

Development of an Out of School Care Policy

Report by Dr Mary Smith, Director, Education, Communities and Economy

1 Purpose of Report

- 1.1 The purpose of this report is to provide Council with:
- I. An update on the partnership work undertaken with the Midlothian After School Club Network to develop an Out of School Care Policy and supporting documents
 - II. The Out of School Care Policy

2 Background

Members may be aware that out of school care provision is not a statutory requirement upon local authorities but there is a requirement to improve outcomes for children, young people and communities in Scotland. Also the Children (Scotland) Act 1995 states;

27 (3) Each local authority shall provide for children in need within their area who are in attendance at a school such care—

(a) outside school hours; or

(b) during school holidays,

as is appropriate; and they may provide such care for children within their area who are in such attendance but are not in need.

Out of School Care clubs (OSC) provide care for children and young people which allows parents/carers to work, train or study.

- 2.1 On 13 February 2018 Council considered a savings proposal to reduce the discount granted to after school clubs to 50%. Council agreed the following:

Review let charges for after school clubs

After school clubs have developed in Midlothian over several years and are a vital resource for modern working families.

Through the budget engagement process it is clear that, within the ASC's there are wide variations in charging policies, levels of contributions from volunteers; pay, conditions and training for staff; the quality and quantity of the facilities used.

It has also become evident that Midlothian Council does not have a clear policy on after school clubs and how they can be best contribute to the needs of Midlothian families.

The Labour administration believes that the Council, after school clubs and parents must, in the coming year, work together to formulate policy, which ensures that clubs make a realistic contribution towards the cost of the Council facilities they use and which ensures that they are charging realistic prices which reflect families ability to pay.

On that basis, we reject the proposal for the reduction in the subsidy (from 5% to 50%) for After School Clubs use of Council facilities.

However, they should pay the basic increases in rates for hiring facilities agreed elsewhere in this paper.

We would like to thank the After School Clubs who engaged in constructive discussions on these matters and look forward to working with them and Parents over the coming year to secure their continuing contribution to our communities.

3 Midlothian's Position

- 3.1** Out of school care in Midlothian has grown since the first clubs were set up 25 years ago. From the start clubs were set up to assist parents and carers in Midlothian to return to work or study whilst their children were being looked after in quality childcare provision. The clubs were run as voluntary organisations within the schools with a clear focus on being parent led management committees. The Director of Education agreed at that time that these clubs would not pay let charges for the use of the buildings. However, in those days the numbers attending the clubs were relatively small and the out of school care clubs only required the use of a gym and an activity room where the children could play games, relax and have a snack.
- 3.2** The demand for out of school care has grown considerably since those early days and there are now 8 OSC providers operating services in council premises across Midlothian with a registered capacity of over 700 places and around 1,500 children registered. The clubs offer a range of options for parent/carers from single sessions, to whole week provision either before or after school through to 'wrap around care' where parents/carers drop their child off in the morning, the OSC service takes them to school, then picks them up after the school day and the parent then picks the child up in the evening. They also provide a range of services for school holidays and in-service days.
- 3.3** Due to the large numbers of children attending OSC in Midlothian, the clubs have made more demands on the capacity within the premises and it is not unusual for them to require a number of rooms, gym hall, snack areas and office space within schools and pavilions.
- 3.4** There is now an expectation by the OSC providers and the general public that where the council builds new schools the council will build in specific requirements for out of school care. There is no budget attached or allowed for this within the Scottish Futures Trust metric for these OSC facilities so the cost is borne by the council.
- 3.5** OSC providers are required to register with the Care Inspectorate, the national regulator for care services in Scotland. The Care Inspectorate carry out inspections of services and evaluate the quality of care delivered. They support improvement in individual services and across the care sector nationally. Where care is not good enough they can deal with complaints and carry out enforcement action. Over the years the Care Inspectorate requirements have also grown in relation to space for children, private space for staff, meeting parents and staff training etc. and this also adds to costs to the council.
- 3.6** The Corporate Charging Strategy agreed by Council on 24 June 2014 harmonised the fees and charges levied by the council across the estate and established the Category 2 concession:

Category 2: Voluntary/Charitable/non-profit making organisations providing out of school services for children (pay 5% of full charge)

This rate of charge should be applied to charities, voluntary and non-profit making organisations where the primary purpose of the organisation is to provide out of school care, after school care, holiday clubs or playgroup services. This category reflects the need to move away from the previous “per-capita” approach for these groups, bringing them in line with other categories, but reflecting an appropriate level of charge for their objectives.

Examples of voluntary, charitable and non-profit making organisations meeting this criteria include:

- Out of School care
- After School Clubs
- Holiday Clubs
- Playgroups

3.7 June 2014 Council also decided to:

To adopt the Cross Party Working Group’s recommendation in respect of phased implementation of the new charge for user groups suffering significant increases as a result of the revised charging structure, specifically for “category 2” users (*voluntary/charitable/non-profit making organisations providing out of school services for children*) over four years i.e. charging 2%, 3%, 4% then 5% charge, and over three years for other significant increases;

3.8 The OSC providers falling within category 2 provide community benefits within and beyond their direct provision of out of school care services. As non-profit making organisations there is no profit being passed on to owners or shareholders and the fees charged to families directly cover the cost of providing the services. In addition the OSC services provide training and employment opportunities within the local community and in some cases have enhanced their services to accommodate children with additional support needs, including involvement in the council’s summer activities programme. In many cases the OSC providers’ boards are comprised of local parents. The income maximisation work described later will provide much-needed additional income to many families in Midlothian. The reduced let fees levied on these OSC providers therefore provides benefits to the wider communities they are a part of.

3.9 The Midlothian After School Club Network is a body which represents and supports all the charitable and voluntary out of school care providers in Midlothian.

4 Work Undertaken Since February 2018

4.1 Significant work has been carried out to enact the decision of February 2018 Council in partnership with the Midlothian After School Club Network (MASCN). Those involved included Councillor Muirhead and Dr Mary Smith, Director, along with staff from a wide range of related services in the council.

- a. Review the existing billing arrangements to ensure a consistency of approach across the range of premises let by OSC services.
- b. Review of the financial cost of providing facilities for OSC.
- c. Development of a specification for new or refurbished school buildings to facilitate the delivery of out of school care, where applicable.
- d. Consider the applicability of current procurement processes to the selection of out of school care provider in schools and other council premises.
- e. Review of the accommodation agreements put in place where OSC services let premises within schools.
- f. Consideration of how OSC providers can charge realistic prices which reflect families' ability to pay.
- g. Development of an OSC policy formalising the appropriate elements of this work.

4.2 Billing Arrangements

Previously there were two systems of billing out of school care providers where Sport and Leisure lets were billed separately to other council premises. The council's organisational arrangements have been altered so that all let information and bills are collated and issued through one service. In addition bills will now be issued earlier to enable providers to spread the payments over a greater number of direct debit payments.

4.3 Cost of provision

A review was undertaken of the financial cost of providing facilities for OSC. Due to the wide range of different arrangements (differences in the rooms and premises let, other users of the space at other times, other users of different spaces at the same time, variation in running costs between different ages of buildings etc.) it was not possible to resolve a single, robust figure that could be applied across all premises. It was therefore agreed with MASCN that it should be recommended to Council that out of school care services remain within the fees and charges policy and that discount rate applicable be reviewed. As a result of this a separate savings proposal is being made at this meeting of Council.

