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Llywodraeth Cymru
Welsh Government

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Welsh Government

Consultation Document

Review of the Childcare Sufficiency Assessment Duty on Local Authorities

Date of issue: **7 August 2014**

Action required: Responses by **30 October 2014**

Overview

The Welsh Government in Building a Brighter Future: Early Years and Childcare Plan commits to reviewing the duty on Local Authorities to undertake a Childcare Sufficiency Assessment (CSA).

This consultation document sets out a proposal for the future development of Childcare Sufficiency Assessments (CSAs) in Wales. This consultation seeks views on how the CSA process and content of the CSAs may be improved and made fit for purpose to meet the needs of all stakeholders.

How to respond

Stakeholders can respond to this consultation by answering the consultation questions contained in this document. The questions in section A are geared towards practitioners and policy makers in the public, private and voluntary sectors, who are either involved in undertaking the CSAs or who's policy area interacts with the CSAs. The questions in section B are designed to capture the views of stakeholders who are directly involved in providing childcare e.g. providers (potential and existing) and those who benefit from the childcare on offer e.g. parents, carers, employers, children and young people.

Email responses can be returned to:
childcareandplaymailbox@wales.gsi.gov.uk

Written responses can be returned to:
Anne Pound
Children, Young People & Families Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Practitioners and policy makers can also respond to the consultation by attending the following consultation events:

16 September 2014

Venue Cymru
The Promenade,
Llandudno,
Conwy
LL30 1BB

18 September 2014

Park Inn Hotel
Mary Ann Street,
Cardiff
CF10 2JH

Further detail and registration information can be found at
<http://wales.gov.uk/consultations/childrenandyoungpeople/review-of-childcare-sufficiency-assessment-duty-on-local-authorities/?lang=en>

Further information and related documents

Large print, Braille and alternate language versions of this document are available on request.

The consultation documents can be accessed on the Welsh Government website at
<http://wales.gov.uk/consultations/childrenandyoungpeople/review-of-childcare-sufficiency-assessment-duty-on-local-authorities/?lang=en>

Contact details

For further information:

Anne Pound
Children, Young People & Families Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

E-mail:
childcareandplaymailbox@wales.gsi.gov.uk

Data protection

How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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1. Background

Childcare is much more than just a place where parents/carers leave their children while they are at work. It has other far reaching benefits, centred around the whole family and is wider in terms of the contribution it makes to the wider economy and in eradicating poverty.

Local Authorities, under Section 26 of the Childcare Act 2006 are required to regularly assess demand for, and availability of, local childcare provision.

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2013 ('the regulations') made under section 26 of the Act place a duty on Local Authorities to prepare CSAs. It sets out the process and information which must be considered and included by Local Authorities in their assessments.

The Welsh Government, in Building a Brighter Future: Early Years and Childcare Plan, commits to reviewing the duty on Local Authorities to undertake CSAs to ensure that any future assessment is fit for purpose and meaningful at a local and national level.

By its very nature, childcare is cross cutting, and for this reason interacts with a range of policy areas e.g. transport, health, education, social services, community, and economy. This consultation seeks views from across all those policy areas which either impact on or have a contribution to make to the planning and management of the sufficiency of childcare provision in Wales. The consultation will also draw upon the views of those who are directly involved in providing childcare e.g. providers (potential and existing) and those who benefit from the childcare on offer e.g. parents, carers, employers, children and young people.

2. Introduction

Ensuring that families have access to high quality early education and childcare is vitally important, both in terms of ensuring the best education and health outcomes for children and enabling parents to take up training and employment opportunities. Childcare provision needs to be of a high standard, available at the times and places where it is needed, at a price that parents can afford,

and available for children of different ages, backgrounds, cultures and abilities and needs.

CSAs allow Local Authorities to measure the nature and extent of the need for, and supply of, childcare in their area. They are designed to assist in identifying where there are gaps in the market and, in consultation with parents, communities and employers, planning how to support the market to address them. They have a key role to play in assisting Local Authorities in assessing and managing the sufficiency of childcare provision in their area.

