



Department
for Education

Consultation Response Form

Consultation closing date: 25 March 2013
Your comments must reach us by that date.

**Consultation on Early Education and
Childcare Staff Deployment
Consultation Response Form**

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

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

Reason for confidentiality:

Name	Dr. Jane Payler
Organisation (if applicable)	TACTYC, the Association for the Professional Development of Early Years Educators
Address:	Faculty of Education, Health and Social Care, University of Winchester West Hill Winchester SO22 4NR

If you have a query relating to the consultation process you can contact the CYPFD Team by telephone: 0370 000 2288 or via the Department's ['Contact Us'](#) page.

Please tick one category that best describes you as a respondent

<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Childminder	<input type="checkbox"/> Nursery
<input type="checkbox"/> Playgroup	<input type="checkbox"/> Play/Activity provider	<input type="checkbox"/> Representative of childcare or early years intermediary organisation
<input type="checkbox"/> SEN Provider	<input type="checkbox"/> Maintained School	<input type="checkbox"/> Independent School
<input type="checkbox"/> Breakfast/Afterschool Club	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Other please specify ^x below

Please Specify:

TACTYC is a membership based organisation. Our activities include:

- **'advocacy and lobbying'** - providing a voice for all those engaged with the professional development of practitioners through responding to early years policy initiatives and contributing to the debate on the education and training of the UK early years workforce;
- **'informing'** – developing the knowledge-base of all those concerned with early years education and care by disseminating research findings through, for example, our international [Early Years Journal](#), annual conference, website and occasional publications;
- **'supporting'** – encouraging informed and constructive discussion and debate and supporting practitioner reflection, the use of evidence-based practice and practitioner-research through, for example, our [newsletter](#) and website (www.tactyc.org.uk).

TACTYC currently has around 500+ members and this response has been prepared in consultation between TACTYC Executive and the wider membership via the TACTYC website.

INTRODUCTION

When answering the following questions please refer to the consultation document [here](#) which sets out the detail of our proposals.

Questions 1 and 2 are for childcare providers/employers/employees to answer, and question 3 onwards are for all respondents to answer.

FOR PROVIDERS/EMPLOYERS/EMPLOYEES

We need more, better qualified staff working in childcare to ensure our children get the best possible care. We recognise, however, that recruiting and retaining well qualified staff is not always easy or possible.

1 a) What challenges, if any, do you face in recruiting and retaining highly qualified staff?

Comments:

Our members tell us that difficulties in recruitment and retention arise because highly qualified staff do not receive salaries that are commensurate with their qualifications. For instance a nursery teacher or manager should earn the same as a reception teacher, and an early years practitioner should earn as much as a teaching assistant. Preschools/nurseries do not have the income required to pay the highly qualified staff. Childcare staff with Level 3 qualifications often earn less than workers in unskilled jobs. As the two-year-old offer comes through, more skilled staff will be required to successfully support the most vulnerable children.

1 b) What suggestions do you have for how this could be made easier?

Comments:

Evidence suggests that the number of staff needed in nurseries forces providers to pay low wages for less well qualified staff in order to keep costs to parents down, rather than recruit more experienced and highly-paid staff.

2 Is this a decision you have faced with your business and what could the Government do to address this?

Comments:

A major factor affecting the low wages paid to staff is that the initial Nursery Education Grant, now called the Early Education Funding, has not kept up with inflation, and was set in the first place at a level that did not cover (and continues not to cover) the real costs of high quality early education and care. The introduction of the two-year-old funding is likely to exacerbate this problem: the DFE has proposed an average hourly rate of £5.09 per place, but as this barely covers costs and is not ring-fenced, providers are unlikely to be able to provide the quality required.

One of the main challenges for private nurseries is the retention of highly qualified staff, as schools can offer term-time contracts and shorter working hours than nurseries open from 8am – 6pm, 50 weeks of the year. Where nurseries adopt a flexible shift system with better work/life balance, then retention is more likely. The financial burden of paying graduate staff at appropriate levels for their professional role, however, remains a concern.

FOR ALL

In nursery classes for 3- and 4-year-olds where a qualified graduate is working with the children, it is already possible to run groups on the basis of one adult to thirteen children. Yet too few providers, especially in the private and voluntary sector, take advantage of this flexibility, despite the evidence about the benefits that this graduate leadership can have for children.