4.4 New and refurbished school buildings specification

A specification has been developed that sets out the facilities that should be provided in new and refurbished schools in order for them to accommodate out of school care, where it is considered necessary. This will be by way of a multi-use area such as the dining room, a community room or another room that could be used by an out of school care service if the demand/need is established. The specification is included in the policy.

4.5 Procurement Processes

In line with guidance from the Procurement and Audit teams and to ensure that Midlothian Council is "Following the Public Pound" and the Procurement Rules, there will be a fair, open, transparent and robust process put in place to decide on providers of new or expanded out of school care services within council buildings. The process will take into account the Council's Procurement policies in line with EU regulations and standing orders and look to ensure that all OSC services being delivered in council buildings offer best value for money, meet good quality standards and will be accessible and affordable to parents and families.

4.6 Accommodation Agreements

Accommodation agreements set out the terms and conditions for the let of rooms between an OSC service and the school, pavilion etc. As a result they provide clarity and understanding between both parties. The template accommodation agreement has been reviewed with MASCN and head teachers and the revised version is included in the policy.

4.7 Charge realistic prices which reflect families' ability to pay

MASCN engaged Midlothian Voluntary Action (MVA) to provide guidance and assistance to its members on preparing business plans and carrying out financial modelling. They also commissioned MVA to carry out a survey of families and the report on this research is attached in **Appendix a**). Almost all families are entitled to support with their childcare costs through a range of schemes, varying from 85% of fees being paid through Universal Credit, to 20% paid through Tax-Free Childcare for working families. One of the key findings of the survey was that half of all families did not receive any assistance with the cost of childcare. As a result MASCN has commissioned training for its members in order to enhance their guidance and signposting of parents to their entitlement to financial support. The increase in financial assistance claimed by some families will, to an extent, offset any increase in fees that may be levied as a result of the savings proposal being considered by Council.

4.8 Development of an Out of School Care Policy

Since the decision of February 2018 Council the council has worked in partnership with MASCN to create an Out of School Care Policy that sets out the relationship between the council and providers. In addition it incorporates the building specification and accommodation agreements discussed earlier in this report. The policy is in **Appendix b**).

5 Financial Information

The rate of discount granted to charitable and voluntary OSC providers is subject to a separate savings proposal presented to this meeting of Council.

6 Resource Implications

- 6.1** There are resource implications arising from the requirement to progress a procurement process to decide on providers of new or expanded out of school care services within council buildings.
- 6.2** There are also resource implications for providing facilities for OSC in new and refurbished school buildings, however incorporating these from the outset will allow them to be efficiently integrated into the building within the established build cost per square metre, and ensuring that they are multi-use provide facilities that may have been required elsewhere in the building, thereby resulting in a minimal net cost.

7 Risk

7.1 The Out of School Care Policy sets out the partnership approach of the council and OSC providers and clearly establishes how this relationship will work at an authority and individual school/premises level, providing a foundation to further build the relationship to the benefit of all parties. Together with the procurement process it will ensure that residents of Midlothian have access to high quality after school care that achieves Best Value while also Following the Public Pound, reducing risk to the council of not fulfilling these duties.

7.2 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

7.3 Key Priorities within the Single Midlothian Plan

The provision of quality, affordable out of school care supports the delivery of two of the GIRFEMC outcomes for 2017/18 to 2019/20:

- Children and young people are supported to be healthy, happy and reach their potential
- Inequalities in learning outcomes have reduced

7.4 Impact on Performance and Outcomes

Research has found that children from more deprived backgrounds may experience greater benefit from the resources, learning support and further stimulating activities available at after-school care centres (Felfe, 2013). As a result, the provision of quality, affordable out of school care particularly supports the reduction of inequalities in learning outcomes.

7.5 Adopting a Preventative Approach

A 2015 report by the NHS found that a number of studies highlighted the perceived social benefits of out of school care for children, by children, parents and staff (Scott E and Scobie G. NHS Health Scotland Evidence briefing on the impact of out of school care. NHS Health Scotland; 2015). These include:

- the ability to make new friendships across different ethnic and cultural groups
- the chance to develop relationships with play workers as adult role models
- increased opportunities for play in a safe environment
- increased social skills, confidence and self-esteem
- promotion of diversity and multicultural inclusion.

7.6 Involving Communities and Other Stakeholders

The Out of School Care Policy and supporting documents have been developed in partnership with the Midlothian After School Club Network. The Network also commissioned research by Midlothian Voluntary Action on families using out of school care in Midlothian and these findings have been taken into account. The report on the survey is attached at **Appendix a**).

7.7 Ensuring Equalities

An integrated impact assessment has been carried out on the Out of School Care Policy. It concluded that the strengthening of the relationship between the council and OSC providers as set out in the policy will have a positive impact upon young people, particularly young people from more disadvantaged backgrounds, and upon low income families.

7.8 Supporting Sustainable Development

There are no sustainable development implications arising from this report.

7.9 IT Issues

Where applicable there will be a small additional IT provision within new primary school projects, these will be addressed through the design and construction phase of the projects.

8 Recommendations

It is requested that Council:

8.1 Note the work carried out following the decision of Council in February 2018

8.2 Approve the Out of School Care Policy as attached at Appendix 2

Date: 18 December 2018

Report Contact:

Dr Mary Smith, Director, Education, Communities and Economy

Tel No 0131 271 3721

Mary.Smith@midlothian.gov.uk

Background Papers:

Review of Fees and Charges, Midlothian Council, 24 June 2014

Minutes of Meeting of Midlothian Council on 24 June 2014

Minute of Midlothian Council meeting 13 February 2018

Development of an Out of School Care Policy – Council 20181218 IIA [Integrated Impact Assessment]

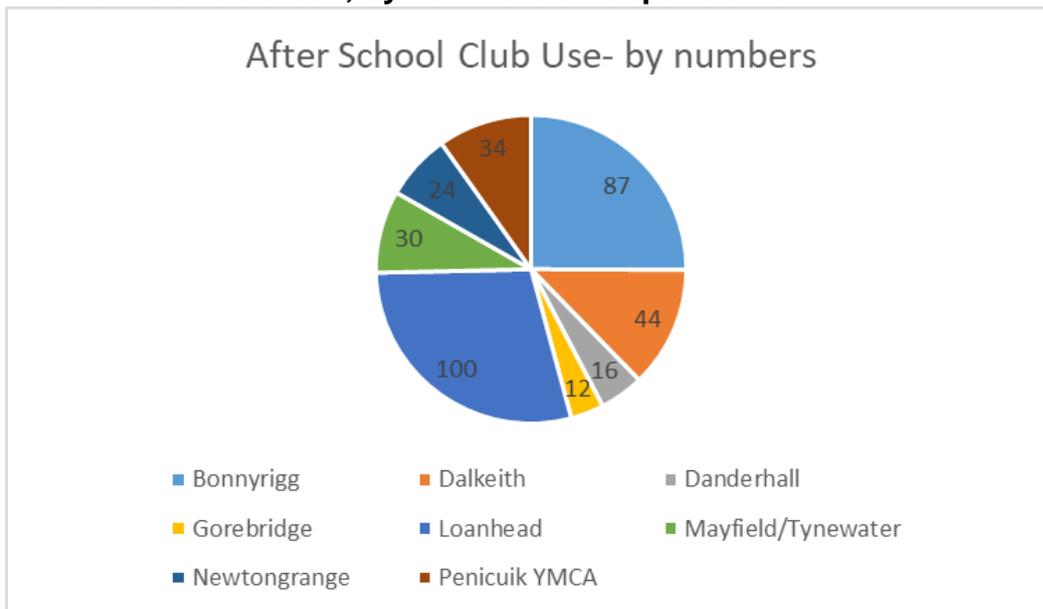
Appendix a)