3. Purpose

The review considers the relevance and usefulness of the current CSA process and seeks to identify areas for improvement which will enable Local Authorities to continue to effectively assess and manage the sufficiency of childcare provision in their area, whilst providing information required at a national level.

In particular, this review will explore how the CSA process could be strengthened to:

- ensure minimum burden on Local Authorities in completing the assessment;
- ensure that provision across the private, voluntary and maintained sectors is complimentary and creates a more joined up service across Wales;
- provide better alignment and integration with other key planning and assessment processes at a local and national level;
- ensure that there is consistent information available at a national level to inform the development of national policies and programmes and provide an all Wales level picture of provision; and
- ensure that it provides relevant and timely information to parents, carers, childcare providers, employers, children and young people.

This document sets out a proposal for a future CSA process in Wales and views are being sought on the:

- process and planning cycle for the CSAs; and
- information which should be included as part of the CSAs.

4. Childcare Sufficiency Assessment –Where are we now?

4.1 Legislation

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2013 ('the regulations') under section 26 of the Act (Appendix A) sets out the requirements for CSAs, summarised as follows:

- Regulation 3 imposes a duty upon Local Authorities to carry out CSAs in the local authority area
- Regulation 4 sets out the matters to be contained in the assessment
- Regulation 5 sets out the persons which Local Authorities, may consult with, as they consider appropriate, in preparing the assessment
- Regulation 6 prescribes the persons which Local Authorities must consult with in preparing the assessment
- Regulation 7 requires Local Authorities to allow the persons referred to in regulations 5 and 6 the opportunity to comment upon a draft summary of the assessment before publication
- Regulations 9 to 11 deal with the requirements of publishing the summary of the assessment.

4.2 Guidance

To support Local Authorities in undertaking their CSAs, Welsh Government has issued two sets of guidance, which includes:

- **Guidance to Local Authorities – Childcare Act 2006, March 2008, Guidance Circular No:008/2008** – this guidance supports the requirements of ‘The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008’ and ‘The Childcare Act 2006 (Provision of Information) (Wales) Regulations 2008.’¹
- **Toolkit for conducting a Childcare Sufficiency Assessment (March 2010) Welsh Government/Cordis Bright Consulting** – this toolkit was commissioned by the Welsh Government to act as a resource to assist Local Authorities in conducting and refreshing their CSAs, to be used as a guide rather than a definitive instruction as to how to conduct a CSA. A summary of the information recommended for inclusion in the full CSA and the CSA Refresh is included in Appendix B.

As part of the consultation the usefulness of both sets of guidance is being considered, and the responses will inform the development of any future guidance to support the future assessment process.

4.3 Evaluation

Cordis Bright was commissioned by the Welsh Government in June 2011 to undertake evaluations of the full CSAs produced by Local Authorities in 2011 and their subsequent ‘refreshes’ in 2012 and 2013, as a means of improving the proficiency of Local Authorities in carrying out their CSAs. The most recent CSAs were published by Local Authorities on 30 April 2014.

5. Childcare Sufficiency Assessments - The Issues

The landscape has changed quite significantly since the first round of CSAs were prepared by Local Authorities.

¹As of 1st October 2013, the 2008 regulations were revoked and replaced by the Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2013. Local Authorities still pay regard to the requirements outlined in the guidance in developing their CSAs.

At a time of reducing budgets and rising expectations, it is important that childcare provision is managed and planned effectively to meet the needs of parents, carers, childcare providers, employers, children and the young people of Wales.

This consultation seeks to ensure that the CSA process in the future is streamlined, efficient and fit for purpose.

The rationale for proposing change is outlined in more detail in the following sections.

