Independent Commission for Childcare Reform

CALL FOR EXPERT EVIDENCE ON REFORM OF CHILDCARE PROVISION IN SCOTLAND

Introduction:

The Scottish Out of School Care Network (SOSCN) is the national charity in Scotland promoting and supporting the development of high quality school age childcare services. Our work is underpinned by a commitment to the UN Convention on the Rights of the Child (UNCRC, 1989), addressing inequality and the needs of disadvantaged children and families.

I thank the Commission for the opportunity to submit my views on the three questions you have set out. Unfortunately, my response is longer than you perhaps anticipated, as I think it is essential to include a comparative, recent historical perspective on the development and delivery of childcare reform. We should not be reinventing “wheels” but learning lessons from the past. This informs my conclusions for questions 2 and 3. I also provide information on school age childcare in an appendix. My specific expertise is on school age childcare, however, I was very involved in the development and delivery of all of the childcare and early years strategies I discuss in the paper, so bring this experience to my analysis and conclusions.

Question 1: What do you consider to be the most difficult challenges about how childcare provision in Scotland is currently organised, delivered and paid for?

Apart from the transformation in early learning and childcare for 3 - 4 years old children, and vulnerable 2 year olds, through the Children and Young People (Scotland) Act 2014 (CYP Act) the remaining childcare is, in Scotland, not organised in a strategic policy sense, nationally or locally.

In many ways, therefore, the mainly voluntary and private sector provider organise themselves and that includes the parents on committees running childcare, especially out of school care, for their communities (This is 53% of out of school care services, Care Inspectorate 2013). There is funding support from government (TSEIF) to national childcare organisations such as SOSCN, SCMA, SPPA and NDNA, which all provide development, training and quality improvement support.

It is highly difficult for such organisations to address the issues of accessibility and affordability of services for children and families because the main source of financial support to childcare is delivered via parental access to the UK childcare tax credits or childcare vouchers. In many cases, even the Scottish Government funds to support student parents in meeting their childcare needs, is delivered straight to the parents via the FE sector.
The transformation through the CYP Act from what used to be termed “pre-school education” into a more holistic early learning and childcare definition, includes an increase in the hours offered of free early learning and childcare to 600 hours a year and a commitment to flexibility and further future expansion for children of all ages in Scotland.

This is a positive development and it is rather simplistic to view this as “just as a few more hours of free early learning and childcare”. The associated official guidance (Scottish Government, 2014a) and practice guidance, Building the Ambition (Scottish Government, 2014b), are based on a clear recognition that good quality childcare and play opportunities for children support their development and this can be integrated seamlessly with the CfE early learning framework. Although the Guidance is quite clear about the value of using partner providers in the private and voluntary sector, there is, in this earliest period of delivering the 600 hours, already issues with some councils cutting down on their partnership arrangements with private nurseries. This is not good for parents who need to access the wrap around care provided, or for children to move from nurseries they are already happily settled in. It highlights one of the issues of the relative autonomy of councils in Scotland in how they deliver national strategies, some do very well, however, this example informs my view about a need for strictly controlled and monitored strategic funding for childcare in the future.

Combining with the work of the Early Years Collaborative, the CYP Act also brings GIRFEC into law and, in the official guidance, links with the National Play Strategy in Scotland (Scottish Government, 2014, 2013). The CYP Act also enshrines the UNCRC in government policy around children and young people. Therefore, within the CYP Act, there is potential scope to create further extended legislation on childcare in Scotland.

What should be noted here is that this journey towards an integrated early learning and childcare strategy, as well as GIRFEC provisions, while set in place by the current Scottish government, are also very much a continuation of the direction of travel indicated by previous political administrations in Scotland (Scottish Executive, 2003a, 2003b). Moving away from the game of political “sound bites” from any political party, there is a detectable and strong thread of consensus (certainly between the two biggest political parties in Scotland) in terms of supporting integration in the early years. GIRFEC, and, indeed, the current qualifications framework, including the standard for childhood practice, establishment of regulatory bodies for care and the workforce, are also a continuation of previous political administration decisions.

For the Scottish Out of School Care Network (SOSCN), while of course we balance the needs and views of parents and out of school care providers, what is central to our work are the needs and rights of children of school age who need access to childcare. That is why we support the centrality of child development through play and especially the extra support for vulnerable children explicit in the measures for younger children in early learning and childcare guidance related to the CYP Act, although, of course we want to see this extended to school age childcare.
We take the view that the development of childcare should be based on children’s and parent’s rights under the UNCRC (1989), as well as linking to wider economic outcomes, addressing poverty and disadvantage (Scottish Government, 2011) improving family health and well-being and supporting communities. There is not, in our view, any contradiction between meeting children’s rights in quality childcare services and enabling parents and carers to work, train or gain respite support.

Our child centred approach is also behind our strong support for a firm regulatory framework, including qualifications, at degree level for lead practitioners. We also provide quality improvement resources to the sector through Achieving Quality Scotland (SOSCN, 2014), and training in, for example, GIRFEC and physical activity and well-being for staff working in out of school care.