Midlothian After School Club Network Survey Report Working Draft

Key Points Emerging from the Survey

- ASC/OSC attendance begins to decline among children after Primary 2.
- Term-time After School Club is used regularly by 88% of respondents, but use breakfast club, mid-term holiday care and summer holiday care is used much less regularly. Mid-term holiday care is regularly used by less than 50% of respondents.
- However, the great majority (70%) of respondents feel that ASC/OSC is vital to enabling them to work or study.
- There is a clear message that the alternative childcare options for the primary school age group are limited across the county and non-existent in some areas. Parents also expressed concerns about the price, reliability and appropriateness of childminders. Many articulated that they have no local family or friends who could provide childcare. Parents of children with additional support needs report having no other options.
- Many parents also appreciate the quality of After School Clubs and the variety of activities that children take part in there.
- The average household income bracket for participants in this survey is between £30k-£40k, which is in line with the national household (gross) income. Almost 70% of parents were either quite worried or very worried about the impact of potential childcare price rises upon their household incomes, and were uncertain how they would manage this.
- At the same time, however, uptake of support for childcare costs through voucher or tax-free childcare schemes is not very high and could be boosted.

1. After School Club Use, by numbers of respondents



2. Number of Children Attending OSC Per Family

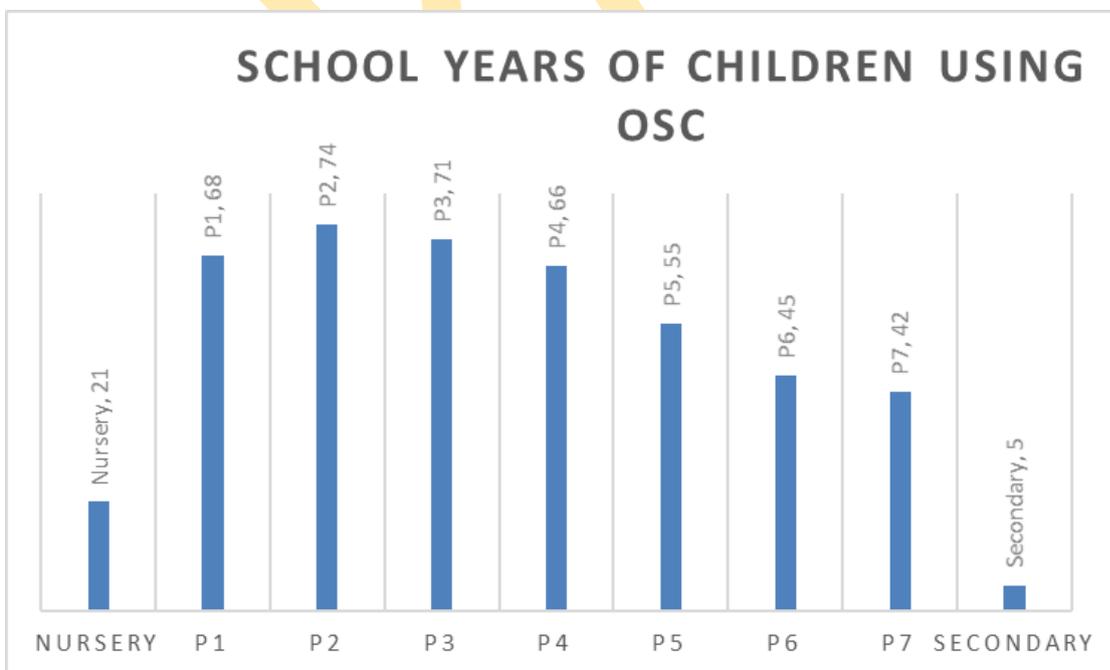
One: 246: 71%

Two: 96: 28%

Three: 3: 1%

Four: 1: <1%

3. School Years of Children using ASC/OSC



4. Services Used across all OSCs (by percentage of respondents)

After School Club	88.12%	304
Breakfast Club	57.97%	200
Holiday Club: Mid-term, Christmas and Easter	46.67%	161
Holiday Club: Summer	57.39%	198
	Answered	345

5. Hours Attended Per Week

During term time, participants reported that their children attended Breakfast Club and After School Club between 1-18 hours a week per child, with the average number of hours per child per week being roughly **8**.

9 parents reported their use as variable or ad-hoc, but in reality these numbers may be higher.

6. Average household income of ASC/OSC users in Midlothian

The average household income (gross, before housing costs) reported by families using ASC/OSC is in the bracket of £30k-£40k per year, which aligns with the wider national average household income.

The largest single household income bracket was £50k and over (a salary of only £25k each for a household with two full-time working parents).

7. How Important ASC/OSC Services are in enabling parents/carers to work or study

Not Important	0	0
Reasonably Important	5.5%	19
Very Important	24.4%	84
Vital	70%	241
	Answered	344

8. Childcare Options Considered by Respondents

Private After School Club	10.68%	36
Childminder	28.19%	95
Friends or extended family members	43.62%	147
Other (please specify)	17.51%	59
	Answered	337

'Other' answers included:

No other option available in the area:	16.6%	56
Au Pair	<1%	1
Moving to another school	<1%	1

9. Why Respondents Chose After School Club

Other options are not available in my area	15.36%	53
After School Club is more affordable	23.48%	81
After School Club is more reliable	25.80%	89
My child/children prefer After School Club	14.20%	49
The quality of childcare is better at After School Club	7.25%	25
Other (please specify)	13.91%	48
	Answered	345

Selected comments

“Childminders only take children up to a certain age and too much of a strain to put on elderly family members caring for 2 children before and after school.”

“Willing to have my child in an environment with a lot of children rather than very small group. Childminders do (rightly!) have to take holidays, can be off sick etc so potential for having days not covered is higher.”

“The breakfast club is the only one in the area which opens at 7am, my husband and I both start work at 7:30. Also it is the only service which provides ‘wrap around care’ allowing my daughter to attend school nursery on days which I work. I believe attending school nursery prior to P1 is essential for my daughter to allow her full transition to school and to be accepted from a young age with her peers due to physical differences she has as a result of a syndrome.”

“Child will be with other kids they know from school.”

“I prefer after school club as it's a great way for the kids to mix with other kids of all ages. It's also varied.”

“This is more affordable, closer to the school, staff are very friendly, my child's friends attend, heard very good reviews.”

“Family is not close and father has terminal cancer. No suitable childminder nearby that have spaces and the childminders are far too expensive.”

“Other options not available. Social development and the opportunity to play without parental supervision is vital and not otherwise available to my children due to work commitments.”

“Already using family for other days, times.”

“After School Club is in the same building as my child's school so no travelling needed for my child to get there after school. Also, they took good care of my older child for 7 years and we have built up a good working relationship with the staff.”

