

**Early Years Reference Group Meeting  
Friday 22 March 2024**

**1. Welcome and introductions**

Lyssy Bolton (LB), Jane Boulton (JB), Lucy-Anne Bryant (LAB), Emma Cooke (EC), Jackie Day (JD), Emma Egan (EE), Charlotte Forester (CF), Jenny Harvey (JH) (notes), Marie Taylor (MT), Emily Wood (EW), Karen Venner (KV), Kerry Yeates (KY)

LAB introduced and welcomed Gemma Oakley, Assistant Commissioner for Early Years Sufficiency to the group.

**2. Apologies**

Sarah Hawkins, Julia Honeywell, Kirsty Merrifield, Debbie Muir, Kai Muxlow, Emma Osmund, Naomi Wright

**3. Minutes of last meeting (8 January 2024)**

The minutes were agreed as a true record.

**4. Matters arising**

Item 4 – Parent Declaration form. A new form has been published on the website incorporating the old consent for 30 hours form and the new 2 year old Working Parent Entitlement codes. However, it was not possible to extend beyond a financial year as the funding is issued on this basis.

Item 5 – Capital funding survey. EW confirmed that there was a 54% survey submission rate which is providing Wiltshire Council with a rough gauge of what is happening around the county. EW commented that a higher rate of return would have been preferred to provide a more accurate picture.

Item 6 – Wrap around childcare. LAB advised schools with resources bases had been included in the expression of interest SNAP survey.

Item 7 - BACS remittances. MT/EW advised these should now be being received by all providers.

Item 7 - Payment schedule. EW advised this hasn't been progressed, will look to do for next financial year.

Item 7 – SENIF. EC advised there is currently no new data to share with the group, but this will be a rolling agenda item.

Item 8 – Supplementary rates underspend. MT advised this was linked to a coding error and is now resolved.

**ACTION: None**

**5. Budget Monitoring (MT)**

MT shared the current budget monitoring report with group.

Essentially, there is an underspend in EY, and a variance in the Schools Block around the growth fund. There is pressure in the high needs block (approximately 16.6 million), with rurality a further £5million on top of this.

The DfE have now agreed to a 5 year safety valve arrangement plan which will have short to medium term impact. The first payment of the safety valve arrangement for £26.8 million will be made on 28 March 2024.

In December 2023 a variance of £1.8 million underspend was forecasted across the EY block, and previous pressures on ISF were forecasting a slightly bigger underspend which is now a bit smaller. There is a larger underspend on the EY central expenditure block.

Budgeted activity (PTE) shows fewer 3&4 year olds and slightly more 2 year olds. LB asked what is being forecasted next year as expect this will look very different. MT advised that we need to assume that all will be spent. It will be interesting to see what the actual take up will be as its thought it will be more about what parents are able to access rather than what they want to access.

EE queried what happened to any excess budget. MT advised that it could be reutilised, although it could not be given out as additional funding for 2, 3 & 4 year olds as the regulations do not allow this. It would still be a welcome help however it is reutilised.

MT felt it would be a good idea if someone could attend one of the next meetings to speak about safety valve arrangement. Ben Stevens was suggested to receive an invite to the next meeting.

EC informed the group that last year's budget underspend subsidised last year's EY conference.

EW commented that the drop in PTE could possibly be linked to a drop in the birth rate. Forecasting is done on the number of children in settings at a point in time, and the DfE do a post year adjustment using January census data, so there is a possible risk of funding being removed.

**ACTION: LAB/MT to invite Ben Stevens to next meeting to speak about the safety valve arrangement**

## 6. Early Years Entitlement Expansion

LAB advised that capital funding is still available. 3 settings have got an agreement to date (Melksham, Westbury, Dilton Marsh). Other settings are expressing an interest. The DfE are challenging why Wiltshire Council have said they won't meet targets for childcare places. Rurality is a key issue, and the council weren't given additional funding (£1000) for staff.

LB asked if the criteria could be forwarded to her to see if anyone across the trust can expand their offer.

KV asked about the number of places being offered by the new Melksham nursery which LAB confirmed as 40.

*(CF joined the meeting at 10am)*

LB confirmed that 2 year olds returned to Rivermead from January 2024.

LAB confirmed that the Forest area of Melksham is an area of deprivation. LB asked for additional information on this.

LAB advised the group on a concerningly low number of validated codes for the new 2 year old Working Parent Entitlement starting 1 April 2024. Our figure is currently below the national average. EW advised that Wiltshire Council had asked the DfE how the figure is calculated, with the DfE stating through portal and manual checks. We are hoping it is just the younger cohort of the age group as it is highly unlikely that any of the new 2 year old Working Parent entitlement codes are invalid.

KV commented that their parents are sending in screenshots of their funding portal confirmation, so no validation process has been carried out yet by the setting on the Establishment Portal as they are trying to streamline the process.

CF said they have had a few enquiries from parents, and that possibly there could be parents unable to find available childcare. If parents are struggling to find a space, do Wiltshire Council have a database of available places? EW/LAB confirmed no, and that providers should pass onto others.

JH advised there seemed to be more code validation requests for the younger age cohort submitted this last week. LAB also suggested that perhaps more parents are using out of county provision.

