

ASSOCIATION OF TEACHERS AND LECTURERS

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**Extending the free early education entitlement:
discussion document on a new code of practice**
Response from the Association of Teachers and Lecturers
8 July 2009

ATL, as a leading education union, recognises the link between education policy and our members' conditions of employment. Our evidence-based policy making enables us to campaign and negotiate from a position of strength. We champion good practice and achieve better working lives for our members.

We help our members, as their careers develop, through first-rate research, advice, information and legal support. Our 160,000 members – teachers, lecturers, headteachers and support staff – are empowered to get active locally and nationally. We are affiliated to the TUC, and work with government and employers by lobbying and through social partnership.

ATL policy

ATL believes that teachers as professionals must be recognised for their knowledge, expertise and judgement, at the level of the individual pupil and in articulating the role of education in increasing social justice. Within light national parameters, development of the education system should take place at a local level: the curriculum should be developed in partnership with local stakeholders; assessment should be carried out through local professional networks. Schools are increasingly encouraged to work collaboratively with each other and with other providers of education and care, to offer excellent teaching and learning, and to support pupils' well-being, across a local area. Accountability mechanisms should be developed so that there is a proper balance of accountability to national government and the local community, which supports collaboration rather than competition.

ATL response

Children are entitled to the best quality early years provision, regardless of the setting in which they access their education and care. ATL believes that:

- ♦ Children are entitled to high quality provision where their needs and interests should take precedence.
- ♦ A well-qualified, highly skilled workforce with access to continuing professional development is central to the provision of high quality early education and childcare.
- ♦ Quality of provision must be consistent, regardless of the methods used to support providers or hold them accountable.

In our position statement, *Early Education and Childcare*, 2005, we state: *It is vital that policies for childcare and early education focus on the needs and interests of children, both in terms of their present needs and what they will need in order to live fulfilling lives in the future. Of course, services for young children must also take into account the needs and views of parents and carers, but where the needs of children and the changing patterns of employment conflict it is important that the needs of children take precedence.*

We believe that the extension of the free entitlement must be managed so that it offers real benefits to children's learning and development, as well as being manageable for providers. To this end, we would expect DCSF to evaluate its impact on children's learning and development.

Schools will encounter particular issues as they put the extended free entitlement into practice, and feedback from the pilots tells us that teachers and support staff are concerned about possible contractual implications as well as impact on workload, curriculum planning, relationships with children, and partnerships with parents and other providers. We would expect an evaluation to consider the impact of the new entitlement on different types of provision and staff.

The Extended Free entitlement

ATL agrees that to ensure a consistent entitlement, the government should set national parameters. It is also right for Local Authorities to ensure that the entitlement is offered across an area, perhaps working with the Children's Trust. Local Authorities also have a key role to play in brokering and supporting partnerships between providers, and we believe that the guidance should reflect this more strongly.

However, we are not convinced that the national parameters as set out are the right ones. Although we recognise that parents who work outside the home are likely to need safe spaces for their children for longer sessions per day (and potentially across different shift patterns), this entitlement is in fact to free early *education*. Studies on the Effective Provision of Pre-school Education (EPPE) carried out by the University of London Institute of Education concluded that full-time attendance at pre-school settings led to no better gains for children than part-time provision. ATL believes that it is not possible for children to access high quality education consistently across 10 hours in a day, nor that 2-hour sessions give enough time for children's sustained and concentrated learning. Children need 'down-time', including sleeping, within a long day, and are likely to be tired and less responsive after a long session; a child who has 3 sessions of 5 hours is likely to spend more time in playful, interactive and independent learning. We are concerned that setting the parameters in this way will devalue the concept of children's learning or will place added pressure on providers to ensure productive outcomes from all 10 hours.

We agree that most settings, and schools in particular, will not be able to offer full flexibility of provision so that parents can access whenever they need it across a week. We also believe that this would not be desirable for children's learning: young children need to spend time with familiar adults and with predictable groups of peers if they are to develop supportive and consistent relationships and learn how to make friends. Some form of

agreement between providers and parents is likely to prove useful in ensuring that both parties share the responsibility for ensuring that children gain the benefits of early education. Where flexibility is developed by providers working in partnerships, then agreements should be developed jointly, rather than between parents and individual providers. This ensures that providers understand their responsibility to each other for the children's learning, and helps to develop good quality.

We agree that there should be a limit on the number of providers for each individual child, in order to minimise the disruption to children and to support continuity of provision. Although a maximum of 2 providers appears sensible in the short term, over the course of a year this may need to change to reflect the changing needs of children, particularly as the 'stretched' offer is developed. For example a child might take up their free education in a school nursery class and with a childminder during term time, but with a different 'holiday' provider as well as the same childminder during school holidays. What is important is that the LA supports these providers to work in partnership to the benefit of the child without placing undue burdens on staff.

We understand the benefits of requiring LAs to develop childminder networks in order to raise quality. However, it is equally important that LAs develop and support partnerships between childminders and schools, both in order to support individual children and to offer joint professional development across a range of early education professionals.