“I feel the children are safer when there is more than one carer.”

“Only place that supports children with additional needs.”

10. If After School Club was not available in your area, how might it affect you?

I am confident that I could find another affordable childcare option	3.68%	12
I might have to reduce my hours of work or study	51.53%	168
I might have to ask friends or extended family to care for my children	23.01%	75
I might consider allowing my children to go home alone	5.52%	18
I don't know	16.26%	53
Other (please comment)		70
	Answered	326

Selected Comments

“Being self-employed I’d have to reduce my hours or allow my child to come to work with me which is problematic.”

“As I don't have family in the area, I would have to reduce my hours at work significantly (or perhaps even stop work altogether) if After School Club was not available in my area. As a result I would also have to withdraw my younger child from nursery.”

“I am a nightshift worker, so would not get much sleep.”

“Holiday cover is essential so we can do our jobs. We can’t afford private charges.”

“I couldn’t work without After School Club.”

“I don’t know how I could manage.”

“There are no other options. There are no childminders with space for both kids.”

“I don’t have any family who can help.”

“I am a single mum, all my family is in France. I will really struggle.”

“It would affect my wife's health issues.”

“I would be up the creek.”

“My child would struggle to have other opportunities for social play as no other options available.”

“I would also consider moving to better served area.”

“There is no other before-school service in our area.”

“I can’t afford a childminder.”

I honestly don't know how I would be able to work without the after school club it's vital to the running of our household.”

“The childcare facilities in Rosewell are virtually non-existent. The whole community rely heavily on the services LASC provide, if there were any cut backs it would impact hundreds of parents who are already struggling to balance work and family commitments. With new housing this problem will only worsen. There is also virtually no childcare options for children under 3 within 2 miles of the house.”

“Our son is disabled so there is very little out there.”

11. It is possible that After School Club fees will have to increase to pay for higher room rents. How worrying is this in terms of your household finances.

Not very worrying.	8.43%	29
A little bit worrying.	23.84%	82
Quite worrying.	32.56%	112
Very worrying.	35.17%	121
Answered		344

12. If fees are forced to rise, what do you think you might do?

Nothing.	23.26%	80
Look for other childcare options.	18.90%	65
Reduce my hours of work or study.	18.60%	64
Allow my children/child to go home alone.	4.65%	16
I don't know.	26.74%	92
Other (please specify)	7.85%	27
Answered		344

Selected comments include:

“Make cut backs elsewhere in our life style e.g. daughters’ swimming lessons or dance classes.”

“Find the money.”

“Just pay up.”

“Depends on extent of increase”

“I would not reduce hours but would sometimes be forced to work unsociable hours dependant upon my income. I am self employed and my income depends on both the work I do and clients actually paying me!”

“Probably have to try and find a second job (despite having a neurological disorder) to pay for it.”

“May have to give up work.”

“Social work help at the moment.”

“Feel held to ransom no other option”

“If the rise isn’t significant, then we’ll pay, otherwise I’ll have to reduce my work hours, as it wouldn’t be cost effective to work and pay for expensive childcare.”

“I thought our government recognised the shift in the workplace pressures through increased female participation in the workplace and various other factors. The questions in this survey make me think that the council are simply trying to raise funds, but in reality it is making it more difficult for working families who contribute most to the economy and putting childcare professionals out of a job. Not very innovative Midlothian Council.”

13. Do you get any help with your childcare costs?

Child Tax Credit	6.92%	24
Working Tax Credit	4.61%	16
Universal Credit	3.17%	11
Childcare Vouchers	28.82%	100
Tax Free childcare	4.03%	14
Nothing	47.84%	166
I don't know what help I am entitled to	1.73%	6
Other (please specify)	2.88%	10
	Answered	347

'Other' options included college/university and social work.

14. Other Comments

"Great after school and summer play scheme, with enthusiastic staff. My son loves attending."

"Great flexible reliable service which has allowed me as a parent to go back to work knowing my children are being well looked after"

"Great service which provides fun and lots of outdoor play, would not have access to this with family."

"It is a great service and both my children love it and have thrived because of it."

"My kids enjoy the after school club and holiday club. Staff are always friendly and enthusiastic and my kids are always kept entertained. I know that they are very well looked after."

"Just to emphasise how vital breakfast clubs and after school clubs are to working parents. They say breakfast club is for families that can't afford to give their kids breakfast which is fantastic but it's also valuable to allow working parents to get to work without this I've no idea how I could work. We are constantly threatened by this facility being taken away but for working parents this is vital!"

"After school club is great. My kids do things there they don't have the opportunity to do in the house, like big football games in the gym hall. I'm delighted with the care my kids receive."

DRAFT

Appendix b)



Out of School Care Policy and Good Practice Guidelines

DRAFT

DRAFT

Out of School Care Policy

Introduction

Midlothian Council acknowledges that good quality, accessible and affordable Out of school care (OSC) is central to the social and economic development of the area, allowing parents and carers to take on employment and employability opportunities to improve their financial situation, supporting themselves and their children. In Midlothian 1 in 6 primary school aged children are registered with an Out of School childcare service.

Midlothian Council's policy aims to:

Work with parents and out of school care providers to establish and support the development of high quality, accessible, affordable and sustainable out of school care in Midlothian Council establishments where there is sufficient parental demand.

National Context

Out of school care provision is not a statutory requirement of Local Authorities but there is a requirement upon them to improve outcomes for children, young people and communities in Scotland. The Scottish Government have taken a number of steps to increase the availability of childcare across Scotland, most notably:

- The **Children (Scotland) Act 1995** states;
Section 27 Day care for pre-school and other children, paragraph (3) Each local authority shall provide for children in need within their area who are in attendance at a school such care—
 - (c) outside school hours; or
 - (d) during school holidays,as is appropriate; and they may provide such care for children within their area who are in such attendance but are not in need.
- The **Children and Young People (Scotland) Act 2014** which increased the entitlement to free early learning and childcare from 475 to 600 hours per year for 3 and 4 year old children. The government has since pledged to further increase this entitlement to 1140 hours per year for 3 & 4 year olds and eligible 2 year olds— equivalent to around 30 hours per week if delivered during term time – by 2020.
- **Section 55** also gives Councils a duty to consult with parents and carers at least once every 2 years and plan in relation to day care and out of school care and prepare and publish their plans for how they intend to provide appropriate care for such children included in the Act.
- The **Play Strategy for Scotland** which acknowledges the role that settings such as out of school care, nurseries and playgroups can play in supporting Scotland's children in their journey through childhood and adolescence and into adulthood. The Strategy highlights the greatest potential to develop free play in schools is outdoors before and after school, during break times and, through out of school care. The **Play Strategy for Scotland: Our Action Plan 2013** states that; play is valued, encouraged and supported in communities, as are providers

of community play opportunities such as out of school care, playgroups, therapeutic and specialist settings and community champions of Play.

- Findings from the ***Growing Up In Scotland - Patterns Of Maternal Employment And Barriers To Paid Work*** report show that lack of affordable and accessible childcare is a barrier to parents finding paid work. <https://www.gov.scot/Publications/2017/11/6970/3>
- The planned development of a new ***Framework for Out of School Care***, with support from the Scottish Out of School Care Network. This will replace the Scottish Government's previous 'School's Out' Framework for the Development of Out of School Care, published in January 2003. This new framework will be an essential part of the Scottish Government's commitment to deliver early learning and childcare and out of school care which is accessible and affordable for all. The main aims of the new initiatives are to develop high quality childcare that not only improves children's outcomes and tackles inequalities but also enables parents to work, train or study.

