



Llywodraeth Cymru  
Welsh Government

**Number: WG52266**

## Welsh Government Consultation Document

### Review of the Childcare Sufficiency Assessment Duty on Local Authorities

Date of issue: 25 July 2025

Action required: Responses by 17 October 2025

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh  
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

## Overview

Under the Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016, Local Authorities are required to assess childcare demand and availability every five years through the Childcare Sufficiency Assessment (CSA) which is covered under section 26 of The Childcare Act 2006.

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

## How to respond

Stakeholders can respond to this consultation by answering the consultation questions contained in this document. The questions are geared towards practitioners and policy makers in the public, private and voluntary sectors, who are either involved in undertaking the CSAs or who's policy area interacts with the CSAs. The consultation will also draw upon the views of those who are directly involved in providing childcare or organisations representing the childcare sector e.g. providers (potential and existing) and those who benefit from the childcare on offer e.g. parents, carers, and employers.

Submit your response by **17 October 2025** in any of the following ways:

- Complete our [online form](#)
- Download, complete our response form and email it to:  
[earlyyears@gov.wales](mailto:earlyyears@gov.wales)
- Download, complete our response form and post to:

Review of the Childcare Sufficiency Assessment  
Early Years, Childcare and Play Division  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

## Further information and related documents

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

The consultation documents can be accessed on the Welsh Government website at:

<https://www.gov.wales/review-childcare-sufficiency-assessment-csa-duty-local-authorities>

## Contact details

For further information:

Early Years, Childcare and Play Division  
Welsh Government  
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Email: [earlyyears@gov.wales](mailto:earlyyears@gov.wales)

This document is also available in Welsh: [Adolygiad o Ddyletswydd Awdurdodau Lleol i gynnal Asesiad Digonolrwydd Gofal Plant \(ADGP\) | LLYW.CYMRU](#)

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Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. The lawful basis for processing information in this data collection exercise is our public task; that is, exercising our official authority to undertake the core role and functions of the Welsh Government. (Art 6(1)(e))

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. In the case of joint consultations this may also include other public authorities. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

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

You should also be aware of our responsibilities under Freedom of Information legislation and that the Welsh Government may be under a legal obligation to disclose some information.

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

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- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection

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Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ  
e-mail: [dataprotectionofficer@gov.wales](mailto:dataprotectionofficer@gov.wales)

The contact details for the Information  
Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire SK9 5AF  
Tel: 0303 123 1113  
Website: <https://ico.org.uk/>

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## **1. Background**

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

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

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016 ('the Regulations') made under section 26 of the Act place a duty on Local Authorities to prepare Childcare Sufficiency Assessments (CSAs). It sets out the process and information which must be considered and included by Local Authorities in their assessments.

By its very nature, childcare is cross-cutting, and for this reason interacts with a range of policy areas e.g. transport, health, education, social services, community, and the economy. This consultation seeks views from across all those policy areas which either impact on, or have a contribution to make to, the planning and management of the sufficiency of childcare provision in Wales. We would also welcome views from the general public, including parents and carers who would like to use childcare.

The consultation will also draw upon the views of those who are directly involved in providing childcare or organisations representing the childcare sector e.g. providers (potential and existing) and those who benefit from the childcare on offer e.g. parents, carers, and employers.

## **2. Introduction**

Access to high quality early education and childcare is vitally important, both in terms of ensuring the best education and health outcomes for children and enabling parents to take up training and employment opportunities. Childcare provision needs to be accessible/flexible, of a high standard, available at the times and places where it is needed, available for children of different ages, backgrounds, cultures and abilities and needs and promoted in a way which ensures childcare providers and parents are able to take full advantage of the funded childcare on offer.

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

Effective partnership working is a core element of the childcare sufficiency assessment. Under the duty to secure sufficient childcare provision, local authorities work with partners to develop and implement the Childcare Sufficiency Action Plans, that remove shortcomings and maintain the strengths identified in the Childcare Sufficiency Assessments.

The rest of this document has been structured as follows:

- Section 3 sets out the purpose of the review.
- Section 4 explains where we are now including the legislative background, existing CSA guidance, an overview of an external independent review undertaken by Arad Research, and steps taken forward to inform this consultation.
- Section 5 outlines the issues that have been identified and sets out the proposals for improving the CSA process.



- Section 6 contains the consultation questions and response form.