3 How might providers be encouraged to make greater use of graduate-led groups for children aged three and over?

Comments:

It should be noted that regulations relating to primary schools mean that four-year-olds in reception classes of up to 30 children may have only one adult (who must be a qualified teacher) working with them. In nursery classes the required ratio is 2:26 (rather than 1:13), where one member of staff is a qualified teacher with QTS and the other adult is qualified to NVQ3. Schools often deploy another member of staff, usually a teaching assistant, in Early Years classes where it is possible to do so.

Although graduate-led groups may offer significant benefits, this is not generally welcomed if it is coupled with increased child-adult ratios. As more graduates have been employed in the early years PVI sector in recent years, many early years settings have chosen to benefit from graduate leadership while still retaining ratios of one adult to eight children in order to maintain the level of adult support available to children. This is contrary to the briefing above which implies that settings choose between the benefits of graduate leadership and having one adult to thirteen children.

It is important to distinguish between graduate leadership of a setting as a whole and graduate-led groups where the graduate is actively engaged with children and modelling and supporting practice with a staff team. Currently it is a common situation for a graduate to be in an office-based management role rather than leading practice.

There is a multitude of possible factors affecting whether providers increase their child-adult ratio in line with qualifications, only one of which is likely to be financial. Recruitment of graduates who would choose to work in PVI nurseries with a group of 13 children is likely to be problematical. Anecdotal evidence – and indeed the outpouring of dismay across the sector about the proposed changes to ratios – suggests it is primarily the providers' firm belief and commitment to a principled approach to provision which leads them to discard opportunities to use this 'flexibility'.

If some settings do elect to raise the child-adult ratio there is a risk of developing a two-tier system, where parents who can afford to pay more for a graduate-led group with lower ratios will do so, while parents who are less financially able will have to settle for

provision for their child where they receive less individual attention and support.

Research commissioned by the then DfES just over ten years ago addressed the relationship between staff qualifications and ratios of adults:children (Munton *et al.* (2002) Research on Ratios, Group Size and Staff Qualifications and Training in Early Years and Childcare Settings, DfES Research Report RR320). At the time, up to 50 private nurseries who employed staff with early years teaching qualifications were offered the opportunity to join a DfES pilot study where they could relax staff:child ratios for three and four year olds to those that apply in nursery classes. No independent nursery or chain was prepared to take up this opportunity, saying that parents would not accept the resulting loss of adult support for their children.

Alongside our plans to improve qualifications for people working in childcare, the Government proposes that, where staff are suitably qualified, they can look after:

- no more than four children aged under two to each adult; and
- no more than six two-year old children to each adult.

4 What qualifications do you think staff should have to allow them to operate with these more flexible arrangements? For instance, we could require settings to meet one of the following criteria in order to be able to operate higher ratios

- 70 per cent of staff qualified to at least Level 3;
- 100 per cent of staff qualified to at least Level 3;
- 100 per cent of staff have at least a C in English and Maths;
- At least one graduate in the setting plus 70 per cent of other staff qualified to at least Level 3; or
- Ratios based on the individuals working with children - so that only a staff member with a Level 3 qualification and/or English and Maths GCSE can use the higher ratio

Please note these examples are not exhaustive and we would welcome other suggestions.

Comments:

TACTYC strongly opposes any increase in the ratios of babies and toddlers to adults, however well qualified they may be. Research shows that within the same types of early years provision, quality falls as ratios rise (Mathers et al, 2007, Quality of Childcare Settings in the Millenium Cohort Study, DfES Research Report SSU/2007/FR/025). This is particularly important in respect of the care and education of the youngest children, whose development is best fostered by closely responsive interaction and warm, consistent relationships with adults. This is vital for babies in their first year, and for the disadvantaged two year olds who will be eligible for free provision of care and education.

Government figures show that babies and toddlers aged between birth and two years spend a mean of 18 hours per week in formal childcare (DfE: Childcare and Early Years Survey of Parents 2010, Available online at

<http://www.education.gov.uk/rsgateway/DB/STR/d001073/index.shtml>).

