

# Consultation on a Revised Early Years Foundation Stage (EYFS)

## Consultation Response Form

The closing date for this consultation is: 30  
September 2011

Your comments must reach us by that date.

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online response facility available on the Department for Education e-consultation website (<http://www.education.gov.uk/consultations>).**

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

Reason for confidentiality:

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If your enquiry is related to the policy content of the consultation you can email: [revisedeyfs.consultation@education.gsi.gov.uk](mailto:revisedeyfs.consultation@education.gsi.gov.uk)

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

Telephone: 0370 000 2288

e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

The consultation questions are in four sections, following the format of the revised draft EYFS framework. The four sections are:

1. The **introduction** to the EYFS, which describes its overall aims and principles.
2. The **learning and development** requirements. This section explains what all early years providers must do to support young children's learning and development. It includes the early learning goals, which describe the things that most children should be able to do at the end of the year in which they turn five.
3. The **assessment** arrangements, which explain how providers should observe, report and plan for children's progress.
4. The **safeguarding and welfare** requirements, which specify what providers must do to keep children safe and healthy in early years provision.

Please tick one category that best describes you as a respondent.

<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Maintained School	<input type="checkbox"/> Independent School
<input type="checkbox"/> Childminder	<input type="checkbox"/> Nursery	<input type="checkbox"/> Local Authority
<input checked="" type="checkbox"/> <b>Early Years X Sector Representative</b>	<input type="checkbox"/> Play Sector	<input type="checkbox"/> Breakfast/Afterschool Club
<input type="checkbox"/> Pre-School/Playgroup	<input type="checkbox"/> SEN Provision	<input type="checkbox"/> Other

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 450 members and this response has been prepared in consultation between TACTYC Executive and the wider membership via the TACTYC website.

## Introduction

**The introduction to the EYFS describes its overall aims and principles. The Government agrees with the Tickell Review findings, that the aims and principles should remain in place, but that the EYFS overall could be simplified and shortened.**

1 Is the introduction to the revised draft EYFS, and the explanation of its principles, clear? If not, what changes would you suggest?

Yes

**X No**

Not Sure

We believe that, if given the opportunity to play and explore in rich and stimulating indoor and outdoor environments, supported by highly skilled professionals, young children will demonstrate their capabilities and learn knowledge, skills and concepts in appropriate ways; ways that also support the development of positive learning dispositions and high levels of motivation to continue learning. Such dispositions are a true and lasting foundation for later learning.

We are concerned that the framework does not give sufficient emphasis to issues of cultural and family heritage and its importance for the development and motivation to learn for young children. The section on equal opportunities (3.66) is minimalist in this respect. The tone of the document overall suggests that preparing children for school is more important than recognising their cultural heritage and identity; this tone will encourage practitioners to emphasise directed teaching rather than to build personal understandings of diversity in practice. We already have evidence that this is happening (Moyles and Worthington, 2011).

We are concerned that there is insufficient emphasis on the role of play and its significance for learning during this significant period of babies', infants' and young children's lives. In fact, we feel that there is insufficient attention given to the birth to two-year-old period in the entire document.

We would like to see the inclusion of an emphasis (originally included in *the Curriculum Guidance for the Foundation stage*, QCA, 2000), on an important 'principle' of early education:

*Early years experience should build on what young babies and young children know and can do.*

This is a fundamental right of young children.

This draft framework has rewritten the EYFS Principles (e.g. losing 'Enabling' environments, and leaving out physical and emotional environments, and removing from A Unique Child the statement that children are capable learners from birth). These principles are well-supported by the early years

sector and describe high quality practice, and were endorsed by the Tickell Review. They should be retained exactly as they currently exist.

