

**North Tyneside Council**  
**Report to Director of Children's Services**  
**Date: 28<sup>th</sup> June 2024**

**Title: Childcare Expansion Programme**

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**Portfolio(s):** Supporting and  
Protecting Children

**Cabinet  
Member(s):**

**Councillor Peter  
Earley**

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**Report from Service**

**Area:** Commissioning - Children's & Families

**Responsible Officer:** Mark Taylor, Head of Commissioning (Tel: 0191 643  
- Children's & Families 8755)

**Wards affected:** All

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**PART 1**

**1.1 Executive Summary:**

The Authority has received grant funding from the Department for Education (DfE) under section 31 of the Local Government Act 2003 to fund a Wraparound Childcare Programme and to allocate Childcare Capital Expansion grants to schools and childcare providers in the Borough. The Authority has received this funding as part of the national programme to expand childcare for working parents and carers.

The Authority will allocate grants to Ofsted registered childcare providers in the Borough to deliver additional childcare places. This will cover two financial years, ending 31 March 2026. The grant agreements will set out the responsibilities of providers in delivering the childcare provision alongside the funding they will receive for delivering the programme. The childcare capital expansion grant is for schools and childcare providers to increase their capacity to offer additional, high quality, childcare places.

This report seeks approval from the Director of Children’s Services to allocate funding and issue grant agreements to the Authority’s schools and childcare providers.

## **1.2 Recommendation(s):**

It is recommended that the Director of Children’s Services:

- (1) approve the allocation of funding to schools and childcare providers who have submitted funding proposals and who have met the Department for Education grant conditions and eligibility requirements and to the issuing of grant agreements for the Wraparound Childcare Programme and Childcare Expansion Capital Grant for the 2024/25 and 2025/26 financial years.

## **1.3 Forward Plan:**

Twenty-eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 31 May 2024.

## **1.4 Council Plan and Policy Framework**

This report relates to the following priority(ies) in the 2020/24 Our North Tyneside Plan:

A Family-Friendly North Tyneside

## **1.5 Information:**

### **1.5.1 Background**

1.5.2 The Authority has received grant funding from the Department for Education (DfE) under section 31 of the Local Government Act 2003 to fund a Wraparound Childcare Programme (£1.002m) and to allocate Childcare Capital Expansion grants (£0.441m) to schools and childcare providers.

1.5.3 The wraparound childcare grant is to fund a new, national programme to build capacity and increase the availability of childcare places in the Borough. School-age wraparound provision is for children between reception year and year 6 and will meet the DfE definition of 8:00am until 6:00pm, Monday until Friday, during school term times. The majority of the wraparound funding is to support schools and providers to deliver additional childcare places. Up to 11%

percent of the funding can be used by the Authority to manage and coordinate the wraparound programme.

1.5.4 The Childcare Expansion Capital Grant is paid to local authorities (LAs) to support the phased expansion of Early Years (EY) childcare provision for working parents of all children 9 months to 3-year-olds and also for the provision of 8am to 6pm wraparound care for primary aged children. The DfE funding is to meet the capital costs associated with projects that help ensure sufficient places for:

- Children taking up an early years place through the expanded 30-hours entitlement for qualifying working parents (from the term following the child reaching 9-months to the term in which they turn 3-years-old);
- Increasing the supply of wraparound childcare for primary-school aged children;
- Local authorities may also consider use of this grant to fund central capital works (e.g. modifications to IT systems) where they are necessary to enable the roll-out of entitlements.

1.5.5 The Childcare Expansion Capital Grant has been accepted as part of the Authority's Capital Investment Plan and will be monitored through the Investment Programme Board.

1.5.6 The Authority will invite funding proposals from schools and providers in accordance with the DfE grant conditions and eligibility requirements for the programme. Successful organisations will receive a grant agreement that sets out the duties and responsibilities placed upon them, in relation to the funding they will receive for delivering the proposal. Grant agreements will be prepared and issued in conjunction with Legal Services.

## **1.6 Decision options:**

The following decision options are available for consideration by Director of Children's Services:

### Option 1

To approve the recommendation in paragraph 1.2 of the report.