The following Annexes have also been provided and are referenced in this document:

- Annex A - Current Statutory Guidance
- Annex B - Draft revised Regulations
- Annex C - Draft Regulatory Impact Assessment
- Annex D - Integrated Impact Assessment

### **3. Purpose of the Consultation**

As set out in section 4 below a comprehensive review and engagement on the effectiveness of the current CSA process has been carried out. This consultation document sets out the proposed changes to Regulations and seeks information which will help inform the development of revised Statutory Guidance (the current Statutory Guidance is attached at Annex A) in order to achieve the following aims:

- ensure CSAs are fit-for-purpose for the future;
- ensure minimum burden on Local Authorities in completing the assessment;
- provide better alignment and integration with other key planning and assessment processes at a local and national level;
- ensure that there is information available around the sufficiency of childcare including the issues, challenges and barriers to inform the development of national policies and programmes and provide an all-Wales level picture of provision;
- ensure it provides relevant and timely information to assist Local Authorities in planning for the sufficiency of childcare to inform local strategies and policies including those delivered through partners and stakeholder organisations; and

- ensure that parents, carers, childcare providers, employers, children and young people are reassured that, as far as is possible, sufficient childcare is available in their areas.

The feedback provided as part of this consultation will help inform:

- the format, content, process and planning cycle for the CSAs;
- changes or improvements to the Statutory Guidance to support the proposed changes in Regulations; and
- tools and resources required to support the development of the CSA.

A more proportionate approach to conducting CSAs is being proposed, to result in a more relevant, simplified and streamlined assessment. This will involve reducing and reviewing the amount of detail specified in Regulations and Statutory Guidance to be included in each CSA, specifically in relation to components of supply and demand of childcare, to ensure the information is relevant and meaningful. The new requirements will be more closely aligned to available data sources, facilitating a more robust and proportionate assessment. Some of the key changes to the CSA process include:

- Changing the submission date from 31 March to 30 June 2027 to coincide with the existing planning cycle and ensure continuity (due to the Covid pandemic, supplementary guidance was issued to Local Authorities extending the period to 30 June, stakeholders have indicated they prefer the June submission date).
- Continuing with the five year cycle, annual progress reports and action plans (with the introduction of annual monitoring meetings as part of the Statutory Guidance to gain a more up-to-date picture of childcare provision across Wales, and steps taken forward by Local Authorities to achieve sufficiency).
- Developing a more proportionate approach to consulting with stakeholders based on local population demographics.
- Removing the requirement to assess certain data sets that are currently unavailable.

- Encourage the use of existing data to develop proxy measures to be used as a means of providing a more robust assessment.
- Take into account information from a broad range of sources, incorporating both qualitative and quantitative information, building on existing data systems, surveys and local knowledge and intelligence to provide a more meaningful assessment.
- Provision of clearer Statutory Guidance to ensure consistency and clarity around definitions and CSA content.

#### **4. Childcare Sufficiency Assessment – Where are we now?**

##### **4.1 Legislation**

The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016 ('the Regulations') under section 26 of the Childcare Act 2006 sets out the requirements for CSAs, summarised as follows:

- Regulation 1 sets out the title of the Regulations and when they will come into force.
- Regulation 2 sets out definitions for the wording in the Regulations.
- Regulation 3 imposes a duty upon Local Authorities to carry out childcare sufficiency assessments.
- Regulation 4 sets out a requirement for an action plan to be prepared as part of the Local Authority's assessment.
- Regulation 5 introduces the Schedule which prescribes the matters that must be contained in the assessment.
- Regulations 6 and 7 prescribe the persons who Local Authorities could consider consulting and the persons they must consult in preparing the assessment.
- Regulation 8 requires Local Authorities to allow the persons who have been consulted the opportunity to comment upon the draft assessment before publication.

- Regulation 9 requires Local Authorities to amend the draft assessment in response to any comments received from the persons they consulted.
- Regulations 10 and 11 deal with the requirement to publish the draft assessment.
- Regulation 12 requires Local Authorities to submit annual progress reports to the Welsh Ministers.

## 4.2 Guidance

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

- **Childcare Statutory Guidance (revised August 2016)** – this guidance supports the requirements of ‘The Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016’ and ‘The Childcare Act 2006 (Provision of Information) (Wales) Regulations 2008.
- **Supplementary Guidance: Childcare Statutory Guidance (2016): Securing Sufficient Childcare and Child Sufficiency Assessments (circular number WGC 003 2021 WG21-28)** – which placed a requirement on Local Authorities to report on how COVID-19 affected the supply of childcare, the demand for childcare and the sustainability of existing childcare providers, as well as how these impacts will be addressed. The supplementary guidance also required Local Authorities to consider within their CSAs Welsh in Education Strategic Plans (WESPs), data capture and reporting and the Approval of Home Childcare Providers (Wales) Scheme 2021, known as the Nanny Scheme. It also advises of changes in relation to the timetable for the completion of the Childcare Sufficiency Assessment (CSA) and Action Plan in 2022 and subsequent reporting arrangements; and content of the full CSA and Action Plan in 2022 in light of the Covid-19 pandemic.

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

The most recent CSAs were published by Local Authorities in 2022.

