

Report Title:	Early Years Funding Consultation Results 2022/23
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Schools Forum
Meeting and Date:	26 May 2022
Responsible Officer(s):	Clive Haines – School Leadership Development Manager
Wards affected:	All

REPORT SUMMARY

In November 2021 the government announced increases in 2022/23 grant funding for Early Years settings in respect of 2022/23.

Further to Schools Forum 20 January 2022, a consultation was undertaken between 21 January to 11 February 2022. This report provides a summary of the consultation results (Appendix B: Consultation email sent to all early year providers within RBWM).

As the formula had to be submitted by the end of March, the decision to proceed with the proposal was taken, based on the feedback. This report therefore is just for information.

DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Schools Forum notes the report and:

- i) agrees with findings from the consultation to increase the 2, 3 and 4 year-old funding rates**

1. Options

1.1 There were 35 responses, 100% were in agreement to increase the 3 & 4 year old hourly rate by 20p and 94% were in agreement for the 2 year old hourly rate to increase by 16p.

1.2 The consultation also had a comments field for provider feedback and table 1 contains the main comments collected during the consultation period. The comments received were considered but did not materially impact on the formula, therefore, did not alter the recommendations, however, a more in depth consultation and review will be undertaken for 2023/24.

1.3 The comments did not require any changes to the recommendations, allowing officers to submit the proposed formula on time.

Table 1: Main comments of feedback

1	Whilst the increase is welcome it doesn't cover the costs of the providers, this alongside a drop in Number on Roll (NOR) is a problem for the settings
2	The supplements seem to be outdated; can the funding be added to the base rate?
3	Funding for 2 year olds should be more in line with that of 3 & 4 year olds
4	Consideration for additional support required for Communication and Language, as speech and language skills have been lower than expected, due to younger pupils having spent early years of life with social interactions limited, due to Covid restrictions.

2. KEY IMPLICATIONS

2.1 Effective from April 2022 funding rates will be increased as set out in this report.

3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 The increased funding rates will be funded from the increased DfE allocation for the Early Years Block 2022/23.

4. LEGAL IMPLICATIONS

4.1 There are no legal implications for this report.

5. RISK MANAGEMENT

5.1 There are no risk management concerns for this report.

6. POTENTIAL IMPACTS

- 6.1 Equalities. Equality Impact Assessments are published on the [council's website](#). The Equality Act 2010 places a statutory duty on the council to ensure that when considering any new or reviewed strategy, policy, plan, project, service or procedure the impacts on particular groups, including those within the workforce and customer/public groups, have been considered. It has been assessed that there are no Equality Impact risks arising from this report. Link to Equality Impact Assessments. <https://www.rbwm.gov.uk/home/council-and-democracy/equalities-and-diversity/equality-impact-assessments>
- 6.2 Climate change/sustainability. There are no climate change/ sustainability risks arising from this report.
- 6.3 Data Protection/GDPR. There are no data protection/ GDPR risks arising from this report.

7. APPENDICES

7.1 This report is supported by two appendices:

- Appendix A - EQIA
- Appendix B - Consultation email sent to providers

8. CONSULTATION

Name of consultee	Post held	Date sent	Date returned
<i>Mandatory:</i>		<i>Statutory Officers (or deputies)</i>	
Adele Taylor	Executive Director of Resources/S151 Officer	11-05-22	17-05-22
Emma Duncan	Deputy Director of Law and Strategy / Monitoring Officer	11-05-22	13-05-22
<i>Deputies:</i>			
Andrew Vallance	Head of Finance (Deputy S151 Officer)	11-05-22	
Elaine Browne	Head of Law (Deputy Monitoring Officer)	11-05-22	
Karen Shepherd	Head of Governance (Deputy Monitoring Officer)	11-05-22	11-05-22
<i>Other consultees:</i>			
<i>Directors (where relevant)</i>			
Duncan Sharkey	Chief Executive	11-05-22	12-05-22
Andrew Durrant	Executive Director of Place	11-05-22	
Kevin McDaniel	Executive Director of Children's Services	11-05-22	16-05-22
Hilary Hall	Executive Director of Adults, Health and Housing	11-05-22	17-05-22
<i>Heads of Service (where relevant)</i>			
Nikki Craig	Head of HR, Corporate Projects and IT	11-05-22	12-05-22
Louisa Dean	Head of Communications	11-05-22	

Confirmation relevant Cabinet Member(s) consulted	Councillor Stuart Carroll; Cabinet Member for Adult Social Care, Children's Services, Health, Mental Health, & Transformation	Yes
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REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Schools Forum decision	No	No

Appendix B: Consultation email sent to providers

Introduction

The purpose of this consultation exercise is to seek the views of all early year's providers (schools, private, voluntary and independent providers) on the funding formula changes the borough and the Schools Forum should consider for 2022-23. The consultation will be open from 21 January 2022 to 11 February 2022. Please submit comments by the survey by the 11 February 2022 at the latest. The results will be reported to the next Schools Forum meeting.

