



## RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

### CABINET

20<sup>TH</sup> SEPTEMBER 2018

#### CONSULTATION ON COUNCIL RUN DAY NURSERY PROVISION

#### REPORT OF THE GROUP DIRECTOR, COMMUNITY AND CHILDREN'S SERVICES IN DISCUSSIONS WITH THE RELEVANT PORTFOLIO HOLDER CLLR C LEYSHON

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#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to inform Cabinet Members of the outcomes of the consultation initiated by Cabinet in relation to the proposed changes to Council run Day Nursery provision in Ynyscynon.

#### **2. RECOMMENDATIONS**

It is recommended that Cabinet:

- 2.1 Consider the feedback from the consultation period as set out in section 5 of this report.
- 2.2 Agree to proceed with the implementation of the proposed changes in relation to ceasing the offer of 'fee paying' Day Nursery provision in Ynyscynon; rationalising the staffing arrangements; and increasing the number of Flying Start places available from 27 to 32.
- 2.3 Instruct Officers to begin the search for a more appropriate alternative venue for the delivery of Flying Start childcare.

#### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 Ynyscynon Day Nursery transferred from Education to the Early Years Service in 2016 and is subsidised by the Council but there are now no fee paying children enrolled at Ynyscynon. This provides a timely opportunity to review service delivery at Ynyscynon, identify service improvements and make financial savings without impacting negatively on children and families in that area.
- 3.2 There is a strong business case to cease the provision of non statutory 'fee paying' childcare provision at Ynyscynon as with no children

registered at the Day Nursery, the Council is currently subsidising a provision that there is no parental demand for.

- 3.3 Whilst consultation responses in relation to the use of the Ynyscynon site have been received, no comments have been received to indicate there is any current or future demand for Council run 'fee paying' childcare in the area.
- 3.4 Changes to Day Nursery provision offer the opportunity to seek a more appropriate alternative venue for the delivery of the Flying Start childcare. The Portakabin utilised for the delivery of childcare is now isolated and is the only building in use on the Ynyscynon site. The old Nursery School building on the site is now unoccupied. This would enable the Council to release the Ynyscynon site as the Early Years and Family Support Service are aware of interest from community organisations in utilising it.

#### **4. BACKGROUND**

- 4.1 In 2015/16 Cabinet made the decision to close Ynyscynon Nursery School, delivered at the Ynyscynon Early Years Centre and transfer its pupils and education provision to the nearby Pontrhondda Primary School. As a part of that change, the Early Years functions of the Centre, namely the Day Nursery, Flying Start childcare provision and premises/Centre management transferred to Early Years and Family Support (EYFSS) in February 2016. The Day Nursery merged with Ynyscynon Flying Start Childcare in May 2016 on a temporary basis, however, following the closure of the Early Years Centre the childcare facility is now isolated as the only building in use on the Ynyscynon site.
- 4.2 A Cabinet report outlining the current delivery and options for service change was presented to Cabinet on Thursday 10<sup>th</sup> May 2018. Cabinet agreed to initiate a 4 week consultation in respect of Option 2 of the report which proposed to:
  - Cease the offer of non statutory 'fee paying' childcare provision at Ynyscynon and deliver Flying Start only services. This is proposed due to no fee paying children currently registered and the alternative Day Nursery provision in the area.
  - Review and rationalise existing staff contracts and rotas of staff at Ynyscynon to ensure optimum resource levels are attained and service flexibility assured, thereby providing staff for 32 Flying Start children. This is proposed due to the current staffing arrangements being greater than that required to run a Flying Start only provision.

- 4.3 Cabinet requested to receive a further report detailing the responses to the consultation in respect of Option 2. This report presents the responses to that consultation for Cabinet Members consideration.

## **5. CONSULTATION**

- 5.1 The aim of the 4 week targeted consultation was to gather the views of local parents, families, residents and other interested parties on the proposal to cease the offer of non statutory 'fee paying' childcare provision at Ynyscynon and deliver Flying Start only childcare provision and review and rationalise exiting staff contracts and rotas of staff at Ynyscynon. The consultation ran for a 4 week period between 4<sup>th</sup> June and 4<sup>th</sup> July 2018.

- 5.2 The methodology adopted was an online questionnaire, a paper questionnaire and a drop in engagement event at Ynyscynon Day Nursery. Locations for paper consultation questionnaires included Ynyscynon Nursery and the following local primary and secondary schools, in line with the school catchment footprint and local GP Surgeries:

- Cwmclydach
- Llwynypia
- Pontrhondda
- Williamstown
- Bodringallt
- Ysgol Yr Eos
- Penygraig Primary
- Tonypandy Primary
- Tonypandy Community College
- Ysgol Gyfun Cwm Rhondda
- Dr HV Shah, Tyntyla Road, Llwynypia
- Tonypandy Health Centre
- DeWinton Field Practice, Tonypandy
- St Andrew's Surgery, Tonypandy
- Penygraig Surgery

- 5.3 Emails containing the link to the online questionnaire were sent to consultation locations and paper questionnaires were also distributed to these locations. Notifications were also sent to local Elected Members with details of the consultation.