Childcare is not, cannot and should not be provided, on the “cheap”. Nevertheless, the Commission will no doubt be looking into the high costs of childcare in this country (also within the UK) and asking why they are so high. We can assert with some confidence, from our own evidence, that it is certainly not due to the wages and conditions of the mainly women (91%) working in out of school age childcare in Scotland, as our annual workforce survey (SOSCN, 2013a) shows wages are quite low and hours are often part time. As an organisation often supporting services to become more financially sustainable and to use business planning management skills, we can also assert that out of school childcare, in Scotland at least, is still definitely not a “money spinner” in terms of being a profit making enterprise (Scottish Executive, 2003b).

Where the independent and private sector deliver school age childcare, this is mainly through combining places for school age children with their services for younger children, either in nurseries or home based childminder care (Care Inspectorate, 2013). Again, the staff or childminders are not well rewarded in this work, but it is possible though larger scale, for nursery chains, or rural voluntary services combining across a large geographical area, for their school age childcare elements of their services to contribute towards overall sustainability or private sector profit.

We know where school age childcare services are least viable; in rural areas, due to fewer numbers of users and in the provision of services in school holidays where the extra staffing and activities costs cannot be met through even relatively high fees. Places for many children with disabilities or disadvantaged children or communities are impossible to cover through parental fees and therefore are highly dependent on cross subsidies from other sources.

We also know that without access to free or low cost school lets, in some local authorities in Scotland, many current services would no longer be viable financially and this often hidden support is vulnerable to change or cuts when councils trim budgets. As a non-statutory service, out of school care is always vulnerable to cuts, and indeed, is rarely receiving any grant funding now.

I will provide some basic factual evidence on school age childcare in Scotland in the appendix, the main point I wish to make is that in fact the fees charged to parents right now...
in Scotland for school age childcare still do not reflect the true costs of providing quality childcare.

Rightly, we are seeing an increased professionalism in the childcare sector, they are not just “babysitters” and should not be treated or paid as such, yet if we start rewarding them properly for the highly important work they do, this would make childcare even more unaffordable to parents. The answer to this conundrum is most definitely not going backwards in terms of professional qualifications standards and we would not support any de-regulation for affordability reasons, as this would be detrimental to the quality of care for children.

With average costs of around £50 weekly in term time and £100 in all day holiday care in the school age childcare sector (SOSCN 2013b) those who qualify for full (70%) childcare tax credits actually pay £15 weekly (£2 a day) in term time or £30 weekly (£6 a day) for one child. Nevertheless, this 70% only applies to very low-income families, meeting minimum working hours, where even these amounts are a strain, and this 70% tapers off very quickly.

For childcare services (other than funded early learning and childcare) to exist and be available for families they need to be sustainable, therefore they have to set realistic fees, which are only subsidised through some parental access to tax credits or vouchers. For services to be truly accessible to disadvantaged children in their community, who need childcare, even if their parents are not working, or to ensure access for children with disabilities, or small rural services, or, for example, parents working shifts, then such provision needs to be subsidised at source.

For many families childcare costs are a huge part of their budget, for others, even with tax credits, it is not affordable, yet, certainly in the out of school care sector, costs are kept down through low part time wages, some free school lets, and break even budgets.

Another challenge therefore, is that, excluding much of state funded early learning and childcare places, most formal childcare provision in Scotland is provided by the voluntary and private sector and is only subsidised through the non-devolved UK childcare tax credits system. Nevertheless, it is, rightly, a heavily regulated sector both in terms of the quality of provision, recruitment checks, and (excepting childminders) the qualifications and training of staff in the sector, with associated costs in ensuring childcare is of good quality and staff are trained and qualified as they should be. Furthermore, a major challenge is that it is a highly gendered occupation, mainly female, often part time, and it is a low waged sector (see SOSCN, 2013a, for information specifically on the out of school care workforce, with 9% men this is higher than other childcare sectors but still very low).

There is also a challenge in terms of statistical information required for planning. While there is statistical information on childcare and the childcare workforce through the activities of the regulatory bodies (Care Inspectorate and Scottish Social Services Council) and local childcare or family information services, there is still a lack of clear analysis of trends, gaps and developments in childcare provision at a national level. Similarly, the SSSC produces data on the daycare of children workforce, but this is not broken into types of provision,
which would help with planning for future workforce needs and gauging the investment required for qualifications and training. While the CYP Act does include the requirement to consult parents both about statutory and discretionary childcare needs, including out of school care, we still need better national statistics to monitor childcare growth and gaps.

There is now, no longer, an overt national childcare strategy in Scotland, with no agency taking any responsibility for the support, development, delivery of direct funding of childcare places in Scotland (other than the state funded early learning and childcare), leaving again the only direct subsidy that to parents through tax credits or vouchers. This was never meant to be the case, as when childcare tax credits were first introduced this was part of a comprehensive package of a national strategic childcare policy, matched by funding investment in quality, start-up funding and sustainability, qualifications and training, as well as targeted support for out of school care, social inclusion and disability and for parents returning to work through the working families programme.

This previous childcare investment did not cease in 2007, when there was a change of political administration in Scotland. At that time, for the previous year, 2006, there was over £40 million a year allocated to local authorities to support childcare in Scotland, £50 million for Sure Start and £6 million for workforce development (Scottish Executive, 2003b) but since then, this funding was subsequently rolled into the GAE settlement.

