

Extending The Free Early Education Entitlement: Discussion Document on a New Code of Practice

Response Form

The closing date is: 8 July 2009

Your comments must reach us by that date.

department for
children, schools and families

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The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

Please tick if you want us to keep your response confidential.

Name Andrew Fletcher
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Address: Royal Court, 81 Tweedy Road, Bromley Kent BR1 1TG

If your enquiry is related to the policy content of the consultation you can contact Greg Thompson on:

Telephone: 0207 925 5551

Email: gregory.thompson@dcsf.gsi.gov.uk

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 311

e-mail: consultation.unit@dcsf.gsi.gov.uk

Please mark an X in the box below that best describes you as a respondent

<input type="checkbox"/> Parent / Carer	<input type="checkbox"/> Private early years provider - sessional / full day care	<input type="checkbox"/> Voluntary early years provider - sessional / full day care
<input type="checkbox"/> Independent school	<input type="checkbox"/> Maintained nursery school	<input type="checkbox"/> Maintained nursery class
<input type="checkbox"/> Childminder	<input type="checkbox"/> Networked childminder	<input type="checkbox"/> Other early years provider (please specify)
<input type="checkbox"/> Local Authority	<input type="checkbox"/> National x organisation (please specify)	<input type="checkbox"/> Other (please specify)

Please Specify:

The National Childminding Association (NCMA) is the only national charity and membership organisation that represents home-based childcare in England and Wales, delivered by registered childminders and nannies, with approximately 50,000 members. We promote quality home-based childcare so that children, families and communities can benefit from the best in childcare and education. Working in partnership with Government, Ofsted, local authorities, children's centres, extended schools and other childcare organisations, we aim to ensure that every registered childminder has access to services, training, information and support to enable them to provide a professional service. NCMA offers to work with all local authorities across England (and Wales). We also aim to ensure that everyone who supports registered childminding has access to the information, training and support they need.

What is your job role?

Comments:

I am NCMA Joint Chief Executive.

This question relates to paragraphs 25-33 of the discussion document.

1 Does this delivery model provide the right balance between nationally set principles and parameters and a locally determined entitlement?

Yes

No

Not Sure

Comments:

NCMA welcomes the Government's commitment to a more flexible approach to delivering the free entitlement which is being proposed. Clearly, this is a delicate balancing act between setting a robust and consistent framework as part of the Code of Practice, while ensuring sufficient flexibility for local authorities and providers to address local need. In broad terms, the proposals outlined in the discussion document strike this balance effectively.

For an extended, flexible offer to be fulfilled locally, more childminders need to be able to become accredited to deliver the free entitlement and this places an emphasis on local authorities to establish childminding networks to allow this to develop. NCMA is therefore delighted by commitments in the document to the importance of childminding networks as a means of broadening the range of providers delivering the free entitlement and of driving up quality in home-based childcare. We would urge the Government to maintain its position to make it a requirement of local authorities to make a network available in statutory guidance.

This question relates to paragraphs 25 -27 of the discussion document

2 Are the nationally set parameters the right ones? If not what changes would you like to see?

Yes

No

Not Sure

Comments:

NCMA agrees that three days is an acceptable minimum for claiming the free entitlement, as is the two 2-hour minimum session length.

NCMA understands the DCSF's rationale for a 10-hour session giving potentially greater flexibility for working parents. However, we feel that, for a child, a 10-hour session is too long. Whilst many young children are in sessional day care or with a childminder for 10 hours or more a day while parents work and commute, we would challenge if the EYFS is being received effectively for all of that time, as young children need time to sleep and rest – particularly 2- and 3-year-olds. In addition, young children's concentration and best learning will not occur towards the end of a busy 10-hour day. Children aged 5 and over in statutory school provision are only expected to 'learn' for approximately five hours a day, so NCMA believes that higher expectations should not be placed on younger children.

NCMA believes it would be better for these younger children, particularly those from vulnerable and disadvantaged families, to have shorter more frequent sessions while they are fresh and receptive, which would have more impact. Session lengths of six hours would coincide with school hours when parents/carers would be collecting older children and could also collect younger children.

In addition, the number of providers should be kept to a minimum to ensure continuity for the child and least disruption. It also allows the child to develop meaningful and trusting relationships with a smaller number of adults and children. In general NCMA feels two providers would be appropriate with the opportunity to allow three providers to allow for shift working patterns and other exceptional circumstances.

Such exceptions might need to be made, for example, for Traveller families and also children from separated or divorced parents who spend part of the week with one or other parent which may require complicated childcare arrangements to enable both parents to have joint custody and access the free entitlement.

