

CABINET MEETING: CABINET DATE 20/01/2022

REPORT TITLE: CARDIFF CHILDCARE SUFFICIENCY ASSESSMENT 2022-2027

CHILDREN AND FAMILIES (CLLR GRAHAM HINCHEY)

AGENDA ITEM:

Reason for this Report

1. To seek approval to consult on the draft Cardiff Childcare Sufficiency Assessment (CSA). This will be published on Cardiff Councils website, for the required statutory consultation period of 28 days.
2. To delegate authority for the finalisation of the Cardiff Childcare Sufficiency Assessment, to the Director for Adults, Housing and Communities, in consultation with the Cabinet Member for Children and Families, having taken into account the results of the consultation. The Childcare Sufficiency Assessment will need to be submitted to the Welsh Government by the deadline of 30th June 2022.

Background

3. The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016 place a duty on local authorities to prepare and publish assessments of the sufficiency of the provision of childcare in its area.
4. The term childcare refers to child care providers, such as childminders, full day-care, afterschool clubs, sessional day-care; and home childcare providers (nannies).
5. Local Authorities must usually prepare and publish their local Childcare Sufficiency Assessment (CSA) at five yearly intervals. Following the Covid-19 pandemic the Welsh Government deferred this requirement for 2021, setting the 30th of June 2022 as the new date for all CSA's to be submitted
6. The legislation and accompanying guidance states that the key tasks that each Local Authority is required to undertake to assess the supply of childcare in their areas are:
 - to identify the demand for childcare
 - to analyse if gaps exist and to develop an action plan to deliver the Local Authority's duty to secure, so far as is reasonably practicable, sufficient childcare to meet local needs of parents, (albeit for working parents or parents undertaking education or training) to assist them to obtain work.
7. Regard must be given to families wishing to access childcare:

- through the medium of Welsh.
 - for children with a disability or additional need.
 - for those wishing to access childcare, funded via Flying Start, the Childcare Offer, employer supported vouchers or tax-free childcare and lower income families.
8. The legislation requires the draft CSA to be published bilingually on the Council's website for consultation and stakeholder feedback for a period of 28 days. The Local Authority must then amend the draft assessment in such a way as they consider appropriate, taking into account any comments received before the final submission of the assessment is made to Welsh Government.

Issues

9. Cardiff Council's draft CSA proposed for public consultation is attached as appendix 1.
10. Most of the data relating to Cardiff's childcare provision, capacity and demand has been supplied to local authorities by the Care Inspectorate Wales (CIW). The data was collected from childcare providers by CIW in the annual Self-Assessment of Service Statement (SASS) and supplied to Local Authorities in an anonymised format.
11. Data has also been sourced from the Dewis database, from Cardiff Research Centre, from the Education Directorate and from records held by the Council's Childcare Business Support Team.
12. The following limitations relating to the data have been identified:
- a. At the time the data relates to, there were 432 registered childcare settings, with 30 settings suspended, leaving 402 settings whose data should be included in the 2022-2027 CSA.
 - b. Of these, 353 settings completed and returned their SASS data.
 - c. 49 settings either did not or were not required to return their SASS data to CIW. The timescales do not allow for any amendments to the data before publishing.
13. During the drafting of the CSA, it is evident that some of the data provided through the SASS is not fully accurate. Whilst this data is required to be referred to within the CSA, where possible, any identified errors have been highlighted. These inaccuracies will not impact on the development of an action plan.

Initial Findings of the Draft Cardiff Childcare Sufficiency Assessment

14. The initial findings of the draft Cardiff Childcare Sufficiency Assessment indicate that across Cardiff there is broadly sufficient childcare to meet the needs of parents so they can access work and/ or training. However, the data indicates that;
- there is some unmet demand in some localities, in specific childcare services and in specific types of childcare provision.

- that further work needs to be carried out to promote the financial support that is available to help pay for childcare,
- that further work is required to ensure that more sectors and settings are fully aware of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNet) and their responsibilities
- that there are concerns raised regarding recruitment and retention of qualified childcare staff across the city
- that there are concerns regarding the robustness of data used when carrying out Childcare Sufficiency Assessments.

Potential Unmet Demand

Potential unmet demand by locality.

15. There are lower levels of childcare provision in Cardiff East compared to Cardiff overall. There are also other pockets of potential unmet demand for specific services in four other Neighbourhood Planning Areas (Cardiff North, City and Cardiff South, Cardiff South West and Cardiff West). Further investigations will be required to confirm the exact level of unmet demand. Once this has been established action plans will be put in place to address this.

Potential unmet demand Welsh medium provision and the Welsh language.

16. The data identifies that there is a potential unmet demand for Welsh medium childcare provision in the following areas.

- Welsh medium childcare (morning sessions) in Cardiff North.
- full day care and Cylch Meithrin sessions in Cardiff West.
- after school care in City and Cardiff South, Cardiff South West and Cardiff West.

If confirmed following further investigation, opportunities will be pursued with Education partners to potentially utilise capital funding made available to support Cymraeg 2050 and the Cardiff Welsh in Education Strategic Plan (WESP) to develop or expand Welsh medium childcare linked to Welsh medium primary schools.

In addition, Welsh language taster courses designed for the childcare and early years workforce will be promoted with the aim of addressing the low numbers of Welsh medium childminders and the limited Welsh language skills of many childcare staff.

