

Integrated Relevance Assessment Form

1. Details of proposal	
Policy Title (include budget reference number if applicable)	Budget Proposal E4b – Rationalise physical capacity and staffing at council establishments where provision is greater than parental choice levels Community Approach to Provision of Early Learning and Childcare. Proposal to Close Fauldhouse Nursery Class
Service Area (detail which service area and section this relates to)	Strategic Resources
Lead Officer (Name and job title)	Donna Adam - Strategic Resources Manager
Other Officers/Partners Involved (list names, job titles and organisations if applicable)	Greg Welsh, Head of Education – Primary, Early Learning and Resources Andrew Sneddon – Service Manager
Date relevance assessed	23 December 2024

2. Does the council have control over how this policy will be implemented?			
YES	YES	NO	

3. The General Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions, to have due regard to the need to: • Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct • Advance equality of opportunity between those who share a protected characteristic and those who do not; and • Foster good relations between those who share a protected characteristic and those who do not NB: In this section you must also consider the Human Rights Act and the key PANEL (Participation, Accountability, Non Discrimination, Empowerment and Legality) principles of Human Rights Which groups of people do you think will be, or potentially could be, impacted upon by the implementation of this policy? You should consider employees, clients, customers and service users (please tick below as appropriate).	
Age – older people, young people and children	Yes
Disability – people with disabilities/long standing conditions	Yes
Gender reassignment – trans/transgender identity – anybody who's gender identity or gender expression is different to the sex assigned to them at birth	Yes
Marriage or civil partnership – people who are married or in a civil partnership	Yes
Pregnancy and maternity – woman who are pregnant and/or on maternity leave	Yes
Race – people from black, Asian and minority ethnic communities and different racial backgrounds	Yes
Religion or belief – people with different religions and beliefs including those with no beliefs	Yes
Sex – Gender Identify – women and men (boys and girls) and those who self-identify their gender	Yes
Sexual Orientation – lesbian, gay, bisexual, heterosexual/straight	Yes

4. Do you have evidence or reason to believe that this policy will or may impact on socio-economic inequalities?
Consideration must be given particularly to children and families

Socio-economic Disadvantage	Impact (Please Tick as Appropriate)
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	Yes
Low and/or No Wealth – enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	Yes
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure and hobbies	Yes
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	Yes
Socio-economic Background – social class i.e. parents education, employment and income	Yes

5. Integrated impact assessment required?
(Two ticks above = full assessment necessary)

YES	YES	NO	
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6. Decision rationale
If you have ticked no above, use this section to evidence why a full IIA is not required

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Signed by Lead Officer	
Designation	Strategic Resources Manager
Date	23 December 2024
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	Head of Education – Primary, Early Learning and Resources
Date	23 December 2024

Full Integrated Impact Assessment Form

1. Details of proposal	
Policy Title (include budget reference number if applicable)	Budget Proposal E4b – Rationalise physical capacity and staffing at council establishments where provision is greater than parental choice levels Community Approach to Provision of Early Learning and Childcare. Proposal to Close Fauldhouse Nursery Class
Details of Others Involved	Greg Welsh, Head of Education – Primary, Early Learning and Resources Andrew Sneddon – Service Manager Donna Adam – Strategic Manager
Date Assessment Conducted	23 December 2024

2. Set out a clear understanding of the purpose of the policy being developed or reviewed (what are the aims, objectives and intended outcomes including the context within which it will operate)
The proposal is to take a community focused approach to provision of Council Early Learning and Childcare settings in communities with multiple options, supporting a focus on quality at a smaller number of settings overall. It is proposed to close 9 early learning and childcare establishments. The proposal focuses on greater efficiency in service provision within council run early learning establishments, matching supply to parental demand. Number of settings, physical capacity and staffing capacity would be rationalised to match demand, realigning staffing resource across the early learning estate where additional staffing is required. Concentrating resources in a smaller number of establishments will support a focus on quality at the remaining Council run establishments in each community. The proposal is that Fauldhouse Nursery Class will close.

