



the National Parent Forum of Scotland

Early Learning and Childcare Statutory Guidance Consultation

The National Parent Forum of Scotland (NPFS) welcomes the Scottish Government's expansion of Early Learning and Childcare (ELC), and the commitment to offer parents' choice and flexibility to ensure that families can access ELC that meets their needs. Parents are their child's first teacher and have a significant role to play in all aspects of their learning, development, and well-being. It is therefore integral that parents are involved and empowered in ELC. A key part of this involvement is ensuring that the Statutory Guidance is clear for both parents and practitioners. This will ensure that everyone has the correct information so that they can work together on achieving the best outcomes for children following the ELC expansion in August 2020. Therefore, the NPFS are pleased to have the opportunity to respond to the Early Learning and Childcare Statutory Guidance Consultation. Our responses to the consultation questions are detailed below.

Does the Guidance help your understanding of the legislation relating to education authorities' functions in the delivery of early learning and childcare?

Overall the guidance does provide an understanding of the legislation relating to education authorities' functions in delivering ELC. However, there are areas of the guidance where education authorities' roles and duties could be made clearer. This is particularly the case when referring to a child's eligibility for ELC funding, as well as when discussing the degree of flexibility that authorities should be offering.

In Section 47 of the guidance, point 37 details the responsibility of education authorities to make sure that parents are aware of what their child is entitled to. We are pleased to see the duty education authorities have to ensure that parents are fully informed, however would note that the wording of this point needs to be approached with caution. It is helpful for education authorities to promote to parents what their child is eligible for and the potential benefits of the ELC entitlement, without this being used to undermine parent choice if they choose not to take up the ELC they are entitled to. We would suggest that this point makes clear that although education authorities should inform parents of their entitlement, they should not pressure parents to take this if they choose not to do so.

We are also pleased to see in Section 50 of the document reference to the requirement for education authorities to consult with representatives of parents and carers. We do however challenge the choice of language: "education authorities must consult with persons who appear to be representative of parents." The inclusion of 'appear' could result in education authorities consulting parent representatives superficially. We would propose that 'appear' is removed, to ensure that those who are clearly representing parents' views are consulted, including consulting some parents directly. We are pleased with the inclusion of the need

for education authorities to consult a variety of parents from different backgrounds, and the clear bullet point format this is presented in. We would suggest that point 77 has additional bullet points that include the needs for efforts to be made to consult parents and carers who have English as an Additional Language and/or Additional Support Needs. We would also stress the importance of consulting and including parents who are separated or live apart, to ensure that both parents are involved in decisions.

In Section 52, we welcome the emphasis in bold of the requirement for education authorities to ensure that options are “flexible enough to allow parents an appropriate degree of choice.” This makes clear to parents that the education authority do have a duty to provide a range of flexible options to accommodate as many families as possible. A useful addition here would be to include in the guidance some examples of what would be deemed as an “appropriate degree of choice” to save confusion.

Are there any specific aspects of the early learning and childcare legislative framework that remain unclear after reading the Guidance?

After reading the guidance there is still a need for clarity around the 1140 hours. Section 48 begins to address this, however the bullet points in point 60 do not make it clear when parents may have to make their own contribution above the 1140 funded hours. This could cause confusion, and this section needs to be clearer in stating exactly what the 1140 hours includes and provide clear examples of when parents and carers may need to make additional contributions on top of this.

Do you find the guidance clear and readable?

Sections of the guidance could be inaccessible to parents and carers due to being unclear. This is particularly the case in earlier sections of the document. Section 46 contains lengthy definitions which can be hard to follow. Specifically, point 22 is a particularly lengthy sentence which would be hard for both parents and practitioners to unpick. The NPFS understands the need for legislation to be referenced in the guidance, however would suggest that when providing a definition for ELC there is a simpler easy to understand version of this included at the start of the document, instead of only referring to how ELC is defined in the 2014 Act. Overall, especially in the earlier sections of the guidance, there is frequent reference to legislation which can be a challenge to follow. A potential solution to this would be for references to legislation to be included in a table, rather than embedded within paragraphs and definitions. This would mean that the legislation would be in one place, making the guidance document as a whole easier to navigate.

