

62269 Nursery Care, Funded Early Learning and Childcare (ELC)

I request the following information regarding nursery care, funded early learning and childcare (ELC), and related entitlements for asylum seekers, refugees, and other foreign nationals with children aged 0–5 in Edinburgh.

Entitlements for Asylum Seekers (and those supported under Part VI of the Immigration and Asylum Act 1999).

Please provide details of current entitlements to nursery care / funded ELC for children of asylum seekers (including the exact eligibility criteria applied by the Council).

The City of Edinburgh Council has a statutory duty to provide funded places for all children aged 3 years to the start of school and for some 2-year-olds who meet the eligibility criteria set out in the Scottish Government Statutory Guidance for Early Learning and Childcare published in July 2021.

Early learning and childcare: statutory guidance - July 2021:

<https://www.gov.scot/publications/early-learning-childcare-statutory-guidance-july-2021/>

The guidance also states that local authorities can use their discretion to allocate places to children before they are eligible for funding.

Point 56:

“56. Some education authorities use their discretionary powers under section 1(1C) of the 1980 Act, to provide funded early learning and childcare to 2- and 3-year-olds earlier than the statutory start dates.”

Edinburgh uses this guidance to allocate discretionary places to children under that age of 2 years old where a child is on the Child Protection Register or has been identified as having complex additional support needs with input from multiple agencies.

The City of Edinburgh Council also provides discretionary ‘Terrific Two’ places for children who live with their families in temporary accommodation.

For children under 2 years old:

Clarify any statutory or discretionary entitlement to funded/free nursery care, including typical or maximum hours allocated per week/year, and any conditions (e.g., based on support status, vulnerability, or referrals).

There is no statutory entitlement for children under two years of age. However, as stated in A1 above, the guidance states that local authorities can use their discretion to allocate places to children before they are eligible for funding.

For children aged 2 years old: Clarify entitlement to the funded 1,140 hours ELC scheme, including hours per week (term-time or 50-week model) and how this is applied.

Children may be awarded up to 1,140 hours of ELC if they meet the above criteria as noted in A2 or the Scottish Government’s criteria for 2 years old places which can be found here:

‘Funded early learning and childcare for 2 year olds’:

<https://www.mygov.scot/childcare-costs-help/funded-early-learning-and-childcare-for-2-year-olds>

Dependent on nursery structure (full year or term time) they could access up to 1,140 hours of ELC as follows:

- Term time (30 hours per week)

Full Year (AM/PM, two full days with additional flexi Fridays, term time)

For children aged 3–5 years old (including those over 2 but under school age, and any deferred entry): Clarify entitlement to funded ELC, including hours allocated.

Children aged 3-5 years have a statutory entitlement to access 1,140 hours of ELC from the term after their third birthday. Children aged 2 years who meet the criteria as noted above in A3 can access up to 1,140 hours of ELC.

Total Expenditure on Nursery/ELC for Asylum Seeker Children

Please provide the total amount spent by The City of Edinburgh Council (or through funded providers) on nursery care / funded ELC for children aged 0–5 whose families are asylum seekers (or in receipt of support under Part VI of the Immigration and Asylum Act 1999), for the most recent full financial year available (and, if possible, the previous 5 years for comparison). Break this down by age group where possible (0–1, 2, 3–5).

The following information is based on what is recorded on our central Education Management Information System. Based on information recorded there are 11 children under 3 and 11 children aged between 3-5. Based on this we would estimate the costing to be approximately £176,000. Feedback from colleagues within the sector is that some families choose not to declare/share their status, therefore the information is based only on those who have chosen to share.

Other Ways Asylum Seekers and Foreign Nationals Qualify for Reduced Fees or Funded Care.

Please clarify any other routes by which asylum seekers, refugees, or other foreign nationals (non-UK citizens) can qualify for reduced-fee, subsidised, or free nursery/ELC places in Edinburgh (e.g., via social work referrals, additional support needs, destitution support, refugee status, or other discretionary schemes).

For each route, please provide:

- The eligibility criteria.
- Typical hours/funding allocated.
- If available, an estimate of total annual spend or number of children supported via these routes for ages 0–5 in the most recent full financial year (or previous years).

If the Council does not hold exact figures for asylum seeker-specific spend, please provide the closest available breakdown (e.g., by immigration status, benefit receipt, or “vulnerable families”) and note any limitations.

The referral process for children aged under three provides a route for families who require exceptional additionality. Referrals are made by Social Workers, Health Visitors, Family Nurse Partnership and third sectors such as Home Start who are working alongside the family. Third sector organisations work in partnership with CEC to provide local additional support where required.