

To: Education and Children's Services Policy Board

On: 23 August 2018

Report by: Director of Children's Services

Heading: Response to the Scottish Government Consultation on Early Learning and Childcare Service Model for 2020

1. Summary

- 1.1. At present children aged 3 and 4 and eligible 2-year olds are entitled to 600 hours of funded early learning and child care. The Scottish Government has indicated that the funded hours for children will increase to 1140 in 2020.
 - 1.2. On the 29 March 2018, the Scottish Government published a consultation paper on the blueprint for 2020: the expansion of early learning and childcare in Scotland - <https://consult.gov.scot/children-and-families/service-model-for-2020>. Responses to the consultation were required to be submitted to the Scottish Government by 29 June 2018.
 - 1.3. Children's Services submitted a response to the consultation indicating it was a draft and required consideration by the Education and Children Policy Board. A copy of the draft response to the consultation from Renfrewshire Council is attached as appendix 1 of this report.
-

2. Recommendations

- 2.1 The Education and Children's Services Policy Board is asked to:
 - (i) consider the draft response; and
 - (ii) homologate Renfrewshire's response to the consultation relating to 'Early Learning and Childcare Service Model for 2020' which was submitted to the Scottish Government by the due date of 29 June 2018.

3. Background

- 3.1 Currently, under The Children and Young People (Scotland) Act 2014, children aged 3 and 4 years and eligible 2-year olds are entitled to 600 hours of funded early learning and childcare per annum. Renfrewshire Council has fulfilled this duty by ensuring that a range of options, including attendance at a Renfrewshire Council service or a service provided by an independent or third sector provider on the framework agreement, is available for eligible children. The Scottish Government is committed to increasing the level of entitlement from the current level to 1140 hours per annum by 2020.
- 3.2 The Scottish Government has outlined their proposal to introduce a new and more progressive service model by 2020 to ensure that funded early learning and childcare entitlement is delivered in high quality settings. It is the Government's intention to develop a model where the 'funding follows the child', a key aspect of which will be a National Standard that all providers wishing to deliver the funded entitlement will have to meet. A service models working group, which included representation from the Scottish Government, COSLA and local authorities are working to develop the details of this new model.
- 3.3 The consultation paper on 'A blueprint for 2020: the expansion of early learning and childcare in Scotland - early learning and childcare service model for 2020' is seeking the views on the proposed 'funding follows the child' model. Responses to the consultation were required to be submitted to the Scottish Government by 29 June 2018.
- 3.4 Renfrewshire's response to the consultation includes the views of; Renfrewshire Council's heads of centres; primary head teachers with early learning and childcare classes; council officers from within children's services; owners and managers from childcare services that are currently in partnership with Renfrewshire Council to deliver early learning and childcare; and childminders.
- 3.5 Renfrewshire's response to the consultation is attached as appendix 1 to this report.

Implications of this report

1. Financial Implications

The Scottish Government is funding the expansion of funded early learning and childcare from 600 hours to 1140 hours. The cost of delivering the expansion will be contained within the financial resources provided.

2. HR and Organisational Development Implications

None

3. Community/Council Planning

- | | |
|------------------------------|-------------------------------------------------------------------------------------|
| Our Renfrewshire is thriving | - Ensuring the best start in life for children and young people. |
| Our Renfrewshire is well | - Early intervention will lead to healthier outcomes for children and young people. |

Our Renfrewshire is safe	- Local services will benefit children, young people and members of the community.
Building strong, safe and resilient communities	- The quality of community life is enhanced by supporting parents, children and young people.
Tackling inequality, ensuring opportunities for all	- Effective governance arrangements ensure that the organisations receiving funding comply with legislative requirements.
Creating a sustainable Renfrewshire for all to enjoy	- Support to families and flexible childcare placements will support parents into and sustain employment, training or enter education.

4. Legal Implications

None

5. Property/Assets Implications

None

6. Information Technology Implications

None

7. Equality and Human Rights Implications

The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations.

8. Health and Safety Implications

None

9. Procurement Implications

None

10. Risk Implications

None

11. Privacy Impact

None

12. Cosla Policy Position

Cosla is involved in negotiations with the Scottish Government regarding the expansion of 1140 hours of early learning and childcare.

List of Background Papers

- (a) A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland, The Scottish Government, 2017
- (b) A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland - Early Learning and Childcare Service Model for 2020: Consultation Paper, The Scottish Government, March 2018

The foregoing background papers will be retained within children's services for inspection by the public for the prescribed period of four years from the date of the meeting.

The contact officer within the service is Kathleen McDonagh, Education Manager, 0141 618 7196, Kathleen.mcdonagh@renfrewshire.gov.uk

KMcD/JT/SQ
9 March 2018

Authors: Judith Thomas, Early Learning and Childcare Development Officer, Judith.thomson@renfrewshire.gov.uk and Kathleen McDonagh, Education Manager, 0141 618 7196, kathleen.mcdonagh@renfrewshire.gov.uk

Early Learning and Childcare Service Model for 2020: Consultation Paper

Consultation 1140

Renfrewshire Council have consulted with a range of practitioners and managers from within the local authority, funded providers who are in partnership with the local authority and childminders from within the Renfrewshire area. The response reflects the views of those professionals who participated in the consultation.