Definition of OSC

The ***School's Out Framework for the Development of Out of School Care*** provides a definition of OSC as services that provide registered childcare for school-age children:

- before school starts in the morning (breakfast clubs);
- after the end of the school day (after school clubs); and
- during school holidays (holiday or all-day care).

Some services are available at other times, for example, during in-service teaching days or at weekends. Some services are for older children or young people only and may not be called 'care'. However, the definition is flexible, and rightly so, given the emphasis on integrated services.

OSC services offer a range of options for parent/carers from single sessions, to whole week provision. Parents/carers drop their child off in the morning; the OSC club takes them to school, then picks them up after the school day and the parent then picks the child up in the evening.

OSC services can be delivered by organisations from the voluntary sector, private sector or by Childminders.

Benefits of out of school care

Out of school care is viewed by many as a vital component to the learning and development of children as well as contributing to their overall health and wellbeing. By being part of an out of school club either in the form of a breakfast club before school or by being part of an activity group after school or during the school holidays enables children to learn new skills, have a safe environment to play in and socialised with other children, sometimes of different ages. (Children in Scotland briefing – Out of School Care in Scotland January 2015)

According to the NHS report (Scott, Scobie 2015) a number of studies have highlighted the perceived social benefits of out of school care for children, by children, parents and staff. These include:

- a. the ability to make new friendships across different ethnic and cultural groups
- b. the chance to develop relationships with play workers as adult role models
- c. increased opportunities for play in a safe environment
- d. increased social skills, confidence and self-esteem
- e. promotion of diversity and multicultural inclusion.

However, key findings from one recent and relevant Swiss study (Felfe, 2013) suggest that the benefits of attendance at out of school care may differ based on a child's socio-economic background.

In terms of education and income, attending after-school care centres may be less beneficial for children from more affluent backgrounds who have the capacity and resources to provide their children with more stimulating supervision and activities during the afternoon hours. In contrast, children from more deprived backgrounds may experience greater benefit from the resources, learning support and further stimulating activities available at after-school care centres.

Scott E and Scobie G. NHS Health Scotland Evidence briefing on the impact of out of school care. NHS Health Scotland; 2015.

Midlothian Context

The provision of good quality out of school care supports the delivery of 'Getting it Right for every Midlothian Child' as part of the 'Integrated children and young people's services plan for 2016-19'. Available from the Midlothian Council website.

Good quality, accessible and affordable Out of School Care can help:

- to improve outcomes for children;
- to make Midlothian an attractive place to live and work;
- to attract inward investment; and
- to meet the needs of existing working parents and those returning to employment or education

Midlothian Council

In supporting existing OSC services and establishing new OSC services Midlothian Council will oversee the consultation, design, setting up, development, support and promotion of out of school care across Midlothian.

For each of these areas the Council will:

Consultation

Midlothian Council will work with parents and out of school care providers to establish if there is sufficient parental demand to look at setting up a new OSC service or developing an existing OSC service to meet this demand.

Design

To ensure the option of having an OSC service in a new primary school, where possible they will be planned with a multi-use area that can be used by an Out of School care service if the demand/need is established. This could be the dining room, community room or another room. Please also refer to the appendix - Physical Requirements for OSC in school buildings.

Setting Up

In line with guidance from the Procurement and Audit teams and to ensure that Midlothian Council is "Following the Public pound" and the Procurement Rules, there will be a fair, open, transparent and robust process put in place to decide on providers of new or expanded out of school care services within council buildings. The process will take into account the Council's Procurement policies in line with EU regulations and standing orders and look to ensure that all Out of School Care services being delivered in Council buildings offer best value for money, meet good quality standards and will be accessible and affordable to parents and families. This process should also take cognisance of the 6 months suggested time allowed for Care Inspectorate registration of a new service and 3 months for a variation.

Development

Midlothian Council through its early years team will:

- provide appropriate support to OSC services who are looking to expand or develop new services
- ensure that out of school care services are developed following consultation with children and parents
- support OSC providers to have Business Plans in place to ensure the sustainability of services
- ensure that provision for Out of School Care services are included in the consultation and planning process for developing new schools.

Support

Midlothian Early Years Team will provide:

- appropriate support to Out of School Care services to enable them to respond to parents who wish Out of School Care to be established
- appropriate support for the establishment of Out of School Care services, following the setting up procedures above, including compliance with Care Inspectorate registration requirements
- practical advice about setting up new groups and provide ongoing support and information on training to staff and parent management groups

Promote

Midlothian Council will support OSC services by promoting the benefits, access to and availability of OSC services in Midlothian.

We will:

- promote the value that quality Out of School Care services have to support vulnerable children as part of integrated children's services;
- promote out of school care provision as a positive aspect of a school/centre's range of services to parents/carers. E.g. OSC information should be included in School Parent packs and on school websites;
- promote the availability of OSC series to parents/carers through the Family (Childcare) Information Service and Midlothian Council website.

Providing Out of School Care can be seen as a key service in schools and can influence parents' choice of school. Schools should promote the availability of Out of School Care on a regular basis by the following means:

- allow the Out of School Care service to advertise their service by distributing information leaflets, through the school bag mail outs, in the school newsletter and on school notice boards;
- include the Out of School Care service in any site visits by and information given to potential new pupils/parents;
- include the Out of School Care service in the P1 New Starts programme by inviting the Manager to attend
- promote and publicise the service through regular updates to the Parent Council;
- enable the Out of School Care service to host open days/ evenings for parents coinciding with the school's parent consultation days/evenings.

Accommodation

Midlothian Council will look to support OSC services with finding the most appropriate accommodation to deliver their service. We will:

- Provide access through procurement to local authority establishments, charged in line with Midlothian Council's Corporate Charging Framework and Charging Strategy (including Harmonisation and Concessions Policy).
- Ensure that effective communication systems are in place to allow regular and positive discussion between providers, heads of establishment and other significant stakeholders; (as outlined in the Accommodation Agreement)
- Ensure where OSC services are based in schools that clear timeous information is shared about the future use of rooms by OSC in terms of school expansion/development.

Quality

Midlothian Council aims to ensure that OSC services operating from Council premises will be providing a high quality of service. To be considered for delivering a new service in Council premises an existing OSC organisation must have a Care Inspectorate grading of 4 or above across all gradings. New OSC organisations will be required to meet this requirement at their first inspection. OSC organisations that receive gradings that fall below 4 (good) will be given an action plan and timescale to bring their grading back to 4 (good) or above.

OSC services will be expected:

- to meet the requirements for the development of high quality out of school care as a priority to meet the National Health & Social Care Standards for Children up to the Age of 16
- to recognise the value and qualities of play centred Out of School Care provision, as a positive addition to the child's daily experience and not as an extension of the school curriculum

Training

Staff working in Out of School Care services will have access to the training provided by the Early Years Team to the early years and childcare workforce in line with current procedures.

This includes qualification training for registration with the SSSC, mandatory training and professional development training.

Midlothian Council has a contract with Edinburgh College to deliver qualification training for early years and childcare staff in the voluntary and private sector. This includes training at Support Worker, Practitioner and Manager Level.