'Stretching' the offer

Schools, on their own, will be unable to offer the free entitlement over more than 38 weeks, because of difficulties with buildings and because of the implications for teachers' and support staff contracts. It is vital then that extended, flexible provision is developed in partnership between providers rather than by each individual provider attempting to offer the full range 'in-house'. We question the need for schools currently to attempt the enormous task of changing staffing, resourcing and curriculum planning to meet the need for extended, flexible provision when it is possible that in future they could offer just under 12 hours (ie similar to current provision) during term time, with the remainder covered by partnerships with other providers during holiday time.

Quality

We agree absolutely that the free education provision should be of the highest quality. We believe that high quality early education depends on four factors:

- ♦ well-qualified, knowledgeable and skilled staff who have access to continuing professional development
- ♦ well-resourced learning environments which are stimulating, exciting and safe, which promote children's imagination and curiosity and which acknowledge the importance of play
- ♦ routines and procedures which are centred around the child
- ♦ parents and carers who are valued as partners with a crucial role to play in their children's education and care.

We welcome therefore developments in ensuring more graduates and more level 3 qualified staff in early years settings. We accept that it will take time to upskill the profession in a sustainable way, but would wish to

see more reference to level 3 as a *minimum* qualification. And while we welcome the requirement for graduate leaders in PVI settings, it is important to acknowledge evidence that shows that the greatest gains happen when graduate-level staff work directly with children.

While it is important that individual settings offer a high quality education, it is also vital that the system as a whole is of high quality. The LA has a pivotal role in supporting partnerships between providers (including maintained and independent schools), developing joint professional development and supporting smooth transition between settings on a daily/weekly basis and at key points such as starting school.

It would appear to be the right approach to put an expectation in the Code of Practice that LAs deliver the free entitlement through providers who are leading the way in terms of quality and continuous improvement, but we would need to be reassured that quality measures are meaningful. We hear too many stories of Ofsted inspections that offer a quality rating far in advance of that which the LA would offer, and judgements made on insufficient evidence or understanding of early years practice, to be convinced that there are straightforward ways of making consistent quality judgements. We hope that DCSF will carry out further work with providers and other early years experts to develop the concept of quality.

Evidence gathering

Many ATL members have been involved in pilots of the extended, flexible entitlement in schools. Changes piloted have included:

- ♦ increasing the length of the morning and afternoon session – this may be by starting earlier or finishing later;
- ♦ increasing the length of the morning and afternoon session by using only support staff or other agencies at the start and end of the session;
- ♦ introducing a second session in those nurseries which currently only have one session
- ♦ increasing the length of the morning and afternoon sessions, but allowing crossover at lunch time so that all children are in the nursery over lunch
- ♦ offering a combination of full- and part-time provision in order to meet the requirement for flexible provision.

Members have identified a range of challenges in attempting to change their provision, including:

- ♦ agreeing how much flexibility can reasonably be offered to parents without compromising the quality of provision
- ♦ identifying which children are attending which sessions, in order to ensure children's safety and well-being, as well as ensuring relevant curriculum provision
- ♦ finding time for informal conversation with parents as they pick up or drop off their children particularly where there will be crossover of provision or reliance on support staff for beginning or end of sessions
- ♦ planning curriculum provision for all children, particularly if a combination of full- and part-time provision is planned – for example, many schools with a morning and an afternoon session would plan the same broad offer for both sessions, but will need to provide something different for children who will attend some or all of both sessions

- ♦ ensuring continuity of provision for children by allowing adequate time for nursery staff to plan and assess together
- ♦ providing meals and supervision at lunchtime, particularly where facilities or staffing are not adequate for very young children;
- ♦ providing rest areas/quiet areas for younger children who may still require it
- ♦ the impact on caretakers and cleaners of changes to hours of work, and on midday supervisors where lunch arrangements are changed
- ♦ discrepancies between the length of the day for reception, ks1 and ks2 classes and for nursery classes
- ♦ opportunities for whole-school meetings where there is a discrepancy between the length of the day
- ♦ the work-life balance of staff who may have personal circumstances which prevent them from being able to extend their working hours. This may be of particular relevance to part-time staff.

Conclusion

We understand that the government is committed to providing opportunities for parents to work or study, knowing that their children are safely cared for. However, we believe that more needs to be done to ensure that the entitlement to free early education gives children the best chances to learn and develop.

The national parameters and quality guidance must reflect children's needs as well as those of their parents. ATL calls on the government to evaluate the impact of different provision, partnerships and take-up on children's experiences and learning, parents and staff.

We believe that the Code of Practice must give more guidance on the importance of partnership between providers in offering the flexible, extended entitlement. This must point to the role of Local Authorities in brokering and supporting, so that teachers, support staff and school leaders do not bear the brunt of setting up and administering those partnerships. The Code will also need to give consideration to the different issues which partnership working will raise in rural and urban areas. We would expect to see a rural impact assessment of the policy of local flexibility.