The final formula will be submitted to the EFSA by the 31 March 2022.

In November 2021 the government announced increases in 2022/23 grant funding for Early years. Please see below an extract from the government notification and the RBWM consultation on the proposed changes to the hourly rates for Early Years National Funding, the Early years pupil Premium and the disability access fund DAF allocations from April 2022.

Early years entitlements funding rates for 2022/23

Extract from the government announcement:

'In 2022 to 2023 we'll increase the hourly funding rates for all local authorities by 21 pence an hour for the 2-year-old entitlement and, for most areas, 17 pence an hour for the 3 and 4-year-old entitlements. We are also increasing the minimum funding floor, meaning no council can receive less than £4.61 per hour for the 3 and 4-year-old entitlements.

We're also increasing the early years pupil premium by 7 pence to 60 pence per hour, equivalent to up to £342 per eligible child per year, to support better outcomes for disadvantaged 3 and 4-year-olds.

Funding for the disability access fund, to help providers make reasonable adjustments within their provision to support eligible 3 and 4-year-old children with a disability, will also increase by £185 to £800 per eligible child per year.'

Government funding announcement: [Link](#)

Consultation

RBWM consult annually with Schools and Early providers on proposed changes to the provider funding. Following on from the government announcement on Early years funding changes are to be made to the new hourly rates from 1st April 2022.

The new base rates proposals, the hourly supplements, Nursery Maintained School Supplement (NMSS) and the SEN Inclusion fund budget in total will exceed the '95% pass through' required of each local authority. The published S251 Budget statements details each local authorities' early years funding allocation proposals and the budgeted 'pass through' percentage.

RBWM propose to increase the base rate funding for both Early Years National Funding formula for 3- and 4-years old and two year old hourly rate as reflected in the table 1. In order to meet the early years central costs and the 95% pass through, 1p of the increase has been retained. EYNFF supplements are to remain at the current hourly rate. Providers will be entitled to claim the new 2022-23 annual sums for both EYPP and Disability Access eligible children.

Please note that the NMSS is allocated in full to the authorities three maintained nursery settings.

Link to operation guidance and the required 95% passthrough see page 9:

[Here](#)

For the financial year 2022/23 RBWM proposed new hourly and annual funding rates are listed in the table below:

RBWM	Provider Base rate 2021/22	Proposed Increase in provider element	Provider base rate 2022/23
	£	£	£
2 year old funding – Hourly rate	5.86	0.20	6.06
3 and 4 year old EYNFF funding – Hourly base rate	4.44	0.16	4.60
Early Years Premium - Hourly	0.53	0.07	0.60
Disability Access Funding – Annual rate	615.00	185.00	800.00

Note: rates above exclude the supplements for Deprivation and quality Supplements for EYNFF:

Per Hour	Deprivation	Qualification
	£	£
High	0.32	0.27
Medium	0.18	0.18
Low	0.09	0.09

Please click on the link below to submit your response by Friday 12pm on Friday 11th February 2022

<https://forms.gle/NVmFyHD7cwYPQ6ac7>

ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD

EQUALITY IMPACT ASSESSMENT: Early Years Funding Consultation Results 2022/23

ESSENTIAL INFORMATION										
Item being assessed (Please tick):	Strategy		Policy		Plan		Project		Service/Procedure	✓
Responsible Officer:	Clive Haines			Service:	Education					
				Directorate:	Children's Services					
STAGE 1: EqIA SCREENING (MANDATORY)				STAGE 2: FULL ASSESSMENT (IF APPLICABLE)						
Date created:	11-05-22			Date created:						
Approved by Head of Service / Overseeing group/body / Project Sponsor:	<i>"I am satisfied that an equality impact has been undertaken adequately."</i>									
	Signed:	Kevin McDaniel								
	Date:	11-05-22								

GUIDANCE NOTES

What is an EqlA and why do we need to do it?

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advancing equality of opportunity between those with 'protected characteristics' and those without them.
- Fostering good relations between those with 'protected characteristics' and those without them.

EqlAs are a systematic way of taking equal opportunities into consideration when making a decision, and should be conducted when there is a new or reviewed strategy, policy, plan, project, service or procedure in order to determine whether there will likely be a detrimental and/or disproportionate impact on particular groups, including those within the workforce and customer/public groups.

What are the “protected characteristics” under the law?

The following are protected characteristics under the Equality Act 2010: age; disability (including physical, learning and mental health conditions); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

What's the process for conducting an EqlA?

The process for conducting an EqlA is set out at the end of this document. In brief, a Screening Assessment should be conducted for every new or reviewed strategy, policy, plan, project, service or procedure and the outcome of the Screening Assessment will indicate whether a Full Assessment should be undertaken.

