children and families HMle 2008
- Getting it Right for Every Child 2008
- The Early Years Framework 2008

3. INTRODUCTION

This revised policy for Pre-School Education was agreed by Cabinet on **(date)**.

The two primary pieces of legislation which impact on the banding for children's admission to pre- school education are the Children (Scotland) Act 1995 and the Education (Additional Support for Learning) (Scotland) Act 2004.

4. PRE-SCHOOL EDUCATION PLACES IN NURSERY AND FAMILY CENTRES, NURSERY SCHOOLS, PRIMARY SCHOOLS WITH NURSERY CLASSES AND PARTNER PROVIDERS OF PRE- SCHOOL EDUCATION

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|---------------|---|
| 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. |
| Band 2 | Children in Need or Children with Additional Support for Learning Needs – 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. |

4.1 **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 may be in their pre-school year or ante pre-school year and 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 or where they will have suffered or be likely to suffer significant harm.

4.2 **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.

The Education (Additional Support for Learning) (Scotland) Act 2004 allows parents of a child with additional support needs to make a request “*for their child to attend any school under the management of an education authority, which includes a nursery school or partnership provider.*” This can only be made if a child has been assessed as having additional support needs.

If a placing request is refused, the parents will have the right to formally appeal to the Appeals Committee or other arrangements as set out in the Code of Practice associated with the new duties as defined by the Act.

The Education (Additional Support for Learning) (Scotland) Act 2009 requires to be implemented in October 2010. Any revisions to this Circular will be considered as and when appropriate.

4.3 BAND 3 (PRE-SCHOOL YEAR)

- (i) All children in their pre-school year living within the boundary of East Ayrshire and those children with January/February birthdays whose parents choose to defer their child's entry to primary school.
- (ii) Children in their pre-school year who live outwith the boundary of East Ayrshire but within the catchment area of an East Ayrshire primary school.

4.4 BAND 4 (ANTE-PRE SCHOOL YEAR)

- (i) All children in their ante pre-school year living within the boundary of East Ayrshire according to the dates set for eligibility.
- (ii) Children in their ante pre-school year who live outwith the boundary of East Ayrshire but within the catchment area of an East Ayrshire Primary School, according to the dates set for eligibility.

4.5 BAND 5 (GENERAL)

- (i) All other children in their pre-school year living outwith the boundary of East Ayrshire
- (ii) All other children in their ante pre-school year living outwith the boundary of East Ayrshire according to the dates set for eligibility

5. CENTRAL ADMISSIONS - SUPPORT AND MONITORING

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

All applications for pre-school education places to nursery and family centres, nursery schools, primary schools with nursery classes and partner providers should be entered onto the Pre-School Admissions spreadsheets and submitted to the Early Education and Childcare Service by the agreed date.

Please note that if a child meets the criteria set out under band 1 or band 2 then the correct band should be noted against that child's name. If a child's circumstances change during the course of the academic year or new concerns arise, then the pre-school education census will give Heads the opportunity to amend the original noted band.

The child's details and allocated band will be collated on the Pre-School Education Central Admissions Database. All applicants will be allocated a pre-school education place in either a local authority nursery or with a partner provider of pre-school education.

The allocation of places to individual establishments will be logged on the Pre-School Education Central Admissions Database. This will provide a mechanism to monitor uptake of places and identify vacancies available.

Heads of establishment have a responsibility to provide the Early Education and Childcare Service with information about new applications throughout the course of the academic year. This is particularly important if a nursery has no available places so an alternative place can be identified and offered from the vacant places available. This information also supports the weekly GIRFEC multi-agency meeting.

6. PRE-SCHOOL EDUCATION SESSIONS

Children in their pre-school year are entitled to a 5 x 2.5 hour session places for the whole school year. In some cases, children in their pre-school year may attend more than one establishment either within or outwith East Ayrshire Council i.e. 2 sessions in one establishment and 3 sessions in another. In all cases, the maximum number of sessions that a child can be allocated is 5 sessions.