5.1 Consistency

The approach adopted in undertaking CSAs varies across Wales. Whilst autonomy is important, particularly in terms of streamlining resources and processes at a local level, we believe that this needs to be balanced alongside a more standardised approach for reporting and collating information. From a national perspective the lack of consistent information makes it difficult to draw comparisons on what childcare provision looks like at an all Wales level and also has implications in terms of ensuring that national policies and programmes reflect the diverse needs of Wales.

For this reason, it is proposed that a more consistent approach to the way in which information is collated and reported as part of the CSA process is developed. Developing a more consistent approach would also provide benefits to Local Authorities in their ability to compare and benchmark their performance, as well as providing greater assurance that the statutory requirements of the duty are being met.

There would be merit in strengthening the process and associated guidance to be more specific about the information that is required at a national level to inform policy development and planning.

The consultation seeks to explore what information should be collected consistently, the impact nationally and locally, the timing of information collection and reporting and the level and type of support which would best assist Local Authorities in undertaking the new CSAs.

Paragraph 6.2 outlines the proposed 'Minimum Requirements' for information to be collected consistently. Views are sought on what

other information should be included, as well as on the benefits and implications from more standardised reporting of this information. Views are also sought as to whether it be useful to develop a standard set of indicators or templates/ questionnaires to assist in collating and reporting information.

5.2 Integration

Ensuring alignment and integration with other key policies, programmes and assessment processes at both a local and national level is vital in terms of avoiding duplication, reducing burdens and streamlining resources. The consultation proposes that there is an opportunity to strengthen links between CSAs and other assessment processes at both a local and national level. For example, an improved process could provide better alignment with existing business planning processes, play sufficiency assessments and strengthening the links between the CSA's and Single Integrated Plans and the Welsh in Education Strategic Plans (WESPs). It could also assist in joining up planning processes around education and childcare provision. This consultation seeks views on how this may be best achieved and what this would mean in terms of timescales and the information to be contained in the CSA in future.

Furthermore, the Well-being of Future Generations Bill, introduced into the National Assembly for Wales in July, aims to place single integrated planning on a statutory footing. The Bill stipulates that the strategic needs assessment undertaken to inform the preparation of the Local Well-being Plans, which will replace the Single Integrated Plans, will need to take full account of the CSAs. This consultation provides an opportunity to consider how these linkages can be best achieved.

5.3 Relevance & Limitations

Initial discussions with Local Authorities suggest that there are certain aspects of the CSA process which are more useful than others, and others which are more difficult to undertake. For example, Local Authorities cited issues around the availability of data, poor consultation response rates by some target groups, and a lack of perceived value of the 'CSA 'Refresh' as changes on an annual basis are minimal. This consultation seeks views on the aspects of the current CSA process that work well and should be

retained for the future, the aspects that could be discarded, and any aspects which should be retained but refined to be made fit for purpose.

Due to its nature the CSA can only provide a snapshot in time in terms of the information it contains and for this reason it is rather limited in its ability to communicate up to date information to parents, carers and providers. This consultation seeks to explore how the CSA process can be best tailored to meet the needs of all stakeholders who have a vested interest in childcare provision, ensuring that it becomes a workable and fully integrated part of the solution for planning for and managing childcare provision in Wales. This may mean aligning certain aspects of the CSA process with existing systems and processes, for example strengthening links with the Family Information Service (FIS) in each Local Authority area in terms of communicating and providing information to stakeholders.

6. Childcare Sufficiency Assessments - The Proposal

6.1 Planning Cycle

Current Process

Currently, Local Authorities are required to undertake a CSA every three years and a 'refresh' on an annual basis, which is updated to take into account any changes or impacts on childcare provision during the year. The most recent CSAs were published on 30 April 2014.