Openness and transparency

RBWM has a 'Specific Duty' to publish information about people affected by our policies and practices. Your completed assessment should be sent to the Strategy & Performance Team for publication to the RBWM website once it has been signed off by the relevant manager, and/or Strategic, Policy, or Operational Group. If your proposals are being made to Cabinet or any other Committee, please append a copy of your completed Screening or Full Assessment to your report.

Enforcement

Judicial review of an authority can be taken by any person, including the Equality and Human Rights Commission (EHRC) or a group of people, with an interest, in respect of alleged failure to comply with the general equality duty. Only the EHRC can enforce the specific duties. A failure to comply with the specific duties may however be used as evidence of a failure to comply with the general duty.

STAGE 1: SCREENING (MANDATORY)

1.1 What is the overall aim of your proposed *strategy/policy/project etc* and what are its key objectives?

The overall aim of the report is to provide a summary of the consultation results in respect of the proposed increase in Early Years Funding rates for 2022/23.

1.2 What evidence is available to suggest that your proposal could have an impact on people (including staff and customers) with protected characteristics?

*Consider each of the protected characteristics in turn and identify whether your proposal is **Relevant** or **Not Relevant** to that characteristic. If **Relevant**, please assess the level of impact as either **High / Medium / Low** and whether the impact is **Positive** (i.e. contributes to promoting equality or improving relations within an equality group) or **Negative** (i.e. could disadvantage them). Please **document your evidence** for each assessment you make, **including** a justification of why you may have identified the proposal as “Not Relevant”.*

Protected characteristic	Relevance	Level	Positive / Negative	Evidence
Age	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as Early Years funding is on a formula basis impact has already been considered within previous reports and decision making processes
Disability	Yes	Low	Positive	This report does impact on pupils within this protected characteristic; however, as Early Years funding is on a formula basis impact has already been considered within previous reports and decision making processes
Gender reassignment	No			There is nothing in the report which is considered to impact on this protected characteristic.
Marriage and civil partnership	No			There is nothing in the report which is considered to impact on this protected characteristic.

Pregnancy and maternity	No			There is nothing in the report which is considered to impact on this protected characteristic.
Race	No			There is nothing in the report which is considered to impact on this protected characteristic.
Religion or belief	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sex	No			There is nothing in the report which is considered to impact on this protected characteristic.
Sexual orientation	No			There is nothing in the report which is considered to impact on this protected characteristic.

OUTCOMES, ACTION & PUBLIC REPORTING

Screening Assessment Outcome	Yes / No / Not at this Stage	Further Action Required / Action to be taken	Responsible Officer and / or Lead Strategic Group	Timescale for Resolution of negative impact / Delivery of positive impact
Was a significant level of negative impact identified?	No	None		
Does the strategy, policy, plan etc require amendment to have a positive impact?	No	None		

If you answered **yes** to either / both of the questions above a Full Assessment is advisable and so please proceed to Stage 2. If you answered "No" or "Not at this Stage" to either / both of the questions above please consider any next steps that may be taken (e.g. monitor future impacts as part of implementation, re-screen the project at its next delivery milestone etc).

All completed EqIA Screenings are required to be publicly available on the council's website once they have been signed off by the relevant Head of Service or Strategic/Policy/Operational Group or Project Sponsor.

STAGE 2: FULL ASSESSMENT

2.1 SCOPE & DEFINE

2.1.1 Who are the main beneficiaries of the proposed strategy / policy / plan / project / service / procedure? *List the groups who the work is targeting/aimed at.*

2.1.2 Who has been involved in the creation of the proposed strategy / policy / plan / project / service / procedure? *List those groups who the work is targeting/aimed at.*

2.2 INFORMATION GATHERING/EVIDENCE

2.2.1 What secondary data have you used in this assessment? *Common sources of secondary data include: censuses, organisational records.*

2.2.2 What primary data have you used to inform this assessment? *Common sources of primary data include: consultation through interviews, focus groups, questionnaires.*

Equality Duty Statement	Protected Characteristic	Advancing the Equality Duty		Negative impact		Explanation & Mitigations Please provide explanatory detail relating to your assessment and outline any key actions to (a) advance the Equality Duty and (b) reduce negative impact on each protected characteristic
		Does the proposal advance the Equality Duty Statement in relation to the protected characteristic (Yes/No)	If yes, to what level? (High / Medium / Low)	Does the proposal disadvantage them (Yes / No)	If yes, to what level? (High / Medium / Low)	
Eliminate discrimination, harassment, victimisation	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sexual orientation					

Advance equality of opportunity	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					
Foster good relations	Age					
	Disability					
	Gender reassignment					
	Marriage and civil partnership					
	Pregnancy and maternity					
	Race					
	Religion or belief					
	Sex					
	Sexual orientation					

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.

2.4 Has your delivery plan been updated to incorporate the activities identified in this assessment to mitigate any identified negative impacts?

These could be service, equality, project or other delivery plans. If you did not have sufficient data to complete a thorough impact assessment, then an action should be incorporated to collect this information in the future.