### **4.3 External Independent Review**

Arad Research was commissioned by the Welsh Government in 2022 to undertake [research](#) into the effectiveness of CSA arrangements, which was published in March 2024. The aim of the research was to:

- Undertake primary research to identify how Local Authorities use the CSAs in their planning and delivery of support to parents and children.
- Summarise any challenges faced by Local Authorities in completing the CSA process, the availability and use of data to inform CSAs, and how CSAs are translated into practice including how they influence policy and decision making.
- Draw conclusions on the suitability of the current format of CSAs and identify recommendations for their future, including how Local Authorities can be better supported in undertaking their CSAs in future.

The findings of this research highlights that the current CSA process is not fit for purpose and that the time, effort and resources required to produce them is overly burdensome for Local Authorities.

### **4.4 CSA Working Group**

A CSA Working Group was established to oversee and progress the CSA review with representatives from a range of stakeholders who have an interest in CSAs. Members of the CSA Working Group include representatives from All Wales Area Representatives of Early years (Local Authority Childcare Leads), Childcare Wales Learning and Working Mutually (a consortium of five childcare and play partners), Play Wales, Family Information Services, Flying Start, Welsh Local Government Association, a Local Authority Early Years Advisory Teacher, and an Anti-Racist Wales Community Mentor.

#### **4.5 Data Sub Group**

A Data Sub Group, including representatives from AWARE (Local Authority Childcare leads), has been established to consider ways in which Welsh Government can assist Local Authorities in undertaking the CSA and to ensure the data captured is relevant and useful for Local Authorities to use in local planning and decision making.

#### **4.6 Pre-consultation Event**

A pre-consultation event was held on 27 March 2025 with key stakeholders to seek their views on:

- Content and minimum requirements for the CSA
- Access to, and availability of, data including any challenges, gaps and support required.
- Stakeholder engagement including challenges, barriers, areas of best practice and support required.
- The planning cycle, interdependencies and CSA process.

### **5. Childcare Sufficiency Assessments – Issues and Proposals**

Childcare is crucial in providing a foundation for the well-being and development of children while supporting the economy and the overall productivity of the workforce. The landscape has changed quite significantly since the last round of CSAs were prepared by Local Authorities. There has been significant Welsh Government investment, through its funded childcare programmes, which has impacted the childcare market.

Building on Arad Research's research recommendations and feedback received from stakeholders through pre-consultation engagement, this consultation seeks to ensure that the CSA process in the future is streamlined, efficient and fit for purpose.

The rationale for each proposal is outlined in more detail in the following sections.

The proposed revised Regulations are attached at Annex B. This document includes tracked changes so that the reader can easily identify the proposed changes to the Regulations. Feedback from this consultation will help inform development of revised Statutory Guidance (the current Statutory Guidance is attached at Annex A).

## **5.1 Planning Cycle & Process**

### **Issues**

Stakeholder engagement indicates that in their current format, CSAs do not fully serve their original purpose in identifying and guiding Local Authorities towards addressing any shortfalls in childcare provision in their area and the information quickly becomes out of date. The time, effort and resources required to produce CSAs means they are overly burdensome to Local Authorities.

### **Proposal**

Currently, Local Authorities are required to undertake a CSA every five years along with annual action plans which set out the actions, priorities and milestones to maintain strengths and address shortcomings identified in the CSA and annual progress reports. This consultation proposes that the CSA planning cycle remains the same but the proposed changes to the Regulations (Annex B) and Statutory Guidance will result in:

- a shorter, more succinct CSA report (consideration will be given to revising the CSA assessment template form included in the Statutory Guidance);
- continuation of annual action plans and progress reports;
- introduction of annual monitoring meetings with Welsh Government to keep up to date on changes in childcare sufficiency.

The consultation proposes that the five yearly planning cycle provides sufficient opportunity to strengthen links between CSAs and other

assessment processes at both a local and national level. For example, the process will support alignment with existing business planning processes, such as Play Sufficiency Assessments Local Well-being Plans and the Welsh in Education Strategic Plans (WESPs), including education and childcare provision.

## **Benefits**

Having a more proportionate and streamlined CSA on a five yearly basis with annual action plans, progress reports and annual monitoring meetings would result in the following benefits:

- It would reduce the burden and resources on Local Authorities in terms of the time taken to complete the assessment.
- Keeping to the current five year cycle aligns effectively with the timescales for Local Authorities to prepare their Local Well-being Plans as part of the Well-being of Future Generations (Wales) Act 2015. It reduces duplication in process and ensures greater efficiency in use of resources. For example, the CSA could be undertaken at the same time as the strategic needs assessment is undertaken, which informs the Local Well-being Plan and may capture some information required for the CSA.
- Submission of Annual Action Plans and Progress Reports would mean that Local Authorities can continue to ensure that childcare provision meets the needs of families and children by identifying gaps and addressing shortcomings identified in the CSA. The Action Plans support Local Authorities in prioritising resources effectively, monitoring progress, and adapting strategies to changing demands.
- The introduction of annual monitoring meetings to discuss childcare sufficiency action planning would foster a continuous dialogue between Local Authorities and Welsh Government, enabling timely updates and feedback, promoting accountability, and ensuring national policies remain responsive to emerging trends and needs in childcare provision.