Looking at the various challenges I have outlined above I suggest two further questions:

**How have we come to the present state of childcare in Scotland?**

**Can we learn anything from the history of previous attempts to address the issue of childcare?**

What follows will undoubtedly be quite familiar to the chairperson of the Commission and many involved, however, for many others, there may not be understanding and knowledge of quite how we got here. I believe it is important when trying to create a new strategic plan, or recommendations, to look at the successes and failures of previous attempts to do so.

In 1998, a national view of formal childcare was that it was ad hoc, fragmented and of variable quality, of high cost, insufficient supply, poorly regulated, with low wages and generally unqualified staff. Most childcare was left to either the voluntary or private sector to organise, including parents themselves forming playgroups and out of school care services to meet local needs (Scottish Office, 1998).

The publication of the Meeting the Childcare Challenge: A Childcare Strategy for Scotland (Scottish Office, 1998) marked both a watershed and, with hindsight, perhaps a missed opportunity at a time of relatively generous public funding. It was a watershed in the sense that it was the first attempt to create a unified, generously funded and comprehensive childcare strategy, addressing identified concerns about quality and regulation, accessibility and affordability, and a paucity of information on formal childcare.
For those of us in the childcare sector, perhaps the missed opportunity was the division of the funding streams for childcare between a range of initiatives such subsidising parental childcare fee costs, lottery grants for start-up funding and local grant aid to local authority led childcare partnerships for ongoing funding, investment and staff development. Looking back, had those immense funding streams being co-ordinated and invested directly in the supply side, setting up, expanding and then sustaining direct childcare provision, we might have a much stronger base of childcare support for children and families in Scotland today, only, however, if this was ring fenced and well protected funding.

Meeting the Childcare Challenge (1998) was one of the first and biggest policies to be further developed and delivered by the new Scottish Executive now a devolved government for Scotland. Herein is part of the explanation of the split or different directions of childcare policy within the different nations of the UK. Nevertheless Scotland already had its own different and established education system, regulatory system, judicial system and Scottish versions of, for example, the Children (Scotland) Act, 1995 and the ground-breaking children’s hearing system.

In England, for example, Sure Start funding was used to create early learning and childcare centres, while in Scotland this funding was used for many other forms of support for vulnerable 0-3 year olds, included play based childcare. Further legislation for England created duties on local authorities to measure the demand and supply of childcare, including out of school care, and to create places to meet any shortfall with the Childcare Act 2006, with no similar legislation in Scotland enacted by the administration in power at that time. Therefore, by 2006, school age childcare was put on a statutory footing in England but not in Scotland. The current UK government however is in the process of dismantling many of the previous regulations and policies around the provision of early education and childcare in England, thus creating even more divergence of childcare policy across the 4 nations.

It was, in the view expressed in Meeting the Childcare Challenge (Scottish Office, 1998), not for the state to provide childcare, but for parents to be able to choose what they needed – hence the subsidies for childcare going to parents via childcare tax credits or vouchers (Scottish Office, 1998). Nevertheless, there was a clear role, and fairly generous funding, set for local authorities in Scotland to support childcare development:

“"The Childcare Strategy for Scotland aims to ensure good quality, affordable childcare for all 0-14 year olds by raising quality standards, supporting parents' purchasing power, expanding childcare places and improving information. The strategy has been implemented since 1998. Childcare is universal, but must also meet the needs of disadvantaged families. From 2002 16.75 million per year has been distributed to local authorities for project support, partnership and information services to support the aims of the strategy, and under the Scottish Budget for 2003-2006, this will rise to 40.65m by 2005-06. Local authorities, in conjunction with Childcare Partnerships, are responsible for identifying local childcare needs and facilitating the development of services to meet these"(Scottish Executive, 2003a, annex 4, my bold).
The biggest investment, however, in covering the costs of childcare was in the introduction of the tax credits system and, in particular, childcare tax credits by the UK government. During the years of the childcare strategy, there were also a number of initiatives targeted at employers in order to persuade them of the benefits of supporting their employee’s childcare needs. Groups such as Employers for Childcare held events, large government organisations were expected to lead by example in providing support for childcare (Scottish Office, 1998) while tax incentives for workplace nurseries and, eventually, NI savings on childcare vouchers were brought in to encourage such processes. The then DTI also organised events and produced guidance for employers in Scotland while LECS also had a role in encouraging businesses to consider childcare (Scottish Executive, 2003b). These employer-targeted initiatives had limited success, for example in 2003 only one company was found to have (previously) subsidised school age childcare places (Norfrost, Scottish Executive, 2003b).

In terms of quality and regulation in Scotland, this was addressed by bringing in national care standards (Scottish Executive, 2003a, 2003b) setting up the Commission for the Regulation of Care (now Care Inspectorate) and disclosure checks (PVG) and in ensuring the age range the standards covered up to age 16. There was investment and support for quality assurance systems, SOSCN, for example, was grant aided to develop and deliver quality assurance to out of school care through what was then Aiming High Scotland (SOSCN, 2001, 2009), now updated to Achieving Quality Scotland (SOSCN, 2014).