NCMA would urge the Government to make it a requirement of local authorities to make a network available in statutory guidance and this should be included within the national parameters for delivering the free entitlement. This requirement would ensure a fair opportunity for all providers who wish to deliver the free entitlement to do so, offering families the widest possible choice and flexibility.

This question relates to paragraphs 27-32 of the discussion document.

3 Does the process for reaching a locally set entitlement properly balance the need to respond to parental demand (including the needs of those least likely at present to take up a full free entitlement) with the need to ensure delivery is practical and sustainable for early years providers?

Yes

No

Not Sure

Comments:

Again, NCMA is encouraged by the Government's commitment to make it a requirement of local authorities to make a network available in statutory guidance. This should be reflected within this process as part of the local authority assessment of what is available in terms of capacity. For years, childminders have filled the gaps in childcare for working parents. They have undertaken a great deal of the wraparound care, running children to and from provision and activities enabling parents to work, knowing their children will be collected and cared for until they get home. Childminders often act as the parent's safety net when they have to work late, are caught in traffic, or when other provision closes or childcare arrangements fail.

NCMA believes the plan to encourage local authorities to form agreements with local providers and between groups of local providers sounds like a good idea in principle and could be mutually beneficial, particularly for the children and families. A childminding network would be an excellent way to achieve this, with local group day care provision establishing a partnership with a local childminding network.

It is vital however not to compromise on quality provision, even if it does maximise take up. If parents or children have a negative experience with a setting it may make them think twice about taking up the flexible provision elsewhere.

In addition there is a need to ensure that the fee they receive for doing so is reflective of the high quality care they provide in their setting. Any funding formula must at least be as much as the local hourly rate for childcare or flexible provision places will be minimal. NCMA urges that the funding formula must allow settings to be able to at least break-even and remain viable as businesses. To provide genuine flexibility additional costs may be incurred for unsocial hours or weekend work.

This question relates to paragraphs 27-32 of the discussion document.

4 Do the requirements for consultation with providers strike the right balance between the need to consult and our desire to limit bureaucracy in delivering the free entitlement?

Yes

No

Not Sure

Comments:

Consultation with local parents and providers is crucial to ensuring the market is managed effectively and that parents are able to have choice and flexibility in how they use their free entitlement. It is essential therefore, that parents needs are considered as the starting point and informed options presented to them.

NCMA is keen that childminders are an essential part of any local consultation process but welcomes the Government's desire to limit bureaucracy in delivering the free entitlement. Childminders need to be encouraged to join networks and to see the free entitlement as an opportunity to widen their setting and strengthen its sustainability. Given that the large majority of childminders are single person businesses without administration support, it is crucial that bureaucracy within local consultation processes is kept to a minimum.

This question relates to paragraph 34 of the discussion document.

5 Is there a useful role for agreements between providers and parents in helping to manage the practicalities of delivering a more flexible entitlement?

Yes

No

Not Sure

Comments:

NCMA believes agreements between providers and parents could be useful but again would stress the need to limit the amount of bureaucracy linked to paperwork and administration surrounding delivering the free entitlement.

In addition, while local agreements might require different detail, NCMA would encourage the DCSF to use its experience with pathfinder local authorities to develop standardised formats to be used to ensure that administration is managed effectively.

This question relates to paragraph 35 of the discussion document

6 a) Do you agree that all LAs should be required to establish childminder networks, to enable childminders to deliver the free entitlement?

X Yes

No

Not Sure

Comments:

NCMA strongly supports this requirement of local authorities and we welcome the Government's commitment to ensuring networks are developed in every local authority. This development will provide excellent benefits for parents and children and the opportunity for a wide choice of childcare options for families. It is vital that there is a level playing field for all childcare providers, including childminders and this proposed step forward will ensure childminders can deliver the free entitlement if they want to, rather than being reliant on the local authority.

NCMA believes it is crucial that "robust" network is clearly defined in the next stage of the consultation. NCMA has developed a proposed network model that it believes would allow a larger number of childminders to become network and accredited childminders. The vision behind this proposed model is that all local authorities facilitate the development of robust networks linked to every children's centre giving all childminders the opportunity to access a network in every community. It would provide flexible provision to meet children and families differing needs and working patterns, and allow families alternative options to access the free entitlement of education for 3- and 4-year-olds. Childminders can offer the extended flexible entitlement as they are home-based and can usually extend their hours without incurring any additional staffing or capital expenditure costs. Networks can support widely-dispersed communities and rural areas where there may not be the demand to sustain a nursery or it may be too far to travel. Networks can also support community regeneration as childminders run their own businesses, and increased childcare in the area enables others in the community to return to work. Increased network provision will: improve outcomes for children and families; raise the quality of home-based childcare provision; help to ensure equality and inclusive practice; ensure local safeguarding children board policies and procedures are adhered to; encourage self-reflective practice; and promote integrated working and facilitate partnerships. NCMA has also developed the key attributes that all childminders on the network must have, and the key aspects of each network to ensure quality.