The use of tables later on in the guidance is a helpful and clear format for information. The tables included in Section 47 detailing the start and end dates of eligibility are accessible to parents, carers, and practitioners. Similarly, point 45 offers clear information on deferred entry and eligibility due to this information being provided in short and succinct points, with less direct references to legislation. Section 51 is also clear where point 108 provides examples of how the 1140 hours could be broken down.

Finally, the Glossary of terms in Annex A is a useful addition to make the guidance clear and readable.

Are there any specific areas of the Guidance where we could improve readability?

There are a few areas of the guidance where it could be changed in order to improve the readability:

- Introduction
 - 9. The NPFS are pleased to see the inclusion of parents and carers, however this point is lengthy and lacks clarity. We suggest that this point is simplified to the following: “The 2014 Act places duties on education authorities to consult with parents on how funded early learning and childcare is delivered. Education authorities should ensure that the early learning and childcare which is available is flexible and allows parents an appropriate degree of choice.”
 - 14. It would be useful to signpost here where in the guidance further information about eligible 2-year-olds will be provided.
 - 15. This point is lengthy, and it can be hard to pull out the relevant and important information. We would suggest that Funding Follows the Child is made into a separate point such as: “Funding follows the child enables more choice for parents and carers. Parents and carers can use their child’s Early Learning and Childcare entitlement at the provider of their choice. This is on the condition that the provider of the chosen provider meets the criteria in the National Standard, has a space available, and is willing to enter into a contract with the Education Authority.”
- Section 46
 - 22. This is a very unclear paragraph and is set out confusingly with long sentences. We would suggest this point is broken down into bullet points to improve readability.
- Section 47
 - 28. This point only directly refers to 2-year-old children being eligible if they have been looked after or are under kinship care. This could create confusion, as it does not make it clear that there are also other reasons a two-year-old may be eligible.
 - 29. This point surrounding eligibility also lacks clarity. A more readable way of including this information could be to list in bullet points who is eligible for ELC funding.
 - 31. This point again gives the impression that it is only Looked After Children who are eligible at two-years-old. It would be useful to include here which two-year-olds are eligible due to the 2014 Order, either in brackets or listed in bullet points.
 - 51. The NPFS are very pleased to see the inclusion of the 2006 Parental Involvement Act in the document. However, this point is lengthy and can be hard to pull the important information from. We would propose that the Parental involvement Act is detailed in a separate point to make it clearer. It would also be useful for this point to provide examples of how education

authorities can make sure local policies and procedures are accessible for parents and carers. For example, by providing parent friendly resources in an easy to find place.

Do you have any other comments on the Early Learning and Childcare Statutory Guidance for Education Authorities?

Overall, the NPFS are pleased to see the inclusion of parents and carers throughout the guidance, and it is encouraging to see the 2006 Parental involvement Act referenced. Section 47 identifies the need for communication and relationships with parents and carers. The NPFS promotes the importance of relationships to ensure that parents are empowered and can work with practitioners as equal partners. We would therefore suggest that point 51 about the 2006 Act is strengthened further. Currently, it could be interpreted as the only reason to involve parents is because the legislation says to do so. It would therefore be useful to have further information as to why parental involvement is important, by referring to the significant impact parents have on their child's well-being, learning, and education. Similarly, point 52 recognises the need for communication and relationships with parents and carers. However, it would be useful to strengthen this point to make it clear that communication is a two-way process and parents do not only passively receive information about ELC, they actively contribute their ideas and knowledge.

It is also encouraging to see in Section 50 the emphasis placed on the need to consult parents from a range of backgrounds through a variety of methods. We would suggest that some ideas and examples are provided of how to do this. We are also encouraged by the inclusion of Additional Support for Learning (ASL) within Section 50. In recent Focus Groups regarding ASL held by the NPFS, we heard from many parents that ASL support in the early years had a considerable impact on their child's overall experience of education in the long-term. Examples of good practice in the early years setting included early diagnosis, supportive practitioners, and clear transition plans from the beginning. We are therefore pleased to see this included in the ELC statutory guidance. This point could also be strengthened further by identifying how significant ELC providers can be at the start of a child's ASL journey.

Summary

Overall, the NPFS recognises the inclusion of parents and carers throughout, however, has some concerns about the readability in areas, and the need to strengthen the importance of parental involvement in the guidance. The NPFS appreciate the opportunity to respond to this consultation on the Early Learning and Childcare Statutory Guidance.

Kind Regards,

Joanna Murphy.

Joanna Murphy

Chair, National Parent Forum of Scotland