- 5.4 A total of four respondents completed the online questionnaire and three individuals attended the drop in engagement event on Tuesday 26<sup>th</sup> June 2018. As two of the individuals who attended the engagement event also submitted online responses the following consultation findings reflect the comments of five respondents.

- 5.5 Two of the respondents disagreed with the proposal to cease the offer of non statutory fee paying childcare and the rationalisation of staffing arrangements on the basis that the Day Nursery provision could be moved from the current Portakabin into the main Nursery school building and continue to offer fee paying and Flying Start childcare as required. This comment was part of a wider suggestion of developing the currently vacant Nursery School building on site into a Community Hub, should a local group be willing to take it on, which could accommodate the provision of early years childcare upon the payment of rent.
- 5.6 One of the respondents agreed with the proposal to rationalise existing staffing arrangements at Ynyscynon Day Nursery to increase the number of Flying Start places available on the basis that more children should have the right to Flying Start provision than those chosen by the 'post code lottery system currently in place'.
- 5.7 Discussion at the drop in consultation event focused on the allotment plots on the Ynyscynon site that were established approximately 8-10 years ago via informal arrangement with the previous Headteacher of the Nursery School. Currently, a local resident maintains one of the plots on behalf of the Nursery. Concern was raised as to the future of these allotments and the intention for the land, following a communication with the Council's Corporate Estates department that referred to 'possible future developments' of the Ynyscynon site.
- 5.8 Comments received at the drop in event included:
- Issues with security of the site as a result of the removal of the caretaker.
  - There are good links between the nursery and the allotments and this provides value to the children.
  - It was felt that there were no other suitable sites in the local areas for the nursery and it would be difficult to find a suitable alternative location.
  - It was reported that the Sea Cadets were looking for a new premises and links could be made.
  - It was thought that other groups may be interested in having discussions with the RCT Together Team in the Council about future use of the building.
- 5.9 Discussions with Corporate Estates have clarified that work is underway with the allotment occupiers to formalise arrangements by issuing them with licences to regularise their occupation of the land. Communication with the occupiers has stated that this licence will be 6 months in the first instance and that as much notice as possible will be

given should the land be required as a result of any possible future development plans.

- 5.10 Should Cabinet agree to proceed with the proposed change staff consultation would be carried out in accordance with the Council's statutory obligations and Managing Change policy. Staff and trade unions would be fully consulted at the appropriate time.

## **6. EQUALITY AND DIVERSITY IMPLICATIONS**

- 6.1 Section 149 of the Equality Act 2010 (Public Sector Single Equality Duty) requires public authorities to demonstrate in decision making that they have paid 'due regard' to the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
- Foster good relations between people who share a protected characteristic and those who do not.

- 6.2 The United Nations Convention on the Rights of a Child also requires the Council to demonstrate that decision making has paid due regard to the rights of children and young people.

- 6.3 An Equality Impact Assessment Screening Form has been prepared in respect of the proposed changes to Council run Day Nurseries for the purposes of this report. The screening has identified that the proposed options have limited impact on children and families therefore a full Equality Impact Assessment would not be required. The screening form can be accessed by contacting the author of the report or the Cabinet Business Officer.

## **7. FINANCIAL IMPLICATION(S)**

- 7.1 There would be a saving to the Council of **£51,190** at 2018/19 budget level as a result of ceasing the offer of 'fee paying' Day Nursery provision at Ynyscynon; rationalising the staffing arrangements; and increasing the number of Flying Start places available.

## **8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED**

- 8.1 Under the Childcare Act 2006, section 22, the Council must, "secure, so far as it reasonably practicable, that the provision of childcare (whether or not by it) is sufficient to meet the requirements of parents in their area who require childcare in order to enable them (a) to take up, or remain in work; or (b) to undertake education or training which would reasonably be expected to assist them to obtain work."