Question 1:

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

Renfrewshire Council has established practice for procuring early learning and childcare provision from the independent sector. It is the view of current providers that the process could be reviewed to increase the contract time of the partnership agreement, our contract time is usually for 2 years with an opportunity to extend for a further 2 years. An approach to becoming a funded provider that considers the needs of families within the local authority area is essential. Standardising the expectations in relation to quality criteria across the country would be welcomed. All providers believe that the assessment of quality within any service is crucial to the sustainability of an agreement to be a funded provider. We believe that the local authority has a role in the quality assurance of services and would continue to do this using the new single shared standard. Both Education Scotland and Care Inspectorate have an important role in assessing the quality of provision. There needs to be clarity in the new national standard and the models used to assess provision to ensure consistency of approach through the inspection process. If the inspection model is to change there requires to be a recognition of the different skill sets of the existing inspection bodies and the necessity of this to ensure that quality is retained within both education and childcare. Partner providers within our local authority are keen that there is a standardised national agreement depicting the length of time they require to be operating before they can apply for partnership status; however, the local authority would need to be assured of their sustainability as a business to ensure stability and accessibility for children and families. Ensuring accessibility of provision within areas is also a key factor for Renfrewshire which may mean the inclusion of relatively new services. To ensure high quality early learning and childcare the criteria must be clear and applied consistently, including for relatively new providers. Childminders commented on the new standard by stating that to give families the choice of setting most suitable for their child they would welcome an option for them to become a funded provider through the local authority's procurement process.

From a Council perspective there continues to be a level of uncertainty and lack of clarity particularly in relation to the new national standard and the initial baseline for any prospective funded provider. Clarity around the expectation on Councils to improve the to improve the quality of provision in Provider establishments would be welcomed.

Question 2:

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

All professionals consulted believe that children and families should access a service underpinned by quality, flexibility, affordability and accessibility. Renfrewshire Council currently focus on this belief and support partner providers within their partnership agreement to deliver and continually improve a high level of quality early learning and childcare. They are committed to ensuring the same high-quality service across local authority and funded providers, thus ensuring children have the best start in life and supporting the closing of the attainment gap. In delivering a 'provider neutral approach' the level of agreement with providers would require to be clear about the expectation on continuous professional development of practitioners. Our current partner providers are currently supported and monitored to ensure the quality of services are sustained at a high standard to ensure that they are continually on a journey of improvement. This level of support is welcomed by our partner providers. Developing the workforce will be key and the payment of the 'living wage' will support the sustainability of the workforce within all providers. There is a concern about the proposal that the living wage is only to be paid to those delivering the 1140 hours, therefore an unnecessarily two-tier approach.

Families should have the choice of where their child accesses the 1140 hours of early learning and childcare and in doing this there needs to be agreement that regardless of where children attend this needs to be free at point of delivery to ensure a 'provider neutral' system.

Question 3:

(a) 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?

Renfrewshire Council would welcome the introduction of a qualified workforce across all areas of early learning and childcare. This would ensure that through the choice of provision families can access a consistent standard of quality across all options available to them. As part of this requirement there will be an opportunity for childminders to access professional development opportunities, keeping their practice current and in line with other funded providers. Childminders within the area have welcomed this suggestion and view this as a positive change in raising the profile of their service in line with other early learning and childcare options for families. Some have raised concern that if this requirement is put in place there could be current providers who would decide to withdraw the service they provide or not pursue being a funded provider which would make the sustainability of their service in the long term questionable.

(b) 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?

Renfrewshire Council continues to provide opportunities to the childcare workforce to access training to enable them to meet SSSC requirements. Childminders can currently apply for funding through the workforce development fund for continued professional development (CPD) opportunities and to pursue a qualification. They can also apply for funding and access additional training through the SCMA. There are a variety of flexible options available that would also ensure that they continue to meet the needs of the service they provide. Renfrewshire Council work closely with the local Further education college to provide training that can be accessed out with the working day. Councils would require ensuring that within their workforce

plans there is a commitment and timeline to support the training of childminders to gain the required qualification.

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?

The pedagogical approach to children's learning considers children's learning across a range of learning environments. A quality provision would need to consider this within their rationale of what quality early learning and childcare is to them and in doing this the setting would need to provide access to quality outdoor learning for all children daily. Within the standards there should be a greater focus stated on the quality of outdoor learning. This should refer to learning and to the curriculum to ensure that all funded providers both within the local authority and partners are focusing on the purpose to the outdoor learning taking place. An emphasis on the training of staff to provide quality experiences and opportunities within the outdoor environment could be enhanced within criteria 3. Education Scotland inspections and evaluations should be considered within the statements to ensure that there is a holistic view of the quality of early learning and childcare taking place.