Placing an emphasis on **school readiness** as the focus of the EYFS is a new and unwelcome development in terms of long-established principles and well-researched practice underpinning early education. The concept of 'school readiness' is wholly inappropriate for this age group and phase of development and runs counter to the over-arching principles relating to **a unique child, positive relationships, a positive environment and children develop and learn in different ways and at different times**. Positive experiences in an early years setting are an entitlement in their own right and not a preparation for a subsequent institutional experience. By placing 'school readiness' foremost in thinking and practice, it runs a risk of encouraging the view that young children learn best in substantively adult-directed, child-passive learning environments. There are better ways to encourage practice that enables young children to be highly motivated and independent learners in an appropriately structured, age-responsive learning environment

**TACTYC will be publishing a funded study of school readiness in the near future and will be happy to present and discuss the findings.**

In several sections of the document, the Reception Year is depicted as being separate from the EYFS; as a place to which children are making transition rather than making a seamless progression within the EYFS. This dimension of seamlessness was a key feature of the previous version of the EYFS and to lose it is a retrograde development.

In a study undertaken by TACTYC (Moyle and Worthington, 2011) we have shown that there is still a long way to go for reception class children to be enabled to learn through effective play provision. Play is vital for all children's learning and development in the birth-six-years period.

We feel strongly that as a curriculum for children from birth to 5 years, the revised EYFS needs to more clearly reflect the strengths and needs of babies and children under three.

## **Section 1 - Learning and Development Requirements**

**This section of the EYFS explains what early years providers must do to support young children's learning and development.**

**The Tickell Review recommended some changes to the EYFS *areas of learning* and that these should be in two categories: three *prime* areas which reflect the essential foundations all children need if they are to develop further: and four *specific* areas in which the prime skills are applied. The revised draft EYFS also suggests the broad areas of focus for educational programmes in each area of learning.**

The *early learning goals* describe what most children should be able to do by the end of the year in which they turn 5. The Government agrees with Dame Clare Tickell, that there are more goals than is necessary or useful in assessing children's progress in the current EYFS. Accordingly, the revised draft EYFS reduces the number of early learning goals from 69 to 17.

The Tickell Review also suggested that the learning and development requirements should not apply in full to settings where children spend limited time, outside school hours - for example, holiday and wraparound care. The revised draft EYFS suggests that where children attend more than one setting that providers should work together, with parents, to determine how they can most appropriately support that child.

2 Do you agree with the proposals that there should be three *prime* areas of learning and development? The three *prime* areas are: personal, social and emotional development; physical development; and communication and language (paragraph 1.3).

Yes

No

Partly

X Not Sure

Comments:

The description of the prime areas as 'particularly important for igniting children's curiosity and enthusiasm for learning' (1.3) is questionable. There is much more than this – including play – to engaging children in their own learning and developing appropriate dispositions to learning.

Since babies are, from birth, curious learners and have a capacity to learn, we are surprised to see the following statement, 'Three areas are particularly important for igniting children's curiosity and enthusiasm for learning, and for building their capacity to learn and to thrive.'

This appears to suggest (erroneously) that it is only the curriculum and babies' and young children's experiences in their early educational settings that can do this.

3 Do you agree with the proposals that there should be four *specific* areas of learning and development? The four specific areas are literacy; mathematics; understanding the world; and expressive arts and design (paragraph 1.4).

Yes

No

Partly

X Not Sure

Comments:

The outlines of Educational Programmes are incomplete and need careful development. The idea of emergent literacy and mathematics, for example, appear not to be emphasised. For example, 'mathematics' is very limited and limiting, focusing on a very narrow set of skills, without recognition of the significance of play for mathematics, and with no mention of children's own meaning-making through marks and graphical symbolisation.

'Understanding the world' is also very limited – there is so much more that that outlined here that children will want to know, understanding, explore and experience (1.5)

The view of 'communication' perpetuated by the document provides only a linguistic perspective and continues to exclude the diverse range of modes and media that children use (i.e. multimodal) and fails to acknowledge communications other than oral.