At that time, many childcare workers lacked formal qualifications or the means to achieve them. With the establishment of the Scottish Social Services Council, now, apart from childminders, workers in formal childcare in Scotland must meet (or be working towards) specific qualifications requirements for their role, including degree level for lead practitioners of services, as part of their registration standards (Scottish Government 2007). In addition to childcare strategy funding there was £6 million ring fenced workforce development budgets (Scottish Executive, 2003b) and local authorities had to report (in advance) on how this funding would be used to support staff across the public, private and voluntary sectors.

Accessibility of formal childcare, in the sense of there being enough provision in the right place at the right time, and in inclusive services for children with disabilities, was also linked with the issue of affordability then, as now. More than £31 million lottery funding was invested in the expansion of both the availability, especially of out of school childcare and quality of all childcare services across Scotland in the early 2000s. Accessibility remains a huge issue for disabled children, as does the need for more flexible hours childcare, despite some of this quality childcare programme lottery funding being directed to inclusive services for disabled children and to help fund sitter services (OPFS), such services need ongoing subsidies to be viable (Scottish Executive 2003b).

SOSCN was requested by the New Opportunities Fund (now Big Lottery Fund) to employ a team of Funding Facilitators, to help deliver these grant programmes, from 2002 to 2005, with a £1.3 million investment grant especially created for this purpose. Part of this work was to help out of school care services become more sustainable and business like as well as supporting the delivering of grant programmes aimed at improving quality across the
childcare sector. Despite the sustainability aims, SOSCN argued that funding support would always be needed for rural childcare, inclusion of children with disabilities and social inclusion for disadvantaged children, at this time we also started researching the needs of older children for a different kind of service for the 11+ age range.

In terms of boosting the supply side the whole strategy was mainly built on expanding the private and voluntary sectors, facilitated by local authority led childcare partnerships. National organisations like SOSCN, SCMA, and SPPA were also able to provide local development and support staff, funded through the local childcare partnerships to help support new provision of places in the voluntary and private sector. Many local authorities employed their own development officers for out of school care and SOSCN provided a forum for them to meet and share good practice. Indeed, amongst this funding a small budget of £3 million a year was supposed to be fixed in the permanent GAE funding settlement, for support to out of school care places for disadvantaged families (Scottish Executive, 2003b).

During better economic circumstances, there was perhaps a strong expectation that around £40 million per annum childcare strategy funding in Scotland would also help with future, ongoing and long term, sustainability of the new childcare places set up across the voluntary and private sectors.

In terms of out of school care, in particular, the peak time of policy support and financial investment was in 2003 with the publication of “Schools Out” (Scottish Executive, 2003b). This publication provided government guidance on what out of school care is, with the benefits to children, families and the economy and models of good practice outlined (see appendix). It also set out plans to monitor and evaluate the development of sustainable provision. Information was provided on using childcare strategy funding, lottery grants and investments in workforce development, regulation, quality assurance and inclusive practice. In the immediate years afterwards, there was some significant activity around developing out of school care in Scotland, and this included work led by SOSCN, local authorities, national government and funding bodies in mapping provision and funding new places and models of provision.

Over the years since 2007/2008, this is much less the case for out of school care, indeed it has fallen off the radar a great deal. There has been ongoing and now hugely expanded investment in early learning and childcare – (the previous pre-school education places), but the childcare needs of families with babies, toddlers, school age children and wrapping around the hours of early learning and childcare provision have mainly been left to the “market” to provide. This year, there is some progress, as the current Minister for Children and Young People has requested that out of school care be looked into by the Early Years Task Force and SOSCN is working with civil servants and the early childhood learning and care sub group, in order to develop a national policy on out of school care. In addition, vulnerable 2 year olds will be able to access the statutory early learning and childcare places set out in the CYP Act.
The Early Years Framework (EYF) (Scottish Government, 2008) succeeded the previous childcare strategy and underpinned the current expansion of early learning and childcare, backed by impressive evidence based research on early childhood well-being, and financial analysis of the positive returns on investment in the earliest years. The Framework can and does go beyond age eight for the many children who might need continued care and support, however this is little recognised. The Early Years Collaborative was expanded to include 8/9 year olds in late 2013 and SOSCN had previously argued for the inclusion of school age children in the EYC (SOSCN, 2013b).

Local authorities did not actually lose their annual allocation of funding for the childcare strategy and associated workforce developments, when the new Scottish Government came into power in 2007. Instead, this funding, alongside many other discrete funding streams, was rolled into the GAE settlements local authorities received from government. Single Outcome Agreements (SOAs) replaced the myriad reporting and monitoring of a range of previous funding streams, with local authorities trusted to develop local services to meet local needs. Childcare did not feature in the SOAs, although the previous government had been pursuing much more integration of childcare within local children’s services plans (Scottish Executive, 2003a, 2003b) this was not reflected in the SOAs.