Proposal

This consultation proposes a change to the CSA planning cycle, which would result in Local Authorities having to undertake:

- a CSA and Action Plan on a 5 yearly basis
- a 'refreshed' CSA and Action Plan during the 3rd year of the 5 year cycle
- An Annual Report, reporting on progress over the year

Benefits

Changing the planning cycle from 3 years to 5 years would provide the following benefits:

- It would align the CSA cycle more effectively with the timescales due to be introduced by the Well-being of Future Generations Bill, for Local Well-being Plans. It would reduce duplication in process and ensure greater efficiency in use of resources. For example, the CSA could be undertaken at the same time as the strategic needs assessment is undertaken, which informs the Local Well-being Plan and may capture some information required for the CSA.
- A ‘refreshed’ CSA being submitted during the 3rd year of the cycle, as opposed to annually, would provide a more efficient means of measuring performance and impacts and will be more meaningful as changes in levels of provision are likely to be more significant over this period than during one year.
- Annual Progress Reports would provide a ‘light touch’ approach to reporting, thus reducing the burden on Local Authorities in relation to reporting and monitoring requirements. The process could be designed in a way which provides an interactive tool for Local Authorities to be able to continuously update and monitor performance and impacts, resulting in Local Authorities always having up to date information to hand on childcare provision in their area.

6.2 Minimum Requirements

As mentioned in 5.1 we are seeking views as part of this consultation on the information which should be contained in any future CSA. In ensuring consistency of information reported, standard definitions of childcare types and specific parameters in relation to cost definitions need to be defined to ensure information is comparable at a national level. As a minimum, we would expect a CSA to contain the following information:

- Childcare costs reported for all settings in the same way across all Local Authorities, as per standard definitions
- Number of child places and type of places i.e. full time or part time across all types of settings, as per standard definitions
- Number of child places across all types of settings offering flexible hours, as per standard definitions i.e. outside normal working hours
- Number of free childcare places for 2, 3 and 4 year olds (Flying Start and Foundation Phase)
- Number of free breakfast clubs
- Types of settings and age ranges of children accommodated across all types of settings
- Issues relating to sustainability of existing childcare providers
- Workforce development and training requirements
- Future population figures and trends
- Supply, demand and gap analysis, focussing in particular on:
 - Childcare provision for disadvantaged families
 - Childcare provision for disabled children
 - Childcare provision for lone parent families
 - Welsh medium childcare provision
- Key childcare barriers experienced by parents, focussing in particular on:
 - Barriers experienced by working parents
 - Barriers experienced by parents seeking work or training opportunities
- Geographical distribution of different types of settings.
- Gaps in geographical distribution of childcare provision, to allow comparisons to be made for example between rural/urban provisions
- Sufficiency of transport links to provision, or lack of
- Embed the principles of Equality and Human Rights, UN Convention on the Rights of the Child and the Welsh Language in the design, development and implementation of the CSA
- Reference to the LAs WESP and collaboration with Mudiad Meithrin



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2013 Rhif 2274 (Cy. 220)

2013 No. 2274 (W. 220)

**PLANT A PHOBL IFANC,
CYMRU**

**CHILDREN AND YOUNG
PERSONS, WALES**

Rheoliadau Deddf Gofal Plant 2006
(Asesiadau Awdurdodau Lleol)
(Cymru) 2013

The Childcare Act 2006 (Local
Authority Assessment) (Wales)
Regulations 2013

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn dirymu Rheoliadau Deddf Gofal Plant 2006 (Asesiadau Awdurdodau Lleol) (Cymru) 2008 ("Rheoliadau 2008") ac yn eu hail-wneud er mwyn cywiro gwallau technegol yn Rheoliadau 2008 a chynnwys cyfeiriadau at gredyd cynhwysol yn ogystal â chredyd treth gwaith a gaiff, yn rhinwedd Deddf Diwygio Lles 2012, ei ddisodli gan gredyd cynhwysol.

Mae rheoliad 3 yn gosod dyletswydd ar awdurdodau lleol i gynnal asesiadau o ddigonolrwydd gofal plant yn ardal yr awdurdod lleol.

Mae rheoliad 4 yn nodi'r materion i'w cynnwys yn yr asesiad.