4 Paragraph 1.6 explains how learning in the prime and specific areas should be supported. Is this a clear explanation? If you ticked no, or not sure, please say how this could be clarified.

Yes

X No

Not Sure

Comments:

This explanation would benefit from an examination of how adults gather 'information' on children's 'individual needs, interests, and stage of development of each child in their care' through, for example, effective observations, learning diaries and photographs.

### Early Learning Goals

We are proposing to reduce the number of early learning goals from 69 to 17. The 17 Goals are all covered by the 7 areas of learning and development (3 prime areas and 4 specific areas). Appendix 4 of the revised draft EYFS describes the detailed content of the goals, which practitioners and teachers would use to assess children's development and achievement.

For each of the 7 areas of learning and development listed below in 5 a) - g), please say whether you agree with the early learning goals which relate to them.

## A. Prime Areas of Learning and Development

5 a) **Personal, social and emotional development:** Self-confidence and self-awareness, Managing feelings and behaviour, Making relationships

Yes

No

Partly

Not Sure

Comments:

5 b) **Physical Development:** Moving and handling, Health and self-care

Yes

No

Partly

Not Sure

Comments:

5 c) **Communication and Language:** Listening and attention, Understanding, Speaking

Yes

X No

Partly

Not Sure

Comments:

Young children 'communicate' in a diverse range of ways and this section needs to reflect this, for example by including a variety of multi-sensory means (such as gesture and action in role-play, 3D models, block play, drawing, emergent writing and mathematical graphics).

## B. Specific Areas of Learning and Development

5 d) **Literacy:** Reading, Writing

Yes

No

Partly

Not Sure

Comments:

These goals ignore all concerns and evidence about the level expected for the literacy Early Learning Goals (ELGs). There is no recognition that some children at the end of reception year will be assessed when they are not yet five years old, almost a whole year younger than some of their class peers (and two years younger than most European countries even start school).

Once again, the expectations of literacy achievements are destined to be unachievable by many young children. We MUST remember that our children are the youngest in Europe/internationally to go to school and we know well that formal learning is not relevant to many of these children who have not yet reached appropriate motor development, e.g. to write and form letters. These goals fail to reflect the significance of emergent writing in early childhood and the impact of social and cultural contexts.

5 e) **Mathematics:** Numbers, Shape, space and measures

Yes

No

Partly

Not Sure

Comments:

This section reflects only a limited 'skills-based' view of mathematics that is too narrow for this age group: it also fails to reflect the significance of social and cultural contexts and needs to emphasise children's mathematical *thinking*.

It is disappointing in its omission of acknowledging children's learning through first-hand experiences and through play, or the rich knowledge that children bring from home to their nursery, pre-school or reception class. Given that the Foundation stage is from birth to the end of reception, it presents a restricted view of mathematics that is slanted towards Key Stage 1 children.

5 f) **Understanding the World:** People and communities, the World, Technology

Yes

No

Partly

Not Sure

Comments:

5 g) **Expressive Arts and Design:** Exploring and using media and materials, Being imaginative

Yes

No

Partly

Not Sure

Comments:

Teachers and other EY professionals will benefit from guidance on 'being imaginative', since the activities listed here cannot guarantee that children will be imaginative, expressive or creative.

5 h) Do you agree that the early learning goals define clearly enough what children should be able to do by the end of the school year in which they turn 5? If you ticked no, or not sure, please indicate which goal(s) you consider unclear and suggest how the goal(s) could be clarified.

Yes

No

Not Sure

Comments:

We recognise the intention to simplify the early years curriculum and welcome the reduction in the numbers of Early Learning Goals. We are concerned, however, with the ELGs' being included and given sole focus in the main body of the Framework, which only continues the misunderstandings from the existing document that the EYFS is concerned only with endpoints for five-year-olds and not with learning and development from birth onwards (following 1.9). Clearer emphasis needs to be made that the ELGs are assessment tools for the *end of the reception year*, rather than aspects to be taught during the Foundation Stage (particularly in Reception classes). As 'goals' the EYFS should make it clear that they are regarded as aspirational, rather than aspects for direct teaching.