In 2008 the global financial crisis put pressures on budgets everywhere and the funding picture has therefore considerably changed since then. In the context of this pressure, perhaps it is hardly surprising that many local authorities, even if they were willing to do so, did not retain and protect their budgets for childcare support and development. This, alongside a shift of focus to the Early Years Framework (2008) (and within that to early learning and childcare), including a mistaken assumption it only covers children up to age 8, has led to a loss of funding streams locally to support childcare, losing childcare development posts, losing subsidies for social inclusion, disabilities and rural sustainability. At the peak of out of school care development nearly 30 development officers were employed in supporting out of school care, two commissioned from SOSCN, by 2011 this number had dwindled to around ten with many posts re-aligned to cover wider duties. Given that 8 is often the peak age for children attending out of school care, it is clear that all out of school care services are indeed covered by the EYF. However, even later lottery grants, linked to the EYF, required services applying to demonstrate that the bulk of the funding would be used for children aged 8 and under. Where is the policy therefore for the childcare needs of children from eight to 12?

There is still some direct investment. In terms of out of school care there was significant expansion to 2004/5 with lottery funding and, in particular, it brought in bids from local authorities to directly provide such services, this was mainly in Fife, North Ayrshire and Perth and Kinross. Fife council continues to provide out of school care and demand is growing in this area, North Ayrshire, regrettably, had to put out of school care back to the voluntary sector to run and Perth and Kinross cut some of their less viable services (although they are still running, albeit back in the voluntary sector). In addition, many local authorities continue to fund development posts through SCMA or SPPA to support childminders or play or toddler groups, while access to free, or low cost, school lets across many areas supports out of school care.
These few examples do show that the state can get involved in managing and delivering childcare provision, beyond the statutory early learning and childcare, if the public funding, and will to do so, is in place. Other local authorities foresaw unwanted long-term obligations to deliver non-statutory childcare, should they get involved in delivering short term grant aided services through lottery grants, therefore, they preferred to support the private and voluntary sector developments.

For the state in Scotland (via local authorities) to play a bigger role in delivering and supporting non-statutory childcare, it either needs to become statutory, with concomitant funding, or to be reassured with guarantees of long term, consistent funding support to deliver discretionary childcare. Under the Children (Scotland) Act 1995 they already have the power, for example, to set up and deliver before and after school and holiday care, both for children in need and those not in need.

It is also important to note that school age childcare and holiday services run by local authorities in Scotland might fall under their overall education departments and budgets, but are not the direct responsibility of the school management team or head teacher. Registered and regulated childcare is not the same as learning activities a school might provide for pupils, although there should be good liaison between them.

Under GIRFEC named person roles head teachers of schools in Scotland and out of school care services providing care for their pupils, will be necessarily working together, when needed, to act in the child’s best interests. The playwork trained staff in out of school care offer a different and complementary role to that of teachers; schools already provide the educative element and CfE recognises that informal learning and development occurs beyond the classroom, therefore, the school age childcare services generally provide the care, play and recreational related elements of a child’s overall learning and development needs.

In England there is a long history of schools being able to set up and manage out of school care, In Scotland that is not the case except in the case of some breakfast clubs linked to the school. However, for this to be childcare it has to be registered and regulated and this is why the voluntary sector tends to run services offering childcare before school starts. It is SOSCN’s view that local authorities can and do provide out of school and holiday care, and would have economies of scale, staff able to work as both OSC workers and classroom assistants, however, it should be managed as a distinctive service and not added to the burden of responsibilities of head teachers. School age childcare must retain its distinctive play and recreational function for children and not be seen as an extension of the school day. Schools can and do run homework support and learning activities but this is not, and should not, be used as registered childcare.

Looking at progress from the 1998 picture, there is general improvement in terms of quantity, quality and qualifications, with a strong regulatory framework in place. GIRFEC and the Early Years Collaborative methodology and aims all contribute to better professional cooperation with childcare and other agencies supporting children and families. Although staff wage conditions remain poor, the increasing numbers of qualified and degree level staff are
a foundation for the confident, knowledgeable leaders needed to help create and deliver quality childcare services (SOSCN, 2013b). Numbers of OSC services peaked at nearly 1200 by 2009 but this had since dropped to just below 1,000, still nearly double the 1998 estimate of 500 services. Still we do not want this downward trend to continue creating gaps in provision and be unable to meet growing demand.

Later adoption of EU rulings on paternity and maternity leave and pay, and flexible working for parents are also part of this improved, albeit complex, range of support to childcare. The current early learning and childcare policy of the Scottish government is also based on the EU ECEC: “The European Commission Communication 2011 stated that Early Childhood Education and Care (ECEC) is the essential foundation for successful lifelong learning, social integration, personal development and later employability” (Scottish Government, 2014a). Other EU wide also reports stress the importance of out of school care in addressing poverty and disadvantage (Reid and White, 2007).

Where we have gone back (or barely moved forward) is in terms of the lack of strategic direction for childcare (other than state funded early learning and childcare) and the associated investment in supply, sustainability and accessibility, alongside planning to meet identified needs and clear information to underpin such a strategy. For planning purposes, it is necessary to have robust information; this includes data on service provision, quality, the workforce, qualifications and training and development infrastructure in place.

In 2001, the Scottish Executive established an annual series of statistics on childcare provision in Scotland, with, in some years, a more in depth analysis of particular aspects, such as the workforce. Now, Care Inspectorate annual returns data is the source of statistical information on the sector. Differences in data collection and statistical presentation makes year on year comparisons difficult between the two.