Mae rheoliadau 5 a 6 yn rhagnodi'r personau i ymgynghori â hwy wrth lunio'r asesiadau ac mae rheoliad 7 yn ei gwneud yn ofynnol i awdurdodau lleol roi cyfle i'r personau y cyfeirir atynt yn rheoliadau 5 a 6 gyflwyno sylwadau ar grynodedb drafft o'r asesiad cyn iddo gael ei gyhoeddi.

Mae rheoliadau 9 i 11 yn ymdrin â'r gofynion o ran cyhoeddi'r crynodeb o'r asesiad.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Asesiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hwn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke the Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008 ("the 2008 Regulations") and remake them in order to rectify technical errors in the 2008 Regulations and to include references to universal credit in addition to working tax credit which, by virtue of the Welfare Reform Act 2012, will be replaced by universal credit.

Regulation 3 imposes a duty upon local authorities to carry out childcare sufficiency assessments in the local authority area.

Regulation 4 sets out the matters to be contained in the assessment.

Regulations 5 and 6 prescribe the persons to be consulted in preparing the assessments and regulation 7 requires local authorities to allow the persons referred to in regulations 5 and 6 the opportunity to comment upon a draft summary of the assessment before publication.

Regulations 9 to 11 deal with the requirements of publishing the summary of the assessment.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations

2013 Rhif 2274 (Cy. 220)

**PLANT A PHOBL IFANC,
CYMRU**

**Rheoliadau Deddf Gofal Plant 2006
(Asesiadau Awdurdodau Lleol)
(Cymru) 2013**

Gwnaed 5 Medi 2013

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 10 Medi 2013

Yn dod i rym 1 Hydref 2013

2013 No. 2274 (W. 220)

**CHILDREN AND YOUNG
PERSONS, WALES**

**The Childcare Act 2006 (Local
Authority Assessment) (Wales)
Regulations 2013**

Made 5 September 2013

Laid before the National Assembly for Wales
10 September 2013

Coming into force 1 October 2013

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i Gynulliad Cenedlaethol Cymru gan adran 26(1)(a) a (2) o Ddeddf Gofal Plant 2006(1) ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Rheoliadau a ganlyn.

Enwi, cychwyn a chymhwyso

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Deddf Gofal Plant 2006 (Asesiadau Awdurdodau Lleol) (Cymru) 2013.

(2) Daw'r Rheoliadau hyn i rym ar 1 Hydref 2013.

(3) Mae'r Rheoliadau hyn yn gymwys o ran Cymru.

Dehongli

2.—(1) Yn y Rheoliadau hyn—

ystyr “asesiad” (“*assessment*”) yw'r asesiad a gynhelir gan awdurdod lleol yn unol â'r Rheoliadau hyn;

ystyr “darparydd gofal plant” (“*childcare provider*”) yw unrhyw berson sy'n darparu gofal plant;

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by section 26(1)(a) and (2) of the Childcare Act 2006(1) and now vested in them(2) make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2013.

(2) These Regulations come into force on 1 October 2013.

(3) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Childcare Act 2006;

“assessment” (“*asesiad*”) means the assessment carried out by a local authority in accordance with these Regulations;

(1) 2006 p.21.

(2) Yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p.32) a pharagraff 30 o Atodlen 11 iddi, trosglwyddwyd swyddogaethau Cynulliad Cenedlaethol Cymru i Weinidogion Cymru ac maent wedi eu breinio bellach ynddynt.

(1) 2006 c.21.

(2) By virtue of section 162 and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32), the functions of the National Assembly for Wales were transferred to, and now vest in, the Welsh Ministers.

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Gofal Plant 2006;

ystyr “hyd sesiwn” (“*session length*”) yw’r cyfnod hiraf o amser y bydd darparwydd gofal plant yn gofalu am blentyn mewn diwrnod.

(2) Yn y Rheoliadau hyn, y mathau o ofal plant yw—

- (a) gwarchod plant;
- (b) gofal dydd llawn;
- (c) gofal sesiynol;
- (d) gofal y tu allan i oriau ysgol; ac
- (e) crèches.