Children in their ante pre-school year are entitled to a pre-school education place. Such places may be 5 x 2.5 hour sessions or split sessions i.e. 2 x 2.5 hours sessions or 3 x 2.5 hour sessions per week

Children in their ante pre-school year will normally become eligible for a place in the month after their third birthday. This relates to children who are currently entitled to a place in any one academic session. Children whose birthdays fall on or between 1 March and 30 June will still be entitled to a place in the following academic session.

The table below sets out the months of eligibility:

Birthday	Eligible Month	Term
March	August	Autumn
April	August	Autumn
May	August	Autumn
June	August	Autumn
July	August	Autumn
August	September	Autumn
September	October	Autumn
October	November	Autumn
November	December	Autumn
December	January	Spring
January	February	Spring
February	March	Spring

7. CONSIDERATIONS IN ALLOCATING PLACES

The allocation of places to establishments will take place through the central admissions process.

Heads will be advised by letter of the allocation of places to their establishments and if there is a need to offer split places or to conduct a ballot.

When allocating morning or afternoon sessions, Heads of establishment will need to consider if parents/carers require a particular session due to other childcare arrangements, employment or training commitments. In addition, some children whose particular needs have been identified may require a specific session.

It is good practice to have a mix of ante pre and pre-school children at each session, where this is possible. Children in their pre-school year do not have an automatic priority for morning places. Both morning and afternoon session should have a mix of ages which benefits children's social and emotional development. This may also assist the nursery from becoming top heavy in one session and lean in the other.

Morning places are very popular and therefore there needs to be a fair and transparent process in the allocation of morning and afternoon places. For example, all other things being equal, if the applications for morning places are oversubscribed, then a ballot should take place.

8. BALLOTS

The Local Elected members for the ward the nursery is in should be invited to attend the ballot.

Ballots may be required to allocate places during the central admission process or during the course of the academic year where applications for places are oversubscribed or to allocate morning and afternoon sessions, all things being equal.

Where the preference for morning or afternoon sessions has been oversubscribed, the ballot should include all children who already have a morning or afternoon session where their parents have requested a morning place or who wish to continue with a morning place.

Parents who require a particular session due to employment, training, childcare arrangements should be offered that session, where possible and therefore do not need to be part of the ballot.

9. DEFERRED ENTRY

Children normally enter school in August when they are aged between 4 ½ years and 5 ½ years. If a parents wishes to defer their child's entry to Primary School, then reference should be made to Standard Circular Deferred Entry to Primary School.

Please note that children whose birthdays are in January or February are included in Band 3 pre- school year and are entitled to a further year of pre-school education.

10. FOR ALL APPLICATIONS

When a parent/carer contacts the establishment to make an application they should be given the following documentation:

- A copy of the booklet entitled *Early Education and Childcare Service **Pre-School Education Admissions Policy – Information for Parents***
- An application form

For pre and ante pre-school children, it is important that parents/carers bring the child's birth certificate to the establishment along with the completed application form so that the date of birth can be checked for eligibility.

11. GUIDANCE FOR REFERRALS - Band 1 and 2 only

Official East Ayrshire inter-agency referral forms must be used by **all agencies** to request a place 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 whatever information is required in order that the aims and objectives 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 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 parents' permission, contact an agency or agencies on the parents' behalf to arrange for a referral to be made.

No referral will be accepted for Band 1 and Band 2 unless there is information 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 placement
- (ii) the expectations of the service's 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 a request for more detailed information. If information is not provided by the referrer after two requests the application will be banded according to the limited information available.

Where referring agencies send referral forms without accompanying applications, the referral should be directed back to the referrer with a request for an accompanying application form. This way, Heads can be certain that parental agreement has been secured.

12. GENERAL POINTS

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

The child's home address i.e. legal guardian's address will apply to all bands. In primary and secondary schools where there is dubiety over an address, parents may be asked to produce “proof of occupancy”. If a Head of establishment is suspicious that misleading information has been given she/he could challenge the parent in the same way.

Early Education and Childcare Service will inform Heads of establishments of the date by which decisions are to be notified to parents.

13. RULE 9 – NON DISCLOSURE OF PLACE OF RESIDENCE OR 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.*