The Government is keen to ensure that the EYFS helps ensure children's English language skills are sufficiently developed to allow them to take full advantage of Key Stage 1 and the opportunities that schools offer. It also recognises that bilingualism is an important asset conferring positive advantages for children's learning and development. The revised draft EYFS tries to strike a balance between supporting children's overall language

development, and ensuring appropriate opportunities are provided for children to reach a good standard of English and be ready for school. It also seeks to ensure that the assessment requirements appropriately measure children's progress in English, taking due account of the needs of children who have not had the appropriate time or support to develop their English language skills.

6 Does paragraph 1.7 of the revised draft EYFS get the balance right?

Yes

No

Not Sure

Comments:

The requirement is that communication and language must be assessed in English, without making any distinction between the 2-year-old just entering a setting and EYFSP (1.7) and the importance for many young children to develop confidence in building relationships and communicating with others, including confidence in communicating in their first language.

7. The EYFS requires providers to support children through *planned, purposeful play*. The Tickell Review recommended that this requirement should be explained more clearly. Do you agree that paragraphs 1.10 and 1.11 of the revised draft EYFS clearly outline expectations of the approach practitioners should take to supporting children's learning?

Yes

No

Not Sure

Comments:

We are extremely concerned that throughout the document the significance of play, playful learning and playful pedagogies are no longer adequately emphasised. This significant diminishing of emphasis will give negative messages to both parents and professionals.

In attempting to simplify the curriculum guidelines the document loses sight of the now well-established relationship, evident in research, of the many interconnections between play and learning. The use of the term 'planned, purposeful' in reference to play in early years settings is unhelpful as it automatically precludes child-initiated play as purposeful activity – we have plenty of evidence that child-initiated learning is equally effective. The document reinforces a principle of adult-led pedagogy in relation to the idea of play and playfulness and the international understanding of playful

provision in educational settings has moved beyond this very limited understanding. The documentation produced earlier about play, playful learning and playfulness should be reinstated within this document.

The implication of this document is that more adult-led activities are required as children approach 'reception'. Reception classes are increasingly admitting very young children and the principle of playful learning is appropriate for children, at least until their sixth year, as is evident in many other countries. Children learn from their own explorations – some sensitively and skilfully guided by professionals – and, in this way, also develop healthy dispositions to learning (a key aspect also missing from the document) .

The international literature on playful learning and playful pedagogies is having high impact in other countries including Scandinavia, Australia and New Zealand. There is greater clarity in understanding the complex relationship between play and learning for young children and an associated recognition that such principles should be fundamentally and explicitly contained in curriculum guidelines. This does not need to be done at length but cannot be encapsulated in the term 'planned, purposeful play' as used in 1.10, nor via a cursory and passing reference to the inherent complexities within pedagogical approaches of combining 'activities initiated by children and activities led or guided by adults'.

There is an isolation between the curriculum for this age group in England and in other parts of the UK, the rest of Europe and the wider world. This perspective goes against the extensive published evidence from numerous academic studies of babies and young children's learning in this country and internationally, and recent researches by TACTYC raises concerns about the quality of play in Reception classes, and teachers' understanding of play and playful pedagogies. In essence, in English early years settings we predominantly start children on adult-directed learning much earlier than other comparative countries, who do better on international comparisons than children in England.

We are also concerned that throughout the document there appears to be an emphasis on the need to 'prepare young children for the reception class' (1.1) by an increase in adult-led learning (1.10) which may be interpreted as beginning from the age of three years. In connection with this we are concerned about the inappropriate use of the word 'work' in the context of a curriculum for young children from birth to 5-years. There is no information regarding the youngest children, so that this appears to be a curriculum for two/three-to-five-years which pays no regard to the learning and development of babies and toddlers.