The proposed NCMA robust network model does include the recommendation that assessment and verification is carried out every three years. The verification is to ensure quality is maintained and it is also in line with the NCB National Quality Improvement Principles. Self-evaluation is a very useful tool to improve practice for provision when the management is committed to the

process. However NCMA would argue that without external verification, as Ofsted does with childminders, self-assessment potentially loses its impact, particularly with provision which does not have robust management and leadership systems in place. Quality can slip and poor quality can become the norm without any external checking mechanism.

There are also wider benefits linked to childminding networks. Research has shown that quality assurance leading to accreditation is linked to higher quality service provision. One study identified several key characteristics of effective quality assurance schemes. The content of written materials, and the procedures involved in working towards the achievement of accredited status, were both identified as important. It was established that effective quality assurance schemes review the content of their materials and their procedures regularly in the light of new evidence concerning best practice. It has also been shown that quality assurance schemes help parents choose good quality provision for their children. For example, among parents in Nottingham who knew whether their setting was accredited, 44 per cent said that accreditation was a factor in their choice of provider.

NCMA believes that there will be some challenges with this proposal for every local authority to establish a network but these can be overcome with planning and partnership work. It is vital that the Single Funding Formula is used to enable childminders to receive a fair rate to ensure flexible provision choice is available to support all families. In addition, the new network provision will need to be communicated to all childminders with a drive from central Government and supported locally to encourage network membership.

This question relates to paragraph 35

6 b) Do you think this strikes the right balance between ensuring flexibility and a level playing field, with the need to deliver high quality provision?

Yes

No

Not Sure

Comments:

NCMA believes by requiring all local authorities to establish a network this will help to achieve a level playing field for childminders and also offer local authorities increased flexibility and options to deliver the free entitlement and support families.

Ofsted inspection data shows that those providers who take part in a quality assurance scheme are more likely to provide good or outstanding care and early education. For example, figures released last year showed that 85 per cent of childminders taking part in a quality assurance scheme provide good or outstanding care for children, compared with 59 per cent of those who are not. Providers reported that other benefits of taking part in a quality assurance scheme included increased confidence, an improvement in reflective practice and participation in training and the opportunity to use portfolios prepared during the quality assurance process to demonstrate the quality of provision to parents and inspectors. All of these aspects benefit the children and families that the provider is working with.

Networks would also provide local authorities with a vehicle to deliver training to all childminders much more easily and this was seen during the roll out of the EYFS in areas where robust networks that are well attended are established allowing the cascading of information and training sessions to be held more efficiently.

NCMA is keen to stress the need to support childminders in committing to joining networks, becoming accredited and undertaking training, which involves additional work outside of their childminding hours on top of the requirements of EYFS.

There is a need to identify “high quality” provision fairly between different settings when comparing like for like to ensure childminders, for example, are fairly compared to a group setting where there may be a Graduate Leader or complex management systems in place.

There is also the issue which has already been addressed in this response about using the Single Funding Formula appropriate and whether a childminder can expect a higher level of funding for their free entitlement provision based on the qualifications they gain.

This question relates to paragraphs 37-41 of the document

7 What would you identify as the main challenges to delivery of an offer which can be ‘stretched’ over more than 38 weeks of the year? And how can those challenges best be overcome?

Comments:

NCMA would anticipate that the main issue with this would be faced by settings who close during school holidays. This is not the case for the majority of childminders, with NCMA's recent member survey showing that over 90 per cent of childminders run their businesses throughout the year.

One solution may be for childminders to share the delivery throughout the year of the free entitlement with settings that close for periods of time to ensure children receive their early years education when one setting is closed.

This question relates to paragraph 37-41 of the discussion document.

8 Do you think it would be feasible to deliver a stretched offer in your area, for all parents who want it, by 2012? If not by then, what would be a sensible date?

Yes

No

Not Sure

Comments:

This would need to be established through consultation with the local authority and providers in each area, taking into account parental demand.

This question relates to paragraphs 42-46 of the discussion document.

9 Should we put an expectation in the Code of Practice that local authorities deliver the free entitlement through providers who are leading the way in terms of quality and continuous improvement?

