



Childcare Act 2006: Section 12 Duty to Provide Information, Advice and Assistance

Consultation response from Daycare Trust

January 2007

1 Do you broadly agree that the guidance clearly sets out the Government's vision and aims for providing information to parents?

Yes

The vision and aims of the guidance is relatively clear. However, right at the outset of this consultation, we wish to make clear that the layout and presentation of the guidance needs to be improved if they guidance is really going to be useful to information services.

2 Do you agree with the descriptions, in the regulations and guidance, of the information which should be provided to parents on childcare, local and national information?

No

Daycare Trust believes that the regulations and guidance would benefit from a number of additions and clarifications.

With regard to the regulations, we recommend that under Part 2, 5 (1), the information provided should additionally include:

(j) ethnic monitoring available for the provision

This is because parents from black and minority ethnic communities are less likely to access childcare and early years services than their white counterparts. Daycare Trust has found that parents from these communities find the lack of culturally appropriate services, lack of information and inflexibility of services are specific barriers to their use of childcare. We believe that the needs of these families are specific and need a specific approach from local authorities.

(k) details of support available for children with disabilities and special educational needs

This is because children with disabilities and special educational needs will have particular requirements in terms of childcare and activities. Parents

should have the information they need to decide whether the location will be suitable for their child, and for parents of disabled children, this will include the details of support (and potentially equipment) available.

(l) qualification levels of workers

This is because key research, such as the EPPE study, has found that qualification levels of workers are essential in achieving a high quality childcare setting. The government is addressing this through the Transformation Fund and offering private, voluntary and independent childcare settings incentives to increase staff qualifications. However parental awareness is essential if the quality agenda is going to be successful. Currently parents choose their childcare based on location, opening hours etc, but if they are more aware of the impact of quality provision, they will be more able to use that in their selection process. Providing parents with information about the qualification levels of childcare workers will enable them to make a more informed decision about their child's childcare.

Furthermore, we are concerned that the Schedule accompanying the regulations is extremely broad. We believe that further guidance is needed on how information services can collect the information required, particularly given the varied nature of the Schedule. For example, Schedule 4 says that information should be provided on sports/play and recreational facilities. This is a massive new area of information.

With regard to the guidance, We believe that the paragraphs referring to guidance for information services, eg paragraph 62, are not sufficient in giving guidance, particularly on HOW information should be collected. There is a huge need for sharing of information between CIS and sharing of good practice on how information can be collected. **This guidance is a good opportunity to present examples of good practice and we recommend that this be included in the guidance.**

The information that Daycare Trust is asked for most readily concerns the cost of childcare. We provide information to parents about help with childcare costs, and also put on a series of workshops every year for CIS and local authority staff. The DfES funds us to provide four of these a year, but they are massively over-subscribed. For example, places for next year's training in January and February were taken within a couple of days of booking forms being available. There are already 45 on the waiting list for Birmingham and 52 for Manchester (with each training course being available for 30-35 people).

There is clearly a great need for further training for CISs on help with childcare costs. Daycare Trust would be happy to provide further training if the Department would be prepared to fund the work or subsidise local authorities to fund the training in-house for all their staff.

We would also like clarification on how Children's Information Services will find out about provision based in schools. With the new Ofsted Childcare Register inspecting school-based provision through schools, Daycare Trust is

concerned that the data available will not be sufficient to monitor take up and availability of places. This will also impact upon the provision of information, as the number of registered places will not automatically be available through Ofsted updates. It would be highly ineffective for CIS to collect data on child care in schools manually when it could be collated much more systematically. In our response to the OCR consultation, we recommended that DfES and Ofsted build a system for monitoring the number of childcare and early years places into the registration process. **Daycare Trust would like further clarification on what data will be available once the new OCR is in place and how CIS will be able to get information about school-based provision.**

3 Is the description of the proposed role of information services in helping parents safeguard their children in childcare settings helpful?

No

We believe that the best way to help parents safeguard their children in childcare settings is to ensure that all settings are registered with Ofsted or equivalent. Registration of providers also affects affordability for parents. **Daycare Trust believes that ALL provision should be of high quality and affordable, therefore ALL provision should be registered so that parents can be sure of quality and access financial support.** We accept that this requires a clear definition of childcare, and for example would not include short-term activity based provision such as a football squad.

