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Wednesday 8 July 2020

## **NOTE FOR ALL CHILDCARE PROVIDERS**

To all registered childcare providers,

We appreciate that the last three months of closure, delivery of critical childcare and the planning for sector recovery has been extremely challenging for everyone involved in the childcare sector. We recognise the huge amount of work that has gone into supporting children and families over this period, and are extremely grateful for your input into this.

Many of you will be considering how you will approach reopening of services and your plans for service provision in the coming months. You will be thinking about how to apply recent guidance and public health measures in your own settings to ensure safe reopening when you are ready to do so. You will also be working with families, local authorities and other partners to establish funded and unfunded childcare offers, and considering the impact on your business model. As we go through the process of planning for reopening, and as the scientific and public health advice develops, it is important that you as providers are clear of the expectations for your services.

Today the Scottish Government and COSLA have written to all Local Authorities. You can find a copy of that letter [here](#). I wanted to take the opportunity to share the letter with you and clarify our plans for the ELC expansion, support for childcare providers and our plans for updating existing guidance and publishing further guidance.

### **Statutory Entitlement to ELC funded hours**

In March, we took the difficult decision to delay implementing the duty to provide 1140 hours of ELC to all eligible children to ensure that local authorities and the childcare sector's focus was on ensuring the safety and wellbeing of children, families and staff during the pandemic. We remain absolutely committed to the benefits of the expansion, and the return to universal 1140 provision for all 3 and 4 year olds and eligible 2 year olds as soon as is possible and when Scotland is through and out of the COVID-19 crisis.

The statutory entitlement to ELC from 11 August 2020 will remain 600 hours. However, we know work on the ELC expansion is already well advanced, and that many providers and local authorities will be able to deliver more than the minimum requirement of 600 hours funded ELC to families. Your local authority will work with you to confirm local plans ahead of reopening.

As we continue to recover from the coronavirus (COVID-19) pandemic local authorities' and indeed the whole childcare community focus should be on delivering a model for funded ELC during the recovery period which reflects the principles of the [Strategic Framework for Reopening Schools, Early Learning and Childcare](#).

Quality of care and improving outcomes for children must remain central to delivery of the funded entitlement, with child development and wellbeing at the heart of our approach.

### **Future of the ELC Expansion**

We are determined to deliver the ELC expansion as quickly as possible, and across the country many children will continue to receive expanded hours. A revised date for the reintroduction of the 1140 hours duty will be agreed in partnership with local authorities and we have committed to doing an initial assessment of readiness of the ELC expansion in December 2020.

To support local authorities in their planning, at least six months' notice of the reintroduction will be given. Recognising the significant impact of the coronavirus and recovery, it will not be feasible or reasonable to reinstate a universal 1140 duty in the academic year 2020/21 (before August 2021), or while the coronavirus public health measures, which significantly impact on ELC capacity, remain in place, if that is longer.

We remain committed to the National Standard principles, in particular the need to ensure high quality funded ELC experiences for children; the principle of provider neutrality; the need for effective partnership working; and the importance of Fair Work.

### **ELC funding for local government**

The letter highlights recognises that implementing the public health guidance for reopening ELC services may have an impact on the capacity within a particular service, and could also lead to an increase in the cost of delivery of an hour of funded ELC.

Local authorities continue to be funded in full to deliver the 1140 expansion programme and so we expect local authorities to be able to deliver a funded ELC offer equivalent to at least 600 hours during the recovery period within existing funding allocations.

It is recognised that local authorities and PVI providers have already expanded their ELC capacity in anticipation of the 1140 expansion, to varying degrees, and that application of the guidance on safe reopening may affect the extent to which that capacity can be fully utilised in the immediate term. It is critical to the future full roll-out of 1140 hours that this expanded capacity is protected and maintained. We do however recognise that the expanded capacity that has been created within ELC services and settings may need to be used in different ways in the short-term to meet the needs of the recovery phase – including implementing public health measures and creating new capacity for wider childcare needs.