Yes

No

Not Sure

Comments:

NCMA supports high-quality childcare as part of its vision to help every child reach their full potential. To ensure that registered childminders who offer the free entitlement to early years education are of a high quality, they must join a recognised quality improvement scheme, such as NCMA Children Come First childminding networks. Childminders must hold a level 3 qualification before they can start delivering the free entitlement. Going forward, a defined robust network model should continue to require childminders to hold or be working towards a level 3 qualification as a minimum.

However, NCMA would encourage the DCSF to issue national guidance to assist local authorities with their interpretation of who is 'leading the way in terms of quality and continuous improvement' to ensure the expectation is fair and consistent, particularly when comparing different types of providers.

This question relates to paragraph 50 of the discussion document

10 Are "provider agreements" on the free entitlement the right way to set out expectations around quality?

Yes

No

Not Sure

Comments:

NCMA is committed to quality improvement and believes that providers of the free entitlement should be high quality which, for childminders, can and should be monitored through the accredited network system. As outlined earlier, this assurance of quality should be met by the external verification of childminding networks on a regular basis.

We would have concerns that written agreements such as those being proposed could undermine the existence of diverse childcare provision which is responsive to the local needs of parents. Childminders may be unfairly penalised if these agreements did not reflect the unique, flexible nature of their setting and this should be taken into account, along with accessibility issues, when any training attendance demands are made, as experience has shown that many training courses and sessions aimed at childminders take place at a time that they are not able to attend due to their contractual childcare commitments.

11 Are the principles in paragraph 52 appropriate parameters for delivering improved quality in the free entitlement? Are there other principles which should be applied?

<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

NCMA believes that a further principle should be included which states local authorities must offer a network for childminders, even where they deem there to be sufficient supply of alternative providers delivering the free entitlement.

Again, NCMA would urge the principles to be tightly monitored to ensure the unique, flexible nature of the childminding setting does not impact negatively on the perceived ability to deliver the free entitlement when compared like for like with other providers where childminders are working on their own and may, for example, not have a Graduate Leader in the setting or hold EYP status.

This question relates to paragraphs 53-54 of the discussion document.

12 Do you agree that local authorities should incentivise quality through the use of a quality supplement in their local funding formulas? What factors would it be useful for LAs to take into account when deciding on how to build quality supplements into their funding formula?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

NCMA would welcome this kind of incentivising however it is vital that it is open equally to all types of providers, despite their different settings. A quality incentive and supplement to outstanding provision would be an incentive to all provision to improve their practice but it must be inclusive and offered to all provision, including all network childminders who meet the standards. NCMA would urge guidance to be issued on the Single Funding Formula to ensure consistency across all local authorities with the allocation. In addition it is clear that the funding in some areas is very low per hour through the free entitlement payments.

NCMA would encourage the DCSF to consider and use a range of different factors for a quality supplement including qualifications.

This question relates to paragraphs 55-56 of the discussion document

13 Do you think that the Code should encourage local authorities to fund childminders to deliver free entitlement provision only where they have a Level 3 qualification?

Yes

No

Not Sure

Comments:

NCMA supports high-quality childcare as part of its vision to help every child reach their full potential. To ensure that registered childminders who offer the free entitlement to early years education are of a high quality, they must join a recognised quality improvement scheme, such as NCMA Children Come First childminding networks. Childminders must hold a level 3 qualification before they can start delivering the free entitlement at the moment and NCMA believes it is vital for this standard to be maintained. NCMA's own members have set themselves the challenge to be level 3 qualified within five years of registering by 2015, in line with the Government's vision outlined in the Next Steps for Childcare document.

While stressing that childminders need ongoing support to achieve a level 3, NCMA supports level 3 continuing as the benchmark for delivering the free entitlement.

Evidence gathering

14 a) What types of flexible provision work well for a) full day care and b) sessional providers? What is the impact on each of these categories of providers of contributing to a local flexible offer?

Comments:

N/A

Evidence gathering

14 b) To what extent do providers offer hourly provision and not just fixed sessions?

Comments:

N/A

Evidence gathering

15 What are the challenges in your area to implementing flexibility, and how you are overcoming them?

Comments:

N/A

Evidence gathering

16 What is your experience of working in partnership to deliver a flexible offer: the challenges and benefits, and the different types of partnerships which operate in your area?

Comments:

The following case study shows a childminder working in partnership with a local nursery:

Jane Dring is a registered childminder on an NCMA Children Come First network in Ramsgate, Kent, providing early years education working in partnership with local nurseries. Jane is part of the East Kent Network and the network has been set up for four years. She is an accredited childminder and has been able to offer free nursery education place for three years. Jane was the first childminder in Thanet to be able to do this.

