

Early Years: Early Learning and Childcare Admissions

Implementation date: June 2026

Control schedule

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Policy statement

This policy is required to ensure clarity and consistency in pursuance of the Local Authority duty to provide funded early learning and childcare to eligible children as required under The Children and Young People (Scotland) Act 2014 (Modification) (No. 1) Order 2019 and the Children and Young People (Scotland) Act 2014 (Modification) (No. 2) Order 2019.

- 1.1 The Act defines those children who have an entitlement to funded hours of Early Learning and Childcare as:
 - Children granted deferred entry to primary 1.
 - All 4 year old children.
 - 3 year old children in the term following their third birthday (Standards in Scotland's Schools Act 2000).
 - Children who are 2 years old and:
 - have been since aged 2, looked after by a local authority or under a kinship care order.
 - are considered to be at risk of becoming looked after.
 - are children of Care Experienced parents
 - whose parents/carers are or have been since the child was aged 2, in receipt of specified benefits.
- 1.2 The Education (Scotland) Act 1980 also enables education authorities to provide access to provision that is out-with the statutory entitlement as defined in the 2014 Act. This is referred to as **discretionary early learning and childcare**.
- 1.3 The City of Edinburgh Council uses this discretionary guidance to allocate places for children aged 2 years old who are:
 - Living in temporary accommodation or homeless
 - Have been through the NHS Family Nurse Partnership Program
- 1.4 Once a child is identified as eligible, their entitlement to early learning and childcare will remain, regardless of changes to parental/family circumstances.
- 1.5 This policy will safeguard and promote the wellbeing of children who are in need and so far, as is consistent with that duty, promote the upbringing of children by their families, by providing a range and level of service appropriate to their need (Children (Scotland) Act 1995).
- 1.6 Getting it Right for Every Child (GIRFEC) in Edinburgh seeks to build on existing structure and best practice that supports early intervention whenever possible. This policy is underpinned by GIRFEC and considers the core components, values and principles which bring meaning and relevance at a practice level to this single-

agency, multi-agency and inter-agency approach, to meet the needs of all children.

- 1.7 All children within the eligible groups will be entitled to funded early learning and childcare.
- 1.8 Starting and stopping dates for funded early learning and childcare depend on the date of the child's birthday, local school term dates and where relevant, whether the parent has chosen to defer the child's start at primary school for a year.
- 1.9 In terms of starting dates, under the 2014 Order, 2 year olds who are eligible are entitled to funded early learning and childcare from the term after their 2nd birthday and all 3 year olds are entitled to funded early learning and childcare from the beginning of the first term after the child's 3rd birthday.
- 1.10 The discretionary powers Under section 1(1C) of the 1980 Act enables the local authority to provide access to early learning and childcare before a child's entitlement is due to start. The City of Edinburgh Council uses this discretion to allocate places for eligible 2 year olds the week after their 2nd birthday.
- 1.11 The number of funded hours eligible children are entitled to will depend on the term after their birthday. Children eligible from August receive 1,140 hours of funded early learning and childcare and children eligible from January or April receive a pro rata amount for part of the year, in relation to the school calendar year.

Admission Process

- 2.1 Children who meet the eligible 2 year old criteria have been eligible for a funded place from the week following their 2nd birthday.
- 2.2 All other children are eligible for a funded place from the term after their 3rd birthday as follows.

Date of birth falls between	Eligible from
1 March – 31 August	August start of term
1 September – 31 December	January start of term
1 January – 28 February	April start of term

- 2.3 Parents/carers can register their child for a funded early learning and childcare place at any time. Parents/carers require as much notice as possible to enable them to make any necessary arrangements around their funded place e.g. to attend work or

study. Parents/carers will receive notification of their funded places as follows.

Funded entitlement begins	Parents notified of place
August	1 st week in April
January	1 st week in October
April	1 st week in February

- 2.4 When applying for a funded early learning and childcare place parents are required to state 3 preferences of location and 3 preferences of model of delivery. Parents who choose not to state more than one preference should be advised that there is no guarantee that we will be able to accommodate their preferred choice of setting or model of delivery.

Scope

- 3.1 This Policy relates to the following specific services within Local Authority provision

- Primary School ELC settings
- Standalone ELC settings
- Forest Kindergarten Early Learning and Childcare settings.

Attendance at a particular Local Authority setting does not guarantee a child's entry into a specific Primary School. Unlike schools, the provision of early learning and childcare in early years establishments is not governed by catchment areas.

The legislative duty of the Local Authority will be met in ensuring that funded hours of ELC are available for those entitled within the Local Authority though not necessarily within a specific establishment or parent/carers preferred model of delivery e.g. term time or full year.

Definitions

- 4.1 "Term" following their third birthday: as per school session dates. Term 1 – Autumn term, Term 2 – Spring term, Term 3 – Summer term.

Policy content

Underpinning Principles

- 5.1 The principles underlying the policy apply regardless of the type of service accessed and are as specified in legislation:
- Centrality of the rights needs and views of children and their families.
 - Accessibility and flexibility of high quality services.
 - Socially inclusive provision for families, incorporating additional support as appropriate through the integrated assessment and child planning process as outlined in GIRFEC.
 - A commitment to cooperative values and the principles of equity of opportunity, social justice and to tackling social exclusion.