- 8.2 The duties under the 2006 Act require the Council to shape and support the development of childcare provision in its area in order to make it flexible, sustainable and responsive to the needs of the community. The intention is to ensure that parents are able to access childcare locally that meets their needs and enables them to make a real choice about work. The effect of the wording “*reasonably practicable*” within the 2006 Act is to allow the Council to take into account its resources and capabilities in making decisions about when to intervene to address gaps in the childcare market.
- 8.3 The Council is not under a duty to provide the childcare directly (although it has the power to make provision if it so chooses). The Council is expected to support the development of childcare where there is sufficient parental demand in order that a childcare setting or a childminder could operate and be sustainable.
- 8.4 Cabinet must have regard to Welsh Government Guidance when considering its statutory duty under s.22 of the 2006 Act. The particular relevant points from the Guidance in addition to the matters already set out in the Statute itself, and of relevance for this report, state that:
- i. Local authorities should consider the particular issues around access to childcare for black and other ethnic minority parents, lone parents and those making the transition to work, including those training.
  - ii. Local authorities will also need to consider availability of childcare to support parents working atypical hours.
  - iii. Local authorities are required to secure childcare of sufficient duration and reliability to enable parents to make a real choice about work. Local authorities are required to act to secure sufficient childcare that is registered by the Care and Social Services Inspectorate for Wales (CSSIW)
- 8.5 As part of meeting the Council’s statutory duties as regards childcare, the Council has prepared its Childcare Sufficiency Assessment (CSA) 2017-2022. Members will be familiar with the contents of this document which was approved by Cabinet on 18<sup>th</sup> July 2017.

**9. LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT**

- 9.1 This proposal links to the corporate priority of promoting independence and positive lives for everyone by ensuring that the Council continues to facilitate the delivery of high quality Day Nursery provision that ensures children of RCT receive a great start in life.
- 9.2 The options set out in this report offer the opportunity to provide a **long-term** plan for the delivery of Day Nursery provision in RCT.

Working in **collaboration** with private and third sector childcare providers and community groups to explore externalising our Day Nursery provision creates the opportunity to address insufficient childcare places and **integrate** service delivery for the benefit of families. **Involving** parents throughout the process will serve to **prevent** their potential anxieties regarding future access to appropriate local childcare places for their children.

9.3 This proposal contributes to the following well-being goals:

- **A prosperous Wales** – The options proposed will either seek to transfer services to an alternative provider or cease provision where currently there is no demand. By transferring provision to an alternative provider, this will ensure that childcare capacity can be met at the current level and potentially encourage expansion of childcare places. A transference of services to an alternative provider will support the Council to meet its aim to empower communities to take a lead in delivering services to meet their needs. Ensuring a sufficient number of childcare places are available to meet demand will support more parents to be in a position to seek and maintain employment.
- **A resilient Wales** – Externalising Day Nursery provision offers a locally run childcare setting the opportunity to develop the business acumen to be responsive to the needs of families and parents making them resilient to changes in the childcare market. It will also be able to develop staff from within the setting to progress through the childcare career progression routes, developing their skills.
- **A healthier Wales** – Access to affordable childcare supports children to meet their developmental milestones and develop social skills, enhancing their emotional wellbeing.
- **A more equal Wales** – Through externalisation, sustainable Day Nursery provision will be available across communities at a reasonable cost for families. This will ensure that childcare is not a barrier to families seeking to gain employment.
- **A Wales of cohesive communities** – Externalisation of provision has the potential to generate community interest, either through organisations already operating as childcare providers or through the development of new childcare provision. These organisations may employ staff from within the community that they serve, thereby enabling communities to meet their own needs. The Council will actively seek to reduce duplication of provision in the Llwynypia area leaving established local providers to deliver Day Nursery provision.

- **A Wales of vibrant culture and thriving Welsh language** – Externalisation of provision has the potential to generate interest from Welsh medium childcare providers, who may choose to deliver childcare through the medium of Welsh. For the area of Pontypridd this would be welcomed and would compliment the provision of Welsh medium education in the locality. It would also help the Council to meet the objectives of the Welsh in Education Strategic plan, through the provision of early years childcare which would feed into Welsh medium statutory education.
- **A globally responsible Wales** – exploring the options within this report will provide the opportunity for the Council to ensure resources are used efficiently. It will also support the sustainability of childcare alongside the longevity of premises in which there has been capital investment.

## **10. CONCLUSION**

- 10.1 This report has provided Cabinet Members with details of the outcomes of the consultation initiated by Cabinet in relation to the proposed changes to Council run Day Nursery provision in Ynyscynon.
- 10.2 Upon consideration of the consultation findings within this report, Cabinet Members are in a position to make a fully informed decision in relation to the proposed changes.

### **Other Information:-**

#### ***Relevant Scrutiny Committee***

Children and Young People Scrutiny Committee



**LOCAL GOVERNMENT ACT 1972**

**AS AMENDED BY**

**THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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**Background Papers**

[Cabinet – 10<sup>th</sup> May 2018](#)

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