

COMMUNITIES SCRUTINY COMMITTEE

Minutes of a meeting of the Communities Scrutiny Committee held in Council Chamber, County Hall, Ruthin LL15 1YN on Thursday, 6 September 2018 at 9.30 am.

PRESENT

Councillors Brian Blakeley, Meirick Davies, Rachel Flynn, Tina Jones, Anton Sampson, Glenn Swingler, Andrew Thomas, Graham Timms (Vice-Chair), Cheryl Williams and Huw Williams (Chair)

Councillor Huw Hilditch-Roberts, Lead Member for Education, Children and Young People was in attendance for Agenda Item 5 at the Committee's request.

ALSO PRESENT

Corporate Director: Economic and Public Realm (GB), Head of Education & Children Services (KIE), Principal Manager, Intervention, Prevention, Health & Wellbeing (JW), Scrutiny Co-ordinator (RE), and Committee Administrator (SLW).

1 APOLOGIES

Apologies for absence were received from Councillor Merfyn Parry

2 DECLARATION OF INTERESTS

Councillor Tina Jones declared a personal and prejudicial interest in item 5 – Implementation of the Welsh Government's Free Childcare Offer in Denbighshire.

3 URGENT MATTERS AS AGREED BY THE CHAIR

There were no urgent matters.

4 MINUTES

The minutes of the meeting of the Communities Scrutiny Committee held on 12 July 2018 were submitted.

RESOLVED that the minutes of the meeting held on 12 July 2018, be received and approved as a correct record.

5 IMPLEMENTATION OF THE WELSH GOVERNMENT'S FREE CHILDCARE OFFER IN DENBIGHSHIRE

At this juncture, Councillor Tina Jones declared a personal and prejudicial interest in the Implementation of the Welsh Government's Free Childcare Offer in Denbighshire as the owner of a day nursery in Prestatyn. She is also the Wales Trustee of National Day Nursery Association. As such Councillor Jones left the Council Chamber and took no part in the discussion.

The Lead Member for Education, Children and Young People introduced the Principal Manager: Intervention, Prevention, Health and Well-being's report (previously circulated). During his introduction the Lead Member emphasised that the free childcare offer was a Welsh Government (WG) scheme which stemmed from a 2016 Assembly election manifesto promise to offer 30 hours a week of government-funded early education and childcare to eligible working parents of three and four year olds for 48 weeks of the year by 2020. Whilst it was a WG scheme it would be delivered by local authorities. Seven local authority areas had been chosen to pilot the scheme, three of these areas were in North Wales and in those areas the scheme had been rolled out to the entire county areas. One of these pilot areas, or Early Implementer Local Authorities (EILAs), was Flintshire County Council. Flintshire, as an EILA, had already developed the systems to administer the free childcare offer and were now experienced in the administration of the Scheme. Denbighshire had agreed to work in partnership with Flintshire for it to deliver the Scheme on its behalf when it was rolled-out in Denbighshire in April 2019. Denbighshire's role would be one of an 'engagement authority' with responsibility for promoting the offer to parents, guardians, childcare providers, and training staff to deal with enquiries regarding the free childcare offer. Denbighshire would provide Flintshire with the relevant information to process the applications and administer the offer. Denbighshire, following discussions with the WG, had opted to roll-out the free childcare scheme to the entire county from April 2019 rather than undertake a phased roll-out to specific Council wards. The Lead Member and officers were of the view that this approach would be much fairer one to all eligible children and families across the county. Whilst both councils had agreed the arrangements for the partnership to deliver the Scheme Denbighshire was awaiting written confirmation from WG that it was in agreement for the Scheme to be rolled-out to the entire county from April 2019 rather than April 2020. Nevertheless, verbal assurances had been given by WG that it was in agreement for it to be rolled-out across the county in April 2019.

The Head of Education and Children's Services advised that the free childcare scheme was a complex scheme as it included 10 hours of early education along with 20 hours of childcare for 48 weeks of the year. She emphasised that Denbighshire had always favoured implementing the offer across the county at the same time rather than on a phased introduction approach on a ward by ward basis, hence the reason for not applying to be an EILA.

