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**Report to Education Sport & Leisure Committee**

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**Date of Meeting: 12<sup>th</sup> November 2015**

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**Subject: Charging Policy for Additional Nursery Hours**

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**Report by: Head of Education**

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**1.0 Purpose**

- 1.1. The purpose of this paper is to inform Committee of the details of the Nursery Charging Policy.

**2.0 Recommendations**

- 2.1. To note, comment and challenge the Nursery Charging Policy.
- 2.2. To agree to recommend to Council the proposed fee structure for additional hours in nursery beyond the statutory entitlement for early learning and childcare.

**3.0 Considerations**

- 3.1. In February 2015, Clackmannanshire Council set a target of £5,000 income generation for session 2015/2016 by providing parents/carers the opportunity to purchase additional hours of early learning and childcare in nurseries.
- 3.2. The nursery charging policy has been developed in line with Clackmannanshire Council's charging policy, and sets out the proposed level of charges for 2015-2016.
- 3.3. The number of available places in each nursery and the staffing levels is governed by the Care Inspectorate who monitor early years provision in Scotland. The number of staff allocated to each nursery is dependent on the number of children who enrol.
- 3.4. The numbers of children who access nursery fluctuates over the session and there can be small numbers of places which can be offered to parents/carers to provide additional sessions in nursery, and to generate income for Clackmannanshire Council.
- 3.5. The results of the Early Learning and Childcare Survey carried out in May 2015 intimated that parents/carers would welcome being able to purchase additional hours in nursery

## **Nursery Charging Policy – Key Principles**

- 3.6. Clackmannanshire Council is committed to the implementation of a charging policy that is fair and provides access to affordable early learning and childcare.
- 3.7. The key principles of the nursery charging policy are aligned to the principles set out in Clackmannanshire Council's charging policy:
- The Council must provide services which are defined as a statutory duty free of charge to residents of Clackmannanshire, except where statute or legislation levies a charge.
  - The Council may choose to provide discretionary services, depending on the identified needs of the population of Clackmannanshire
  - Services should identify and recover the full cost of providing discretionary services to ensure that such costs are covered by the charges made
  - Charges and fees will be reviewed on an annual basis as part of the budget setting process
  - The Council should seek to ensure best value for all residents of Clackmannanshire.

### **Charges for Additional Hours**

- 3.8 In any nursery class with spare capacity, parents/carers may buy additional sessions.
- 3.9 The fees for 2015-16 will be added to Clackmannanshire Council's Register of Charges and be reviewed annually with all Council charges at budget setting.
- 3.10. It is intended that charges will be applied in any Clackmannanshire Council nursery where the child attending is deferring entry to primary school and where his/her application for a continued funded place has been refused by the Deferred Entry Panel. These places are not funded by the Scottish Government, and so the charging policy is consistent with full cost recovery of discretionary provision.

### **Fee Structure**

- 3.11. The unit charge is based on a 3 hour 10 minute session calculated on occupancy, cost and comparison with other providers. The sessional rate applies all year round; term-time and during school holiday periods. The hourly rate will be reviewed annually in line with inflation.

For Session 2015/2016 the sessional rate is:

0-2 year old - £11.10

2-3 year old - £10.30

3-5 year old - £9.50

The hourly rate applies for children who require extended hours in the period between am/pm sessions.

For Session 2015/ 2016 the hourly rate is:

0-2 year old - £3.50

2-3 year old - £3.25

3-5 year old - £3.00

- 3.12. An exercise was undertaken to benchmark the rates within the policy against the rates which other local authorities charge. The findings were that the proposed charges sit around the national average for Scotland.

### **Exemptions**

- 3.13. Where children are subject to formal referral as a result of having their names recorded on the Child Protection Register, they may be exempted from charging.

### **Summary**

- 3.14. In the recent Early Learning and Childcare Survey, conducted by the Service, parents/carers intimated that they would welcome being able to purchase additional hours in nursery. There are small numbers of places in nurseries which could be offered to parents. The introduction of the Charging Policy will allow us to meet the needs of parents/carers and also achieve our target income by June 2016.

## **4.0 Sustainability Implications**

- 4.1. None

## **5.0 Resource Implications**

- 5.1. *Financial Details*

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate.

No ✓

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report.

Yes ✓

#### 5.4. Staffing

5.4.1 No additional staffing is required.

### 6.0 Exempt Reports

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

### 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input type="checkbox"/>

(2) **Council Policies** (Please detail)

### 8.0 Equalities Impact

8.1. Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes

### 9.0 Legality

9.1. It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers.

Yes

## 10.0 Appendices

10.1. Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1 – Nursery Charging Policy

## 11.0 Background Papers



11.1. Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No

### Author(s)

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### Approved by

NAME	DESIGNATION	SIGNATURE
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**Background**

The Children and Young People (Scotland) Act 2014 extended entitlements to early learning and childcare.

All 3 and 4 year old children and entitled 2 year old children are now eligible for 600 hours of early learning and childcare per year.