More individualised care and education, rather than less, is necessary for such long hours in group settings.

The 2012 report on the longitudinal study of Early Years Professionals showed various discrepancies in responses from EYPs working with children under two compared to older than two. While overall fewer EYPs worked with the younger children, those who did so gave less positive responses about their own professional development (see P.32). This raises a concern that there may continue to be more highly qualified staff placed with older children and that there could be an even greater gulf created between the qualifications and opportunities for professional development between those working with babies and toddlers and those working with older children. Relaxing ratios is unlikely to result in more recruitment of graduate staff to baby rooms.

For children of all ages across the EYFS, staff need time to work with parents as well as children. This is crucial to making a difference in the longer term for families in difficulties, and this will clearly be hard to sustain if they are responsible for more children. In addition, the expansion of two-year-old places targeted on the most vulnerable children and families will require even greater involvement from the key person with each child and family as well as potentially linking with other agencies.

It is important to bear in mind that in the PVI sector, where provision is all year round and for longer hours, allowance needs to be made for shift working, leave entitlement, and time out for staff development in a way that is less of an issue for schools.

We are proposing that, while not exceeding more than 6 children in total, childminders should have more flexibility to care for up to four children under the age of five, including no more than two children under 12 months.

5 What difference do you think this will make to the childminding profession and what benefits do you think parents will get?

Comments:

This ill-advised proposal risks the loss of ever more childminders who will find the new ratios impossible to sustain, and will result in an inevitable lowering of the quality that the remaining practitioners can offer. Any benefits parents may get through lower fees will be undermined by poor, and potentially dangerous, conditions for their children, coupled with restricted opportunities for learning.

The only instance where this increase in number for under-fives would be welcome would be in cases of four- and five-year-olds attending a school place part time, where the childminder could maintain a continuation of care until full time attendance at school without jeopardising the registration requirements with Ofsted.

Childminders who utilise real learning experiences from their local communities will encounter difficulties in transporting four children under five and this could lead to safety concerns or reduced opportunities for children to access their local community.

6 Are there any other elements of our proposals that you wish to comment on specifically?

Yes

No

Not Sure

Comments:

Qualifications

TACTYC welcomes the government's recognition of the importance of qualifications, and the intention to rationalise and improve training for NVQ3. The introduction of the concept of a specialist Early Years Teacher is particularly welcome, but this must include Qualified Teacher Status in order to provide the higher status and greater parity for graduate early years leaders promised but not fully realised through Early Years Professional Status.

We agree that it is important to ensure pathways are available for those with Early Years Professional Status or those with Qualified Teacher Status (who do not have an early years specialism) to obtain the specialist Early Years Qualified Teacher Status. Further, we consider it to be vital that Early Years Qualified Teacher Status must focus on effective early years pedagogy, rather than on formal, structured learning for very young children. However, without the accompanying Qualified Teacher Status as currently proposed there is a danger of a gap opening up between school and non-statutory education. Because of the need for greater early years expertise in primary schools, the qualification should cover the years from birth – 7. The Rose Review of the Primary Curriculum and the Cambridge Primary Review both recommend continuity of approach from the Early Years Foundation Stage into Y1, and most other developed countries (including Wales and Scotland) see the early years as continuing up to at least age 6 or 7.

Ofsted

The proposal that OFSTED should be the sole arbiter of quality is worrying in the light of acknowledged weaknesses in the skills and knowledge of early years inspectors. This concern is even more urgent if OFSTED takes over responsibility for quality improvement from Local Authorities. LAs do not duplicate inspection, but do monitor and support early years settings with targeted visits and training. The appointment of more specialist HMI is welcome, but the planned regional offices are no substitute for close local knowledge. They could, however, make a contribution to strengthening underperforming Local Authorities.

Agencies

The introduction of Agencies to support, train and recruit childminders needs further clarification and investigation. The relationship of parents to childminders is critically important to quality provision, and it is uncertain whether prospective parents would visit the childminder's home to identify quality care or simply be assigned by an agency. The role of childminders in offering funded nursery education is unclear. If agencies are to be inspected rather than individual childminders, how will the quality and eligibility to offer funded places be guaranteed? It is possible that lower expectations of childminders as professionals will develop, with childcare being seen as the focus of the childminding role rather than care being integrally linked with early education.