Midlothian Council Early Years Team provides a range of Mandatory and Professional development training courses which are detailed in the Early Learning and Childcare Professional Development Directory.

GIRFEC

As part of the Council's GIRFEC and Wellbeing procedures, it is important that all relevant information, relating to the child, is shared between the out of school care service and the school. The Out of School Care service, where appropriate, should be included in any case conference or meetings related to the wellbeing of a child who attends the Out of School Care service.

Supporting children with Additional Support Needs (ASN)

OSC services can play an important role in supporting families with children with ASN. OSC services actively promote childcare for families with children with ASN.

Respite service

OSC services can also provide a referral based respite service for Children (4-14 years) with Additional Support Needs or deemed at risk. This takes place within their OSC services, which offer a safe, secure and stimulating play environment run by trained and qualified staff.

Financial support for parents

OSC care services will provide support to parents using their services with information on how to claim help with childcare fees, including the childcare element of universal credit, childcare tax free scheme and childcare vouchers.

Accommodation Charges

OSC services will be charged for using Council buildings in line with Midlothian Council Corporate Charging Strategy (including harmonisation and concessions policy). They should apply for an Extended Let annually and will be charged an annual Let Fee.

Accommodation Agreement

An Accommodation Agreement will be put in place for Out of School Care service operating in a Midlothian Council Building. This will be an agreement between the head of establishment for the building, the manager of the Out of school care service, the Early Years team and any other relevant Council department.

Accommodation Agreements are intended to create an agreed plan of operation for the Out of School Care service within the Council building. It should be reviewed regularly to ensure it reflects the agreed understanding of how the OSC service operates within the building.

Accommodation Agreements will be signed off by the Director of Education, Communities and Economy and the Head of Property and Facilities Management. For a new service, this should be completed before the service starts.

The Accommodation Agreement will cover all aspects of the operation of the Out of School Care Service within the building. Including:

- The specification of the Out of School Care service being provided
- The duration of the Agreement
- Details on the agreed operation of the OSC service within the building. This includes access to resources (see below)
- Cleaning and janitorial arrangements
- Access and security
- Communication meetings with the head of the establishment
- Review of the Accommodation Agreement arrangements
- Variations to and termination of the Agreement
- A timetable of the rooms/areas required and the days and times required for the full year.
This information will be used for Let agreement and calculating the annual Fees and charges.

Access to Resources:

As part of the Accommodation Agreement the Out of School Care service should have access to resources in order to support delivery of its services to the highest standard. Where possible, the Out of School Care service should be able to share school/centre equipment, and in return will make arrangements for full payment of materials used, and will contribute to the replenishment and replacement of equipment used. Areas where resources should be shared include:

- **MFD** – Where available the Out of School Care service should be given a key code to enable use of the school/centre's MFD for photocopying. Charges will be covered by the Out of School Care service and payment arrangements should be in line with the school/centre's usual administration arrangements; Access to the photocopier should be at a time that is not disruptive to the school.
- **Physical Play and Equipment** – Where available the Out of School Care service should have access to the playground, or other Midlothian Council/centre outdoor facilities on a regular basis as part of their programme.
Where possible there should be access to larger equipment e.g. wall bars, crash mats, apparatus, etc. Before any use a procedure for tidying the equipment, replacing it where originally located, and for its care and contribution to wear and tear, should be agreed jointly between the OSC service and the school.
- **Notice Boards** – Where available Out of School Care services should be allocated space for information, legal notices and displaying the work of the children.
- **Staff Rest Areas** – to comply with employment law, the Out of School Care service needs to provide a suitable area for its staff in which to have breaks, and in the case of full day holiday

care, a lunch break. It is important that where available and possible Out of School Care staff have access to an appropriate area for such breaks.

- **Confidential Meeting Space** – the Out of School Care workers may have to speak to a parent in confidence, which may require a suitable space to do so. This can be minimal - a comfortable chair in a quiet corridor, or access to another room. Where possible suitable spaces should be discussed and agreed between the OSC service and the school.
- **Hygiene Room** – where OSC are working with children with ASN, OSC services should be allowed access to the hygiene room (where available) for children that require this as part of being able to attend the OSC service.
- **Cleaning and Janitorial services** – In line with the Let agreement OSC services will have access to the refuse arrangements for the school and for areas used to be stocked with toilet rolls and hand towels.

For further information contact

Early Years Team

Tel 0131 271 3695

Email: Childcare@midlothian.gov.uk

Web: https://www.midlothian.gov.uk/info/851/early_learning_nurseries_and_childcare/135/find_local_childcare

Appendix 1

Physical requirements for Out of School Care in New School Buildings

Midlothian Council will look to support the provision of Out of School Care (OSC) in new school buildings where possible. This will be by looking to design space within a new school that can be easily adapted if there is local demand for a service such as OSC. This space will have a shared use and may not only be used by an OSC service.

Where a school is built with additional classrooms that may not be initially required as classrooms the OSC may be accommodated in one of these rooms until required by the school. In schools with Community room facilities the OSC service may be accommodated within this room and where there are no additional classrooms or community rooms the accommodation may be in the dining room area.

For an OSC service to operate within a new school building these operational factors should be taken into consideration in the design and layout planning for the new school.

ENTRANCE

A secure entrance for parents and children is essential to support safety and monitor access. Some examples could include:

- a bell entry system
- a glazed panel on the door or at the side of the door which allows the staff member to see who is outside
- key pad entry
- a video security system at the main door, accessed remotely, can help staff to monitor the entrance without having to leave the childcare areas

The entrance should be accessible to all and should be as visible as possible. This space should be sufficiently illuminated to ensure the area is safe and visible in the dark. The entrance should be wide enough for wheelchair and large buggies access.

SPACE FOR CHILDREN

Current Care Inspectorate guidelines are:

- For children under two years - a minimum of 3.7 square metres, per child
- For children aged two years to under three years - a minimum of 2.8 square meters, per child
- For children aged three and over – a minimum of 2.3 square meters, per child.

The space referred to is defined as space for children's play and movement. This should not include toilets, changing facilities, storage space, space taken up by set fixtures and fittings or any space identified for other use i.e. kitchens, staff/parents or community space.

Where possible area should have natural light and windows that can be opened.

The environment should be safe and children should feel safe and protected.

The environment should support and develop all of the needs of individual children, including their physical, cognitive and emotional needs.

Outdoor Space

For children in out of school care settings this means they should play outside as much as possible. This view is supported by the Scottish Government's Health and Social Care Standards.

A suitable, stimulating, challenging and safe outdoor space adjacent to the accommodation enables children to move easily between indoors and outdoors, encouraging independence and providing additional opportunities.

All out of school care settings should have adjacent, safe and suitable outdoor space. Children who attend out of school care settings will have been in indoor school environment most of the day therefore outdoor play may be very important to them.

Space to Eat

Provision of food is an integral part of a care and learning environment. When children have a positive experience of eating and drinking in a childcare service, it will help them to develop an appreciation that eating can be an enjoyable activity, and understand the role of food within social and cultural contexts on long-term health benefits.

Children should always have access to fresh water to keep them hydrated.

Staff should be able to take breaks away from the children. There must be space where staff can safely store their personal belongings and where they can meet others.

