



E: ELCPartnershipForum@gov.scot

13 July 2021

NOTE FOR PROVIDERS WHO DELIVER EARLY LEARNING AND CHILDCARE

To all funded ELC childcare providers,

Early learning and childcare statutory guidance

I am writing to inform you that today, we issued updated early learning and childcare (ELC) statutory guidance to education authorities.

The updated [ELC Statutory Guidance is available on gov.scot](#). I want to highlight that a Gaelic language version will also be available within the next month. This will be available at the same link, under 'Supporting Files'.

Although this guidance is issued to education authorities, and they are required to have regard to it when carrying out their statutory functions in relation to securing the funded early learning and childcare entitlement, it is also intended to assist all those involved in the implementation and delivery of funded ELC, including providers in the private, third and childminding sectors.

This statutory guidance applies from 1 August 2021 and replaces previous guidance. It should be read in connection with the legislation to which it relates.

I understand that not all childcare providers will deliver the ELC entitlement, however I hope that this information is still useful for all providers to be aware of.

Background

Statutory guidance relating to the delivery of early learning and childcare was originally published in 2014 to reflect the changes introduced through the Children and Young People (Scotland) Act 2014. Between December 2019 and March 2020, we ran a consultation on an updated version of this guidance. I want to thank everyone who responded to this consultation.

The final version of the statutory guidance was intended for publication in early Summer 2020 ahead of the planned full rollout of 1140 hours from August 2020. However, this work was paused due to the COVID-19 pandemic.

We returned to this work in recent months, and have now published the final version.

Changes from the 2014 version

The majority of the changes in the new guidance reflect previously announced legislative and policy developments since 2014. Drawing on feedback from stakeholders, changes have also been made to make the guidance clearer and more

streamlined. The key legislative and policy developments since 2014 that have now been incorporated are:

- the legislation to increase the statutory funded ELC entitlement to 1140 hours;
- the underpinning legislation for the delivery of ELC including the changed length of an ELC session to 10 hours or less from 1 August 2019;
- the introduction of Funding Follows the Child and the National Standard on a non-legislative basis;
- the changes to ELC eligibility for deferred children from 1 August 2023; and
- the UNCRC (Incorporation) (Scotland) Bill that was approved by the Scottish Parliament on 16 March 2021.

I hope this update was useful. If you have any questions, please contact ELCPartnershipForum@gov.scot and a member of the team will be able to direct your query.

Thank you again for everything you do for Scotland's children and families.

A handwritten signature in black ink, reading "Alison Cumming". The signature is written in a cursive style with a large, sweeping flourish at the end.

Alison Cumming
Director, Early Learning and Childcare, Scottish Government