3. Please outline any needs and/or barriers which equality groups (people with protected characteristics) may have in relation to this policy	
Age Please note that if there are impacts on children you will need to consider which articles of the UNCRC does the proposal impact on? Here is a link to a Plain English version - The Convention on the Rights of the Child - UNICEF Depending on the extent of any	Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact

potential impact on Children's Rights, it may be necessary for you to complete a Child Rights and Wellbeing Impact Assessment See IIA Guidance for more information.	on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the service will continue to be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality. <u>Children's Rights</u> There is no impact on Article 28 – Right to Education or Article 29 – Goals of Education. All children will continue to be able to access their entitlement to early learning and childcare within their own community, and in line with National Standards. Provision will continue to meet national standards and deliver the early level of curriculum for excellence. There is no impact on Article 23 – Children with a Disability. Additional Support Needs can be met effectively at all Council schools and nurseries. Other ELC settings in the community will continue to cater effectively for a wide range of needs and staff tailor the provision to meet the individual needs of children. There is no impact on Article 30 - Leisure, Play and Culture. All children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. Provision will continue to meet national standards and deliver the early level of curriculum for excellence including the play-based curriculum. There is no impact on Article 14 - Freedom of thought, belief and religion. The proposal does not alter the non-denominational status of all early learning and childcare, and the right to choose denominational education at the primary and secondary stages. Well established transition arrangements will support any child transitioning to their Primary 1 placement, regardless of denomination. Article 12 (respect for the views of the child) and Article 5 (parental guidance and a child's evolving capacities) have been addressed by the statutory consultation. UNCRC, as incorporated, does not give children or parents the right to receive education in a specific establishment or location.
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Disability	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Additional Support Needs can be met effectively at all Council schools and nurseries. Other ELC settings in the community will continue to cater effectively for a wide range of needs and staff tailor the provision to meet the individual needs of children. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Gender Reassignment	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Marriage or Civil Partnership	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Pregnancy and Maternity	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Race	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Religion or Belief	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality. The Council's ELC Admission Procedure provides parents with information when applying for an ELC place. It states that all West Lothian Council ELC establishments are non-denominational (not linked to a particular religion) even if they are located within a denominational (Roman Catholic) school campus. The Primary School Admission Procedure provides parents with information regarding the choices open to them when choosing a primary school. It states that West Lothian is divided into catchment areas for primary and secondary schools. Each school is either denominational (linked to a particular religion) or non-denominational (not linked to any particular religion). Each home address has a catchment denominational school and a catchment non-denominational school, for both primary and secondary education. All the denominational schools in West Lothian are Roman Catholic. Baptised Roman Catholic children will be given priority for admission to Roman Catholic schools. No denominational Early Learning and Childcare Currently exists in West Lothian. Parents will retain the ability to choose a denominational education at the Primary and Secondary stages. Well established transition arrangements will support any child transitioning to their Primary 1 placement, regardless of denomination. Headteachers of denominational schools routinely engage with relevant officers representing the Archdiocese and the authority will continue to encourage this. Headteachers of denominational schools will continue to promote the work of their
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	schools in the local community. They will continue to promote strong links to their local church and also promote their school through these links.
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Sex	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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Sexual Orientation	Provision will continue to meet national standards and deliver the early stage of curriculum for excellence. The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child. Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights. Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed. The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements. Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy Concentrating resources in a smaller number of establishments will support a focus on quality.
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	How do you know that? Regular statutory consultation with parents/carers. Knowledge of current capacity and demand. Knowledge of current school estate. Planning information and forecast demand. Knowledge of children and staff held on Council databases Knowledge of current Council policies. Knowledge of national education policies. Knowledge of equalities legislation. Knowledge of UNCRC as incorporated. Arrangements exist to move staff between establishment, which occurs each year, minimising impact. No change to policy or curriculum will occur as a result of attending an alternative ELC establishment. Supply will be aligned with demand. Statutory adult/child ratios will be maintained. Careful analysis of capacity will be undertaken, considering future pupil projections, to ensure changes to capacity are appropriate. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Following the temporary closure of Bathgate West Nursery School, Education Scotland found that families had been able to access alternative ELC provision that suited their needs and that children accessed provision in line with national standards. It heard that children were happy in their alternative setting, and that staff had integrated successfully into alternative settings. Building on the experience of managing the transitions associated with several recent temporary closures at Bathgate West Nursery School, Our Lady's PS Nursery Class, Windyknowe PS Nursery Class and Riverside Primary School Nursery Class, the Council is confident that the same positive outcomes will be experienced by families, children and staff at the provisions included in this proposal.
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4. Please outline any needs and/or barriers which may affect vulnerable groups falling into poverty and disadvantage in relation to this policy.