Responding to members' questions the Lead Member, Head of Education and Children's Services, and the Principal Manager: Intervention, Prevention, Health and Well-being advised that:

- the Council did have some reservations regarding the provision of the scheme in the county as it was aware that not all registered childcare providers could deliver the early education element. The Council had raised its concerns regarding this with the WG during its discussions on the proposed roll-out. The actual extent of any appropriate availability problems would not become clear until the scheme was rolled out as would associated travelling and administration issues;
- from the evaluations undertaken to date in the seven EILA pilot areas the overall outcomes were positive. Problems only seemed to have occurred in

areas where there were shortages of childcare providers. Denbighshire presently had a surplus of childcare places;

- childcare providers were required to register and comply with Care Inspectorate Wales (CIW) standards in order to operate as childcare providers, but not all childcare providers were early years education providers. With a view to assisting those childcare providers who wished to expand their provision, in order to deliver the entire free childcare offer package, the Council was looking at accessing WG capital grant funding available to support the free childcare offer initiative. This was for the purpose of providing training on early years education to childcare providers;
- as Denbighshire had a low number of three and four year old children at present, officers did not expect a high volume of applications for the free childcare offer upon roll-out in April 2019;
- the WG had provided a specific revenue grant for the purpose of funding the implementation and delivery of the free childcare offer in Denbighshire. It had also undertaken to fund the revenue costs incurred by the Council in relation to administration duties associated with its implementation. On the basis that the grant and revenue funding had been awarded to the county for delivering a Welsh Government manifesto pledge, the Lead Member and officers were confident that it would be highly unlikely for the funding to be withdrawn;
- both letters received from the WG regarding the free Childcare Offer (copies of which were appended to the report) had been received in English only. The Lead Member undertook to contact WG to register his disappointment that no Welsh language versions had been sent and to request Welsh copies of them;
- the grant monies awarded had been awarded in accordance with European Union (EU) financial regulations, which were in force at the award date and would therefore still apply until alternative regulations came into force following the UK's departure from the EU;
- the number of children accessing the free childcare offer would continually fluctuate due to the eligibility criteria – the fact that the offer was only available for children of eligible working parents from the school term following their third birthday until the point they were offered a full time education place (usually the September following their fourth birthday). It was anticipated that the number of additional children who would qualify for the offer would fluctuate between 400 to 500 throughout the year and that take-up of the offer would vary from area to area throughout the county;
- the WG free childcare offer represented an investment by the Government in the childcare sector which could boost the market and equalise the provision and charges for such services across the county. It could potentially provide an opportunity for childcare organisations to work in partnership with schools in rural areas to help boost childcare provision in areas where fewer providers were available. Education and Children's Services officers were working with childcare providers across the county with a view to supporting them to offer the appropriate types of services to meet the Free Childcare Offer criteria;
- whilst take-up of the Offer would be dependent on parental choice the Council was publicising the Offer via a number of communication channels, including schools, website and social media. When the final details of the

scheme were available a further communications strategy would be initiated to draw the scheme to residents' attention;

- one of the benefits of not being an EILA was having sufficient time to effectively plan for the scheme's implementation;
- the 30 hours of free childcare offer was available to all children of qualifying age of eligible working parents regardless of whether they had any additional or special learning needs. Within the free childcare offer there was a specific ring-fenced fund for the provision of special needs childcare. Officers were also exploring whether WG capital funding could be accessed for the purpose of developing two strands of support for special needs childcare. One strand of support to fund administrative work with parents of special needs children to raise awareness of childcare provision and the second strand of support to provide one to one support for the child with additional needs in the childcare setting;
- the WG had committed to fund the Free Childcare Offer and the administration of the scheme for a period of three years;
- the take-up of the Offer in the EILA areas had been gradual;
- all non-maintained education sector providers were being supported and encouraged by the Council to seize the opportunity to benefit from the new Scheme. The majority of providers who engaged with the childcare information forums were interested in participating in the new Scheme. Whilst some of the county's schools did provide after school provision the Authority's duty was to provide statutory education to pupils of statutory school age. However after school clubs could benefit from the free childcare offer and would receive relevant information about it via the relevant forums encouraging them to engage with the scheme;
- a similar free childcare offer scheme in England had recently encountered problems with some providers charging parents for 'extras' not covered in the scheme. In Wales the guidelines for the scheme specified that parents should not be charged additional fees in excess of £7.50 a day. As the delivery authority for Denbighshire, Flintshire would be expected to monitor providers compliance with Government guidance with respect of the Scheme;
- the free childcare offer was available to parents for up to 48 weeks of the year. It would be up to parents to choose which weeks they required the childcare to be provided and be mindful of when the childcare provider was able to provide childcare when they entered into an agreement with them;
- Flintshire's administration system for the free childcare offer was an hours-based system;
- flexibility aspects within the scheme for shift, zero-hours contract, and seasonal workers were continually being tested in EILA areas with a view to finding satisfactory solutions to ensure that working parents subject to such contracts were not disadvantaged. Her Majesty's Revenues and Customs (HMRC) were expected to assume administration of the Free Childcare Offer scheme from 2020. If these arrangements proceeded it would facilitate speedier verification processes for parents who were subject to the above types of employment contracts and those who were self-employed who wished to access the Free Childcare Offer. Whilst WG were still working on the details relating to this there was currently an 8 week 'grace period' for parents on non-standard contracts wishing to access the Offer;