The document reduces and diminishes the Characteristics of Learning – (playing and exploring, active learning, creativity and critical thinking). We see these, and the responsibility of practitioners to foster them, as highly significant (1.11). The draft Framework fails to reflect the Tickell Report recommendation on the Characteristics of Effective Learning as

underpinning all the educational programmes. In reducing and burying these, the proposed framework has become worse than the existing EYFS version by leaving out of the required educational programmes crucial attention to developing children's dispositions and attitudes, creative thinking and problem-solving, with no sense of practitioners' responsibilities to foster these

8 a) Paragraphs 1.14 - 1.15 explain the learning and development requirements for settings where children spend a limited amount of time, outside school hours - for example, holiday and wraparound care. Do you think these paragraphs contain appropriate requirements for wraparound and holiday providers? Please explain.

Yes

No

Not Sure

Comments:

8 b) Are the requirements explained clearly?

Yes

No

Not Sure

Comments:

## Section 2 - The Assessment Arrangements

**There are two types of assessment in the EYFS. The first is formative assessment which practitioners should use on an ongoing basis to identify children's needs and plan activities to meet them and support children's future progress. Careful observation is particularly important. Many people who responded to the Tickell Review were in favour of continuing to require this type of assessment, although some people expressed concerns about the paperwork that was associated with it. It appears that paperwork may often be a response to *perceived* pressures, or reflect practitioners' own training needs, rather than the requirements of the EYFS. The revised draft EYFS retains the requirement that practitioners undertake on-going formative assessment but aims to make clear that the paperwork associated with assessment should be limited.**

9 Paragraph 2.2 aims to discourage practitioners from completing excessive levels of paperwork. Do you think these paragraphs would achieve this aim? Please explain.

Yes

No

Not Sure

Comments:

10 Do you have any further comments on paperwork associated with the formative assessment of children's learning and development?

Yes

No

Not sure

Comments:

We are pleased to note that there remains a continuing emphasis on **observation** as an important part of the practitioner's daily repertoire in informing both their understanding of children's interests and learning and so as to inform planning that builds on learning and interests. Above all, any written notes, photographs or documentation such as learning diaries, should be agreed within the setting. They should be of direct use to teachers and EY practitioners in informing pedagogy and provision, and to share with parents and carers. The emphasis for young children must be on observation leading learning; not on the curriculum leading learning.

We would like to see greater emphasis on assessment and evaluation of the curriculum and pedagogy from the *child's* perspective, and how children experience the opportunities (such as play) and activities provided.

Whilst the document briefly mentions adult-child observations, this would benefit from an emphasis that adults' observations of babies' and children's play be informed by their understanding of play and early childhood development. This is an area that requires significant attention in the professional development of the workforce.

**The second type of assessment is summative assessment, in which practitioners step back and record what children can do across all of the areas of learning, to review their progress at a given point in time. This includes an assessment of children's achievements, and the extent to which progress is as expected, against benchmark standards. It is**

useful for parents as well as early years practitioners in understanding a child's level of development, and in supporting their future learning and development.

Currently, the only summative assessment required by the EYFS is at the end of the year in which children turn 5. It is called the EYFS Profile. A significant number of people have raised concerns about the EYFS Profile in its current form. Some respondents to the Tickell Review felt that it was not challenging enough for more able children but was too challenging for some other children - including children born in June, July and August, who will be the youngest in their school year. Many early years practitioners also highlighted that the EYFS Profile is not always used by Year 1 teachers (teaching pupils aged 5-6 years), owing to the lack of connection between the content of the EYFS Profile and the National Curriculum.

It is proposed that:

a. the EYFS Profile is slimmed down to reflect the proposed (reduced) 17 early learning goals;

b. 'emerging' and 'exceeding' bands are included in the assessment measures, to help identify clearly where children are working towards or have gone beyond the goal. This aims to provide clear information on children's progress for parents and to help Year 1 teachers to support very young children, gifted and talented children or children with additional needs;

c. the wording of the goals is amended to fit more clearly with the goals of the National Curriculum (and the wording of the National Curriculum will be considered in relation to appropriate continuity with the EYFS).

