

SOSCN RESPONSE submitted 19th June 2018 (closing date 29th June 2018)

**A BLUEPRINT FOR 2020: THE EXPANSION OF EARLY LEARNING AND CHILDCARE IN SCOTLAND –
EARLY LEARNING AND CHILDCARE SERVICE MODEL FOR 2020: CONSULTATION PAPER**

Consultation Questions

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Question 1: What factors should be considered in developing a simple, standardised yet flexible process for becoming a funded provider?

Answer:

Quality, accessibility, affordability and sustainability should be criteria and this includes:

- Fair work practice including the real living wage, ensuring staff time for training and development, including progression on qualifications.
- Equality and inclusion for children and families
- Supporting children's rights under the UNCRC and their wellbeing under GIRFEC

Processes:

- Investment from national government via local authorities should be enough to cover the real costs of providing the 1140 hours and paying staff the real living wage and in order for this to be accessible to families an element should be included which covers a healthy snack or meal as required. In turn local authorities should pass on this funding under the specific purposes as set out. This should cover ensuring no additional charges are made to families for the free ELC hours.
- Nationally there should be an agreed minimum floor for each element and local authorities should be able to increase this/ receive increased support in line with demonstrated additional local costs e.g. rurality, children with additional support needs or families requiring support to enable participation in the 1140 hours for their children.
- Payment for places should not be retrospective or charged to parents and then reclaimed, therefore there will have to be agreed block grant application systems in place which ensure at each fresh term intake of children partner providers already have the funding in place to cover costs.
- In turn, as part of the application process, partner providers must be able to demonstrate that they meet quality, accessibility, affordability and sustainability criteria, including how they deliver fair work practices, uphold children's rights and ensure their wellbeing under GIRFEC.
- A first application should be more detailed on all of the above factors, perhaps with an agreed induction process for new partner providers to consider and cover all the above criteria. There could be a probationary period allowed to help them work towards the high standards required to be a partner provider.

- Subsequent applications should be shorter and simplified, with agreement to keep the original more detailed information and the shorter repeat applications should declare any material changes in terms of the criteria or other factors like extending numbers, request for higher investment due to more two year olds or children with additional support needs etc.
- There should be scope for an immediate variation built in so every local authority/ provider has a small number of vacancies covered (depending on their circumstances) to allow for quickly being able to provide a place for a child relocated into their catchment area through, for example, moving to live with a kinship carer away from their previously allocated ELC place; or children who are asylum seekers or refugees arriving in the area.

Question 2: What are the key shared principles which should underpin an effective and positive partnership between local authorities and funded providers?

Answer:

The first key principle is that they agree that their positive partnership is focused on the best interests of the child and their rights to high quality care, play and learning within ELC.

Respect, trust and a spirit of peer collaboration should spring from this and there should be opportunities for mutual local dialogue on how best they can work together in order to realise this objective; this includes giving partner providers access to local authority development support, adequate funding to cover real costs, and for providers to agree to maintain and indeed strive to always improve their provision in terms of the criteria and standards set out.

Flexibility is only possible if it is built on strong foundations of trust; using the example of reserved funding to cover kinship carer child costs to a different setting; the local authority must be able to trust that the provider can provide the necessary high quality care under GIRFEC principles; while the provider must know that the additional costs will be met and development support offered where required.

In order to build and maintain trusting relationships there should be at least annual consultative meetings between the local authority and partner providers; with an on call liaison officer in place in between meetings, as well as joint training and development opportunities for all staff in ELC and in some case also in out of school care where services provide both.

Question 3a: We are proposing that the National Standard includes a qualification requirement for childminders delivering the funded entitlement to be qualified to or working towards the same qualification level as is required for an ELC practitioner (SCQF level 7). What are the advantages of including this criteria?

Answer:

All other staff in ELC and Out of School Care have to be qualified to at least this level to provide ELC and out of school care. The training required to achieve this level of qualification should include early child development and learning, with knowledge and skills on how to support children in this process. Childminders funded to deliver the 1140 hours should have the same confidence and skills of the ELC and out of school care practitioner workforce; and working towards this level of qualification will help do this.