Ensuring alignment and integration with other key policies, programmes and assessment processes at both a local and national level is vital in terms of avoiding duplication, reducing burden and streamlining



resources. These have been factored in determining the planning cycle and data to support the Regulatory requirements.

**Questions primarily aimed at Practitioners and Policy Makers (stakeholders in the public, private and voluntary sectors who are either involved in undertaking the CSAs or who's policy area interacts e.g. transport, health, education, social services, community and economy)**

1. Will the proposed changes to the Regulations (attached at Annex B) help reduce burden and provide meaningful and timely information to enable Local Authorities to assess and manage the sufficiency of childcare provision in their area?
2. Do you agree with the proposal to maintain a five year CSA cycle, with annual action plans and progress reports?
3. Do the Regulations allow sufficient alignment between the CSA and other planning processes such as Local Well-being Plans under the Well-being of Future Generations (Wales) Act 2015, Play Sufficiency Assessments and Welsh in Education Strategic Plans?
4. Do you believe that the introduction of annual Local Authority CSA action planning monitoring meetings with Welsh Government, which will be included as part of the Statutory Guidance (attached at Annex A) , will be useful to monitor progress on actions taken forward to achieve sufficiency, and the challenges affecting the childcare market?
5. How can local knowledge and intelligence be better incorporated into the CSA process to make it more meaningful and robust?

## **5.2 Data Sources, Information Sources and Analysis**

### **Issues**

Interpreting and analysing data in its current format is difficult and affects Local Authorities' ability to identify gaps in childcare sufficiency and inform local priorities to address any identified gaps. The data required to support the current Regulatory requirements is challenging due to difficulties in accessing data sources, the level of data (LSOA/Ward), the

format in which it is presented, data has a limited shelf life, or that the data isn't available. There are particular challenges in capturing data to assess demand for childcare. In addition, it was felt that definitions were required around for example childcare types and services, accessibility, waiting lists, and wrap around care.

Feedback from stakeholders have indicated that the surveys included in the current Statutory Guidance are too lengthy and should be more focussed to encourage response rates.

Currently, the approach adopted in undertaking CSAs varies across Wales and the lack of consistent information makes it difficult to draw comparisons at a national level on what childcare provision looks like at an all-Wales level. It also has implications in terms of ensuring that national policies and programmes reflect the diverse needs for childcare in Wales.

## **Proposal**

To address issues around availability and limitations to some of the data including processes applied, it is proposed that the revised draft Regulations (Annex B) take into account information from a broad range of sources, incorporating both qualitative and quantitative information, building on existing data systems, surveys and local knowledge and intelligence.

In addition, it is proposed the Welsh Government work with Local Authorities to encourage the use of existing data to develop proxy measures including the use of local intelligence and a range of information sources to provide a more robust assessment. Proxy measures are indirect indicators that can be used to assess a feature that is difficult to measure directly. In the context of CSAs, measuring the precise characteristics of the supply and demand of childcare directly is difficult due to:

- the disparate nature of the childcare and play sector, with a wide range of organisational types and funding arrangements;
- the limitations of the scope of childcare and play data collection, particularly in relation to provision that is not publicly funded; and

- the highly personalised nature of families' preferences for childcare use, informed by working patterns, informal arrangements with family and friends, the specific needs of children, and the attitudes and preferences of parents.

This consultation seeks to explore views on which categories of data require further clarity around definitions to ensure information captured in the CSA is consistent and comparable across Wales. Annex A of the current Statutory Guidance (attached at Annex A) include the definitions of childcare types and subtypes (as per National Minimum Standards) and schedule 3 summarises the services currently captured under the childcare types and subtypes.

It is proposed that information captured in the CSA is captured by service type. Schedule 3 of the current Statutory Guidance clarifies the services to be captured against each childcare type and sub-type in accordance with the National Minimum Standards (NMS). This consultation seeks to clarify which services would be useful and meaningful to capture as part of the CSA process to ensure the information captured reflects the current landscape.

One source that has been used for previous CSAs is a survey of parents, coordinated by the Welsh Government and Local Authorities in collaboration. This survey targets parents' experiences of procuring childcare, any barriers faced and unmet needs. As part of this consultation we propose that the parental survey is reviewed to make it more user friendly and ensure the questions are relevant. Consideration will be given as to whether other surveys would be useful to support Local Authorities in gathering data to assess demand.