Information too on the actual amount of tax credit subsidies spent on particular types of childcare on Scotland is not available from UK government statistics. Childcare or Family information services set up as part of the Scottish Childcare Strategy, continue to exist, and update their information, however there is no pulling together of that information to form a national picture.

From this sketched historical analysis, it is clear that changing political administrations naturally want to pursue and put their own stamp on policy, despite in many cases there being a lot more consensus on fundamental issues, such as integrated early learning and childcare, than would appear in public debate. There are clear restrictions and a growing lack of policy alignment due to the differences between aspects of policy, which are devolved, such as childcare (Scotland), and non-devolved (UK), such as help with the costs of childcare. On the other side of that coin, there has been an apparent continued allocation of previous childcare strategy funding to local authorities through the GAE, albeit unprotected, not included in SOAs or requiring accountability. As a result, this has all but disappeared or being refocused on early years change processes directed by the Early Years Framework, but not childcare in itself.
Question 2: What particular aspects most need reformed? Why would you rate those aspects as having highest priority?

In answering the why...please see discussion above around Q1.

1) Learning from the previous childcare strategy it is clear that there should be overall national strategic direction and policy underpinned by protected, ring fenced and long term resources to ensure the supply, sustainability, quality, accessibility and affordability of childcare services. This must be childcare for all ages of children 0 – 16 with the 14-16 range more likely for children with disabilities or additional support needs.

2) It is our view that instead of administration of complex tax credits or vouchers for childcare, such budgets should be reformed and reallocated to the supply of childcare, devolved to and controlled by the Scottish government, ensuring provision is affordable to all and low or no cost to the most in need.

3) The UNCRC is now more firmly embedded in Scottish policy relating to children and young people, therefore part of the case for good quality childcare is not just based on the needs of working parents but also on the needs of children themselves for play, arts, sports, recreational and cultural activities too, as provided within formal, registered childcare. This links too with the National Play Strategy (2013).

4) With GIRFEC and increasing professionalism of the childcare workforce there are huge opportunities to align this workforce with the provision of specific support to children in need as part of an overall package of support to families experiencing disadvantage and difficulties; therefore formal childcare should be available for non-labour market reasons too. There needs to be a reminder of the duties on local authorities to provide daycare for children in need, as set out in the 1995 Act (Scottish Executive 2003b), this includes care for school age children, before and after school and in the holidays.

5) There needs to be robust data on existing provision, current and future needs in order to support the strategic planning of provision to meet gaps in services.

Question 3: What do you consider to be the best 3-5 remedies that might by applied by governments or others to significantly improve things? In responding, can you specify what role employers, families themselves, or other agencies should play in providing, enabling or paying for high-quality formal childcare provision? Relative to that, what role should governments play in reforming childcare, whether at UK, national or local levels of government?
Scottish Out of School Care Network (SOSCN)

“Supporting children’s rights to play, care and learning”

At a UK national level, the funding currently going into childcare tax credits and the new proposed childcare voucher system would be better deployed in providing direct, protected, childcare funding to ensure the provision of lower cost more accessible childcare, with the Scottish government receiving their share to invest in a Scottish childcare strategy. Current UK childcare legislation, apart from on tax credits and vouchers, is mainly based on provision in England, with devolved administrations responsible for their own strategies. Whatever the outcome of the forthcoming referendum, I believe that all funding for childcare and how it is deployed should be the responsibility of the Scottish Parliament, instead of an inefficient split between subsidies to parents and some core funding or (usually) not, dependent on different local authority budgets and priorities.

There should not be any reduction in the hard won standards of regulation around childcare and the childcare workforce in Scotland, as we have noted with concern, there are such proposals in England by the current UK government, for a sector already less well regulated than that in Scotland, on grounds of affordability. Instead it should be clearly recognised that the provision of good quality childcare requires high direct public investment in the supply of childcare.

In terms of the role of the Scottish Government I have mainly answered this in question 1 & 2 but it is, of course strategic leadership, guidance, investment and strict control of protected funding allocation.

At a Scottish local authority level there should be leadership in planning and delivering the overall national strategy developed for childcare. The previous strategy depended on local childcare partnerships, which worked well in some areas but not so well in others. We now have community planning partnerships, which could be taking a much stronger role in developing and supporting childcare, although there would be a need to ensure that they have access to relevant expertise in understanding the case for childcare and in delivering requisite support.

Learning from the previous strategy, and well aware that the level of financial investment involved then, may not be possible now, Scottish government funding of childcare should be based on the type of ring fenced system which previously applied to workforce development funding. For example, requiring evidence based applications derived from an analysis of local supply and demand, identifying new places needed, or existing places to be subsidised, with monitoring reports on how this funding has been distributed and outcomes met (this could be every three years to cut down on administration and to allow for development and support processes).

Local authorities also should have a role in providing development and quality support, either directly or through using the expertise of relevant agencies (national organisations such as SOSCN, SCMA, SPPA, NDNA) and in consulting with parents and children on their needs (again direct or using expert agencies like CIS, Children’s Parliament).

Under GIRFEC there are many opportunities for LAs and Health Boards to bring childcare provision into the wider frameworks of support for children and families they develop locally,
including sharing of resources, (including school premises and playgrounds) training and indeed specialist staff to childcare providers (e.g. speech therapists).