Requiring partner provider childminders to have at least this level of qualification also offers reassurance to parents; Education Scotland, the Care Inspectorate and local authorities that the provider meets the same standard required of the wider workforce. Childminders who are partner providers should also access local authority development and access to joint training as pointed out for partner providers in other ELC settings.

Question 3b: Are childminders able to access adequate funding to pay for training to SCQF level 7? Are childminders able to access training to SCQF level 7 in a way that is flexible enough to allow them to continue to run their businesses?

Answer:

Workforce development funding could include help towards the costs of qualifications for any aspiring ELC or out of school care practitioner. Some courses/ modules may be available online or in evening classes; or could be developed in this way to make them more accessible to all ELC and out of school care staff working towards this qualification. The ongoing issue for many ELC courses is being able to access, if required as part of the course, a suitable placement in a workplace other than your own; this particular aspect may cause difficulties for childminders.

Question 4: Our aspiration is to see outdoor learning and play becoming a defining feature of funded ELC in Scotland. ☐ Does criteria 3 capture this ambition? If not, how could it be strengthened in a way that is sustainable for providers? ☐ What challenges, if any, exist for funded ELC providers to ensure children have access to outdoor play? How can these challenges be overcome?

Answer:

We know this consultation is focusing on the 2020 expansion of ELC. However, this question is missing out a much wider childcare and education field where it also applies; therefore, we suggest, yes outdoor learning and play should be a fundamental and developing feature of ELC, but more than that it should be under an overarching policy objective for outdoor learning and play to be a defining feature of school and out of school care; in fact all childcare/ children's services; including residential and specialist services for children with disabilities or in care.

It seems counterproductive to ensure that yes, during the earliest fast development periods for children, their needs to access nature and the outdoors, free and supported play and learning, is highly featured and a positive life enhancing experience, and then this freedom is curtailed once they move on to primary school, or whose lives are spent in residential care settings.

This is less the case for out of school care which already highly values outdoor learning and play, however, in common with some ELC settings; and some schools, particularly in urban areas, access to good quality outdoor learning and play spaces can be a barrier.

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In all cases there should be scope for a lot more innovation and experimentation to build up settings mainly or partly based outdoors; to ensure staff in ELC, schools, out of school care and wider children's services all access training and support in delivering outdoor learning and play, as part of CfE and we would argue as part of children's rights under the UNCRC and their wellbeing under GIRFEC.

We would also argue that outdoor learning and play is essential towards closing the achievement gap and addressing inequality and adverse childhood experiences.

We know through our work with childcare and indeed youth services that children from disadvantaged backgrounds often do not have access to experiences that many others may take for granted; this includes playing out on a beach or in a forest, park or visiting other parts of Scotland – see museums, art etc.

Therefore, for some children, we would stress that this strong feature of ELC should include, again accessible, without additional cost, trips and visits to such places, with a recognition that for some children and families such experiences are out of reach and this is something that can be addressed inclusively by ELC and other providers.

A further aspect of outdoor play and learning is quite practical and, again being sensitive to the needs of children and families with low income, that is suitable clothing and footwear for being outdoors in our distinctive Scottish weather. We would suggest that a form of grant system is put in place to help all providers (ELC and out of school care and indeed residential care services) apply to purchase suitable clothing for outdoor activities where otherwise their families could not afford this.

In terms of premises with limited access to outdoor play and learning space we have to look at, in the long term supporting relocation costs to higher quality outdoor space, or to bring in innovative practice such as providing some sessions of the service in a forest nursery or similar so that children access, at least some of the time, high quality outdoor experiences.

Services could work together to support the outdoor provision that their children access, while, crucially, public and corporate landowners should be encouraged to allow access to outdoor

based learning and play providers to deliver services from their sites' in parks, forests, heritage and national trust settings etc.

Any wholly outdoor based setting should also have access to some form of shelter and heat and washing facilities. There are a number of imaginative ways to address such issues; looking at the types of structures creating for "glamping" or modular buildings etc. Looking to our Nordic countries, in Finland and Sweden, the Sami people's traditional Laavu structures are reflected in modernised version such as the "Tentipi" <https://tentipi.com/en-gb/zirkonflex>, are ideal for creating outdoor shelters/ classrooms etc. As are large Yurt type structures.