### Option 2

Not to approve the recommendation in paragraph 1.2 of the report and request additional information.

Option 1 is the recommended option.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

The recommended option will enable the Authority to allocate the grant funding for 2024/25 and 2025/26 financial years in accordance with the DfE grant conditions for the programme. This will increase access by families to additional childcare places and thereby support the Authority to fulfil its statutory duties regarding childcare sufficiency.

It will also ensure the delivery of the childcare expansion programme in accordance with Authority's Section 31 grant conditions from the Department for Education.

## **1.8 Appendices:**

None

## **1.9 Contact officers:**

Mark Taylor, Head of Commissioning – Children's & Families, tel. (0191) 643 8755

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) [National Wraparound Childcare Programme Handbook. A guide for local authorities in England, DfE, February 2024](#)
- (2) [Childcare Expansion Capital Grant, Allocations Guidance, DfE, November 2023](#)
- (3) [North Tyneside Council, Report to Cabinet, 18 March 2024. Title: 2023/24 Performance & Financial Management Report to 31 January 2024](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The Authority has received Section 31 grant funding from the DfE of £1.002m for the Wraparound Childcare Programme and £0.441m for the Childcare Capital Expansion.

## **2.2 Legal**

### **The Childcare Act 2006**

Section 6 of the Act, places a duty on English local authorities, so far as reasonably practicable, to secure sufficient childcare in their area for working parents.

### **The Childcare Act 2016**

Section 1 of the Act, which places a duty on the Secretary of State to secure the equivalent of 30 hours of free childcare over 38 weeks of the year for qualifying children of eligible working parents. Children in England will qualify if they are under compulsory school age and meet the description set out in regulations made under section 2 of the Act.

Section 2 of the Act allows the Secretary of State to make regulations setting out detailed requirements for discharging the duty under section 1 of the Act. Such regulations have been made, namely, the Childcare (Free of Charge for Working Parents) (England) Regulations 2022. Regulation 44 of the regulations requires the Authority to secure free childcare for qualifying children of eligible working parents, to discharge the duty in section 1 of the Act.

The Authority's Officer Delegation Scheme includes specific delegations given to the Director of Children's Services (HECS 73 and HECS 74), regarding the delivery of early education and childcare.

### **Equality Act 2010**

All providers are expected to make reasonable adjustments for children with disabilities, in accordance with their duties under the Equality Act 2010, whether or not they have special educational needs and disabilities (SEND). The Equality and Human Rights Commission (EHRC) are clear that if a reasonable adjustment is needed to enable children with disabilities to attend childcare, providers must pay for it, not parents.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

Internal consultation has taken place with Children's Services Senior Management Team and with other services across the Authority.

### **2.3.2 External Consultation/Engagement**

Information on the childcare expansion programme has been shared with headteachers and their school leadership teams and with private, voluntary and independent (PVI) providers. On-line questionnaires have been returned from schools and providers to gather further information on the current childcare offer and any gaps in provision. Briefing sessions on the Wraparound Childcare Programme have been undertaken with schools and with childcare providers in May 2024.

### **2.4 Human rights**

Protocol 1, Article 2 of the Human Rights Act 1998 states that everyone has the right not to be denied access to the educational system.

### **2.5 Equalities and diversity**

The Authority will prepare childcare grant agreements that reflect the operational guidance published by the DfE. The guidance requires local authorities to consider inclusion and whether provision is accessible to all children, as one of the criteria used in determining whether to allocate funding to a childcare provider. Providers must make reasonable adjustments to allow children with disabilities to access childcare.

### **2.6 Risk management**

Failure to issue grant agreements, will prevent providers from receiving funding, which will in turn prevent families from accessing additional childcare places. Risk will be managed through the Authority's risk management process, with risks entered, as appropriate, into the operational and strategic risk registers.

### **2.7 Crime and disorder**

There are no direct crime and disorder implications arising from this report.

### **2.8 Environment and sustainability**

There are no direct environmental and sustainability implications arising from this report.

### **PART 3 - SIGN OFF**

- Chief Executive  X
- Director(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Assistant Chief Executive  X