The consultation also seeks to explore what information should be collected consistently, the impact locally and nationally, including clarity on definitions and the level of data that is required.

## **Benefits**

Collaborative work between Welsh Government and Local Authorities to identify relevant proxy measures, clarify data categories and definitions, build on local knowledge and other information sources will help simplify the process and make the CSA more meaningful and robust.

Collectively, these changes are expected to benefit Local Authorities by reducing the administrative burden and resources involved in assessing childcare supply and demand, resulting in access to more robust and reliable data/information to inform local priorities and address identified gaps.

In addition, it would allow for a more comprehensive picture of the childcare sector across Wales to help inform policies at a national level due to CSAs moving away from being purely data driven, with more focus on local knowledge and intelligence in relation to the issues, challenges and barriers.

Ensuring consistency in the information collected as part of the CSA process would facilitate more accurate and meaningful comparisons of childcare provision across different regions of Wales. Consistent data would also support evidence-based decision-making at both local and national levels, ensuring that policies and programmes are tailored to meet the diverse needs of our communities.

## **Questions**

6. Will basing the CSA on information from a broad range of sources and using proxy measures help provide a more robust assessment? (Proxy measures are indirect indicators that can be used to assess a feature that is difficult to measure directly).
7. What relevant definitions could be improved and/or templates included in the Statutory Guidance (attached at Annex A) to aid consistency in data interpretation and analysis?
8. Do the childcare services captured against the childcare types in Schedule 3 of the current Statutory Guidance (attached at Annex A)

reflect the way in which services are interpreted in the current landscape?

9. Do you think the surveys included in schedules 4, 5 and 6 of the current Statutory Guidance (attached at Annex A) are fit-for-purpose?
10. What additional surveys or methods would you recommend to help Local Authorities gather data to assess childcare demand more effectively?
11. Are there further improvements you think could be made to reduce the administrative burden and resources involved in collating data and information to assess childcare supply and demand?
12. Do you think that introducing a more standardised approach to the way in which information is collated and reported (for example, through templates) would be useful to Local Authorities in undertaking the CSA process?

### **5.3 Regulatory Requirements and Supporting Documentation**

#### **Proposal**

As a result of the above issues and the proposed actions, the Regulations will need to be amended. As such the following have been provided:

- Annex B - revised draft Regulations
- Annex C - draft Regulatory Impact Assessment

This consultation seeks to explore stakeholders' views on the revised Regulations to ensure data sources and information are available to enable Local Authorities are able to fulfil their statutory duty.

#### **Questions**

13. Do you agree that the proposed amendments to the Regulations (attached at Annex B) adequately address the issues which have been identified?
14. Do you agree that the detail below provides sufficient clarity on the services to be captured in relation to the Schedule 'Matters to be

contained in the assessment' 2(i) of the proposed revised Regulations (attached at Annex B) (the intention is to include this in the Statutory Guidance)?:

- atypical hours;
- full- and part-time care;
- full day;
- AM/PM;
- wrap around (am/pm/lunch);
- holiday; and
- term time.

15. Under the Schedule 'Matters to be contained in the assessment' 2(l) (attached at Annex B), do the following factors provide sufficient clarity on the information which Local Authorities should consider in relation to demand (the intention is to include this in the Statutory Guidance):

- parents' preferences for type and range of service;
- times childcare is required;
- Access to provision that provide support for children with Additional Learning Needs and specialist care due to a disability;
- access to state subsidised childcare;
- the number of childcare places required for children up to the age of 12, broken down by age range and type;
- Welsh language childcare services required;
- Other language childcare services required; and
- Access to provision that offer the childcare cost element of Working Tax Credit or the childcare costs element of Universal Credit.

16. Are there any potential challenges or barriers you anticipate in implementing the revised Regulations (attached at Annex B) for Local Authorities?

17. Does the draft Regulatory Impact Assessment (attached at Annex C) capture the potential consequences of the proposed amendments to the Regulations (attached at Annex B)?

## **5.4 Draft Integrated Impact Assessment**

A full draft Integrated Impact Assessment has been undertaken in relation to the CSA review. Welsh Government has committed to publishing certain sections of the Integrated Impact Assessment which can be found at Annex D.

### **Questions:**

18. Do you think the draft Integrated Impact Assessment (Annex D) sufficiently covers the impact on children, families, those living in socio-economic disadvantage and people with protected characteristics (including evidence you feel should be considered)? (The protected characteristics are: Age; Disability; Gender reassignment; Marriage and civil partnership; Race; Religion or belief; Sex; and Sexual orientation)?
19. How can the proposed changes to the Regulations (attached at Annex B) be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects on people with protected characteristics?