What challenges, if any, exist for funded ELC providers to ensure children have access to outdoor play? How can these challenges be overcome?

The immediate environment can hinder the opportunities children have to access the outdoors due to limitations within existing buildings, this is the case within a number of local authority and funded providers. All providers need to be supported to think beyond the immediate establishment outdoor space to spaces within their local community. Funding can be a challenge for providers and in particular for childminders to purchase appropriate clothing for children to enable them to access outdoors throughout the year. There are training implications for all practitioners to gain the expertise on the provision of high quality learning and teaching outdoors as a holistic part of the early learning and childcare experience.

5(a) Will the criteria set out in the draft national standard:

- **Ensure that high quality, accessible, flexible and affordable Early Learning and Childcare is delivered in all funded provider settings?**
- **Support increased choice for parents and carers?**

The explanation on what the funding follows the child approach and being provider neutral looks like sets out the objectives of the national standard. It is expected that the model created will allow any prospective funded provider to establish what they would need to achieve to become one'. The emphasis of high quality needs to be strengthened throughout each criteria within the standard to capture the importance of this thus enabling all providers to understand the expectations on them and meet the standard. There needs greater clarity throughout the standards with greater emphasis placed on the quality aspect within each.

It is difficult to comment on the extent on which the national standard will support the above given that the standards are still being developed.

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

Pedagogical leadership is an essential part of the success of a high-quality service. This is an aspect that should be included to ensure that funded providers have leaders in place that can put learning and teaching at the heart of what they do. Throughout the standards there is an emphasis on the local authority to oversee the funded providers in their area. There should be greater emphasis on the responsibility of providers to ensure that their own service is being driven by highly effective pedagogical leaders. This approach will ensure that all services are of the highest standard and delivering a quality service to the children in their care. Funded providers need to be thinking beyond 'good' to achieve excellence for all.

At this stage it is difficult to determine if the draft national standard will effectively address the four principles of the Scottish Government's Blueprint for 2020 - quality, affordability, flexibility and accessibility – across all providers.

(c) 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?

The proposed criteria seem fair and proportionate but need to be enhanced as discussed above. The baseline assessment of quality is stated as 'good', this should be emphasised to include that all should be aspiring to achieve excellence for all children. The childminders shared that they would want to achieve the same standards as others within the early learning and childcare profession to ensure that they viewed as an equitable professional within the service. Renfrewshire Council believes that childminders should achieve the same standards as other providers.

Like many Councils, Renfrewshire has some concern about the additional responsibility and expectations of them under the new provider neutral approach, greater clarity of the role of councils is required.

6. What areas would you like to be addressed in the technical guidance note for supporting implementation of the ELC Living Wage Commitment?

Renfrewshire Council welcomes the principle of increasing pay rates in the independent sector. There is however angst amongst existing partnership providers that a two-tiered system is being created by having a structure where those delivering the entitlement receive the living wage and others within a setting being paid less. This type of structure would restrict movement of staff within a service and inhibit the overall deliver of a service. Professionals working within the early learning and childcare sector have a very strong understanding of the importance of the earliest years of a child's life and the need to get it right. There is also a concern that by imposing a two tier model the most inexperienced and unqualified staff could be working with our most vulnerable children, those children who are not eligible for early learning and childcare. There should be equity across the setting for all staff, this will help with staff retention across services.

Clarity is required from the Scottish Government about future uplifts to revenue funding beyond 2020/21 to ensure that future commissioning rates enable funded providers to maintain the Living Wage commitment.

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?

It is recognised that a probationary approach would develop a greater choice for families as they plan the early learning and childcare for their children. However, our view is that the probationary period would need to be specific in the length of time from becoming a funded provider to receiving their first inspection to assess the quality of the service. The measure of this prior to inspection would be the responsibility of the local authority. This has the potential to become a major part of the local authority's role dependant on the number of new services who are in a probationary period and exacerbate concerns about inconsistencies on judgement. There is also a concern that if families choose to place their child within a probationary setting and the quality falls short of the required standard children could be required to be placed elsewhere so that parents can receive the funding. The level of risk from this approach could outweigh any benefits.

Further clarity is required on the role of the local authority during this time in relation to making an assessment against the new standard on the quality of practice until the service has its first inspection.

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?

There is a concern amongst existing partner providers regarding the retention of practitioners within their workforce as a result of the 1140 expansion, movement amongst practitioners across the local authority and partner providers is already evident. Ensuring the quality of the services will be a challenge moving forward as providers employ inexperienced staff into the service and to upskill them to the high standard we should expect for our children. This will happen but will take time to develop. Providers will require support to maintain and upskill their staff. Across the country they will require time to reflect and understand the new standard and inspection regime prior to the full implementation of the 1140 expansion.

It is difficult to provide a confident view on what we expect the requirements to be given that the standard is still in draft form and the future inspection framework unknown.