Dyletswydd i lunio asesiadau

3.—(1) Rhaid i bob awdurdod lleol lunio asesiadau o ddigonolrwydd y gofal plant a ddarperir yn ei ardal.

(2) Rhaid cyhoeddi’r asesiad cyntaf a lunnir gan bob awdurdod lleol, yn unol â’r Rheoliadau hyn, erbyn 30 Ebrill 2014 a phob 3 blynedd wedi hynny.

(3) Wrth lunio asesiadau rhaid i awdurdodau lleol roi sylw i unrhyw ganllawiau a roddir gan Weinidogion Cymru.

Materion i’w cynnwys yn yr asesiad

4.—(1) Rhaid i asesiad yr awdurdod lleol gynnwys, ar gyfer ei ardal awdurdod lleol, mewn cysylltiad â phob math o ofal plant ac o ystyried gwahanol oeddrannau’r plant, fanylion am—

- (a) nifer y lleoedd sy’n ofynnol;
- (b) nifer y lleoedd sydd ar gael;
- (c) nifer y lleoedd sy’n ofynnol y caniateir i’r elfen gofal plant o gredyd treth gwaith neu’r elfen costau gofal plant o gredyd cynhwysol gael ei defnyddio ar eu cyfer;
- (d) nifer y lleoedd sydd ar gael y gallai rhieni ddefnyddio’r elfen gofal plant o gredyd treth gwaith neu’r elfen costau gofal plant o gredyd cynhwysol ar eu cyfer;
- (e) yr adegau pan fo’r gofal plant yn ofynnol;
- (f) yr adegau pan fo’r gofal plant ar gael;
- (g) ystod yr hydoedd sesiwn a gynigir gan ddarparwyr gofal plant;
- (h) nifer y lleoedd sy’n ofynnol sy’n addas i blant ag anghenion addysgol arbennig neu y mae angen gofal arbenigol arnynt oherwydd anabledd;
- (i) nifer y lleoedd sydd ar gael sy’n addas i blant ag anghenion addysgol arbennig neu y mae

“childcare provider” (“*darparwydd gofal plant*”) means any person who provides childcare;

“session length” (“*hyd sesiwn*”) means the maximum period of time for which a childcare provider will care for a child in a day.

(2) In these Regulations, the types of childcare are—

- (a) childminding;
- (b) full day care;
- (c) sessional care;
- (d) out of school care; and
- (e) crèches.

Duty to prepare assessments

3.—(1) Each local authority must prepare assessments of the sufficiency of the provision of childcare in its area.

(2) The first assessment prepared by each local authority, in accordance with these Regulations, must be published by 30 April 2014 and at intervals of 3 years thereafter.

(3) In preparing assessments local authorities must have regard to any guidance given by Welsh Ministers.

Matters to be contained in the assessment

4.—(1) The local authority’s assessment must include for its local authority area, in respect of each type of childcare and taking into account the different ages of children, details of—

- (a) the number of places required;
- (b) the number of places available;
- (c) the number of places required in respect of which the childcare element of working tax credit or the childcare costs element of universal credit may be used;
- (d) the number of places available for which parents would be able to use the childcare element of working tax credit or the childcare costs element of universal credit;
- (e) the times at which the childcare is required;
- (f) the times at which the childcare is available;
- (g) the range of session lengths offered by childcare providers;
- (h) the number of places required which are suitable for children who have special educational needs or who require specialist care due to a disability;
- (i) the number of places available which are suitable for children who have special

angen gofal arbenigol arnynt oherwydd anabledd;

- (j) nifer y lleoedd sy'n ofynnol ar gyfer gofal plant drwy gyfrwng y Gymraeg ac yn ddwyieithog;
- (k) nifer y lleoedd sydd ar gael ar gyfer gofal plant drwy gyfrwng y Gymraeg ac yn ddwyieithog;
- (l) nifer y lleoedd gwag a'r lleoedd sydd heb eu defnyddio; ac
- (m) ystod y taliadau ar gyfer y gofal plant.