## **5.5 Statutory Guidance**

As a result of any changes to the Regulations, the current Statutory Guidance (attached at Annex A) will need to be updated. To ensure the Statutory Guidance reflects stakeholders' feedback, the revised document will be developed following the consultation exercise. We will continue to work with the CSA Working Group to ensure that the Statutory Guidance includes the necessary information to support Local Authorities in conducting their CSAs.

### **Issues**

Arad Research found that Local Authorities questioned the purpose of the CSA, seeing it more as a requirement from Welsh Government than as a process that aids their work. Very few, if any, examples were offered by Local Authorities as to how the CSAs are used to inform or guide their childcare provision planning on an operational level. Welsh Government, through the Self Assessment of Service Statement (SASS) and a range of other national information sources, already has access to

childcare data, it is proposed therefore that the structure and format of the CSAs focusses on local-based information, of relevance to each local authority area, which adds value to the data currently held nationally, e.g. barriers and local intelligence.

The current Statutory Guidance (attached at Annex A) includes a range of questionnaires to capture information from stakeholders, for example parents and unregistered providers. Stakeholders found the parental questionnaire to be overly long, resulting in low response rates. They also found it difficult to capture information on unregistered provision and felt that more guidance is needed on what kinds of unregistered provision should be included in the CSA.

## **Proposal**

The main purpose of the CSA is as per the Childcare Act 2006 (Local Authority Assessment) (Wales) Regulations 2016 is to support Local Authorities to undertake their statutory duty to secure, as far as is reasonably practicable, provision of childcare that is sufficient to meet the requirements of parents/carers in their area to enable them to take up, or remain, in work; or undertake education or training which could reasonably be expected to assist them to obtain work. The CSAs allow Welsh Government to gain further insight into the trends, issues and challenges across Wales, adding value to the information held nationally, ensuing policies and programmes are fit for purpose. It is proposed that the Statutory Guidance is amended to ensure the purpose of the CSA is made clear.

It is also proposed that the specific sections in the Statutory Guidance are reviewed to consider changes to the parental questionnaire and provide further clarity in relation to what data/information should be captured on unregistered provision to inform the CSA.

## **Benefits**

Outlining the purpose of the CSA in the Statutory Guidance would provide clear direction to Local Authorities on the objectives of the CSA which can be used to shape effective childcare strategies at both local and national levels.



Reviewing specific sections and providing clarity on the data and information to be captured, for example on unregistered providers, will give a fuller picture of supply and demand, ensure a more uniform approach to data collection, helping to identify gaps in provision and areas needing support.

## **Questions**

20. Are there any aspects of the current Statutory Guidance (attached at Annex A) that you feel are currently unclear?
21. Do you think clearer guidelines on unregistered providers would improve data collection?
22. What types of unregistered childcare provision do you think should be included in the CSA?
23. Do you think the current Statutory Guidance (attached at Annex A) allows for appropriate anonymised sharing of data (i.e sharing of SASS data from Care Inspectorate Wales)?

## **5.6 Additional Learning Needs and Disability**

### **Issue**

The current Regulations places a duty on Local Authorities to include the number of places filled and required for children who have special educational needs or who require specialist care due to a disability. Stakeholders have informed us that it is difficult to assess the demand and availability of places for children with an Additional Learning Need (ALN) and/or a disability as each child's needs can be highly individualised and complex. This variability makes it hard for Local Authorities to gauge the exact number of places required and to plan accordingly.

### **Proposal**

It is proposed that the revised Regulations should include a narrative description of providers who are able to support children with ALN and/or disability based on SASS data as well as local knowledge. For demand, it is proposed the Local Authorities provide an estimation using a range of sources such as data collected from Individual Development Plans issued on how many children in the area have an ALN and information such as health and education to inform the assessment.

## **Question**

24. Do you think the proposed changes to the Regulations (attached at Annex B) will help Local Authorities in assessing sufficient childcare for children with an Additional Learning Need (ALN) and/or disability?

### **5.7 Welsh Language**

Under the Welsh Language Standards, Welsh Government has duties to consider the Welsh language as we develop policy and consult on policy proposals.

The current Regulations ask for CSAs to include the number of Welsh language places filled and required.

## **Proposal**

In accordance with the Bill It is suggested Local Authorities provide us with a narrative description which builds on a range of information sources to describe: capacity of services, in accordance with the Welsh language categories; the number of children currently cared for; and an assessment of change in the number of children using Welsh medium childcare. It is also proposed that that the CSAs outline the Welsh language services required drawing on a range of information sources to include both qualitative and quantitative information.

The current Statutory Guidance will be updated to provide suggestions of what information sources could be used to inform this assessment (e.g., SASS and Welsh in Education Strategic Plans, parental survey, population trends, mid-year population estimates, local knowledge, Family Information Services, WASPI, etc).

