

# Extending Free Early Education to More Two Year Olds

## Consultation Response Form

The closing date for this consultation is: 15 October  
2012

Your comments must reach us by that date.



Department  
for Education

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	Prof Trisha Maynard
Organisation (if applicable)	TACTYC: Association for the Professional Development of Early Years Educators
Address:	c/o Dr Jane Payler 33 Betteridge Drive Rownhams Southampton SO16 8LE

If your enquiry is related to the policy content of the consultation you can contact Simon Hampson by telephone: 0370 000 2288 or email:

[TwoYearOldEarlyEducation.CONSULTATION@education.gsi.gov.uk](mailto:TwoYearOldEarlyEducation.CONSULTATION@education.gsi.gov.uk)

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 mark the category which best describes you as a respondent

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

Please Specify:

TACTYC is the Association for the Professional Development of Early Years Educators. We have over 450 members, including academics, local authority officers and practitioners in both maintained and non-maintained sectors. Our aim is to promote the highest quality professional development for all UK early years educators in order to enhance the educational well-being of youngest children.

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 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](http://www.tactyc.org.uk)).

**1 Do you agree that two year olds whose families meet the earnings and benefits criteria proposed in paragraph 4.1 should be eligible for free early education from September 2014?**

Yes

No

/ Not Sure

Comments:

- We would prefer to see funded high quality early years education available as a universal system, which would avoid stigma for those deemed to be disadvantaged and grant early years education and care parity with other sections of education, justifiable given the importance of the early years to young children's learning and development. There is evidence to show that there are greater benefits through a system that is socially mixed (e.g. Sylva et al. (2004) *The Effective Provision of Pre-School Education (EPPE) Project: findings from Pre-school to end of Key Stage 1*. DfE Research Report). Selective services which run the risk of stigmatising can also run the risk of poor uptake (see for e.g. Holford, A. (2012) *Take-up of Free School Meals: Price effects and peer effects*. Institute for Social and Economic Affairs. Available online at <https://www.iser.essex.ac.uk/publications/working-papers/iser/2012-12.pdf>. Accessed 14.10.12).
- If economic disadvantage is to be used as the criterion for eligibility, then a sliding scale of entitlement linking free hours to income, rather than a simple threshold, would provide more flexible support for families who are around the poverty line rather than just below it. Although those who move above the line will retain their offer if it has already begun in the new formula, it does not capture those who are just above it in the first instance.
- The way in which capacity for the extra funded places is increased by local authorities is of central importance. This is not just an issue of providing space and facilities. If two year olds are to benefit from the early education offer, it must be of high quality with well trained staff experienced in working effectively with two years olds and their families.
- Ring fencing the increased funding of £760m in 2014 -15 within the Dedicated Schools Grant is essential if it is to be protected to increase capacity and invest in high quality professional development opportunities. This is vital to ensure that high quality provision, effective interaction and family engagement are in place to secure positive outcomes for children.
- During the pilot of the 2 year old offer, a higher rate was paid to providers for the funded places. However, this expansion proposal suggests leaving it to the 'School's Forum' (as with the 3 and 4 year old funding) to set the rate. In some cases, without the higher rate, sustainability of settings in the long term will be under threat as the current level of funding does not cover the true cost of provision. For some parents, this may mean paying additional top up fees for their child's place, even though this is contra to the Early Education Funding Code of Practice. If the Government does not set a minimum hourly rate for the 'free' places, the true cost of providing these places will fall to early years providers (or parents).

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**2 Do you agree that, from September 2014, the legal entitlement to early education should be extended to two year olds with statements of SEN (or an education, health and care plan) or in receipt of DLA?**

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

- We welcome the extension of services to children with SEND. However, our concern again is for the quality of provision that is to be made available to them. The High Needs Funding Block referred to in 5.6 is not reported to have any ring-fenced allocation specifically to account for the increased offer to two year olds with SEND. Such ring-fencing could go some way towards ensuring that local authorities can adequately fund the training of staff and resourcing of these extra places.
- The EYFS requirement for the two year old Progress Check requires appropriately trained and experienced practitioners if sharing of information with parents, health visitors and other professionals is to be effective and to avoid unnecessary concerns for the child and family.
- The proposal suggests that local authorities can provide 'discretionary free places' for children with SEND in this first phase. This could lead to a layer of unnecessary bureaucracy and assessment when early intervention/support could be provided by appropriately trained practitioners.
- For children with SEND, there is currently specialist provision for 3 year olds in some local authorities, such as units attached to nursery classes (enhanced provision), as part of the 15 hours entitlement with specific entry criteria (although there needs to be exit criteria, too). Clear guidance will be needed for local authorities as to whether this provision will be extended for 2 year olds.