Vulnerable groups may include the following:

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| <ul style="list-style-type: none"> • Unemployed • Single parents and vulnerable families • People on benefits • Those involved in the criminal justice system • People in the most deprived communities (bottom 20 SIMD areas) • People who live in rural areas | <ul style="list-style-type: none"> • Pensioners • Looked After Children • Carers including young carers • People misusing services • Others e.g. veterans, students • Single adult households • People who have experienced the asylum system | <ul style="list-style-type: none"> • Those leaving the care setting including children and young people and those with illness • Homeless people • People with low literacy/ numeracy • People with lower educational qualifications • People in low paid work • People with one or more protected characteristics |
|---|--|--|

Provision will continue to meet national standards and deliver the early stage of curriculum for excellence.

The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child.

Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards.

There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights.

Children using services may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. The families of children using the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact on any group. Staff delivering the service may have protected characteristics, and different socio-economic background, but there will be no disproportionate impact of any group. Council policies which ensure compliance with equalities and other relevant legislation will be followed. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover. Staff affected may have protected characteristics and different socio-economic background, but Council policies which ensure compliance with equalities and other relevant legislation will be followed.

The requirement to achieve excellence, equity and inclusion for all pupils (in line with legal requirements and national and local policy) is embedded in service delivery in all early learning and childcare, and the new service will be delivered in line with these requirements.

Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy

Concentrating resources in a smaller number of establishments will improve quality.

The Education Scotland website states that the Funding Follows the Child approach "places choice in parents' and carers' hands, enabling them to access their child's funded entitlement from any provider that meets the new National Standard, has a place available and is willing to enter into a contract with their local authority." The Scottish Government website states that the Funding Follows the Child approach will unlock choice, ensuring that all children have the opportunity to learn, play and flourish. The increased choice available as a result of implementing this Scottish Government policy should therefore be sufficient to ensure parents can choose a pattern of provision to meet their needs and do not experience financial disadvantage.

Where concern, or the possibility of financial detriment resulting from a change to the pattern of hours offered, has been raised the Council has agreed to offer the current pattern (Term-Time or 50-Week) to children already accessing this pattern of provision, at an alternative setting in the community in session 2025/26

How do you know that?

Regular statutory consultation with parents/carers.

Knowledge of current capacity and demand.

Knowledge of current school estate.

Planning information and forecast demand.

Knowledge of children and staff held on Council databases

Knowledge of current Council policies.

Knowledge of national education policies.

Knowledge of equalities legislation.

Knowledge of UNCRC as incorporated.

Arrangements exist to move staff between establishment, which occurs each year, minimising impact.

No change to policy or curriculum will occur as a result of attending an alternative ELC establishment.

Supply will be aligned with demand. Statutory adult/child ratios will be maintained.

Careful analysis of capacity will be undertaken, considering future pupil projections, to ensure changes to capacity are appropriate. The reduction in staffing will be achieved within the Council's policy of no compulsory redundancies, and is expected to be achieved within normal annual turnover.

Following the temporary closure of Bathgate West Nursery School, Education Scotland found that families had been able to access alternative ELC provision that suited their needs and that children accessed provision in line with national standards. It heard that children were happy in their alternative setting, and that staff had integrated successfully into alternative settings. Building on the experience of managing the transitions associated with several recent temporary closures at Bathgate West Nursery School, Our Lady's PS Nursery Class, Windyknowe PS Nursery Class and Riverside Primary School Nursery Class, the Council is confident that the same positive outcomes will be experienced by families, children and staff at the provisions included in this proposal.

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5. Action Plan What action/s will be taken, by whom and what is the timescale for completion?	
Actioner Name: Greg Welsh, Head of Education – Primary, Early Learning and Resources	Action Date: August 2025
What is the issue? Closure of 9 ELC establishments.	
What action will be taken? Implementation of decision of Education Executive.	
Progress against action Statutory consultation complete. Monitoring of demand ongoing following established practice and procedure. Identification of alternative settings in the community to offer the current pattern (Term-Time or 50-Week) to children already accessing this pattern of provision, at an alternative setting in the community in session 2025/26 underway.	

