



Scottish Childminding Association

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20 February 2026

To: All Elected Members of West Lothian Council

Dear Elected Members,

WEST LoTHIAN COUNCIL CONSULTATION ON PROPOSAL TO STOP CROSS-BOUNDARY FUNDED ELC PLACEMENTS IN PRIVATE, VOLUNTARY & INDEPENDENT SETTINGS

The Scottish Childminding Association (SCMA) is a national Third Sector organisation; a professional membership organisation for childminders (of which 85% of the childminding workforce in Scotland are members); a direct service provider for childminders and families through contracts with local authorities (including West Lothian Council); and a national delivery partner (also involving West Lothian Council).

We have been contacted by childminders in West Lothian who are very concerned by the recent public consultation undertaken by West Lothian Council which could fundamentally change how parents can receive their statutory entitlement of (free) funded childcare (1140 hrs per year) from the Scottish Government and remove their choice over childcare, in addition to potentially rendering a number of private nurseries and childminding businesses in West Lothian unsustainable. While recognising the financial pressures being experienced, SCMA shares these concerns and believes the potential adverse implications for children, women, working parents/carers and communities are wider-reaching than included within the scope of the detail made publicly available to date and require further consideration.

The proposal of concern involves removing funding support for non-West Lothian children at private partner provider Early Learning & Childcare settings (£700,000) (cross-boundary placements) and placing all of these children in West Lothian's own local authority nurseries on a 'like for like' basis to reduce the financial pressures experienced by the Council. We believe that, if progressed, this action would -

- **be directly in contravention of the national guidance for Early Learning & Childcare and the Partnership Agreement between the Scottish Government and Convention of Scottish Local Authorities;**
- **be contrary to 'Provider Neutrality' one of the main founding principles of Early Learning & Childcare and 'Funding Follows the Child' in which local authorities have a responsibility to ensure that all providers are treated equally** and that local authorities, in discharging their responsibilities for overseeing ELC expansion at a local level, do not prioritise their own provision and benefit financially from doing so;
- **deny parents choice, directly undermine the principle of 'Funding Follows the Child' in which parents are able to choose their preferred form of childcare provider through which they can receive their statutory entitlement of 1140 hours of funded ELC annually, and also reduce flexibility.** It is important to understand that all forms of childcare are not the same and that the quality, level and nature of childcare provided in one form of childcare (childminding) cannot be replicated in another type of setting (nursery). For added context, childminding is delivered uniquely in a home setting for 0-12/16 year olds in small groups with low adult to child ratios providing higher elements of one-to-one care; and with children of different ages (including siblings) learning and playing together, and with high elements of outdoor play and learning). This is quite distinct from nursery and this and the need for provider-specific quality assurance and inspection has been recognised nationally. In addition, many local authority nurseries still follow traditional opening hours (9.00am-3.00pm) and only operate on a term-time basis linked to the academic year; in contrast, many working parents require flexibility well beyond this (without which they may be unable to work) from 8.00am-6.00pm and this flexibility is provided by childminding and PVI settings. It is

also unclear, if parental choice is removed for their provider of preference for cross-boundary placements will it also be removed next for existing or new funded ELC placements?

- **unfairly disadvantage PVI and childminding settings and risk rendering their businesses unsustainable, with childminders being disproportionately disadvantaged** (depending on the extent to which they currently support cross-boundary placements within their settings). Most childminders (82% of the workforce) are registered to care for no more than 6 children at any one time (excluding their own) and within this no more than 3 children under school age. If a childminder has 1 or 2 cross-boundary placements within their total of 3 pre-school age children at any one time, the removal of cross-boundary placements from childminding settings would have a disproportionate impact on childminders where a greater percentage loss of business could suddenly be experienced;
- **have a secondary effect of reducing childcare for 0-2 year olds, school-age childcare (5-12) and children with additional support needs in West Lothian:** latest statistics report that there are currently 149 childminding businesses in West Lothian ranging in size for being registered to care for 6 – 54 children at any one time (with the larger settings employing Assistants to maintain childminding adult to child ratios, and the largest setting supporting 80+ children over the course of a week in a rural area also supporting some areas of deprivation) *Source: Care Inspectorate, November 2025.* Childminders care for children from 0-12 years, spanning both pre-school and school-age childcare, and up to 16 years in the case of children with additional support needs. While the proposal focuses on cross-boundary placements for funded ELC for 2-4 year olds, if childminding businesses become unsustainable and go out of business due to the loss of these funded places, this will also reduce childcare spaces for all age ranges supported by the childminding business at a time when acute shortages of childcare are being experienced;
- **have the unintended consequence of undermining SCMA's partnership working with West Lothian Council in recruiting and retaining childminders:** the childminding workforce has declined acutely since 2016 during ELC expansion, including a 44% decline in West Lothian with the loss of 121 childminders and over 700 childminding spaces for families. SCMA has been working to address this and is currently delivering the Programme for Scotland's Childminding Future – a three-year national programme on childminder recruitment and retention which is predominantly funded by the Scottish Government. In the current year 30 out of 32 local authorities in Scotland are partnering with SCMA for us to recruit and help establish new childminding businesses. This includes West Lothian Council. The first year or two of operation are critical for many new small businesses and this proposal could inadvertently reduce these new childminding businesses' chances of becoming financially sustainable by limiting and reducing their earning potential. There is a need for joined-up working to ensure that one decision doesn't inadvertently undermine another.

As noted earlier, SCMA is currently working constructively in partnership with West Lothian Council on different activities. However, we have very serious concerns about this proposal. We do not believe it is fully informed and we also believe there is a need to pause and undertake wider assessments of the adverse and disproportionate impact which this measure could have on childminders, women and children (including vulnerable children, those with additional support needs) and in rural areas in addition to undermining wider joined-up activity on recruitment and retention. As such, we would urge you as elected members to pause this proposal, due to be considered by West Lothian Council next week, and identify another solution.

Kind regards



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Chief Executive

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