One of the main concerns from childminders who want to remain 'independent' is how they would be supported to reflect on and improve their provision, especially if LAs disband their childminding support teams. In LAs where effective support, training and challenge is given through networks then childminder quality is raised, and this should be encouraged across all LAs as best practice.

7 Please let us have your views on responding to this consultation (e.g. the number and type of questions, was it easy to find, understand, complete etc.)

Comments:

The consultation is easy to find and to complete, but the questions limit the range of replies. There are other urgent issues that need to be considered in the context of the "More Great Childcare" paper.

Impact on maintained nursery schools of the Early Years Single Funding Formula

The EYSFF is inevitably resulting in the loss of high quality settings in the maintained sector, notably the nursery schools which do cost more because they employ more highly qualified staff, particularly a specialist head teacher. According to the OFSTED annual report: 2011/12 there were 143 Nursery schools inspected between the 1st of September 2011 and 31st of August 2012 of which: 55% were outstanding, 41% were good, 3% were satisfactory and 1% inadequate. A recent OFSTED annual report stated that 57% of teaching in maintained nursery schools was outstanding compared to 5% in primary schools and 4% in secondary. Many are at the heart of our most

successful Children's Centres, and offer a vital source for professional development for other providers; rather than allowing them to close, we should be securing their future, and the world-renowned heritage of excellence that they represent. They are also very important as sites for training Early Years teachers of the future.

Annual entry to primary school

It is difficult for reception teachers to admit a class of 30 children with the sensitivity required to give them a strong and confident start to their primary schooling. Children come from a wide variety of backgrounds, with very varied previous experience, and they and their parents need individual support and attention at the start of school.

The knock-on effects for pre-school provision bring difficulties when a large cohort leave between the end of the summer term and the start of the school year. These include financial challenges, as it is impossible to fill spaces quickly and some may not be filled until after Christmas or even Easter, depending on the age group catered for. This affects the financial viability of the PVI sector, and increasingly of the maintained sector too now that the single funding formula is becoming established.

More serious is the loss of older role models, which makes a significant difference to what it is possible to offer young children attending nursery. Even when admissions arrangements were termly at rising five, early years education was already somewhat attenuated in the UK in comparison with our European neighbours, who offer a coherent programme over at least three years. Research by Suggate in 2009 shows that children who start formal literacy learning at age 7 achieve as well at age 11 as children who start at 5. <http://www.otago.ac.nz/news/news/otago006408.html>

Summer born children

The effects of early entry are most severely experienced by summer born children, who consistently achieve at lower levels than their older peers in the same year group. The downward pressures of assessment and testing too often result in inappropriate expectations of this group, especially boys, who tend to mature more slowly than girls. It is invidious to describe an expected level of achievement at the end of the EYFS – the youngest children almost invariably end up achieving at lower levels: they are not less able, but less experienced and less mature than older children in their year group. The consequent labelling and lowering of expectations, coupled with unacceptable misdiagnosis of special educational needs, is very damaging.

It would be instructive to have an analysis of EYFS Profile by month of age, similar to the phonics check data which show a clear stepped drop in levels of achievement for pupils from those born in September to those with August birthdays.

Comparisons with other countries

It is always possible to learn from other countries, although comparisons need to be made with care. One aspect that is markedly different in countries that have good quality and more affordable childcare is that they generally have higher rates of taxation, and value parental leave, flexible working and good, accessible provision for

childcare as an investment.

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

E-mail address for acknowledgement: Jane.payler@winchester.ac.uk

Here at the Department for Education 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?

/ Yes	<input type="checkbox"/>	No
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All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](#)

The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
- departments will need to give more thought to how they engage with and consult with those who are affected
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Responses should be completed on-line or emailed to the relevant consultation email box. However, if you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Coordinator, tel: 0370 000 2288 / email: carole.edge@education.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 25 March 2013

Send by post to: CSDSD Team, Department for Education, Area 1C, Castle View House, East Lane, Runcorn, Cheshire, WA7 2GJ.

Send by e-mail to: ChildcareDeployment.CONULTATIONS@education.gsi.gov.uk