(2) Rhaid i'r asesiad gynnwys crynodeb o anghenion gofal plant nad ydynt yn cael eu diwallu yn ardal yr awdurdod lleol gan gynnwys y rheini sy'n ymwneud â'r canlynol—

- (a) y mathau o ofal plant sydd ar gael;
- (b) oedran y plant y mae gofal plant ar gael iddynt;
- (c) fforddiadwyedd gofal plant;
- (d) adegau pan fo gofal plant ar gael;
- (e) anghenion penodol plant anabl;
- (f) argaeledd gofal plant drwy gyfrwng y Gymraeg ac yn ddwyieithog; ac
- (g) lleoliad y gofal plant.

(3) Yn y rheoliad hwn, ystyr “elfen costau gofal plant o greddy cynhwysol” (“*child care costs element of universal credit*”) yw swm a gynhwysir mewn dyfarniad o greddy cynhwysol o dan adran 12 o Ddeddf Diwygio Lles 2012(1) ac a ragnodir yn Rheoliadau Credyd Cynhwysol 2013(2).

Ymgynghori

5. Wrth lunio'r asesiad, rhaid i'r awdurdod lleol ymgynghori â'r canlynol—

- (a) plant;
- (b) rhieni neu ofalwyr;
- (c) darparwyr gofal plant;
- (d) personau sy'n cynrychioli plant, rhieni neu ofalwyr a darparwyr gofal plant;
- (e) personau a chanddynt fuddiant mewn gofal plant a phersonau sy'n cynrychioli'r rheini a chanddynt fuddiant mewn gofal plant;
- (f) personau sy'n cynrychioli cyflogwyr a chyrrff cyflogwyr lleol;
- (g) cyflogwyr lleol;
- (h) awdurdodau lleol cyfagos;

educational needs or who require specialist care due to a disability;

- (j) the number of Welsh language and bilingual childcare places required;
- (k) the number of Welsh language and bilingual childcare places available;
- (l) the number of vacant and unused places; and
- (m) the range of charges for the childcare.

(2) The assessment must include a summary of childcare needs which are not met in the local authority area including those which relate to the—

- (a) types of childcare available;
- (b) age of children for whom childcare is available;
- (c) affordability of childcare;
- (d) times at which childcare is available;
- (e) specific needs of disabled children;
- (f) availability of Welsh language and bilingual childcare; and
- (g) location of childcare.

(3) In this regulation “child care costs element of universal credit” (“*elfen costau gofal plant o greddy cynhwysol*”) means an amount included in an award of universal credit under section 12 of the Welfare Reform Act 2012(1) and prescribed in the Universal Credit Regulations 2013(2).

Consultation

5. In preparing the assessment, the local authority must consult such—

- (a) children;
- (b) parents or carers;
- (c) childcare providers;
- (d) persons representing children, parents or carers and childcare providers;
- (e) persons with an interest in childcare and persons representing those with an interest in childcare;
- (f) persons representing local employers and employer organisations;
- (g) local employers;
- (h) neighbouring local authorities;

(1) 2012 p.5.

(2) O.S. 2013/376.

(1) 2012 c. 5.

(2) S.I. 2013/376.

- (i) ysgolion; a
- (j) colegau addysg bellach

sydd yn ardal yr awdurdod lleol sy'n briodol yn ei farn ef.

6.—(1) Wrth lunio'r asesiad, rhaid i'r awdurdod lleol—

- (a) ymgynghori â'r Bwrdd Lleol ar gyfer Diogelu Plant; a
- (b) hysbysu unrhyw swyddfeydd Canolfan Byd Gwaith yn ardal yr awdurdod lleol a'u gwahodd i gyflwyno unrhyw sylwadau.