6. Details of consultation and involvement Who will be or has been involved in the consultation process? a) State which service users and groups are involved in this process and describe their involvement. b) Describe any planned involvement saying when this will take place and who is responsible for managing the involvement process. c) Describe the results of the involvement and how you have taken this into account.
Consultation will be undertaken by officers in line with the agreed implementation timetable, including:- • Headteachers. • Consultation with parents/carers through regular scheduled ELC consultations in terms of Children and Young People (Scotland) Act 2014 • Consultation with staff involved in line with Organisational Change policy if appropriate, although staffing reduction is expected to be achieved within normal annual turnover. • Consultations with stakeholders in setting- specific statutory consultations In terms of Schools (Consultation) (Scotland) Act 2010

7. Data and Information What equality data, poverty data, research, information or other evidence has been used to inform this assessment? a) What information or other evidence has been used in the development of the policy? b) What does research, consultation and other data or information tell you about the impact of the policy? (describe the information and conclusions, and state where the information can be found) i. Quantitative (numbers, percentages, statistical analysis) ii. Qualitative (written/spoken words, opinions, surveys)

- c) Describe any gaps in the available information, and record within section five (Action Plan), action you are taking in relation to this (e.g. new research, further analysis) and when this is planned.
- d) Give details of any existing local or national evidence which has been used to inform the development of your policy.

Regular statutory consultation with parents/carers.
 Knowledge of current capacity and demand.
 Knowledge of current school estate.
 Planning information and forecast demand.
 Knowledge of children and staff held on Council databases
 Knowledge of current Council policies.
 Knowledge of national education policies.
 Knowledge of equalities legislation.
 Knowledge of UNCRC as incorporated.
 Experience of successful closures, relocations and management of transitions.

8. Mitigating Actions

If the policy has a negative/adverse impact on a particular group/s, but is still to be implemented, please provide justification for this.

Note: If the policy is unlawfully discriminatory under the Equality Act 2010 and/or is having a negative impact on poverty and socioeconomic disadvantage under the Fairer Scotland Duty, you MUST identify, how the policy can be amended or justified so the Council acts lawfully.

- a) How could you modify the policy to eliminate discrimination or to reduce any identified negative impacts? If necessary, consider other ways in which you could meet the aims and objectives.
- b) How could you modify the policy to create or maximise the positive aspects of the proposals and to increase equality and reduce poverty and socioeconomic disadvantage.
- c) Describe any modifications which you can make without further delay (for example, easy, few resource implications).
- d) If you propose to make any of the modifications shown above, describe any potential new negative impacts on other groups in society or on the ability to achieve the aims and how you will minimise these.
- e) Please describe the resource implications of any proposed modifications taking into account financial, people and property issues.

The proposal aligns supply with community-based demand.

Provision will continue to meet national standards and deliver the early level of curriculum for excellence.

The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child.

Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards.

There will be no disproportionate impact on any group with protected characteristics, any group based on socio-economic background, or on human or children's rights.

Careful analysis of capacity will be undertaken on an annual basis as part of the annual admission process, considering future pupil projections, to ensure changes to capacity remain appropriate.

The council will build on the experience of managing the transitions associated with several recent temporary closures at Bathgate West Nursery School, Our Lady's PS Nursery Class, Windyknowe PS Nursery Class and Riverside Primary School Nursery Class, the Council is confident that the same positive outcomes will be experienced by families, children and staff at the provisions included in this proposal.

The Education Scotland website states that the Funding Follows the Child approach "places choice in parents' and carers' hands, enabling them to access their child's funded entitlement from any provider that meets the new National Standard, has a place available and is willing to enter into a contract with their local authority." The Scottish Government website states that the Funding Follows the Child approach will unlock choice, ensuring that all children have the opportunity to learn, play and flourish. The increased choice available as a result of implementing this Scottish Government policy should therefore be sufficient to ensure parents can choose a pattern of provision to meet their needs and do not experience financial disadvantage.

Children will be admitted to alternative choices

Adjustment in annual staffing requirements will be made, within normal anticipated turnover.

Monitoring of parental demand through annual admission process, and adjustment of supply to match demand within budgetary and capacity constraints, will take place.

Monitoring will take place of parental demand for particular patterns of delivery through regular scheduled ELC consultations in terms of Children and Young People (Scotland) Act 2014, and local intelligence gained through parental engagement at each establishment, and adjustment of pattern of provision within budgetary and capacity constraints.