11 Do you think the revised draft EYFS Profile would provide an improved vehicle for capturing the essential information about a child's development at the point at the end of the EYFS? Please explain.

Yes

No

Partly

Not Sure

Comments:

We are pleased to note the substantial reduction in the number of items to be assessed at the end of the EYFS as this has taken considerable time and tended to promote adult-directed activity for assessment purposes. We have concerns, however, that whilst appearing to reduce teachers' workloads the considerable reduction in the number of ELGs could increase the adult-directed teaching in reception classes in particular and contribute to a narrowing of children's experiences in the final year of the Foundation Stage. Training and support for teachers to make best-fit judgements across the full range of children's experiences including self-directed play will be needed to avoid narrow attention and over-emphasis on directed teaching toward the specific statements identified in the Early Learning Goals.

12 Do you agree with the content of the 'emerging' and 'exceeding' bands?  
Please explain.

Yes

x No

Partly

Not Sure

Comments:

We believe that this is unnecessary for babies and children from birth-to-5-years of age at least.

13 Do you agree that the terms 'emerging', 'expected' and 'exceeding' appropriately describe levels of progress? Please explain.

Yes

X No

Partly

Not Sure

Comments:

We are concerned that this represents a means of 'labelling' children that will in turn limit adults' expectations. There is a danger that such labels are also likely to go with them through their school years. We cannot emphasise enough that babies and young children are competent learners by nature and we should start from their experiences.

14 The revised draft EYFS asks practitioners to supplement the Profile and give Year 1 teachers a short commentary on each child's skills and abilities in relation to the three characteristics of effective learning (paragraph 2.7). Do you agree this is helpful? Please explain.

Yes

No

Not Sure

Comments:

Para. 2.7 states: 'Providers must supplement the Profile assessment with a short commentary **on each child's skills and abilities** in relation to the three key characteristics of effective learning'. This would be better as 'on each child's strengths'.

(Para 2.7 continued) 'This will give Year 1 teachers helpful background and context when considering each child's **stage of development** and learning needs.' The phrase 'stage of development' suggests a perspective of young children's learning and development that is no longer considered appropriate by experts in the field and is particularly misleading in terms of children's strengths as learners which we know do not develop sequentially.

15 Do you have any further comments on the proposed revised draft EYFS Profile?

Yes

No

Not Sure

Comments:

In presenting the three levels of Emerging, Expected and Exceeding, the review document included an acknowledgement that some children are younger and that children develop at different rates. This is lost from the framework, with an implication of under-achievement for many children (1.8).

**Early years settings have a duty to collect EYFS Profile data and provide it annually to their local authorities. Local authorities need to provide this annually to the Government. These duties will remain.**

**The Government has also considered the difficulties which can be experienced by children if they need additional support and their needs are not identified at an early stage. For many children, identifying their needs at age 5 is not soon enough to help them catch up to be successful learners in school. In response to this, building on Dame Clare Tickell's advice, we propose that a summary of children's development is provided to parents when their child is aged between 24 - 36 months. This must cover the prime areas of learning. Its purpose is to identify where children may need some additional support and to help practitioners work with parents and others to provide that tailored support. It is for practitioners to decide what the summary might include beyond the above requirements, reflecting the development needs of each individual child, and to decide on the format for the report.**

**For the longer term the Government is exploring the feasibility of a single integrated review at around age 2 (as recommended by Dame Clare Tickell), in which health and early years providers jointly assess children's progress, and work together, and with parents, to plan tailored support as appropriate. This would build on and strengthen the progress review we propose to introduce for September 2012 (as outlined above) to help ensure all children reach a good level of development at age 5 and are ready and able to learn in school.**

16 Do you agree there should be a requirement for providers to give parents a written summary of their child's development in the prime areas when their child is 24 - 36 months (paragraphs 2.3-2.4)? Please explain.