However, in the absence of further changes to regulation and inspection, the guidance on safeguarding children seems sensible.

4 Are the proposals for local information services to signpost parents to national information sources realistic? NB If you are from a specialist national source of information, we would be interested to hear your views on how referrals might work in practice.

Not sure

It is often useful and necessary for CIS to signpost parents to national and local information sources. Given that the national information sources will be the same for all CIS, **Daycare Trust recommends that the DfES set up or commission NACIS to produce a template of national bodies that CIS can refer to.** CIS could then add their own regional and local contacts to this template. It would be highly ineffective if all local authorities were to spend time collating the same information.

Daycare Trust has a helpline and information website, which is often used by parents and employers. The most commonly accessed areas of information are on availability of childcare (for which we forward callers to their CIS) and help with childcare costs. The latter is a very complicated area of work, particularly with regard to tax credits, and needs an in-depth understanding to be able to advise people further. It should not be assumed by the Department

or others that all CIS staff can or should give advice on complicated areas like tax credits, which needs highly specialised expertise.

Currently our helpline is underfunded and we will be unable to offer an increased service unless further funding is forthcoming. For example, in September 2006 our Information Officer had 70 helpline calls and had over 300,000 hits to the website. There is obviously a huge need for the information that Daycare Trust provides.

Sub section 12 (3) of the Childcare Act requires the Secretary of State to have regard to the needs of the parents of disabled children or young persons in prescribing the information

5 Is the description in the regulations and guidance of information which should be provided to parents of disabled children helpful?

Not sure

Please note that we have not been able to locate the relevant sections of the regulations concerning information for parents of disabled children, so our comments below refer to the guidance only.

There is currently a huge variation in the information and signposting that different CIS are able to provide. Daycare Trust included questions about the availability of childcare services for disabled children in our 2007 Childcare Costs Survey. The analysis of the survey is yet to be finalised (and not all responses have been received), but early indications are that there are not sufficient childcare services for disabled children in most local areas. CIS have been unable in the main to provide details of the cost of childcare for disabled children, as this depends on individual circumstances. Many have noted that there are local funds or subsidies available to meet the additional costs that families face. I will be able to send further details of the analysis once it has been completed if required, please let me know.

This is a very complicated area for advice services, particularly in terms of tax credits and other benefits that families might be receiving. It may be more beneficial and appropriate for CIS to refer families to sources of expert advice such as Carers UK in these cases. This may require further funding for those organisations that provide detailed financial information to families. (DfES will no doubt be aware that the advice line at Disability Alliance is no longer available directly to families because of a lack of funding.)

In paragraph 47, Daycare Trust recommends that DfES add the National Deaf Children's Society and the National Autistic Society to the list of organisations to contact. We understand that not all disability organisations can be included, but the National Autistic Society is an important organisation, and one that has local groups, and the National Deaf Children's Society deals more with children than the RNID does.

Daycare Trust also recommends that paragraph 48 include reference to the Carers Equal Opportunities Act 2004, to give the guidance further weight to the guidance. This Act requires local authorities to ensure that carers' rights to work, lifelong learning and leisure are considered in their carers assessment, which may have an impact on the childcare services that they require.

In paragraph 49, it might not be feasible for information services to have staff that can sign, given the length of training for BSL and the paucity of BSL interpreters. Daycare Trust suggests that it would be more practical for information services to have access to BSL interpreters, rather than have staff who can sign. Also within paragraph 49, the list of alternative media is helpful, but mention of Language Lines is confusing. Language Lines are for people who need translation into community languages. This could be replaced with Type Talk and Text Direct, services from RNID.

6 Is the section on working with partner organisations helpful?

As mentioned above, Daycare Trust believes that NAS and NDCS should be added to the list of partner organisations.

Section 12, Sub-Section 5 of the Childcare Act requires local authorities to provide "advice and assistance to parents or prospective parents who use, or propose to use, childcare provided in the area of the local authority" The statutory guidance gives more detail of how the Government envisages this duty will be fulfilled, i.e. through each local authority providing a brokerage service.