Where concern regarding pattern of provision, or the possibility of financial detriment resulting from a change to the pattern of hours offered, has been raised during the consultation, the Council has agreed to offer the current pattern (Term-Time or 50-Week) to children already accessing this pattern of provision, at an alternative setting in the community in session 2025/26.

9. Monitoring and Review

- a) How will the implementation and impact of the policy be monitored, including implementation of any amendments? For example, what type of monitoring will there be? How frequent?
- b) What are the practical arrangements for monitoring? For example, who will put this in place? When will it start?
- c) How will results of monitoring be used to develop future policies?
- d) When is the policy due to be reviewed?
- e) Who is responsible for ensuring this happens? Please detail below

The annual pupil placement exercise models required capacity based on parental choice, and capacity is provided where requested, subject to constraints of overall budget, physical capacity and future sustainability.

Quality of provision and positive outcomes for children will be monitored through internal quality assurance procedures and external inspections, with appropriate action taken to any recommendations for improvement.

10. Recommendation and Reasoning

Implement proposal with no amendments

✓ Implement proposal taking account of mitigating actions (as outlined above)

Reject proposal due to disproportionate impact on equality, poverty and socioeconomic disadvantage

The proposal should proceed as planned

Reason for Recommendation

Provision will continue to meet national standards and deliver the early stage of curriculum for excellence.

The services provided by existing partner providers will still be available. The number of partner providers has increased significantly as a result of funding follows the child.

Capacity will be realigned with community demand for places at council early learning and childcare establishments, and over provision will be removed to make a more efficient use of resources. Services will remain accessible, in line with admission policy, based on and responsive to parental choice. Children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards.

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Some children and families will have to travel to a different location as a result of the proposals, but in every case, as set out in the individual consultation documents, alternative provision exists within a reasonable distance in line with policy

Concentrating resources in a smaller number of establishments will improve quality.

Additional Support Needs can be met effectively at all Council schools and nurseries. Other ELC settings in the community will continue to cater effectively for a wide range of needs and staff tailor the provision to meet the individual needs of children.

The Council's ELC Admission Procedure provides parents with information when applying for an ELC place. It states that all West Lothian Council ELC establishments are non-denominational (not linked to a particular religion) even if they are located within a denominational (Roman Catholic) school campus. The Primary School Admission Procedure provides parents with information regarding the choices open to them when choosing a primary school. It states that West Lothian is divided into catchment areas for primary and secondary schools. Each school is either denominational (linked to a particular religion) or non-denominational (not linked to any particular religion). Each home address has a catchment denominational school and a catchment non-denominational school, for both primary and secondary education. All the denominational schools in West Lothian are Roman Catholic. Baptised Roman Catholic children will be given priority for admission to Roman Catholic schools. No denominational Early Learning and Childcare Currently exists in West Lothian. Parents will retain the ability to choose a denominational education at the Primary and Secondary stages.

Children's Rights

There is no impact on Article 28 – Right to Education or Article 29 – Goals of Education. All children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. There will be no change to early learning and childcare provision in council establishments. Provision will continue to meet national standards and deliver the early level of curriculum for excellence.

There is no impact on Article 23 – Children with a Disability. Additional Support Needs can be met effectively at all Council schools and nurseries. Other ELC settings in the community will continue to cater effectively for a wide range of needs and staff tailor the provision to meet the individual needs of children.

There is no impact on Article 30 - Leisure, Play and Culture. All children will continue to access their entitlement to early learning and childcare within their own community, and in line with National Standards. Provision will continue to meet national standards and deliver the early level of curriculum for excellence including the play-based curriculum.

There is no impact on Article 14 - Freedom of thought, belief and religion. The proposal does not alter the non-denominational status of all early learning and childcare, and the right to choose denominational education at the primary and secondary stages.

Article 12 (respect for the views of the child) and Article 5 (parental guidance and a child's evolving capacities) have been addressed by the statutory consultation.

UNCRC, as incorporated, does not give children or parents the right to receive education in a specific establishment or location.

Signed by Lead Officer	
Designation	Donna Adam - Strategic Resources Manager
Date	
Counter Signature (Head of Service or Depute Chief Executive responsible for the policy)	Greg Welsh, Head of Education – Primary, Early Learning and Resources
Date	