



## **Daycare Trust: Response to the Early Years Foundation Stage consultation July 2006**

Daycare Trust is the national childcare charity, campaigning for quality affordable childcare for all and raising the voices of children, parents and carers.

Daycare Trust very much welcomes the consultation document on the Early Years Foundation Stage. In particular we welcome the proposals to improve quality in all childcare settings, and the commitment to principles contained within Birth to Three Matters. Quality of childcare is essential for improving outcomes for all children, and it is important that these proposals are properly and effectively implemented, with providers given appropriate support to make the proposals a reality.

### **Section 1: Introduction**

Daycare Trust welcomes a single coherent quality framework, especially as this will support higher quality provision in early years settings. We are pleased that this builds on the good practice established in Birth to Three matters.

We understand the benefits to having all the relevant information related to early years in one document, but believe that the current document, particularly the grids in section 3, are unworkable given their density. We also believe that the document as whole, needs to make a clearer distinction between statutory requirements and guidance/good practice.

Daycare Trust believes that the document as it stands is not clear enough. The document needs to better consider and reflect its audience and aims. In particular, we recommend that the principles (1.2) be further emphasized and exemplified, rather than simply forming part of the introduction, to ensure that they are given the attention they deserve.

We believe that paragraph 4 should read 'EYFS has an important role to play in *enabling children to achieve* all five of the Every Child Matters outcomes'.

We believe that the introduction, and the document as whole, needs to make a clearer distinction between statutory requirements and guidance/good practice. As the document is statutory, it should only include statutory information, with additional guidance in accompanying information. The requirements could be made clearer by referring to the statutory requirements in bold, or in a text box, for example. We do not believe that using the words 'must' and 'should' will make an adequate distinction.

We also believe that the registration, inspection and quality improvement requirements should be placed further forward in the document, otherwise they may get lost behind the grids in sections 3 and 4.

## **Section 2: Overview**

Daycare Trust believes that some elements of the overview could be improved. In particular, paragraph 2.5 should include the need for staff to understand and value the different cultures in their community, and that staff members should ideally reflect the cultural diversity of the area and the children in their care as far as possible. Daycare Trust has recently undertaken research into black and minority ethnic families' views on childcare. One of the key findings was that parents value childcare settings that are representative of their communities.

In addition, paragraph 2.6 mentions providers' requirements to consider children from different background and with disabilities. This should be emphasised by referring to the appropriate legislation, ie the Race Relations Act and the Disability Discrimination Act, as well as the relevant race and disability equality duties.

## **Section 3: Progression through the Areas of Learning and Development**

Daycare Trust believes that this section is too long. We believe that the statutory requirements need to be cross referenced throughout the section, rather than just listed at the beginning.

Daycare Trust believes that the grids are too long and complicated for a statutory document, and would be better placed in supplementary documents, or in an appendix. We understand that the grids give providers a base of good practice to work from, but would be concerned that providers may simply reference the grids, which may be used too prescriptively, rather than referring to the requirements and using them in the most appropriate way for their setting.

We welcome the acknowledgement of the diverse needs of children. We believe that the list of bullet points at the bottom of page 17 should include 'encourage child-centred and child-led play and learning'

We do not believe that the document makes it sufficiently clear how the needs of disabled children, children with SEN and/or the needs of children from a minority ethnic background, will be supported through the six Areas of Learning and Development. We welcome the specific mention of children from minority ethnic groups, children with English as an additional language and those with disabilities or special educational needs. In particular, the focus on children's home languages is welcome.

In Daycare Trust's recent research into the views of black and minority ethnic families, one of the key findings was that families wanted children to learn English, but also to maintain their knowledge and understanding of their home language. We are pleased that this is recognized here. However, we think that the paragraph on children from minority ethnic groups should include a statement about valuing difference. With regard to children with SEN and disability, we believe the last word of the first paragraph on page 19 should be 'support' rather than 'help'.

With regard to exemptions, we think that the EYFS will be flexible enough to make it appropriate for all children, and welcome the acknowledgement of this in the document. However we strongly believe that children should not be exempted from the EYFS, and are not aware of a suitable reason why providers may wish to disapply or modify the learning and development requirements. EYFS should be a tool to drive up quality in the early years sector, and improved quality should be available across the board, for all children. We would wish to see the relevant regulations before agreeing with the approach to exempting children, and will comment further on the Childcare Act regulations when they are available.

#### **Section 4: Meeting the welfare requirements**

Daycare Trust research in November 2004 (Building an integrated workforce for a long-term vision of universal early education and care) showed that 21 per cent of the childcare workforce were not qualified to Level 2, and only 38 per cent were qualified to Level 3 or above. The government needs to build on the existing workforce, raising qualifications and standards, which will lead to higher quality provision. This is backed up by research from the EPPE study, which found that settings which had staff with high qualifications leads to better outcomes for children. The current target of 50 per cent to be qualified at Level 2 is lowering the bar from the current situation, rather than raising it. Daycare Trust believes it would be appropriate and achievable to have a sliding scale for workforce qualifications, for example having a target of 90 per cent qualified to Level 2 by 2008, 100 per cent by 2010 and with 50 per cent of staff qualified to Level 3 by 2008.

We also believe there should be increased focus on recruiting a diverse workforce and that the document should make specific reference to equal opportunities training as part of the induction process.

We believe that the proposed ratios of 1:13 for children over the age of three are unworkable. This is a very big step up on a 3<sup>rd</sup> birthday, and 13 three or four years olds is an awfully large group for one adult to occupy well. The EPPE study found that quality in early years settings is essential, and this can be influenced by staff ratios.

Daycare Trust believes that, as stated in the Early Childhood Forum's response, the ratios for nursery schools and classes should be improved to 1:10. Primary schools are based on a form entry of 30 children, so a ratio of 1:10 is to be preferred. The present situation of one member of staff indoors and one outdoors is actually unsafe if an individual child needs attention and has to be withdrawn from the larger group. In Nursery schools as in Primary schools the head teacher should be additional to this ratio. For early years providers, the current ratio of 1:8 allows for fluctuations of shifts, illness, meetings etc and still allows at least two members of staff to be present with a group of 24 children. It cannot be assumed that a Level 6 qualified member of staff would be able to manage a group of 26 children if another member of staff is ill, on holiday or at a meeting. This will particularly be the case for younger children, ie those who are only just three and need more supervision and care.

Daycare Trust suggests maintaining a ratio of 1:8 or adopting a ratio of 1:10, as with nursery classes. In addition, we welcome the acknowledgement that some children will benefit from smaller ratios, however Daycare Trust disagrees with the labeling of disabled children as vulnerable. While some disabled children may be vulnerable, not all will be, and some non-disabled children may also be vulnerable.

In addition, Daycare Trust recommends that there be further requirements established on the availability of outdoor space and natural light. We are concerned that nurseries do not provide adequate outside space for children, in order to maximize indoor space and therefore revenue.

With regard to the Disability Discrimination Act, mentioned on page 126, providers must meet their responsibilities under the DDA 1995, not just 'be aware of their responsibilities'.

### **Section 5: Regulation, inspection and quality improvement**

We believe that the registration, inspection and quality improvement requirements should be placed further forward in the document, otherwise they may get lost behind the grids in sections 3 and 4.

**Daycare Trust**  
**July 2006**