- training would be provided to parents wishing to access the Free Childcare Offer. Some childcare providers were already helping parents to prepare for the Scheme's introduction, whilst the Council's Family Information Service (FIS) and other teams within Education and Children's Services were providing support and training to parents and childcare providers in readiness for the Offer's introduction;
- the basis for the EILAs selection was likely to be for the purpose of testing take-up levels and the effectiveness of implementation procedures in different types of areas i.e. rural and urban, geographic location, demographic profile etc.;
- whilst it was expected that a number of childcare providers would cater for a mixture of private and Free Childcare Offer children, all children would be receiving the care and educational opportunities in the same setting, they would not be segregated based on who funded their place at the childcare premises. CIW inspection procedures would ensure that two-tier provision/segregation would not be permitted;
- the Free Childcare Offer was time limited as it was only available for children of eligible working parents from the school term following their third birthday up until the time they were offered a full-time school place. Once they entered full-time education any after school/holiday care would need to be financed by the parents; and
- the EILAs had not encountered any major problems in relation to parents being able to access suitable summer holiday childcare provision

The Committee thanked the Lead Member and officers for attending the meeting and answering their questions in relation to the Free Childcare Offer. Members requested officers to explore whether any funding streams may be available which could be used to support work with families who did not qualify for the Free Childcare Offer to make sure that their children did not become socially excluded or isolated. At the conclusion of the discussion members:

RESOLVED: - *subject to the above observations –*

- (i) *to endorse the plans in place for full roll-out of the Childcare Offer in Denbighshire on the basis of the current agreement with the Welsh Government;*
- (ii) *to endorse the proposed cross-county delivery plan with Flintshire County Council;*
- (iii) *to agree to further scrutinise a contingency plan for a priority wards roll-out if, for any reason, funding for a full authority roll-out was not confirmed by Welsh Government; and*
- (iv) *if full roll-out was confirmed by Welsh Government, that a report be presented to the Committee post April 2020 to assess the take-up and impact of the free childcare offer in the county since its introduction in April 2019 and to evaluate whether the introduction of the offer had supported the delivery of the Council's corporate priorities relating to young people and resilient communities, supported the local economy and was on course to deliver better outcomes for children and families*

6 SCRUTINY WORK PROGRAMME

A copy of a report by the Scrutiny Co-ordinator, which requested the Committee to review and agree its Forward Work Programme and which provided an update on relevant issues, had been circulated with the papers for the meeting.

A copy of the Members Proposal Form had been included in Appendix 2. The Cabinet Forward Work Programme had been included as Appendix 3, and a table summarising recent Committee resolutions and advising on progress with their implementation, had been attached at Appendix 4.

The new Waste & Recycling Model would be included in the 25 October 2018 meeting as further work was required prior to it being presented to Scrutiny Committee. Due to the anticipated public interest in this item, it was agreed that the Planning Enforcement report which was included for the 25 October, 2018 meeting would be moved to 13 December, 2018 meeting. In addition, the items on Ysgol Rhewl and Ysgol Llanbedr Dyffryn Clwyd would also be moved from 25 October, 2018 meeting, with the former being presented at the 24 January, 2019 meeting and the latter's presentation being subject to the publication of the Cabinet Secretary's decision in relation to its future.

RESOLVED that subject to the above to approve the Committee's Forward Work Programme.

7 FEEDBACK FROM COMMITTEE REPRESENTATIVES

None.

The Corporate Director: Economy and Public Realm informed members of the Committee that the next Service Challenge to take place will be the Business Improvement and Modernisation Service. The Lines of Enquiry to take place at 3.00 p.m. on 18 September, 2018 and the Service Challenge meeting taking place on 2 October 2018.

Councillor Andrew Thomas was the representative from Communities Scrutiny Committee to attend the Service Challenge.

The Chair, Councillor Huw Williams expressed the importance to attend the Service Challenge meetings and if a Councillor was unable to attend then to arrange another Councillor to attend on their behalf. It was also important, for continuity and scrutiny purposes that the same member attended both the Lines of Enquiry and Service Challenge meeting.

The meeting concluded at 10.55 a.m.