Crynodeb Drafft

7. Cyn cyhoeddi crynodeb o'r asesiad a gynhelir o dan y Rheoliadau hyn, rhaid i'r awdurdod lleol anfon drafft o'r crynodeb o'r asesiad y mae'n bwriadu ei gyhoeddi at y personau a restrir yn rheoliadau 5 a 6 er mwyn rhoi cyfle iddynt gyflwyno sylwadau ar y drafft.

8. Rhaid i'r awdurdod lleol ddiwygio'r crynodeb drafft o'r asesiad yn y dull sy'n briodol yn ei farn ef wrth ymateb i unrhyw sylwadau a geir gan bersonau a restrir yn rheoliadau 5 a 6.

Cyhoeddi'r Asesiad

9. Rhaid i'r awdurdod lleol gyhoeddi crynodeb o'r asesiad ar wefan yr awdurdod lleol.

10. Rhaid i'r awdurdod lleol adneuo copïau o'r crynodeb o'r asesiad mewn llyfrgelloedd cyhoeddus, lleoliadau gofal plant, ysgolion a mannau cyhoeddus eraill sy'n briodol yn ei farn ef.

11. Rhaid i'r crynodeb o'r asesiad gynnwys—

- (a) yr wybodaeth a bennir yn rheoliad 4(1) mewn cysylltiad ag ardal yr awdurdod lleol; a
- (b) yr wybodaeth a bennir yn rheoliad 4(2).

Dirymu

12. Mae Rheoliadau Deddf Gofal Plant 2006 (Asesiadau Awdurdodau Lleol) (Cymru) 2008(1) wedi eu dirymu.

- (i) schools; and
- (j) further education colleges

in the local authority's area as it considers appropriate.

6.—(1) In preparing the assessment the local authority must—

- (a) consult the Local Safeguarding Children Board; and
- (b) notify any Jobcentre Plus offices in the local authority's area and invite the submission of any views.

Draft Summary

7. Prior to publishing a summary of the assessment carried out under these Regulations, the local authority must send a draft of the summary of the assessment which they propose to publish to the persons listed in regulations 5 and 6 to allow them the opportunity to comment on the draft.

8. The local authority must amend the draft summary of the assessment in such way as they consider appropriate in response to any comments received from persons listed in regulations 5 and 6.

Publication of Assessment

9. The local authority must publish a summary of the assessment on the local authority website.

10. The local authority must deposit copies of the summary of the assessment in such public libraries, childcare settings, schools and other public places as they consider appropriate.

11. The summary of the assessment must include—

- (a) the information specified in regulation 4(1) in respect of the local authority area; and
- (b) the information specified in regulation 4(2).

Revocation

12. The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2008(1) are revoked.

Jeff Cuthbert

Y Gweinidog Cymunedau a Threchu Tlodi, un o
Weinidogion Cymru

5 Medi 2013

Minister for Communities and Tackling Poverty, one
of the Welsh Ministers

5 September 2013

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Cordis Bright Toolkit Guidance – Full CSA

The Toolkit Guidance produced by Cordis Bright, recommends that Local Authorities undertake the following as part of their assessments:

- Demographic and labour market analysis
- Analysis of supply and demand (consulting with a range of stakeholders)
- Consultation with parents/cares, children and young people, childcare providers, employers, community and representative groups and local authority leaders
- Gap analysis
- Consultation of the draft assessment with stakeholders
- Action Planning

Cordis Bright Toolkit Guidance – CSA ‘Refresh’

In undertaking this task, the Cordis Bright Toolkit Guidance suggests that Local Authorities consider updating their assessment to include:

- new demographic, accommodation and housing data
- new employment data
- a review of their analysis of supply to ensure that it remains up-to-date
- any additional demand data that may have been collected since the previous assessment
- address significant areas for improvement highlighted in their CSA audit
- a statement about whether the gap analysis needs to change in the light of new data
- a review of the action plan to ensure it continues to be sufficiently SMART (i.e. specific, measurable, achievable, relevant and timed) and whether it needs to change in light of any new data