Jane told NCMA:

“I had done all my training up to a level 3 and I wanted to move in to a different area of childminding. When I suggested it, some of the parents wanted to me to provide their child’s free nursery education. I love working with young children, so I was able to carry on working from home and still provide nursery education.”

Jane has already been able to provide one little boy’s entire early education programme. She has a couple of children whose early years education will be shared with the nurseries they also attend. Jane believes this is a good idea, so

that when they start school they will be able to handle larger group settings. Both children go to different nurseries and the settings share the funding. Both the childminder and nursery fill in a form about how many sessions Jane does and how many sessions the nursery does.

Evidence gathering

17 Do providers in your area consult with parents about the patterns in which they wish to access the free entitlement? How does this consultation help you shape your local offer?

Yes

No

Not Sure

Comments:

N/A

Evidence gathering

18 Do you have delegated conditions or written agreements in place between LA and PVI providers?

Tell us what works well and what doesn't work well and how you balance implementing these arguments with the need to minimise burdens?

Yes

No

Not Sure

Comments:

N/A

Evidence gathering

19 Tell us about your local childminder network: the model you use; how you established it; the proportion of childminders in your area who belong to it and whether it is open to all childminders. Or, if you have not established one, tell us why.

Comments:

The following case studies are being submitted as evidence of networks:

The Doncaster Childminding Network is specifically focussed to recruit, assess and monitor registered childminders who will specialise in providing high quality care and early years education for families with disabled children or children with learning impairments.

Recently a group of registered childminders have successfully completed the NCMA Children Come First initial assessment process and in addition to this have completed and met the additional standards required for the accreditation as early years education providers.

Interest in the network is increasing and there is a waiting list of childminders in Doncaster who wish to become part of the initial assessment to join the network.

The Doncaster Childminding Network is currently small in number but huge in terms of the childminder's professionalism, experience, commitment and quality. They have successfully secured placement of a number of children and are working closely in partnership with parents and also other associated professionals. Feed back from parents to date has been very positive and outcomes for individual children have clearly been improved as a result of the placements with network childminder's offering this specialised, inclusive and personalised service to children and their families.

With a rapid growth of Children's Centres in the Hampshire area and the introduction of the EYFS, Hampshire Local Authority required a greater number of quality-assured network childminders to support the delivery of the free early education entitlement.

Hampshire CCF Network decided to change the way it works to offer wider support to the county's large childminding community, consisting of around 2,600 childminders. A new all-inclusive CCF model was developed, shifting the emphasis to building and improving the quality of practice of less experienced childminders, as well as supporting those childminders who already have a high level of experience and relevant qualifications. The benefits of this change has meant that the general quality of Hampshire childminders has improved in terms of Ofsted outcomes and, as a result of this improvement, childminders can offer a higher level of service to the community. Using this integrated scheme, Hampshire CCF Cluster Network has been able to increase the number of childminders joining the network, and improved their quality as childcare providers very quickly. There are currently approximately 250 childminders who are part of the scheme.

Evidence gathering

20 What demand for a "stretched" offer have you identified in your area, and how are you meeting this demand?

Comments:

N/A

Evidence gathering

21 How are Local Authorities using free entitlement funding and provider agreements/delegated conditions to drive quality improvement?

Comments:

N/A

Evidence gathering

22 Do you have examples of best practice - where Local Authorities are using delivery of the free entitlement particularly effectively in improving quality? Are there examples where Local Authorities efforts to improve quality are having a negative impact?

Comments:

N/A

Evidence gathering

23 What quality principles or criteria do you use in relation to the Free Entitlement to drive quality improvement locally? How do you monitor or measure improvement?

Comments:

N/A

Evidence gathering

24 Is a quality supplement included in your local funding formula (where there is a single funding formula in operation)? If so, what are the criteria on which it will be awarded? Do you think that will be effective in improving quality? If not, what is the rationale for not including a quality supplement?

Yes No Not Sure

Comments:

N/A

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply x

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

xYes

No

All DCSF public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DCSF consultations are conducted, please contact Phil Turner, DCSF Consultation Co-ordinator, tel: 01928 794304 / email: phil.turner@dcsf.gsi.gov.uk.

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 8 July 2009

Send by post to: Greg Thompson. DCSF. 1st Floor, Sanctuary Buildings, Great Smith Street, London, SW1P 3BT

Send by e-mail to: pathfinder.mailbox@dcsf.gsi.gov.uk