In addition to offering an increased number of hours of early learning and childcare, local authorities are required to ensure the hours are offered in a way which allows parents some choice and flexibility in order to support them to work, train or study, especially those who need routes into sustainable employment and out of poverty.

In February 2015, Clackmannanshire Council agreed to introduce a Charging Policy to sell unused nursery places to parents as a means of offering further flexibility.

**Key Principles of Clackmannanshire's Nursery Charging Policy**

The nursery policy is aligned to the key principles set out in Clackmannanshire's charging policy:

- The Council must provide services which are defined as a statutory duty free of charge to residents of Clackmannanshire, except where statute or legislation levies a charge.
- The Council may choose to provide discretionary services, depending on the identified needs of the population of Clackmannanshire
- Services should identify and recover the full cost of providing discretionary services to ensure that such costs are covered by the charges made
- Charges and fees will be reviewed on an annual basis as part of the budget setting process
- The Council should seek to ensure best value for all residents of Clackmannanshire.

In line with the above principles, nursery charges apply :

- For extended hours nursery provision (provision over and above entitlement) to provide flexible early learning and childcare.
- When parents/carers choose to defer entry to primary school and where this has not been agreed by the deferred entry panel.

## **Entitlement to Free Provision**

### **Children Aged 2 Years Old**

The following 2 year old children are entitled to a free nursery place for a maximum of 5 x 3 hours 10 minutes sessions (or the equivalent 15 hours 50minutes), per week, term time over the academic year.

- 2 year olds from the point that they are looked after, under a kinship care order, or with a parent appointed guardian.
- 2 year olds, starting from the first term after their second birthday, (where their 2<sup>nd</sup> birthday falls on or after 1 March 2015) with a parent in receipt of qualifying benefits; or, the first term after their parent starts receiving qualifying benefits.

### **Children Aged 3-5 Years Old**

All children aged 3 or 4 years old are entitled to a free nursery place for a maximum of 5 x 3 hours 10 minutes sessions (or the equivalent 15 hours 50 minutes), per week, term time over the academic year.

### **Deferred Entrants to Primary School**

The weekly free entitlement also applies to children aged 4 or 5 years old, with birthdays in January/February, who are deferring entry to Primary 1. Such children have an automatic entitlement to defer entry and government funding is in place to support the provision of nursery places.

Where the child's date of birth falls outwith January/February, if their application to defer has been agreed by the Deferred Entry Panel, the weekly free entitlement will apply. No government funding is available to support these places, however, where the panel approves the application the place may be considered to be provided at the behest of the Council and as such will be funded by Clackmannanshire Council.



*In cases where the Deferred Entry Panel does not support the application but where the parent still wishes to access a place within the nursery the Council nursery charging rate will apply with no exemptions or concessions to all hours accessed including the standard allocation.*

### **Nursery Classes**

Clackmannanshire Council currently offers extended hours nursery provision in the following establishments:

0-5 Years Establishment - ABC Nursery

2-5 Years Establishments - Sauchie Nursery School  
Park Nursery Class

3-5 Years Establishments - Strathdevon Nursery Class  
Sunnyside Nursery Class  
Redwell Nursery Class (from January 2016)  
Abercromby Nursery Class (from January 2016)  
Menstrie Nursery Class (from January 2016)

Parents will be able to purchase additional sessions in these nurseries where space is available. Lunch time provision is available in these nurseries.

In any other nursery class where space is available, parents will be to purchase additional sessions but it should be noted that these nurseries are not yet able to offer lunch time provision.

### **Charges**

The unit charge is based on a 3 hour 10 minute session calculated on occupancy, cost and comparison with other local authorities. The sessional rate applies all year round, term-time and during school holiday periods. The hourly rate will be reviewed annually in line with inflation.

**For Session 2015/2016 the sessional rate is:**

**0-2 year old - £11.10**

**2-3 year old - £10.30**

**3-5 year old - £9.50**

**For Session 2015/2016 the hourly rate is:**

**0-2 year old - £3.50**

**2-3 year old - £3.25**

**3-5 year old - £3.00**

## **Payment Structure**

From the start of term in August, families will be charged for the full extended hours allocated to their child.

Nursery classes, however, operate on a term-time basis and are only open for 39 weeks per year.

No charges will apply over public holidays or 5 staff development days throughout the year.

If a child is absent due to long-term illness (over 2 weeks), no charge will be applied and the place will be held open for their return. Note, this relates only to the child being absent through long-term illness, not the illness of a family member.

The allocation of places will be in line with the Nursery Admission Policy.

- Priority in the allocation of places will initially be given to children who live in the catchment area of the nursery for which they have applied.
- For children living outwith the catchment area, priority will be given to any child whose brother(s) or sister(s) already attends the “associated primary school” of a particular nursery school or class.
- Priority will be given to pre school children.

## **Exemption from Payment**

Where children are subject to formal referral as a result of having their names recorded on the Child Protection Register, they may be exempted from charging.

The Nursery Charging Policy will be reviewed on an annual basis.

For general advice and support on policy matters related to nursery charges, please contact the Service Manager for Early Years.