### **Financial Sustainability for providers**

We recognise that the commitment from Scottish Government and local authorities to continue payments for the statutory ELC hours for the duration of the closures has provided a vital source of support for many providers.

A financially sustainable model for local authorities and childcare providers is a key aspect of the approach agreed in the Strategic Framework, as well as Funding Follows the Child. Rates set by local authorities will reflect the costs of delivering high quality early learning and childcare, which puts children's wellbeing and development first. They also reflect the commitment to Fair Work, including payment of the real living wage to staff delivering funded ELC. In addition, the average cost of delivering funded ELC is expected to increase upon reopening as a result of public health measures and potential impacts on capacity. As part

of the financially sustainable model, local authorities will ensure that funding paid to providers for delivery of funded ELC entitlement remains sustainable and reflect the current costs of delivery.

We've asked that local authorities will need to continue to work in partnership with funded providers to reach agreement on sustainable local funding models which recognise the interplay with national reliefs and support. In particular, on continuation of contracted revenue streams to funded providers to support a provider neutral approach to ELC provision which promotes short and long term sustainability.

### **Reopening of Services from 15 July**

On Friday 3 July 2020 Alison Cumming, I wrote to you with an update on the guidance for the reopening of ELC settings. I would like to reiterate that message in my letter to you today.

The guidance, that was published on 15 June, will continue to apply when settings reopen on 15 July. Recent announcements on physical distancing in social settings does not affect guidance for ELC and childcare services at present. We've been clear that physical distancing is not feasible or developmentally appropriate for young children in ELC settings, and a range of other public health measure have been put in place to reduce risks of transmission.

As the scientific and public health advice develops, we will continue to review the guidance. Guidance for ELC for childcare will be reviewed alongside updated guidance for schools, and if further changes are required, based on evidence update will be issued at the end of July. In Annex A I've outlined the suit of guidance documents to support the safe reopening of the childcare sector.

### **Parents and Carers**

Understandably, parents and carers may have a lot of questions and will also want to be absolutely sure that it is safe for their child to go back to ELC. It is important for ELC settings to be safe for children, but equally important for them to be high quality and nurturing environments.

I am sure that you will be in touch with parents and carers from your settings when you have information to share with them about what will be changing. In the meantime, Parent Club is a fantastic resource with lots of information and advice for parents and carers and we would encourage you to share this with your families. Parent Club has information about the 1140 hours expansion, as well as a dedicated page with has FAQs for parents about the reopening of ELC and schools - [www.parentclub.scot/articles/reopening-schools-faqs](http://www.parentclub.scot/articles/reopening-schools-faqs). This is regularly updated with new information.

### **Further support and information**

In order to support the reopening of ELC services we will be sharing best practice examples and we are organising a series of online interactive webinars throughout July and August.

Remember to keep an eye on Twitter where we will keep you updated on the latest changes; answer your questions; share ideas and best practice; and celebrate the fantastic efforts of the early learning and childcare sector to support Scotland's children and families. Follow us @ELCScotGov.

We will continue to keep you updated with important information and updates through the Care Inspectorate and through the childcare sector representative bodies.

Thank you again for everything you do for Scotland's children and families, particularly in these challenging times.

Alison Cumming  
Interim Director, Early Learning and Childcare

**Suite of existing reopening guidance for the childcare sector**

- [Guidance](#) to support the safe reopening of outdoor childcare provision was published on 1 June, and is currently being used by providers.
- [Guidance](#) for childminders was published on 1 June, and is currently being used by providers. Refreshed guidance will be published by 10 July, to take effect from 15 July. Existing guidance will continue to apply until 15 July.
- [Guidance](#) to support the safe reopening of ELC services was published on Monday 15 June. This guidance should be used by settings planning to reopen from 15 July.
- [Guidance](#) to support the reopening of school aged childcare from 15 July was published on 3 July. This guidance should be used by settings planning to reopen from 15 July.