

LONDON: SUFFICIENCY AND BEYOND DEFINITIONS AND GLOSSARY

Childcare

Childcare is defined for first time by Section 18 of Childcare Act 2006. Childcare means any form of care for a child and includes:

- Education for a child.
- Any other supervised activity for a child.
- Includes supervised activities for under 18 year olds.

The childcare duty applies to a child up to 31st August following the date on which they became 14 (except if the child has a disability – see below).

The following are **not** defined as childcare for the purposes of the 2006 Act:

- Education (or any other supervised activity) provided by a school during school hours for a registered pupil who is not a young child, or
- Any form of health care for a child, or
- Care provided in children's home, care home, hospital in which the child is a patient or residential family centre.

Nor is it childcare if the care provided by:

- Parent or step-parent.
- A person with parental responsibility.
- A relative.
- A local authority foster parent.
- Is a foster parent with whom the child has been placed by a voluntary organisation.
- A person who fosters the child privately.

Childcare **does not include** care provided for a child who is detained in —

- A young offender institution, or
- A secure training centre.

The Children's Plan: building brighter futures

A ten-year strategy designed to implement the Government's ambition to make this country the best place in the world for children and young people to grow up. The Children's Plan sets out how the Department for Children, Schools and Families is going to achieve that – by putting the needs of families, children and young people at the centre of everything we do. <http://www.dcsf.gov.uk/childrensplan/>

The plan is updated annually. The first update, *The Children's plan one year on* is at <http://www.dcsf.gov.uk/oneyearon/>

Disability

A disabled child is a child who has a disability for the purposes of the Disability Discrimination Act 1995 (c. 50) (DDA). The DDA defines a **disabled person** as someone who has a **physical or mental impairment** that has a **substantial** and **long-term adverse effect** on his or her ability to carry out **normal day-to-day activities**.

The childcare duty applies to a disabled child until their 18th birthday.

Early Support

Early Support is a national programme to improve the way that services for young children with disabilities in England work together and with families. It implements Government guidance, [Together from the Start](#), published in 2003.

It provides a standard framework and set of materials that can be used in many different circumstances, and a set of expectations about how services should work with families. Early Support is relevant to all agencies that provide services for families

Extended schools

An extended school offers access to a range of services which support and motivate children and young people to achieve their full potential. Working with the local authority, local providers and other schools, they provide access to a core offer of integrated services which include:

- A varied range of activities, including study support, sport and music clubs, combined with childcare in primary schools
- Parenting and family support
- Swift and easy access to targeted, and specialist, services
- Community access to facilities, including adult and family learning, ICT and sports grounds

The aim is to ensure all primary and secondary schools offer extended services by 2010.

<http://www.teachernet.gov.uk/wholeschool/extendedschools>

Early Years Foundation Stage as above

The 2006 Act removes the distinction between childcare and early or nursery education for children aged 0 to 5 years. From September 2008 all registered childcare settings are required to deliver the Early Years Foundation Stage (see <http://www.standards.dfes.gov.uk/eyfs/site/about/index.htm>). All references to childcare in the guidance include early years provision.

English as an additional language (EAL)

The term EAL recognises the fact that many children learning English in settings in this country are already developing one or more other languages and are adding English to that repertoire.

Free Early Years Entitlement

Section 7 of the 2006 Act requires local authorities to secure a prescribed amount of early years provision free of charge for children of a prescribed age living in their area from September 2008. The free entitlement must be made available for all three and four year olds.

The minimum free entitlement that local authorities must provide for each eligible child is 12.5 hours per week for 38 weeks a year, rising to 15 hours per week for 38 weeks a year by 2010.

Information, Advice and Assistance

Section 12 of the Childcare Act 2006 gives LAs the duty to provide information, advice and assistance to parents and prospective parents as a vital aspect of achieving an effective childcare market where parents are able to articulate their needs and access support and provision easily. The duty also includes giving information about other services, facilities or publications which may be of benefit to parents, prospective parents, children or young people

Information, Advice and Training

Section 13 of the Childcare Act 2006 requires local authorities to secure the provision of information, advice and training to:

- Providers registered on either the Early Years Register or the Ofsted Childcare Register.
- People who intend to provide childcare which will need to be registered.
- People in schools providing childcare.
- People intending to provide childcare in a school.
- People employed by, or who intend to be employed at or by, any of the above.

Older Children

An older child for the purposes of this toolkit is one over the age of 8. It may be helpful to consider provision in terms of primary and secondary age children (8 to 11 and 11 to 14 – or 18 if a disabled child), given the key role played by schools.

Parent

“parent” includes any individual who—

- (a) has parental responsibility for a child, or
- (b) has care of a child.

Reasonably Practicable

Meeting the benchmark of ‘reasonably practicable is flexible is required by Section 6 of the 2006 Act. The local Authority may take account of:

- The state of the local childcare market.
- Potential for increasing the number of people working in childcare.
- Resources available to, and capabilities of, childcare providers.
- Need to develop an effective, phased programme to meet the duty.
- The local authority’s resources, capabilities, and overall budget priorities.

The duty should have a significant influence on priorities; however, the local authority decides what is sufficient for its locality.