**3 Do you have any comments on the feasibility and appropriateness of extending the free entitlement to more children with SEND?**

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

- Issues of the adequacy and appropriateness of the training of early years staff to ensure that the provision is of high quality is our key concern.
- Accessible, appropriate training and professional development opportunities, including interprofessional working and collaborative work with parents, are vital to ensure the children's workforce can adequately meet the needs of young children with SEND in fully inclusive learning environments.
- Funding of places will not be adequate to achieve positive outcomes for children with SEND without the consideration above.
- It is particularly important to consider the impact of early labelling alongside the importance of early identification and early intervention. Early intervention should mean children with SEND can access mainstream provision as well as enhanced provision, but this can be difficult in terms of support, consistency and travel. These issues will need to be addressed in extending the offer to two year olds with SEND.
- Young children with SEND need planned, developmentally appropriate early intervention within their entitlement, rather than the entitlement itself to be considered the intervention. Outreach support services such as Portage and intensive Family Support are helpful to children and their families. Including them in the entitlement should be considered.

**4 Do you agree that, from September 2014, two year olds who have left care through an adoption order, special guardianship or residence order, should be eligible for the free early education entitlement?**

Comments:

- As for all two year olds, but perhaps even more so for this group of two year olds, the consistency and quality of the relationships staff make with the children will be of prime importance with regard to the effects of this extension to the entitlement. This cannot be instigated by simply increasing 'slots' without taking full account of training needs and the quality of provision.
- Continuity of provision/key person, thus minimising disruption and ensuring consistent connections are maintained, will be of prime importance to the child's emotional and personal development. However, many children who are adopted leave their town/city of residence to 'make a new start', leaving the early years setting attended. Transition arrangements are therefore of utmost importance to ensure all relevant records, learning journeys, and progress checks are transferred, too. Continuity of funding may be less required, depending on the financial position of the adoptive parents.

**5 Please use this space to give us your views on how funding for early education for two year olds should be distributed to local authorities.**

**Comments:**

In addition to the number of eligible two year olds in the authority, the allocation of funding needs to take account of the costs of capacity building and up-skilling of the workforce linked to:

- The number of good and outstanding settings already catering for two year olds, ranging from those children who are only just two, not simply children close to three years. (Contingency arrangements are required in cases of loss of current Ofsted inspection judgement of 'Good'.)
- Number of staff who are experienced and trained to work with two year olds and their families
- Extent and need for further early years graduate leadership (early years professionals, early years teachers, children's centre teachers)
- Local costs such as those associated with rural localities, city centre localities.

There should be provision of opportunities for practitioners working with two year olds to liaise with health visitors to share understandings of assessment and ways to monitor and report progress.

Careful consideration needs to be given to fully funding the ratio requirements of the EYFS for two year olds, and settings' aspirations to a well-qualified workforce. These will be additional costs that settings face as part of the expansion of places.

In addition, it is vital to ensure ring fencing of funding to meet the growing demands of 2 year old places, especially with the effect of the current recession on employment opportunities.

The proposed top slicing of funding for early intervention to pay for the extended provision for two year olds is regrettable, and risks undermining benefits gained through the wider availability of provision for disadvantaged families.

**6 Please use this space for any other comments you would like to make.**

**Comments:**

In any consideration of extending funding of the two year old offer, we would urge attention to:

- the fact that the biggest impact on young children's development and learning is attributable to the home learning environment and economic resources of families (e.g. Waldfogel, J and Washbrook, E. (2011). *Income-Related Gaps in School Readiness in the US and UK*. In T. Smeeding, R. Erikson and M. Jantti, *Persistence, Privilege, and Parenting: The Comparative Study of Intergenerational Mobility*, New York: Russell Sage Foundation.)
- the impact of *poor quality* ECEC on the youngest children, (e.g. Leach, P., Barnes, J., Malmberg, L.E., Sylva, K., Stein, A. and the FCCC team (2008) 'The quality of different types of child care at 10 and 18 months: a comparison between types and factors related to quality' in *Early Child Development and Care*, Vol 178, no. 2, pp 177-209.)
- the need to increase the number of graduate leaders working with the youngest children (e.g. Mathers, S., Ranns, H., Karemaker, A.M., Moody, A., Sylva, K., Graham, J., & Siraj-Blatchford, I. (2011a). *Evaluation of Graduate Leader Fund: Final report*. Department for Education.)

In view of these, we emphasise again the need for provision to be of high quality with well-trained staff fully equipped to work effectively in *partnership* with families and other professionals.

Pressure to increase the number of places risks expansion of provision without the necessary up-skilling of staff, currently working only with 3 and 4 year olds, and of some providers refusing to accept funded two year olds, given that current full fees for two year olds act to sustain their businesses before entitlement to EEF. There is some concern that this may lead to unintentional discrimination, especially for children with SEND.

We also caution that with the focus on two year olds, there is risk of further marginalising baby room practice and reducing CPD opportunities for baby room practitioners.



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 Education we carry out research and consultations on many different topics. 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 DfE 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 DfE consultations are conducted, please contact Carole Edge, DfE Consultation Co-ordinator, telephone: 0370 000 2288 or email: [carole.edge@education.gsi.gov.uk](mailto: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 15 October 2012

Send by post to: Two Year Old Entitlement - Framework Team, Foundation Years: Free Early Education and Funding Division, Department for Education, Level 1, Sanctuary Buildings, Great Smith Street, London SW1P 3BT

Send by e-mail to: [TwoYearOldEarlyEducation.CONULTATION@education.gsi.gov.uk](mailto:TwoYearOldEarlyEducation.CONULTATION@education.gsi.gov.uk)