Yes

No

Not Sure

Comments:

17 Do you have any further comments on the 24 - 36 months summary of development?

Yes

No

Not Sure

Comments:

**The Tickell Review recommended that the EYFS should be clearer about how children with special educational needs should be assessed.**

18 Do you think that paragraph 2.10 of the revised draft EYFS is clear in relation to the assessment of children with special educational needs?

Yes

No

Not Sure

Comments:

19 Do you have any further comments on the assessment of children with special educational needs?

Yes

No

Not Sure

Comments:

### Section 3 - Safeguarding and Welfare Requirements

**This section explains the requirements that all early years providers must meet, in relation to children's safety and welfare. In the main, the current welfare requirements were supported in responses to the Tickell Review. The revised draft EYFS aims to simplify and clarify existing requirements. It also provides additional guidance on child protection.**

20 Do you agree that the safeguarding and welfare requirements are set out clearly and cover the right areas? Please explain.

Yes

No

Not Sure

Comments:

21 The requirements for staff training on safeguarding now include examples of inappropriate staff behaviour which are warning signs for the possibility of child abuse (paragraph 3.9). Do you think this will better equip staff to take action to protect children where necessary? Please explain.

Yes

No

Not Sure

Comments:

22 Do you think that the requirement for staff supervision (paragraph 3.19) would help leaders and managers support their staff and keep children safe from harm? Please explain.

Yes

No

Not Sure

Comments:

Supervision is a useful process and insufficiently used in education. However managers and leaders would require training and support to implement this successfully.

23 The current EYFS sets a lower age limit of 17 for people looking after children unsupervised whilst the General Childcare Register (GCR) for those looking after older children sets a minimum age of 18. We think that it is important that our youngest children should be looked after by responsible adults. We therefore propose that only those over the age of 18 should be counted in ratios for both the EYFS and the General Childcare Register. Do you agree that we should raise the age limit in the EYFS?

Yes

No

Not Sure

Comments:

24 Childminders have previously been allowed six months to complete their training after registration. This means that they can look after children without having been trained in the EYFS. Do you agree that childminders should be trained to understand fully the requirements of the EYFS before they can register and look after children? Please explain.

Yes

No

Not Sure

Comments:

25 a) Paragraphs 3.54 and 3.64 explain the requirements for risk assessments by settings. Do you think the explanation is clear? Please explain.

Yes

No

Not Sure

Comments:

25 b) Do you think this would help providers keep children safe without completing unnecessary paperwork? Please explain.

Yes

No

Not Sure

Comments:

26 Do you have any further comments on the safeguarding and welfare requirements?

Yes

No

Not Sure

#### **Staff qualifications**

- The required levels for staff qualifications are not adequate for 2012. By then the EYFS framework should show a shift from what was acceptable in 2008 and should be more aspirational. This section in the draft document does nothing to press the sector towards upskilling.
- It is reasonable to expect all rooms/age group leaders to be at level 3, to have a higher proportion than 50% of the rest of the staff at level 2 and to be training towards level 3, with the requirement that any unqualified staff must be on a training programme towards level 2. This would strengthen the consultation document's current statement (3.22) that 'In particular, providers should consider supporting those staff without any relevant qualification to obtain a relevant level 2 qualification (p 19)'.
- Also, if level 3 is to remain acceptable as a leader/manager qualification, it is reasonable that they too must be on a training programme to further their qualifications to lead. This section should be strengthened to more closely reflect Tickell's review, which was so clear on this: 'I recommend that the Government retain a focus on the need to upskill the workforce, to commit to promoting a minimum level 3 qualification and to maintain the ambitions for a graduate-led sector' (Tickell, 2011, p 41, sect 5.5)

#### **Staff-child ratios**

- The reception class is not a 'school' in the sense used in the document – it is part of the 'early years' and should be staffed accordingly with high quality practitioners as all research has shown to be vital. The document lists the 1-to-30 maximum ratio, but makes no mention of best practice in providing skilled teaching assistants for these young children (3.37).