LAB informed the group that she thought there were enough places as eligible 2 year olds are more than likely already attending a provision, so the paid place will convert to a funded one. However, we will keep developing this moving forward.

**ACTION:** LAB to forward LB the criteria for capital funding expansion  
LAB to provide LB with additional information on the Forest area

## **7. Wrap around childcare development (LAB/All)**

LAB informed the group that a presentation has been made at headteacher and governor briefings informing them it is their statutory duty to provide spaces. A capacity data return is due next week which will enable the local authority to look at areas of need. The government want local authorities to over supply the market. Wiltshire Council doesn't want to put any existing business out of business, so we need to work out how to dovetail this in with existing provision. Some schools have already expressed their interest.

CF advised they used to have 2 after school clubs (ASC); they now just have 1. CF asked if there will be support with transport as she is unable to justify employing 6 people to drive to different schools to collect children and bring back to ASC provision. LAB/EC confirmed no support for transport was available.

LB raised the issue of food provision. Some rural schools get food for their children from main schools. If children are to be there until 6pm, then food will also be needed.

JD queried how wraparound care will work with schools open only 38 weeks of the year. LAB/EC advised that only term time funding is available with this piece of work, but LAB agreed that we need to look at how this could be managed during the holidays. LB referred to CF's case, and suggested modelling case studies for a small school. If the business case requires funding staff to drive to transport children to the setting – this could be raised with the DfE as a query. LAB stated that we need to test what works and how it can be managed. CF asked if there were any parameters on food being offered; EC confirmed there weren't.

**ACTION: None**

## **8. Local Provider Agreement – update version (JH/All)**

Prior to the meeting, the draft Provider Agreement (based on new DfE regulatory guidance) had been shared with the group.

The group discussed the lack of clarity in the working around charging.

EE commented they won't be delivering the new 2 year old Working Parents entitlement in this first term as they cannot afford to offer it. For them, the numbers don't add up, and they don't want parents sending in snacks.

LAB/EC advised that local authorities are being increasingly challenged by the DfE and Ombudsman on this topic. The local authority must ensure a balance between providers charging for services over and above the basic childcare in line with the guidance, whilst at the same time being open and honest with parents about their charges and, being mindful of parents struggling financially.

KV advised that she informs her parents that the meal charge pays for cook wages.

KV also asked if the entitlement eligibility start dates would be reiterated, i.e. 1 April, 1 September, and 1 January.

EW asked the group if the local authority needed to do more on promoting tax-free childcare, and did providers feel it was a useful tool to supplement income. The group confirmed that tax-free childcare is used but didn't feel it was making much of an impact.

CF commented that she has different charges across the different age groups, and asked if she could charge a consumable charge. EW advised that top-up charges were not permitted and that all children who are eligible for the entitlement should be treated the same. Charges could be made for additional services above and beyond the basic childcare. EE commented that they treat running the business as a whole and charge all the parents enabling them to provide a service to all.

EW advised she had attended a DfE conference the previous week where there was an item on running a business. A delegate pointed out that the only advice on the DfE website was directing people to Ofsted; no other advice from central government was provided on running a business. LAB suggested that perhaps this area needed to be looked at in the future, as private equity firms have bought an increasing number of private nursery chains.

KV commented that she must pay VAT as a private business, whereas charities are exempt. People, when told, are astounded nurseries are not exempt from paying VAT. LAB advised it is the same with business rates.

Any further feedback on the draft Provider Agreement is to be sent to JH by Tuesday 26 March in order for it to be issued to early years providers ahead of the Easter break.

**ACTION: Provider Agreement feedback to JH by 26 March 2024**

## 9. Ofsted Big Ask (LAB)

LAB advised this consultation being carried out by Ofsted is seeking views across all areas around inspections. It closes on 31 May 2024 and LAB asked providers to share it with parents. The new head of Ofsted doesn't have any EY experience so wants feedback.

**ACTION: None**

## 10. AOB

MT advised that the DfE have awarded £106,955 to Wiltshire Council to help with qualified teachers. A payment of £545.69 per qualified teacher (based on data submitted by providers for the 2024 EY Census) will be made to settings to help with pay and pensions of relevant staff. EE commented that she has 3 QTS and queried whether they would get the funding? If 3 qualified teachers were included on the EY Census return, then funding will be awarded. This includes QTS, EYPS and EYTS.

Family Hubs start on 2 April 2024, and children's centres will be closing across the county next Thursday. Children's centres have done a brilliant job over the last 20 years, but it's now time to move forwards. Spurgeon's will be linking in with all early years providers, schools and communities. There will be a soft launch initially at County Hall, Monkton Park, and Five Rivers.

MT asked if physical spaces in the hubs will be live on 2 April, which LAB confirmed. LAB advised that acoustic walling to divide some of the large spaces will be arriving later. CF queried if this included health visitors as well. LAB confirmed that Hub and Health Visitor contracts both start on 2 April 2024 to ensure earlier help is available. If there are any issues with health visitors, then please inform LAB. HVs, let us know.

**ACTION: None**

**11. Date of next meeting**

The next meeting is scheduled for Friday 7<sup>th</sup> June 11-12.30pm