A childcare strategy should link very closely with, of course, the National Play Strategy and Action Plan and Curriculum for Excellence in terms of GIRFEC and relating to the facts that children of all ages learn through play and recreational interests, while learning takes part in all aspects of a child’s life, not only in the classroom.

To address the burden of childcare costs of families, with ongoing direct investment in the supply of childcare, we should then be able set a cap on what is charged, making childcare affordable to all. With the subsidy going direct to the provider, parents still pay to the level of the cap or lower on a means tested sliding scale, with free care for children in need, as at present, but extended to disadvantaged children too. A first step here would be enabling free holiday places for disadvantaged school children.

We need to improve the pay, terms and conditions of the childcare workforce, including their status as professionals, especially in out of school care in terms of the playwork trained and qualified staff who are not given enough recognition of their specialist skills, and we need to address to the gender imbalance in this field.

Therefore, direct subsidies to childcare services should require meeting conditions (such as, at least, the Scottish living wage minimum and evidence of pay progression for qualifications) and budgets towards training, qualifications and ongoing professional and service quality development. SOSCN has also helped services create more sustainable models of provision, and this includes peripatetic managers responsible for merged multi-site services in urban areas and indeed combined services for children across the age range in rural services to help towards sustainability. Services should still have realistic business like practice but ensure quality and staff development is at the core of their work. Free access to school premises and grounds is also a way of utilising existing resources more efficiently.

National recruitment strategies for childcare, as jobs are created or expanded, could target unrepresented groups such as men in childcare, the creation of better paid more full time posts would contribute towards improving the balance of the workforce in terms of addressing many inequalities.

In difficult economic times, with many competing priorities for national and local governments, childcare has been quite sidelined (apart from the early learning and childcare focus of the Scottish government and their promises for childcare for 1-5 year olds should Scotland become an independent country). I cannot stress enough, 16 years after the launch of the last childcare strategy, that childcare has to include out of school care and has to include children right up to age 16 who are disabled or with additional support needs.

A slight worry in recommending that tax credit funding is redeployed to childcare is that this if childcare is only viewed as only under-fives care, there would actually be a loss of funding support at all for parents using school age childcare and in turn, the services. There seems to be a lack of knowledge about out of school care as part of the formal registered childcare
landscape despite tax credits going up to age 16. For example, we had to lobby, with others, successfully, for the current UK government to include school age children in their proposed new childcare voucher scheme from the outset.

Childcare is as much part of the economic infrastructure of a country as roads, bridges, transport and tele-communications. Investing in children is investing in the future yes, certainly, but we need to also address the quality of their lives in the here and now.

To escape poverty and disadvantage, parents need to be able to train, or retrain, find and keep work that pays, and in doing so they need the security of knowing their children are happily playing or engaged in activities with friends and well trained qualified staff in high quality childcare services. For children experiencing poverty and disadvantage a chance to go to a childcare setting to play with and meet other children, to access resources and outings, is vital to their inclusion and development in early and middle childhood too, therefore such free places should be provided within universal childcare services.

For a country like the UK (not only Scotland) with an aging society, we should support all parents and carers in being able to choose to have children without worrying that they cannot afford to do so and earn an income for the family, or to damage their careers by taking breaks or part time flexible hours. We should ensure flexible working is the norm (this is where employers have a strong role) and ideally state support for parents themselves who wish to stay at home in the first few years to care for their own children too. The provision of formal universal childcare complements and supports parent’s role in raising their children, it does not replace such important core relationships, although can also be a compensatory aid if such relationships are in need of extra support.

As ever, it will come down to economic priorities. I note that the Commission is looking for bold but realistic views on childcare. We should be bold in placing childcare as a necessary building block for economic success for now and in the future, as a central, highly prioritised, investment in our economic infrastructure. However, we should be even bolder in valuing children’s lives and the quality of their childcare, including essential play opportunities, in terms of their rights and developmental wellbeing now. We may not be able to, realistically, put a price on such everyday happiness of children accessing play and fun in formal childcare, but it can certainly be highly valued (UN, 2013).

Irene Audain MBE,

Chief Executive, Scottish Out of School Care Network, August 2014.
References

Care Inspectorate (2013) Childcare Statistics 2012, SCWIS, online


European Commission (2011) Early Childhood Education and Care: Providing all our children with the best start for the world of tomorrow

Reid, P and White, D (2007) Out-of-school care services for children living in disadvantaged areas, European Foundation for the Improvement of Living and Working Conditions


Appendix Data and Information on School Age Childcare in Scotland

As a general introduction: our Benefits of Out of School Care Video (SOSCN, 2011)
http://www.youtube.com/watch?v=jlDMi4u5k3Q

includes parent’s views on both the economic and social support they receive; as well as, of course, children's voices, while service managers discuss the benefits overall.

Quick Facts about School Age Childcare

What is it?

Often called out of school care – SOSCN uses the more descriptive term school age childcare to remind people that it is registered and regulated childcare and not out of school learning activities or cubs or brownies type clubs. The key word is often care.