Question 5a: Will the criteria set out in the draft National Standard: ensure that high quality, accessible, flexible and affordable Early Learning Childcare is delivered in all funded provider settings? Support increased choice for parents and carers?

Yes, the criteria looks thorough although we would emphasise the UNCRC in terms of the best interests for the child should also be a part of the standards.

It may be not possible by 2020 for every single area to have much increased choice and flexibility for parents, as, for example, in remote rural services may still have only one service available in a locality for ELC (and this may include a childminder). Conversely we also know that in some better off urban areas, parental demand for out of school care services vastly exceeds supply; therefore this might also be the case with ELC, especially in terms of services which offer additional wrap around or later hours for parents.

The 1140 hours is a laudable expansion of ELC and with a combination of flexible work practice for some parents, if they are able to use the services say on three full days and each parent has a day off through working compressed hours, then that will work out for them. However, such flexibility in the workplace is more often available to the professional middle class workforce.

This also applies to the actual childcare workforce in terms of their own childcare needs. One aspect of the expansion to the expansion of the 1140 hours will be the need for staff currently on part time hours to go full time; or to recruit widely from Scottish society to ensure a larger and more diverse workforce.

Many of the current and potential workforce will also have children themselves, the 1140 hours is equivalent to 30 hours a week, but most full time jobs are between 35-40 hours per week, therefore, to increase the hours and numbers within the current childcare workforce, needs a consideration of an increased demand for wrap around and out of school care from that workforce.

Question 5b: Is there any criteria not included in the National Standard that is required to ensure a high quality service is provided to all children?

The UNCRC as the foundation of GIRFEC and indeed the Children and Young People Act 2014 should be emphasised more.

Question 5c: Do the proposed criteria within the National Standard seem fair and proportionate for all? Do the proposed variations for some criteria seem fair and proportionate for childminders?

Yes

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Question 6: What areas would you look to be addressed in the technical guidance note for supporting implementation of the ELC Living Wage commitment?

While we support the real living wage and indeed promote this to the out of school care sector we have concerns that by funding this only for ELC 1140 hours staff this will lead to a three tier workforce in terms of pay and conditions. Any providers who also employ the same or different staff to deliver wrap around paid for childcare for younger children or out of school childcare for older children could not justify a pay differential between staff employed in similar roles, requiring the same qualifications, in terms of employment law.

Therefore, there will be a cost to private and voluntary providers in terms of having to ensure the real living wage for all staff. Furthermore for those services not providing the funded ELC, who may already be losing qualified and experienced staff to better pay and conditions in local authority services, their lower wages will make them even less attractive to new entrants and thus threaten the ongoing quality of such services.

Those providing additional or non funded childcare services may then have to raise fees in order to be able to compete on pay and conditions levels, but in doing so this involves additional expense for parents and, rather ironically, this then may reduce the flexibility required especially by full time working parents.

Question 7: Should newly established ELC settings be able to deliver the funded hours on a probationary basis, pending the outcome of their first inspection, provided they meet all other aspects of the National Standard? Are there any particular challenges or issues that may arise from this approach?

In our experience of helping new childcare services become established, the first operational year is not long enough to fully gauge overall quality. What is useful and needed here is the stronger role identified for the Care Inspectorate in providing support in this process. We do not want services which fail to meet the required grade levels once established, but, thinking also of the pressure of work on the Care Inspectorate given there may be a surge in new funded ELC services outwith local authorities which should have their own development support teams on place; attention should be given to monitoring the extra work involved and perhaps extending the lead in

time to 18 months or two years. With an important caveat, that any report, complaint or serious issue identified would require immediate action.

Question 8: What support will service providers require to prepare for the introduction of the National Standard and meet the criteria and delivery of the new service model?

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We have already stated that partner providers should be supported by the inspection bodies and local authorities in developing their service and systems to meet the criteria and indeed to be committed to ongoing quality improvement as part of this process. None of this will work if services are not adequately funded in clearly identifiable streams for meeting the delivery of funded ELC, improving staff pay and conditions, providing high quality food/snacks and particular funding to support inclusion and to address the attainment gap.

Response submitted 19th June 2018

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