## **5.8 Anti-Racist Wales Action Plan**

In Welsh Government's Anti-racist Wales Action Plan, there is a specific action for Local Authorities to engage with Black, Asian and Minority Ethnic communities to identify how the voice and lived experiences of people in these communities can be better captured as part of the CSA.

### **Question**

25. What support would be useful to assist Local Authorities with engaging with Black, Asian and Minority Ethnic (including Gypsy, Roma and Traveller) communities?

## **5.9 General views on the Childcare Sufficiency Assessments (CSA)**

26. What information or data do childcare representative organisations hold that could be useful in meeting the Regulatory requirements of the CSA?

**6. Consultation Response Form primarily aimed at Practitioners and Policy Makers (stakeholders in the public, private and voluntary sectors who are either involved in undertaking the CSAs or who's policy area interacts e.g. transport, health, education, social services, community and economy)**

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

1. Will the proposed changes to the Regulations (attached at Annex B) help reduce burden and provide meaningful and timely information to enable Local Authorities to assess and manage the sufficiency of childcare provision in their area?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

2. Do you agree with the proposal to maintain a five year CSA cycle, with annual action plans and progress reports?

Yes

☐

No

☐

Not applicable

☐

If answered yes, what are the reasons for your answer. If answered no what would be your preference?

3. Do the Regulations allow sufficient alignment between the CSA and other planning processes such as Local Well-being Plans under the Well-being of Future Generations (Wales) Act 2015, Play Sufficiency Assessments and Welsh in Education Strategic Plans?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

4. Do you believe that the introduction of annual Local Authority CSA action planning monitoring meetings with Welsh Government, which will be included as part of the Statutory Guidance (attached at Annex A) , will be useful to monitor progress on actions taken forward to achieve sufficiency, and the challenges affecting the childcare market?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

5. How can local knowledge and intelligence be better incorporated into the CSA process to make it more meaningful and robust?

6. Will basing the CSA on information from a broad range of sources and using proxy measures help provide a more robust assessment? (Proxy measures are indirect indicators that can be used to assess a feature that is difficult to measure directly).

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer? If answered no, what do you propose?

7. What relevant definitions could be improved and/or templates included in the Statutory Guidance (attached at Annex A) to aid consistency in data interpretation and analysis?

8. Do the childcare services captured against the childcare types in Schedule 3 of the current Statutory Guidance (attached at Annex A) reflect the way in which services are interpreted in the current landscape?

Yes

☐

No

☐

Not applicable

☐

If no, what are the reasons for your answer and what do you propose?

9. Do you think the surveys included in schedules 4, 5 and 6 of the current Statutory Guidance (attached at Annex A) are fit-for-purpose?

Yes

☐

No

☐

Not applicable

☐

If answered No, what are the reasons for your answer and what do you propose?

10. What additional surveys or methods would you recommend to help Local Authorities gather data to assess childcare demand more effectively?

11. Are there further improvements you think could be made to reduce the administrative burden and resources involved in collating data and information to assess childcare supply and demand?

12. Do you think that introducing a more standardised approach to the way in which information is collated and reported (for example, through templates) would be useful to Local Authorities in undertaking the CSA process?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

13. Do you agree that the proposed amendments to the Regulations (attached at Annex B) adequately address the issues which have been identified?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

14. Do you agree that the detail below provides sufficient clarity on the services to be captured in relation to the Schedule 'Matters to be contained in the assessment' 2(i) of the proposed revised Regulations (attached at Annex B) (the intention is to include this in the Statutory Guidance)?:

- atypical hours;
- full- and part-time care;
- full day;
- AM/PM;
- wrap around (am/pm/lunch);
- holiday; and
- term time.

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

15. Under the Schedule 'Matters to be contained in the assessment' 2(l) (attached at Annex B), do the following factors provide sufficient clarity on the information which Local Authorities should consider in relation to demand (the intention is to include this in the Statutory Guidance):

- parents' preferences for type and range of service;
- times childcare is required;
- Access to provision that provide support for children with Additional Learning Needs and specialist care due to a disability;
- access to state subsidised childcare;
- the number of childcare places required for children up to the age of 12, broken down by age range and type;
- Welsh language childcare services required;
- Other language childcare services required; and
- Access to provision that offer the childcare cost element of Working Tax Credit or the childcare costs element of Universal Credit.

Yes

☐

No

☐

Not

applicable

☐

What are the reasons for your answer?

16. Are there any potential challenges or barriers you anticipate in implementing the revised Regulations (attached at Annex B) for Local Authorities?

Yes

☐

No

☐

Not

applicable

☐

If answered yes, what are your suggestions for improving the content or structure of the revised draft Regulations (attached at Annex B) to enhance their effectiveness?

17. Does the draft Regulatory Impact Assessment (attached at Annex C) capture the potential consequences of the proposed amendments to the Regulations (attached at Annex B)?