Cloakroom Area

OSC children require an area to hang up their coat and leave bags and shoes. The room should have coat/bag/footwear storage spaces.

OPERATIONAL SPACE

Administration Area

There should be an area for administrative work and for the storage of confidential records. This should be able to have an external phone line installed and have access to power points and space for a computer/printer.

OSC staff require a safe and secure place to store personal belongings. This could be access to a locker or lockable cupboard.

Meeting Space

Space which can be used by visiting specialists, such as Health Visitors, Social Work and Speech and Language Specialists can be extremely beneficial to families. Sometimes it makes it easier for families to access these services as it brings the service to them in an environment that the child and family are comfortable in. It also allows for effective, collaborative working between parents, staff and children and other agencies.

Notice Boards/Display Space

Space should be allocated to the OSC where they can meet Care Inspectorate guidelines on displaying operation policies and information for parents as well as space for children to display their work and interests.

HAND HYGIENE

There should be proper provision for hand washing within the service. Hand hygiene is widely acknowledged as the most effective way of preventing and controlling avoidable infections. It is not expected that there is a hand washbasin in playrooms for school age children (i.e. out of school care settings) unless providers wish to make this available. However children and staff must have access to hand washbasins nearby the playroom. Hand washbasins should only ever be used for hand washing and not for any other purpose.

TOILETS

The British Standard for toilets for 'nursery (aged three to five years)' is one w.c. per 10 children or part thereof, not less than four. This is interpreted as, for example, where a service is registered for 34 children, three toilets would be sufficient.

Where a service is registered for 35 children, four toilets should be provided.

Although the British Standard relates specifically to children aged three to five, this standard would also be applied to out of school care settings

Children's toilets should be easily accessible from the main operation area. The number of toilets required will be on average based on a full year of children attending the school. Eg. an ASC in a one-stream school will be registered for up to 40 places. An ASC in a two-stream school will be registered for up to 60 children.

Staff facilities

Staff toilets should not be shared with children and should not be counted when considering the overall number of toilets available for children. All toilet facilities for staff should be provided in accordance with building regulations, health and safety and work regulations, food safety regulations and the Equality Act (2010)

FOOD PREPARATION

An early learning and childcare service or out of school care setting providing food, including snacks for children is likely to be considered a food business by Environmental Health.

Food Safety is regulated in all care settings by the local authority Environmental Health department. The provider will need to comply with the requirements of the Food Hygiene (Scotland) Regulations 2006 and other supporting legislation.

Out of school care settings offer snacks with many providing facilities for children to have lunch/meals. Provision for meals can include food cooked on the premises, the use of outside caterers or where children bring a packed lunch.

A setting that provides breakfast cereals and snacks could be adequately furnished by a preparation area contained within the space.

Hand hygiene is very important. Each food preparation area must have at least one wash hand sink for food handlers to wash their hands. Wash hand sinks for cleaning hands must have taps which provide hot and cold running water (or mixer water at a comfortable temperature).

A food preparation area where only low risk foods are prepared or where ready to eat food comes from another provider must have, as a minimum, a single or double drainer sink. This can be used for food preparation (e.g. washing vegetables and fruit) and washing dishes, providing proper cleaning of the sink takes place between these uses. This sink must have a tap or taps supplying hot and cold running water. Where space permits a dishwashing machine is a very useful addition.

For a food preparation area a single under counter refrigerator or an upright fridge-freezer may be sufficient storage space.

STORAGE

Storage arrangements should be suitable for the purpose of the items being stored. Storage should be available for play equipment/resources, including large equipment.

Any large items which may be used outdoors should be suitable of being stored in inclement weather. It can be helpful if the storage space for these items is outside.

CLEANING

Cleaning arrangements for toilets and spaces to be used by the OSC service must fit in with the operational times for the OSC service.

Appendix 2

TEMPLATE ACCOMMODATION AGREEMENT BETWEEN

_____ **CHILDCARE SERVICES** and _____ **PRIMARY SCHOOL**

PART A - SERVICE SPECIFICATION

1. Childcare Services - - Description of Service

_____ASC will provide a balanced programme of childcare opportunities for children and young people aged between 4 and 14 years, which can include:

- Breakfast Club between 7.00 and 9.00am
- After school club until 6.00pm during Term Time
- In-service days, between 7.00am and 6.00pm
- School Holiday Care between 7.00am and 6.00pm

2. Service Users

Membership of _____ASC shall be open to every parent of a child or a young person aged 4 - 14 currently attending primary school or high school in the Midlothian area.

3. Registration

_____ASC will be registered with and inspected by the Care Inspectorate to provide up to ___ places each day. Copies of _____ASC's latest Inspection report will be available on request.

4. Support

Support will be available to _____ASC from the Midlothian Early Years Team (MEYT). This will take the form of peer network meetings and individual meetings with the relevant officer. Staff development and training opportunities will be made available to the ASC staff through training organised and/or funded by the MEYT.

5. Management and Staffing

_____ASC will employ staff and/or involve sufficient personnel, suitably qualified and/or experienced, to effectively deliver the service as stipulated. All _____ASC staff will be registered with the SSSC.

Staff development, training, support and clear effective leadership will be provided by the ASC. All staff will have access to child protection training appropriate to their roles and responsibilities.

Staff will be recruited on the principles laid down in the ASC's Equal Opportunities Policy. A copy of the policy will be made available on request. The ASC will adopt, and ensure that staff implement anti-discriminatory practice.

6. Confidentiality

_____ASC's procedures for dealing with breaches of confidentiality will be clearly stated and a copy of the Policy made available on request. Written details recorded of breaches of confidentiality should be retained.

7. Policies and Procedures

_____ASC will have written policies and procedures that ensure their service is operating in line with their regulating body (the Care Inspectorate). On dealing with situations where there are immediate concerns about the safety and well being of a child or children they will be consistent with the Inter Agency Child Protection Procedures, Edinburgh and Lothians. A copy of any ASC policy or procedure will be made available if requested.

8. Complaints

- _____ASC is required to have a written complaint procedure and a copy will be available on request. Detailed information will be kept of complaints and this will be made available for inspection by Council officers on request.
- Any complaints, unable to be resolved, concerning the operation of _____ASC arising between _____ASC and Midlothian Council or _____ Primary school will be referred to MEYT who will provide support to reach a solution. Disputes about the terms of this Agreement are covered under Section 28.
- Any formal complaint should be submitted through Midlothian Council's Complaints process.
- Any formal complaint about the operation of _____ASC should be made through the Care Inspectorate complaints process.

9. Insurance

_____ASC will at all times maintain with a reputable insurance company, appropriate insurance cover of an adequate sum to cover public and employer liability. _____ASC will exhibit the insurance policies.

10. Health and Safety

- _____ASC will ensure they have their own appropriate Health and Safety Policy in place.
- The _____ASC Fire Safety Policy must be consistent with that produced by _____ Primary School.
- _____ASC is responsible for providing First Aid care to their staff and clients whilst involved in _____ASC activities and for the provision of adequate First Aid supplies and the training of staff.
- _____ASC will ensure they have Risk Assessments completed for all relevant activities.

DRAFT

PART B – AGREEMENT

11. Agreement Period

Duration of Agreement	1 Year
Start Date	1 st April 2019
Finish Date	31 st March 2020

12. Services to be Delivered As described in Part A

13. Accommodation

These services will operate out of _____ Primary School using an agreed area/s as the main base to deliver a childcare service during the times as indicated in appendix A.