Implementation

The following information relates to the allocation of funded hour placements.

Allocation of places

- 6.1 The criteria for allocation of places and for providing additional services apply across all ELC settings. Parents/Carers are expected to show evidence of a child's identification in the form of the birth certificate prior to placement.

Local Authority Primary School and Standalone Early Learning and Childcare Settings

- 6.2 The allocation of funded early learning and childcare places will be made in the order of priority listed below. Once a child is identified as eligible from the age of 2, priority will be given for them to receive a place when aged 3. This reflects the requirement in the Act for the entitlement to remain and the importance of smooth transitions for our youngest citizens.

Places for 2-year-old children

- 6.3 Places for 2-year-old children eligible for funded early learning and childcare will be allocated using the following criteria:

Children who are 2 years old and:

- have been since aged 2, looked after by a local authority or under a kinship care order.
- are considered to be at risk of becoming looked after.
- are children of Care Experienced parents

- whose parents/carers are or have been since the child was aged 2, in receipt of specified benefits.
- Living in Temporary Accommodation/Homeless
- Have attended the Family Nurse Partnership programme.

Places for children aged from 3 years

- 7.1 Places for children aged from 3 years old to the start of primary school will be allocated the term after a child's 3rd birthday using the following criterion order of priority:
1. Children resident in Edinburgh who require additional support to enable them to reach their full potential (*Education (Additional Support for Learning) (Scotland) Act 2004*), or who meet the eligibility criteria as identified in the Children and Young People (Scotland) Act 2014.
 2. Children resident in Edinburgh accessing a retained year (i.e. children of statutory school age requiring another year of ELC).
 3. Children resident in Edinburgh who have been granted deferred entry to Primary School.
 4. Children resident in Edinburgh who are eligible for funded early learning and childcare and have a sibling already attending the setting.
 5. Children resident in Edinburgh in their Pre-school year in order of their birth date, oldest first.
 6. Children resident in Edinburgh who have reached their third birthday and are born within the dates of eligibility, in order of their birth date, oldest first.
 7. Children resident in Edinburgh who have reached their third birthday and are not yet eligible based on the eligibility date but who have been assessed through the Child's Planning Process as meeting the criteria in section 4.2.
 8. Children who are not Edinburgh residents. **Attention must be paid to the numbers of children on the waiting list from Edinburgh throughout the year who meet the above criteria and require places before the allocation of places for children out with Edinburgh will be considered.**

Local Authority Forest Kindergarten Early Learning and Childcare settings

- 8.1 Places for children aged from 3 years old to the start of primary school will be allocated using the following criteria in order of priority.
1. Children resident in Edinburgh who require additional support to enable them to reach their full potential (*Education (Additional Support for Learning) (Scotland) Act 2004*), or who meet the eligibility criteria as identified in the Children and Young People (Scotland) Act 2014. The suitability of a forest kindergarten place will be assessed through the GIRFEC process.

2. Children in their Pre-school year in order of their birth date, oldest first who reside in areas of Edinburgh where 30% or more of the population is assessed as quintiles 1 & 2 of SIMD data.
3. Children who have reached their third birthday and are born within the dates of eligibility, order of their birth date, oldest first who reside in areas of Edinburgh where 30% or more of the population is assessed as quintiles 1 & 2 of SIMD data.
4. Children resident in Edinburgh in their Pre-school year in order of their birth date, oldest first.
5. Children resident in Edinburgh who have reached their third birthday and are born within the dates of eligibility, in order of their birth date, oldest first.

Split placements

- 9.1 An aim of integrating early learning and childcare is to provide greater consistency for children and reduce the need for split placements if this is not in the best interests of the child and family.
- 9.2 If a split placement is considered as the most appropriate arrangement in meeting the needs of a child and family this should be accommodated and will be for no less than two days at a local authority setting.

Allocation of additional services/supports

- 10.1 Any decision for a child and family to receive additional services will be allocated as a result of an integrated assessment and child's planning meeting as per Getting it Right for Every Child.
- 10.2 These decisions will be informed by the use of the GIRFEC practice tools: the wellbeing indicators and the resilience matrix where required. Decisions will be recorded as part of the Child's Plan and will refer to the child's identified and specific additional support needs.
- 10.3 Decisions to allocate additional hours or modify the allocated hours as an emergency intervention may be taken by the Head of Establishment and will relate to a child's safety, an emergency situation which has adverse effect on the family or the prevention of child from being looked after by the local authority. A child's planning meeting may then consider any additional supports/actions required as a result of such an emergency.

Responsibilities

Primary Headteachers and Heads of Centres who are registered managers of an Early Learning and Childcare Setting.

Early Years Central Team officers will have responsibility for approving discretionary places for children who are not eligible for funded places.

Related documents

- Children and Young People (Scotland) Act 2014
- Standards in Scotland's Schools Act 2000
- Children (Scotland) Act 1995
- Drivers and Barriers to uptake of Early Learning and Childcare amongst 2-year-olds
- A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland - Action Plan
- A Blueprint for 2020: Early Learning and Childcare Expansion Planning Guidance for Local Authorities
- Early Learning and Childcare Statutory Guidance July 2021

Equalities and impact assessment

IIA completed and attached.

Strategic environmental assessment

Not applicable

Review

June 2026