



Department  
for Education

# **Wraparound and holiday childcare**

**Parent and childcare provider ‘rights to request’**

**Government consultation response**

**May 2016**

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## Introduction

Nicky Morgan, the Secretary of State for Education, announced at the Conservative Party conference on 6 October 2015 that parents would be given the 'right to request' childcare in the form of breakfast and after-school clubs or holiday care at their child's school.

Access to holiday and wrap-around care is a key issue for many working parents.<sup>1</sup> The evidence is clear that parents want wraparound and holiday childcare for school age children but we know that many parents struggle to find something suitable and affordable.<sup>2</sup> That is why we are giving groups of parents the 'right to request' childcare in the form of breakfast and after-school clubs or holiday care at their child's school.

Childcare providers, such as childminders, breakfast and after school clubs, and holiday clubs, will also have the right to request use of school sites outside school hours. This will increase the supply of childcare for working parents outside school hours, improving the availability of childcare so parents are able to work for longer, if they choose to do so.

On the 7 December 2015 the Department for Education published draft guidance for consultation on how local authority maintained schools, academies and free schools should respond to:

- a. parents' requests that the school that their child attends considers establishing wraparound and / or holiday childcare; and
- b. childcare providers' requests to use school facilities for wraparound and / or holiday provision at times when the school is not using them.

The consultation closed on the 29 February 2016.

We are grateful to all those who responded to the consultation and for the number and breadth of the responses we received. We considered carefully all the views that were expressed. There were 150 responses in total. In addition to the consultation, we held meetings with a range of representative bodies to gather views and opinions about the 'rights to request'.

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<sup>1</sup> [http://www.familyandchildcaretrust.org/sites/default/files/files/out\\_of\\_school\\_out\\_of\\_mind\\_withoutmap.pdf#overlay-context=out-school-out-mind](http://www.familyandchildcaretrust.org/sites/default/files/files/out_of_school_out_of_mind_withoutmap.pdf#overlay-context=out-school-out-mind)

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/212589/DFE-RR266.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/212589/DFE-RR266.pdf)

## Summary of responses

Overall, there was broad support for the guidance from all categories of respondent. The consultation produced a wide range of detailed feedback and suggestions. Respondents asked for more detail about how a particular process should work or how a decision should be reached. There were three key areas where respondents wanted clarification:

- setting a threshold and a window for requests;
- rejecting parental requests; and
- rejecting a provider's request.

Responses have been carefully analysed and considered. The changes made to the guidance following this consultation are set out below. We believe that the changes made to the guidance appropriately address the issues raised and do not add further burdens to schools or local authorities.

## Respondents

The breakdown of respondents was as follows.

<b>'Rights to request' respondents</b>	<b>Number</b>	<b>%</b>
Childcare provider / childminder	37	25
Other*	28	19
Headteacher / teacher	28	19
Local authority	25	17
Parent or carer	16	11
School governor	12	8
School Business Manager	4	3
<b>Total</b>	<b>150</b>	<b>100%</b>

\* This includes national organisations.

## Main findings

### Question 1. Is the process for parents lodging a request clear?

<b>There were 137 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	86	63%
<b>No</b>	25	18%
<b>Not Sure</b>	26	19%

The majority of respondents agreed that the process for parents making a request for the provision of wraparound or holiday childcare was clear. However, several respondents

felt that it was unclear how schools should deal with childcare provider requests when provision already existed or how the parental request process would work for rural schools. A point about dealing with multiple requests came up several times in the consultation and it is addressed in question four below. In regard to rural schools, the guidance has been changed to make it clearer that small schools, or schools in rural areas, should consider joining up with other local schools where possible to aggregate local need to understand parental demand.

A number of respondents suggested, in response to this and other questions, that school burdens would be reduced if templates, examples of letters and other resources were made available. We will consider this proposal carefully.

## **Question 2. Is the process for childcare providers lodging a request clear?**

<b>There were 131 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	77	59%
<b>No</b>	33	25%
<b>Not Sure</b>	21	16%

While the majority of respondents said the process for providers lodging a request was clear there were a number of suggestions for strengthening and clarifying the role of:

- Childminders;
- The issue of a 'window' when providers could make a request; and
- Handling requests where provision already exists at the school.

Childminders potentially have an important role to play in the delivery of wraparound care, particularly in any 'blended' offer. We have made this clear in the guidance.

A small number of respondents questioned why there should be a window for provider requests, rather than just responding on a case by case basis. A key principle of this guidance is that it should avoid imposing any unnecessary administration burdens on schools. While schools may want to respond to provider requests on a case by case basis we suggest that it is more likely schools will want to have a window during the school year to manage requests, and also fit the consideration of requests with the school planning cycle.

The guidance has also made it clear that where schools already have provision on site and receive a request from a provider, they should assess how far the existing provision meets current parental needs.