### **Learning environments**

- We are concerned about the comment that children should go outdoors daily unless 'inappropriate' for 'poor weather conditions' (3.58). We believe strongly that children should learn outdoors both despite and because of different weather conditions; appropriate clothing should be available. This statement also weakens the existing document which says unless 'unsafe' weather conditions (3.58) not sure about this last sentence as the word 'unsafe' does not seem to be in this paragraph.

### **Safety and suitability of premises, environment and equipment**

- The requirement for separate 'baby rooms' is retrograde. Some of the best settings provide family groupings so that babies and toddlers can mix with older children, not be in a separate baby room, and can stay with the same key person throughout their time in a setting, rather than the disruptive (to attachments – so vital to development of babies and toddlers) method of moving children on from a baby room to a toddler room to a pre-school room, changing Key Persons and environment as they go and causing too high a number of transitions for settled relationships. (3.59).

### **Inspection and Enforcement**

- The focus on safeguarding is important but it is not sufficient to suggest that the only training which needs to be given to practitioners is on this issue. There is much for practitioners still to learn about aspects of curriculum and pedagogy that require in-depth training and education (3.9), particularly their subject knowledge of play.

## **Inspection Arrangements**

**Ofsted inspection assesses how well providers meet the standards of the EYFS and Ofsted publishes inspection reports on its website.**

**If providers breach any of the welfare requirements Ofsted can issue a Welfare Requirements Notice. If providers do not comply with the Welfare Requirements Notice by the date specified, then Ofsted can cancel the provider's registration and prosecute as they judge appropriate.**

**There are some breaches of requirements which can lead to immediate prosecution without a Welfare Notice first being issued. These are detailed at (paragraph 3.79 and 3.80) of the draft EYFS. The Government is considering whether the system for handling breaches of requirements could be simplified and would welcome views on whether any of these requirements could be appropriately dealt with through Welfare Notices rather than under caution/through prosecution.**

27 Do you think that we should remove the automatic offence from any of the welfare requirements? If so please specify which ones need not carry an automatic offence. Please explain.

Yes

No

Not Sure

Comments:

28 The Government would also welcome views whether Ofsted's powers are sufficient in the area of learning and development. Should the Government introduce a system similar to Welfare Notices for breaches of the learning and development requirements?

Yes

X No

Not Sure

Comments:

Concerns have been felt throughout the Foundation Stage that there is limited understanding of early childhood development and the role and importance of play. We would like to see training provision in these significant aspects for all OfSTED inspectors who are to be involved in inspections for the Foundation stage.

### General

29 Overall, do you think that the revised draft EYFS is clear and easy to navigate? Please explain.

Yes

No

Not Sure

Comments:

30 Do you think the Government should make any further revisions to the EYFS, to simplify and shorten it further? Please explain

Yes

No

Not Sure

Comments:

31 Do you think that the revised draft EYFS would support effective partnership working with parents and carers, enhancing their involvement in children's' learning and development? Please explain.

Yes

No

Not Sure

32 Please use this space for any other comments on the proposals.

We are pleased to note that the role of the key person now appears in the Learning and Development requirements (1.12) as well as in Safety and Welfare Requirements and there is a welcome emphasis on the role in making a link with and engaging parents as well as in building a settled relationship with the child. We would like to see provision of training on the key person approach for Reception class teachers, in order that children continue to benefit from a close relationship with one adult who builds deep understanding of a small number of children's strengths and needs. This would also ensure that all adults in reception classes are used effectively throughout the entire day.

33 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:

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**

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  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, tel: 01928 438060 / 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 30 September 2011

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

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