_____ASC may also require use of other areas in the school such as the Expressive Arts room, Dining room or Gym Hall, which will be booked with separate negotiation with the school and LLE.

14. Storage

_____ASC will have use of an agreed area for the storage of play equipment, food preparation equipment and operational files.

Any changes to let arrangements must be agreed with the head teacher and LLE.

15. Access and Security

Other than the areas agreed in appendix A; ASC staff must not enter any other area of the school without the permission of, or agreement from the head teacher.

ASC staff should not enter classrooms without a teacher being present or any other room without a member of school staff being present. ASC staff should not let parents or members of the public access any areas of the school for any reason. Parents looking to access school areas must use the main office.

16. Cleaning and Janitorial arrangements

- **Cleaning Arrangements** - _____ASC is entitled to standard cleaning arrangements as part of the Local Authority Let, which should be flexible and responsive to the needs of the provision, in particular to holiday periods.

- **Janitorial/Caretaking Arrangements** - As part of the Local Authority Let agreement, _____ASC should be entitled to utilise Janitorial Services for reporting faults, repairs and general maintenance as required;

_____ASC will clean and tidy the rooms used in accordance with the Let Conditions.

17. Operation Authority

Overall responsibility for the school building lies with the Head Teacher, _____ Primary School, particularly for all matters relating to Health and Safety.

18. Copying facilities

Photocopying may be undertaken at _____ Primary School subject to school operational requirements.

19. Play Equipment

Larger play equipment may be borrowed with permission from the Head Teacher.

20. Notice Boards

Space will be made available in the operational space and on the school notice board for the ASC to publicise and promote its service and to display policies, certificates and children's work.

21. Staff Rest areas

_____ ASC staff may have access to a rest area at a space agreed with the Head Teacher.

22. Confidential meeting space

When required and available _____ ASC staff may have access to a confidential meeting space with agreement from the Head Teacher.

23. Hygiene rooms

When required and available _____ ASC staff may have access to a hygiene room with agreement from the Head Teacher.

24. Access Routes

To ensure consistency with other service users, _____ ASC staff should enter the school via the agreed entrance and sign in the ASC sign in book to comply with the ASC Fire Action Plan. The senior member of _____ ASC staff present is responsible for maintaining an accurate record of staff and clients present at their sessions

Key Fobs. A register of fobs will be kept in school showing access times and areas. All key fobs held by _____ ASC staff are required to be returned for checking on an annual basis for audit purposes and will be re-issued against the signature of the named holder. Lost key fobs are charged at £10 per fob. The operational times of ASC fobs can only be changed when authorisation is given by the Head Teacher after discussion and agreement with the ASC manager.

The playground access route is via the agreed route. It is a requirement that children are supervised when using this route and to ensure minimal disruption to other school users.

_____ ASC should use the agreed school toilets and children must be accompanied through the fobbed doors.

25. Financial

Midlothian Council will set the rates for the annual Fees and Charges for lets, which _____ ASC will be liable to pay for the use of the required areas within _____ Primary School facilities. Invoices will be issued by LLE in line with agreed invoicing procedures.

26. Communication

- Operational/Diary meetings to discuss issues will be held termly or as required between the ASC manager and the Head Teacher.

- The ASC manager and representatives from Midlothian Council, MEYT and _____ Primary School should meet to discuss any issues relating to the operation of the childcare service at least annually and more regularly if required.
- Any day to day issues that arise should be communicated initially to the Head Teacher to facilitate a resolution.

There should also be clear communication between the Out of School care service and the school/centre to ensure information relating to a child's attendance at the Out of School care service is passed on to the manager or lead worker as soon as possible. This includes situations where: the school/centre will be closed unexpectedly; the child will unexpectedly return late from a trip at the end of the school day; the child has been excluded from school.

27. Promotion

Providing Out of School Care is seen as a key service in schools and can influence parents' choice of school. The school should promote the availability of Out of School Care on a regular basis by the following means:

- Allow the Out of School Care service to advertise their service by distributing information leaflets, through the school bag mail outs, in the school newsletter and on school notice boards;
- include the Out of School Care service in any site visits and information given to potential new pupils/parents;
- include the Out of School Care service in the P1 New Starts programme by inviting the Manager to attend;
- promote and publicise the service through regular updates to the Parent Council;
- enable the Out of School Care service to host open days/ evenings for parents coinciding with the school's parent consultation days/evenings.

28. Review of this agreement

This Agreement runs for 1 year and will include an annual review by representatives from Midlothian Council, _____ ASC and _____ Primary School, with MEYT acting in an Advisory capacity. Additional reviews may take place if requested by any party for good reason. The review will consider all aspects of the operation of this Agreement and may lead to it being amended subject to the needs of local educational provision.

Once reviewed and agreed the Agreement will be deemed to be in place for a further year.

Either party may terminate the Agreement by giving six months' notice of any intention not to re-negotiate a further Agreement upon expiry of this Agreement.

29. Variations and Termination

No part of the service specified may be assigned or sub-contracted by _____ ASC without the prior written approval of Midlothian Council and _____ Primary School.

Any variations to the Agreement must be agreed through a review meeting, which take place annually or on request as outlined in section 27.

If the services required by _____ ASC within this Agreement cannot be fully provided by Midlothian Council/ _____ Primary School for whatever reason, then it is the responsibility of

Midlothian Council/_____ Primary School to inform _____ASC of this situation. Discussions between _____ASC and _____ Primary School, with advice from the MEYT will then take place to look for any suitable alternative for childcare services to be able to continue to operate.

In the event of a dispute between _____ASC and _____ Primary School over the terms of this Agreement any party has the right to refer the matter for arbitration to the Education, Communities and Economy Directorate of Midlothian Council whose decision will be binding on all parties. Every effort should be made to resolve the dispute prior to such a referral.

ON BEHALF OF _____ASC CHILDCARE SERVICES	
NAME	SIGNED
POSITION	DATE

ON BEHALF OF _____ PRIMARY SCHOOL	
NAME	SIGNED
POSITION	DATE

ON BEHALF OF MIDLOTHIAN EARLY YEARS TEAM	
NAME	SIGNED
POSITION	DATE

DIRECTOR EDUCATION, COMMUNITIES AND ECONOMY	
NAME	SIGNED
POSITION	DATE

HEAD OF PROPERTY AND FACILITIES MANAGEMENT	
NAME	SIGNED
POSITION	DATE

Appendix A

To operate the _____ ASC childcare service from _____ Primary School the following areas will be used by _____ ASC at the following Core Let times.

Breakfast Club Monday - Friday Term Time					
Area		Staff arrive	Children arrive	Children leave	Staff leave
Community Room					
Dining Room					
Toilets					

After School Club Monday - Thursday Term Time					
Area		Staff arrive	Children arrive	Children leave	Staff leave
Community Room					
Dining Room					
Expressive Arts /Dining Room/Gym Hall as and when available and required					
Toilets					

After School Club Friday Term Time					
Area		Staff arrive	Children arrive	Children leave	Staff leave
Community Room					
Dining Room					
Expressive Arts /Gym Hall as and when available and required					
Toilets					

Administration			
Day	Area	Staff arrive	Staff leave