Other Findings

17. Affordability remains a key issue for many families who want or need to access childcare. Cardiff Family Advice and Support (CFAS) are key partners in increasing the awareness of parents and carers about the range of financial assistance available to help with childcare costs. There is scope to encourage more settings to sign up to provide Tax Free Childcare to assist working parents.

18. Additional Learning Needs, Statement of Educational Need and disability data indicates that not all childcare settings are aware of the Additional Learning Needs and Education Tribunal (Wales) Act 2018 (ALNet) and their responsibilities as providers. The action plan will seek to address this by increasing awareness across the sector and settings. The Council's Childcare Business Support Team in Partnership with Education will extensively promote how providers can access advice, support, guidance and training, in order to respond to the needs of children will be carried out
19. There are significant concerns across the sector regarding recruitment and retention of qualified childcare employees. There are opportunities for the Early Help team to work with the Councils' Into Work Service and the Cardiff Commitment to support the sector with the recruitment and training of childcare staff.
20. Further work is needed to ensure the annual updates, and future Childcare Sufficiency Assessments are informed by the most robust data possible. The questions on the Self-Assessment of Service Statement, which is sent to all providers by Care Inspectorate Wales may need to be reviewed. There were some instances where it was clear that data returned by providers was not accurate. Checks and balances were put in place by the Council's Childcare Business Support Team to ensure that these obvious anomalies were taken into account when carrying out the Childcare Sufficiency Assessment. This issue has also been raised by other local authorities. Therefore, activities to improve the accuracy of the data in the future, by working with key stakeholder partners will also be included in the action plan.
21. Following the public consultation, it is proposed that a full action plan is developed to take forward the issues outlined above.

Local Member consultation (where appropriate)

22. The report does not involve a local issue.

Reason for Recommendations

23. To enable the Local Authority to fulfil its statutory responsibility to prepare and publish a local Childcare Sufficiency Assessment (CSA) by the 30th of June 2022.

Financial Implications

24. There are no direct financial implications for this report.
25. The Welsh Governments' Childcare and Play element of the Children and Communities Grant, predominantly funds the delivery of actions identified in the CSA Action Plan. In 2021/22, the initial allocation for the Childcare and Play Grant was £263,065.
26. During 2021/22 The Welsh Government made available additional in-year funding of £10,000 to support CSA related costs, plus £400,631 for

additional small scale sustainability grants to help support childcare settings recover from the impact of Covid-19. This funding can support childcare providers for claims made from 1 April 2021 to 31 March 2022.

27. Cardiff Council has a base budget of £8,100 to support the delivery of the actions from the previous CSA Action Plan (2016-2021).

Legal Implications (including Equality Impact Assessment where appropriate)

28. The Childcare Act 2006 (Local Authority Assessment) (Wales) (Regulations 2016 made under section 26 of The Childcare Act 2006 require local authorities to prepare assessments of the sufficiency of childcare provision (Childcare Sufficiency Assessment) and Action Plan in their area every five years and to keep those under review

Welsh Government Circular Letter Number WGC 003 2021 issued on the 15 March 2021 stated that “In light of the current pressures on local authorities and the ongoing relative fluidity in terms of the state of the sector, the Welsh Government will provide an extension of time for local authorities to prepare, publish and submit their Childcare Sufficiency Assessment (CSA) 2022 and Action Plan.” The letter indicates that the extended date is the 30th of June 2022.

The Well-being of Future Generations (Wales) Act 2015

The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.

In discharging its duties under the Act, the Council has set, and published wellbeing objectives designed to maximise its contribution to achieving the national wellbeing goals. The wellbeing objectives are set out in Cardiff's Corporate Plan 2021 -24.

When exercising its functions, the Council is required to take all reasonable steps to meet its wellbeing objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the wellbeing objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.

The wellbeing duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:

- Look to the long term

- Focus on prevention by understanding the root causes of problems
- Deliver an integrated approach to achieving the 7 national well-being goals
- Work in collaboration with others to find shared sustainable solutions
- Involve people from all sections of the community in the decisions which affect them

The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible on line using the link below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). This means the Council must give due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The protected characteristics are age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief.

When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers (WG42004 A More Equal Wales The Socio-economic Duty Equality Act 2010 (gov.wales)) and must be able to demonstrate how it has discharged its duty.

HR Implications

29. There are no direct HR implications for this report

Property Implications

30. There are no direct property implications for this report

RECOMMENDATIONS

Cabinet is recommended to:

31. Approve publication of the draft Childcare Sufficiency Statement on the Cardiff Council website for public consultation.
32. Delegate authority to the Director for Adults, Housing and Communities, in consultation with the Cabinet Member for Children and Families, to approve

the final version of the Childcare Sufficiency Assessment having taken into account the results of the consultation.

SENIOR RESPONSIBLE OFFICER	Jane Thomas, Director, Adults, Housing and Communities
	Date submitted to Cabinet office

The following appendices are attached:

- *Appendix A – Draft Cardiff Childcare Sufficiency Assessment*

The following background papers have been taken into account

- The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016 <https://www.legislation.gov.uk/wsi/2016/88/made>
- Childcare: statutory guidance for local authorities (gov.wales) <https://www.legislation.gov.uk/wsi/2016/88/made>