Yes

☐

No

☐

Not

applicable

☐



What are the reasons for your answer?

18. Do you think the draft Integrated Impact Assessment (Annex D) sufficiently covers the impact on children, families, those living in socio-economic disadvantage and people with protected characteristics (including evidence you feel should be considered)? (The protected characteristics are: Age; Disability; Gender reassignment; Marriage and civil partnership; Race; Religion or belief; Sex; and Sexual orientation)?

Yes

☐

No

☐

Not applicable

☐

If answered no, are there additional changes that could be made to the regulations to improve the impact on children, families, those living in socio-economic disadvantage and people with protected characteristics?

19. How can the proposed changes to the Regulations (attached at Annex B) be formulated or revised so that it would not have adverse effects, or so that it would have decreased adverse effects on people with protected characteristics?

20. Are there any aspects of the current Statutory Guidance (attached at Annex A) that you feel are currently unclear?

Yes

☐

No

☐

Not applicable

☐

If answered yes, what are the reasons for your answer? If answered no, what revisions could be made to better support Local Authorities in planning, securing and/or delivering effective and sufficient childcare services to meet the needs of parents/carers in their areas?

21. Do you think clearer guidelines on unregistered providers would improve data collection?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

22. What types of unregistered childcare provision do you think should be included in the CSA?

23. Do you think the current Statutory Guidance (attached at Annex A) allows for appropriate anonymised sharing of data (i.e sharing of SASS data from Care Inspectorate Wales)?

Yes

☐

No

☐

Not applicable

☐

What are the reasons for your answer?

24. Do you think the proposed changes to the Regulations (attached at Annex B) will help Local Authorities in assessing sufficient childcare for children with an Additional Learning Need (ALN) and/or disability?

Yes

☐

No

☐

Not applicable

☐

If answered No, what are your reasons and what do you propose?

25. What support would be useful to assist Local Authorities with engaging with Black, Asian and Minority Ethnic (including Gypsy, Roma and Traveller) communities?

26. What information or data do childcare representative organisations hold that could be useful in meeting the Regulatory requirements of the CSA?

We would like to know your views on the effects that the Review of the Childcare Sufficiency Assessment (CSA) Duty on Local Authorities would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposed review could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Responses to consultations are likely to be made public, on the internet or in a

report. If you would prefer your response to remain anonymous, please tick here:

## 7. Consultation Response Form for Parents/Carers (potential and existing)

We are undertaking a consultation on the Childcare Sufficiency Assessment (CSA), which helps Local Authorities ensure there is enough available childcare in their area, as far as reasonably practical.

As part of the consultation, we are seeking your feedback to help ensure that the CSA includes the necessary information to enable Local Authorities to plan for childcare in their area.

You are more than welcome to respond to the full consultation should you wish to do so, however, we would be grateful if you could complete the short questionnaire below.

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

1. Have you been involved in providing feedback as part of the CSA consultation undertaken by your Local Authority?

Yes

☐

No

☐

If answered Yes how did you find the process? If answered no, why did you not take part?

2. What information do you think is useful to support you when looking for childcare?

3. What type of childcare would you be most inclined to use based on your children's ages?

4. How can the proposed changes to the Regulations (Annex B) and Statutory Guidance (Annex A) be developed to improve, or reduce any negative effects on children's rights<sup>1</sup>?

We would like to know your views on the effects that the Review of the Childcare Sufficiency Assessment (CSA) Duty on Local Authorities would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposed review could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

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<sup>1</sup> Children's Rights are outlined in the United Nations Convention on the Rights of the Child – [click here](#)

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

## 8. Consultation Response Form for Childcare Providers (potential and existing)

We are undertaking a consultation on the Childcare Sufficiency Assessment (CSA), which helps Local Authorities ensure there is enough available childcare in their area, as far as reasonably practical.

As part of the consultation, we are seeking your feedback to help ensure that the CSA includes the necessary information to enable Local Authorities to plan for childcare in their area.

You are more than welcome to respond to the full consultation should you wish to do so, however, we would be grateful if you could complete the short questionnaire below.

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

1. Have you been involved in providing feedback as part of the CSA consultation undertaken by your Local Authority?

Yes ☐ No ☐

If answered Yes, how did you find the process? If you answered No, why not?

2. What information do you think would be useful to include in the CSA to support you in establishing/developing your childcare business?



3. How can the proposed changes to the Regulations (Annex B) and Statutory Guidance (Annex A) be developed to improve, or reduce any negative effects on children's rights<sup>2</sup>?

We would like to know your views on the effects that the Review of the Childcare Sufficiency Assessment (CSA) Duty on Local Authorities would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

Please also explain how you believe the proposed review could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

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<sup>2</sup> Children's Rights are outlined in the United Nations Convention on the Rights of the Child – [click here](#)

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

☐