7 Does the guidance clearly set out how support should be offered to parents through the brokerage service?

No

We welcome the introduction of the brokerage service, as this will be key for many families who find it difficult to obtain the childcare they need. This will support disadvantaged families and help children get the best start in life.

However, Daycare Trust is concerned that the brokerage service will be a substantial burden on information services. While we understand that the brokerage service will not be available to all parents, we are unsure of how information services will decide which parents can access brokerage. We would welcome further information on how parents' access to brokerage will be defined and decided. We would also welcome any detail of analysis that the Department has done on the potential scope of this service: how many parents may require brokerage services and for what reasons.

In addition, in paragraph 54, we believe that the wording 'parents with special needs' is unhelpful and would prefer the phrase to be replaced with 'additional

needs'. Special needs and SEN are terms associated with schools and school-aged children and are generally not favoured by adults.

We also believe that the section on brokerage should be moved to **after** the section on access to the information service, as parents will need to access the information service before they use any brokerage services.

8 Is the suggestion to target the service on parents who find it difficult to identify suitable childcare helpful?

Not sure

For parents who find it difficult to identify suitable childcare, a key need is likely to be for flexible childcare provision and childcare at atypical hours.

This could potentially, therefore, include a lot of parents, especially with more families choosing to work flexibly and therefore not needing full day care. For example, 53% of employed lone mothers work atypical hours. If CIS are expected to broker childcare services for all these parents, it will be a substantial amount of work. The DfES must not underestimate the scale of the task.

Furthermore, the availability of flexible childcare is unlikely to match need, and local authorities are already expressing concern about the future extension of flexible nursery education places. We believe that this part of the guidance must be linked to the duty to ensure sufficient childcare if it is to work effectively. **We recommend that the guidance make more reference to the duty to secure sufficient childcare under Section 11 of the Childcare Act 2006.**

9 Is the suggestion to target the service on groups who might find it hard to access the help they need helpful?

No

We do not believe this is helpful, as it is unclear which groups would be targeted. Many parents find it hard to access the help they need, whether that be because information is not available in alternative formats, because English is not their first language, or simply because the childcare services they need are not available.

We recommend that this be clarified before the guidance is finalised.

Daycare Trust believes that the examples in Annex 5 are helpful, but that there should be more examples, and these should be added to the text, perhaps in boxes, to make them more visible.

10 Are the proposed arrangements for the brokerage service to act as a feedback mechanism to the duty to secure information clear and realistic?

Yes

Daycare Trust recommends that there be some regional and/or national monitoring of groups accessing brokerage. There should also be active sharing of good practice in how CIS are making the brokerage service work in practice. This would help CIS plan for future and will also be really helpful for monitoring the National Childcare Strategy and the DfES PSA target to increase take up of formal childcare.

Daycare Trust would be happy to discuss this further with the DfES and would be interested in helping undertake this work on a national basis, if that would be helpful. We believe that this is really important and is an opportunity that should not be missed.

Sub section 12 (6) of the Childcare Act requires the service to be “established and maintained in the manner which is best calculated to facilitate access to the service ...including, in particular, persons who might otherwise have difficulty in taking advantage of the service”. The guidance interprets how the Government sees this working in practice.

11 Do you think that the recommendations to make services accessible to all parents will work?

Not sure

Daycare Trust thinks that the beginning of paragraph 56 should read *‘Information should be accessible to all parents. Some parents might find it more difficult to access the support they need, and may need more in-depth advice and assistance, including through proactive outreach services.’* This sentence currently reads as though not all parents need accessible information.

We recommend that some good practice examples of how access to the service might be facilitated in different situations be included, as these would be very helpful. This may be an area that partners such as Daycare Trust and NACIS could help with.

With regard to paragraph 60, we believe that health visitors and employers should be added to the list of delivery outlets.

With regard to paragraph 63, we agree that it can be potentially wasteful to produce literature in a wide range of languages. CIS are best placed to decide the languages that they need in their local area. **However, the guidance should make clear that there must be plans in place for producing materials in new languages as the need arises.** This is particularly important with the changing immigration patterns and new immigrants from Central and Eastern Europe.