### Question 3. Is the advice on how a school should respond to a request from parents clear?

There were 134 responses to this question		
	Total	
Yes	85	63%
No	19	14%
Not Sure	30	22%

The majority of respondents agreed that the process of what schools should do to process a request from parents was clear. There were a number of comments on:

- Complaints about the process
- Having a window for requests; and
- Links to the wider childcare market.

The guidance states that the process for managing requests should be open and fair. After all, the provision of wraparound care can only be a success where all parties have mutual respect and shared aims. However, where providers or parents remain dissatisfied by the process or the decision, the guidance makes clear they have the option of raising a formal complaint with the school.

A small number of respondents preferred no window. It is not a requirement for schools to have a window for requests, but it is important that schools monitor the number and type of requests that they receive, and a window is a simple way to do this. To help better guide readers through the guidance we have revised the subheadings in this section of the guidance.

Where schools decide not to proceed with wraparound and / or holiday childcare we have drawn attention to their role in signposting parents to the local Family Information Service.

### Question 4. Is the advice on how a school should respond to a request from a childcare provider clear?

There were 128 responses to this question		
	Total	
Yes	84	66%
No	22	17%
Not Sure	22	17%

Where respondents had comments the majority were in regard to:

- Schools receiving multiple requests from childcare providers;
- Contracts e.g. the length of contract period; and
- Schools with a religious character.

The question of multiple provider requests came up in a number of comments throughout the consultation. The guidance clearly states that schools may want to have a termly or annual window when providers can make requests. The guidance is also clear that where there is already childcare provision on site schools should follow their existing agreed procedures for reviewing contracts and contracting services or renting facilities.

The guidance has been revised to encourage consideration of longer contracts so that a provider has sufficient time to allow the provision to grow and become sustainable. In the section on factors for schools to consider if contracting provision to a third party we include contract break clauses and exit strategies.

A number of respondents pointed out that voluntary aided schools may have to consult with church trustees before any childcare provision is agreed. This point has been added to the guidance.

### **Question 5. Is the advice on setting a threshold helpful?**

<b>There were 134 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	64	48%
<b>No</b>	44	33%
<b>Not sure</b>	26	19%

In the draft guidance we suggested that schools should set a minimum threshold of around 20 requests before consulting parents more widely on their childcare needs. As stated in the draft guidance the threshold will depend on the school's and parents' circumstances, as well as local market considerations such as the availability of alternative provision. Overall, the idea of setting a threshold was considered very helpful. However, a number of respondents felt that including a specific number in the guidance was potentially misleading or unhelpful, or that the number was either too low or too high. A small number of respondents recommended that the guidance includes no mention of a threshold. Having considered these points, the guidance has been revised to indicate that schools themselves should decide what the threshold should be, taking into account the circumstances of the school. Additionally, we suggest that schools in rural areas should consider joining up with others to aggregate local need for childcare provision.

**Question 6. Other than those listed in the draft departmental advice, are there other circumstances in which it would be reasonable for a school to reject parental requests?**

<b>There were 126 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	57	45%
<b>No</b>	43	34%
<b>Not Sure</b>	26	21%

Schools will take the lead in managing the ‘rights to request’ processes and the final decisions about what action to take. However, it is important that schools are transparent in managing parental requests and that requests are not rejected unduly. We looked carefully at the suggestions of additional grounds to reject parent requests, and the guidance has been changed to include: suitable alternative provision in the local area; and school is in special measures or has serious weaknesses.

**Question 7. Other than those listed in the draft departmental advice, are there other circumstances in which it would be reasonable for schools to reject a provider request?**

<b>There were 117 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	49	42%
<b>No</b>	36	31%
<b>Not Sure</b>	32	27%

42% of respondents felt that there were additional circumstances where it would be reasonable for a school to reject a provider request. The suggestions included: lack of school leadership capacity to manage the ‘rights to request’ process; poor provider track record; poor value for money; and any health and safety concerns. The guidance has been changed to reflect all of these points. We have also made it clearer that wraparound childcare should complement and not detract from extra-curricular activities or additional academic support that schools offer as part of their school day.

**Question 8. Are the delivery options that a school should consider for delivering wraparound or holiday childcare clear?**

<b>There were 126 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	83	66%
<b>No</b>	18	14%
<b>Not Sure</b>	25	20%

This section of the guidance has been re-written to make it clearer what is meant by models of delivery. While the majority of respondents felt that the delivery options for childcare were clear, there were a number of helpful suggestions about ‘blending’ childcare by using a combination of school and private, voluntary or independent providers. Suggestions included the potential to use a consortium of providers or for schools to collaborate to offer provision across a number of schools. These suggestions have been taken into the guidance.

**Question 9. Other than those listed in the draft departmental advice are there other factors that schools should consider in arriving at a decision about how to deliver wraparound or holiday childcare?**

<b>There were 119 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	62	52%
<b>No</b>	27	23%
<b>Not Sure</b>	30	25%

This question resulted in some very detailed responses which included the following areas: provider ethos; impact of childcare on educational activities; having an exit strategy; impact of provision on local childcare market; staffing contracts; cleaning and maintenance; and kitchen facilities. The guidance has been revised to make clear the different issues facing different delivery models. Several respondents also mentioned that schools with a religious character may have constraints on the use of the site. This too has been reflected in the guidance.