Registration

Registration on the Early Years Register is compulsory for providers who care for children aged from birth to the 31 August following their fifth birthday, unless they are exempt from registration. The exemptions are set out in regulations. All those on the Early Years Register must deliver the Early Years Foundation Stage.

Registration on the compulsory part of the Childcare Register is compulsory for providers who care for children from 1 September following their fifth birthday (the end of the foundation stage) up to the age of eight. This is usually six and seven-year-olds, but could include some five-year-olds. Again, some providers may be exempt from registration.

Registration on the voluntary part of the Childcare Register is voluntary for:

- any provider registered on the Early Years Register or the compulsory part of the Childcare Register who wishes also to join the voluntary part of the Childcare Register

- any provider who is unable to register on the Early Years Register or compulsory part of the Childcare Register (for example providers who are exempt or whose care does not fall to be registered). This includes:
 - home-based care (nannies)
 - activity-based settings
 - short-term care
 - care which is only for children aged eight and over.

However, one of the requirements to join the voluntary part of the Childcare Register is that the childcare is provided:

- in respect of a particular child for a continuous period of at least two hours or
- as part of arrangements whereby childcare is provided:
 - for a period ending at the start of normal school hours, or beginning at the end of normal school hours or
 - for a continuous period of at least two hours.

Providers who do not satisfy this requirement will not be able to join the voluntary part of the Childcare Register. Registration is a key issue in promoting affordable childcare: parents can only claim the childcare element of Working Families Tax Credit for Registered childcare

Securing sufficiency

The role of the Local Authority is to secure sufficiency of childcare rather than to provide sufficient childcare: the LA has a strategic role in commissioning, strategy development and planning. The LA should endeavour to manage the market in childcare and act as commissioner and regulator only acting as provider where the private, voluntary or independent (PVI) sector cannot meet identified needs. The LA should provide information to enable parents to access the market and support for parents and providers as necessary (see **Information, Advice and Training** above).

Short Break

A new duty on local authorities to provide short breaks for disabled children and their families which comes into force from April 2011.

Short breaks form part of a continuum of services for disabled children and their families (The term short break is preferred to respite care as the term respite implies that a disabled child is a burden and a break is relief from that burden. Rather, a short break should be seen as part of the overall service to the child and their family). Examples of eligible expenditure meeting this criteria would be:

- befriending, sessional worker or sitters assisting severely disabled children and young people's access to universal provision;
- bridging – the use of short-term specialist staff to ensure a smooth transition of a severely disabled child into a mainstream service. This would have the goal of building sustainable skills so that when the worker withdraws, the child's short break access is maintained;
- impairment or issue specific training to enable the access of a child or children to short break provision – local areas should ensure that this is underpinned by a firm foundation of disability equality awareness as required by legislation.

Special Educational Needs (SEN)

SEN has a specific legal definition. Children with **special educational needs** all have **learning difficulties** or **disabilities** that make it harder for them to learn than most children of the same age. These children may need extra or different help from that given to other children of the same age. The law says that children do not have learning difficulties just because their first language is not English. Of course some of these children may have learning difficulties as well.

Children with special educational needs may need extra help because of a range of needs, such as in thinking and understanding, physical or sensory difficulties, emotional and behavioural difficulties, or difficulties with speech and language or how they relate to and behave with other people.

Sufficiency

Meeting the childcare sufficiency requirement can be assessed using the following criteria:

- Sufficient places overall in each sub-local authority area.
- Sufficient flexibility.
- Places are sufficiently accessible.
- Childcare places are high quality.
- Sufficient range.
- Sufficient knowledge and information about supply of places.
- Childcare places are sufficiently affordable.
- Childcare places are sufficiently inclusive and meet particular needs.
- Childcare places are sufficiently sustainable.

Whether or not an individual local authority's childcare is sufficient is related to the assessment of need produced by the sufficiency assessment (see below).

Sufficiency assessment

Local authorities must have completed an initial assessment of demand for, and supply of, childcare (the sufficiency assessment) by the end of March 2008 and every three years thereafter. However, DCSF guidance on Childcare Sufficiency Assessments (February 2007) says that, in response to Section 11 of the 2006 Act, local authorities should consider updating their assessment whenever new data becomes available, but should do so to the extent possible at least annually.

Sufficient childcare

Section 6 of the Childcare Act requires local authorities to secure that...the provision of childcare is sufficient to meet the requirements of parents in their area in order to enable them:

- To take up, or remain in, work, or
- To undertake education or training which could reasonably be expected to assist them to obtain work.

A local authority must have regard to the needs of parents in their area for:

- The provision of childcare in respect of which the child care element of working tax credit is payable.
- The provision of childcare which is suitable for disabled children and may have regard to any childcare which they expect to be available outside their area.

Working Families Tax Credit

Government support for lower income families – families claiming Working Families Tax Credit can also claim an additional childcare element to help pay for childcare costs. The childcare element can only be claimed for childcare provided by a Registered provider. (See Registration above)

The Government recognises that childcare is more expensive in London and for disabled children. A more generous level of support in London is being tested jointly with the London Development Agency through the revised Childcare Affordability Pilots 2009. (and details are in the *Next Steps for Early Learning and Childcare* paras 6.14 to 6.23: <http://publications.dcsf.gov.uk/eOrderingDownload/00173-2009DOM-EN.pdf>)