In addition, we recommend that paragraph 63 also mentions materials in alternative formats for disabled people, eg in Braille, on tape or large print. While this is mentioned separately in paragraph 49, we believe that it is also important to mention it while talking more generally about the accessibility of services, so that disabled people are included in services. As with materials in different languages, it would not be necessary to produce all varieties of alternative formats, but it would be necessary to know where to get different formats produced, and have contacts established in preparation.

12 Is there anything further which could usefully be included in the guidance, to help information services ensure all parents who need it have access to information?

Yes

The crucial thing that will enable parents to access information will be the adequate numbers of well trained staff with good supporting information.

Daycare Trust believes that there should be further information about the supporting material available to CIS and the background support to be offered. There also needs to be further examples and case studies throughout the document.

13 Are the proposals to make information available through a range of delivery outlets, in particular through children's centres and extended schools workable?

Yes

As mentioned above, we believe that health visitors and employers should be added to paragraph 60.

Section 12, sub-section 5 of the Childcare Act states that the service "must provide assistance to parents or prospective parents who use, or propose to use, childcare provided in the area of the local authority". Sub-section 9 of the Childcare Act defines "parent" and "prospective parent" for the purposes of the information duty. The Statutory Guidance further explains the meaning of the terms in this context. It also suggests that the services provided should be focused on parents, and those acting in the parental role, whilst acknowledging the importance of providing information to other family members, e.g. grandparents, where appropriate.

14 Are the definitions of parents and those acting in the parental role clear?

Not sure

Daycare Trust recommends that there be explicit mention of adoptive parents within this section of the guidance.

In addition, it is important to recognise that grandparents and other members of the wider family are also important when it comes to the provision of information. Given that the main document is guidance, we recommend that there be further mention of how information can be effectively passed onto wider members of the family who may have a caring responsibility.

15 Are the intentions to focus information services on parents clear and workable in practice?

16 Do you find the examples of local delivery models, that could form part of a successful local information service, helpful?

17 Are the sections on other aspects of delivery, e.g. quality, consultation and links with other services helpful?

Not sure

We definitely agree with the paragraphs 74 and 75 that specify that information should be delivered by suitably qualified staff and through up to date information.

Daycare Trust recommends that the DfES look further at whether suitable training is available. As mentioned in Question 4, We provide information to parents about help with childcare costs, and also put on a series of workshops every year for CIS and local authority staff. The DfES funds us to provide four of these a year, but they are massively over-subscribed. For example, places for next year's training in January and February were taken within a couple of days of booking forms being available. There are already 45 on the waiting list for Birmingham and 52 for Manchester (with each training course being available for 30-35 people).

There is clearly a great need for further training for CISs on help with childcare costs. Daycare Trust would be happy to provide further training if the Department would be prepared to fund the work or subsidise local authorities to fund the training in-house for all their staff.

18 Do you agree that the language used in the regulations and guidance is accessible to all local information services and other organisations working in the delivery of information to parents?

Not sure

The language is generally fine, although we recommend that the layout and presentation be improved. We acknowledge that this is only a consultation draft and assume that the final guidance will look very different. **We recommend that there be more examples, graphics and white space in the final guidance, to make it easier to read.**

As information services move towards providing a broader range of information for parents, the name “Children’s Information Service” is becoming less appropriate. As working titles, we have used “Local Information Service” or “Information Service”, although there is no statutory basis for these terms. Whilst we recognise that some local authorities will choose to brand their information services locally, it is useful also to have a generic name.

19 What do you think the more wide ranging information services should be called?

Daycare Trust believes that Local Information Service or Information Service are too broad and would not describe to parents and families what the service is. We currently think that the title of ‘Children’s Information Service’ still works adequately, but other alternatives could be ‘Family Information Service’ or ‘Parents’ Information Service’ (although the acronyms may not be as appropriate!).

20 Are there any other comments on the regulations and/or guidance that you would like to make?

As mentioned previously, Daycare Trust believes that the presentation of the guidance should be improved, with better typesetting to make it more readable, and more examples and case studies. We believe that this would improve the effectiveness of the guidance.