**Question 10. Do you think that this advice would create a new burden for local authorities? If so, what is your evidence for saying so?**

<b>There were 128 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	49	38%
<b>No</b>	45	35%
<b>Not Sure</b>	34	27%

Opinion was evenly divided about the impact of the ‘rights to request’ on local authorities. On the one hand respondents recognised that the ‘rights to request’ could enable the local authority to develop a much better understanding of the local childcare market by being informed about new provision. A number of local authorities welcomed this opportunity. But there were also concerns that local authorities could be drawn into procurement, HR, finance and legal issues. The guidance states clearly that local authorities have a *strategic* role in the provision of childcare locally, underpinned by the

Childcare Act 2006. It is up to each local authority to decide for itself what level of support to offer schools and childcare providers planning childcare provision.

The guidance has been strengthened to encourage schools to contact their local authority early in the process e.g. when establishing a threshold, so that any issues can be identified and addressed quickly.

**Question 11. Do you agree that it would be helpful if the departmental advice on how to respond to ‘right to request’ included links to websites with information and advice about how to provide and commission wraparound and holiday childcare?**

<b>There were 130 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	108	83%
<b>No</b>	12	9%
<b>Not Sure</b>	10	8%

There was very strong support for additional tools and case studies to support schools and childcare providers managing the ‘rights to request’. Suggestions included: making available templates which schools could adapt; practical examples of models of delivery; a list of links to where advice can be found; further guidance on health and safety; and producing a parent-friendly version of the guidance. As mentioned earlier we will consider these proposals carefully.

**Question 12. Do you have any other comments on the draft departmental advice to schools?**

<b>There were 119 responses to this question</b>		
	<b>Total</b>	
<b>Yes</b>	73	61%
<b>No</b>	41	34%
<b>No view</b>	5	4%

Overwhelmingly, responses to this question covered issues, such as providing additional support material, that have already been addressed elsewhere in this response. A number of organisations set out additional supporting material which we have also looked at carefully.

## Next steps

We plan to publish the guidance in the summer term and introduce the 'rights to request' at the start of the autumn term 2016.

## **Annex A: List of organisations that responded to the consultation**

4Children

Association of Teachers and Lecturers

Association of School and College Leaders

Barnsley Metropolitan Borough Council

Bolton Council

Bordesley Green Girls' School and Sixth Form

Bordon Infant School

Bracknell Forest Council

Bradford Local Authority

Buckinghamshire County Council

Catholic Education Service

Chantry Community Primary School

Child Food Poverty

Child Poverty Action Group

Christ Church School

City of York Council

Class of Their Own

Cockermouth After School Scheme (CASS)

Coppice Care Club and Pre-School Ltd

Coton Church of England Primary School

Cradle Hill Community Primary School

Cross in Hand Primary School

Cumbria County Council

Devon County Council

Dorset Council

Duxford Church of England Community Primary School

East Sussex County Council

Eccleshill Adventure Playground

Energy Kidz Ltd

Eton Wick CE First School

Family Action

Feeding Britain

Food Foundation

Freedom and Autonomy for Schools - National Association

Gateshead Council

Gateway Nursery School

Girlguiding

Gosforth Park Out of School Club Ltd

Gunthorpe CE Primary School

Hampshire County Council

Herts for Learning Ltd

Iver Heath Junior School

Kent County Council

Kids Like Us Ltd

Kids United Ltd

KOOSA Kids

Lancashire County Council

Leicestershire Local Authority

Little Stars Woodsetts Primary School  
London Borough of Islington  
Look After Me  
Marchmam-Preschool  
Milton Keynes Council  
Motcombe Community School  
Mucky Pups Childcare Ltd  
National Association of Head Teachers  
National Association of School Business Management  
National Association of Schoolmasters Union of Women Teachers  
National Day Nurseries Association  
National Governors' Association  
North Yorkshire County Council  
Nottingham City Council  
Out of School Alliance  
Oxfordshire County Council  
Priory School  
Professional Association for Childcare and Early Years (PACEY)  
PTA UK  
Rackham Primary School  
Richmond Hill Primary School  
Rownhams St Johns CE Primary School  
Saint Bart's Day Nursery  
Saint Bede Childcare  
Saint Cuthbert Mayne School  
Saint Edward's Catholic First School  
Saint Joseph's Child Care  
Saint Peter's Catholic Primary School  
Saint Thomas Children's Centre  
SCL childcare agency  
Seaford Head School  
Sheffield City Council  
Shinewater Primary School  
Shooters Grove Primary School  
South Farnborough Infant School  
Springing Kids Into Life (SKiL)  
Sundon Park Junior School  
Surrey County Council  
The Children's Food Trust  
Time Childcare  
UNISON  
Walker Children's Club  
Wigan Council



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