Schools Out (Scottish Executive, 2003) Defines Out of School Care (OSC) as:

"services that provide care for school-age children:"

The Scottish Out of School Care Network (SOSCN) is a Scottish Registered Charity (SC020520)
Level 2, 100 Wellington Street, Glasgow G2 6DH
T: 0141 564 1284    W: www.soscn.org    Twitter: @soscn    Pinterest: soscn
• before school starts in the morning (breakfast clubs);
• after the end of the school day (after-school clubs); and
• during school holidays (playschemes or all-day care).”

And: “The range of activities provided in OSC services varies from club to club. The activities also vary depending on whether it is a breakfast club, an after-school club, a holiday playscheme or all-day care. Many breakfast clubs provide a nutritious start to the day and opportunities for play and mixing with friends. Holiday playschemes and all-day care normally include outings and visits. A general description of after-school clubs is:

’a safe environment for children with play and stimulating and developmental activities within a high-quality care setting that parents pay a fee for’.

When we talk about school age childcare we are referring to all forms of registered out of school care: breakfast clubs, after school care clubs and all-day care holiday clubs, which cater for children aged from 4 – 16 years old. Whilst the majority of children are of primary-school age it is vital to include services for children with disabilities, hence the higher age range.

2. Current level of provision of school-age childcare in Scotland (services registered with Care Inspectorate)

• School-age childcare- predominantly primary school children
• Breakfast clubs; after school clubs; holiday/all day care
• 970 OSC services, 585 holiday services, 536 breakfast clubs
• Over 50,000 childcare places
• Largest provider of play opportunities for school-age children in Scotland & majority of play qualified workforce.

2nd largest provider of childcare (registered & regulated) places in Scotland, after nurseries/all-day pre-school services.

2. Hours of provision

Full time care = 1455hours pa

• Full time term-time place = 855 hours
  – (4.5 hrs per day x 5 days x 38 weeks)
• Full time holiday-place = 600 hours
  – (10 hrs per day x 5 days x 12 weeks)
3 days care = 723 hours pa

- 3 days term-time place = 513 hours
  - (4.5 hrs per day x 3 days x 38 weeks)
- 3 days holiday-place = 210 hours
  - (10 hrs per day x 3 days x 7 weeks)

Compare with annual 600 hours early learning and care and formal education of annual 1140 hours. (6 hrs per day x 5 days x 38 weeks)

**3. Regulation and registration**

- Services registered & regulated by Care Inspectorate – majority of services’ quality of care & support Good (4), Very Good (5) or Excellent (6)
- Staff regulated by Scottish Social Services Council
- Lead Practitioner must be qualified to, or working towards, Degree Level Qualification in Childhood Practice

Same regulation standards apply for school-age childcare as pre-school childcare settings.

**4. Sector delivery of provision**

- 53% provided by voluntary sector
- 34% provided by private/independent sector
- 13% provided by public sector

Majority of school-age childcare services are not-for-profit; started by parents who also volunteer on management committees.

**European wide research** emphasises the value of school age childcare in addressing poverty and deprivation (Reid and White 2007) where the provision of such care can facilitate women in entering and remaining in the workforce and make a substantial contribution to children’s welfare. In disadvantaged areas, out-of-school care can contribute to tackling poverty and problem behaviour.

**Various evaluations of the Out of School Childcare Initiative**, especially the Final Evaluation Report, Annex 1, [http://www.biglotteryfund.org.uk/global-content/research/uk-wide/out-of-school-hours-childcare-year-three-evaluation-report](http://www.biglotteryfund.org.uk/global-content/research/uk-wide/out-of-school-hours-childcare-year-three-evaluation-report) by the then New Opportunities Fund, now BIG Lottery, showed that there were significant and positive labour market impacts of investing in school age childcare for families and communities.

**Models of Provision**
In terms of models of provision there are not any real constraints in terms of legislation but instead, financial viability. There are voluntary sector services, which are charitable and non-charitable, companies ltd by guarantee, not-for-profit companies, and Scottish Incorporated Charitable Organisations (SCIO); there are private companies which are companies, sole traders, partnerships, cooperatives... there are a variety of large and small providers. Most school-age childcare services are stand-alone whilst some are attached to nurseries.

Children in Need

http://www.scotland.gov.uk/Publications/2004/10/20066/44713Listen

Scotland's Children

The Children (Scotland) Act 1995 Regulations and Guidance

Volume 1 Support and Protection for Children and Their Families

Chapter 5 Day Care Services

1. Local authorities have a duty to provide day care for children in need within their area who are aged five or under and who have not yet started school. They may also provide day care for such children who are not deemed to be children in need. In addition local authorities have a duty to provide appropriate care for school-children in need within their areas outside school hours and during school holidays, and a similar power in respect of school-children who are not in need. Children in need entitled to day care services include children with and affected by disabilities. A local authority may also provide facilities, including training, advice, and guidance and counselling for those who accompany children whilst they are in day care, such as parents or other carers. 

Section 27

Section 27(2)

Day care provision

2. Day care services offer opportunities for children to broaden their experiences and learning, and to enhance their social and educational development. Such services may also benefit parents. Services should be responsive to the changing needs of children and their families and should be accessible, reliable and flexible to meet the needs of parents and children, and provide good and safe basic care.