

States of Jersey
States Assembly



États de Jersey
Assemblée des États

Education and Home Affairs Scrutiny Panel

Early Years



Presented to the States on Tuesday 29th April 2008

S.R. 5/2008

CONTENTS

1.	TERMS OF REFERENCE	4
2.	PANEL MEMBERSHIP	5
2.2	The Panel's Adviser	5
3.	EXECUTIVE SUMMARY	6
3.1	Executive Summary	6
3.2	Key Findings	8
3.3	Recommendations	12
4.	CHAIRMAN'S INTRODUCTION	14
5.	BACKGROUND	16
5.1	Scrutiny of Early Years	16
5.2	Rationale	16
5.3	Report Structure	17
6.	PREVIOUS DECISIONS, CONSULTATION AND REPORTS	18
7.	WHERE ARE WE NOW?	34
7.1	Strategy and Funding	34
7.1.1	States Strategic Plan 2006-2011	34
7.1.5	Departmental Business Plan	34
7.1.10	Social Policy Framework	35
7.1.12	Minister for Education, Sport and Culture	36
7.1.15	Funding Options	36
7.2	Cross-Departmental Working and Stakeholder Involvement	37
7.2.5	Health and Social Services Department	38
7.2.16	Economic Development Department	41
7.2.21	Treasury and Resources Department	42
7.2.25	Social Security Department	43
7.2.32	Chief Minister	44

7.2.40	Parents and Providers	45
7.2.52	Jersey Child Care Trust	48
7.2.60	States Primary Schools.....	50
7.2.63	Confusion.....	50
7.2.65	Confusion About Funding	50
7.2.69	Confusion About Top Up Hours	51
7.2.75	Confusion About the Age of Entry.....	52
7.2.81	Confusion About Capacity	53
7.2.85	Care or Education?.....	54
7.3	Is There a Strategy?	58
7.3.12	Is There Support for the Minister’s Proposal?	61
7.3.24	Planning to Deliver the Strategy	63
7.4	Children.....	66
7.4.1	Needs of Children	66
7.4.8	Continuity.....	68
7.4.15	Special Needs/Ethnic Minority/Vulnerable Children.....	70
7.4.28	Listening to Babies and Young Children	74
7.5	Needs of Parents.....	75
7.5.2	Affordability	75
7.5.13	Lottery and Inequity	78
7.5.24	Flexibility and Choice.....	81
7.5.36	Working Parents	85
7.6	Providers of Early Education and Childcare	88
7.6.1	Impact of States Provision Policy.....	88
7.6.21	Regulation – Different Standards.....	93
7.6.45	Qualifications and Training	99
7.6.50	Training and Employment Partnership (TEP)	100
7.6.57	Highlands College.....	102
7.6.67	JCCT.....	105
7.6.71	Capacity.....	105
7.6.83	Allocation of Places and Admissions Process	108

7.7	Communication	112
	7.7.1 Early Years Responsibilities within the Department for Education, Sport and Culture	112
	7.7.9 Information to parents	115
8.	JERSEY IN CONTEXT	119
8.1	Introduction.....	119
	8.1.3 Jersey	119
8.2	Other Jurisdictions.....	122
8.3	Reggio Emilia	122
8.4	Guernsey.....	124
8.5	Isle of Man.....	125
8.6	England	126
8.7	Scotland	129
9.	WHERE DO WE GO FROM HERE?	131
9.2	Outline of the Latest Proposals	131
9.3	A Waiting Game - Ending the Spiral.....	132
9.4	Partnership with the Private Providers.....	134
	9.4.17 Supporting Providers	139
9.5	Engaging Employers	144
9.6	Collaborative Corporate Working	147
9.7	Pathfinders/Pilots.....	152
9.8	Funding	154
10.	CONCLUSION	162
11.	METHODOLOGY AND EVIDENCE CONSIDERED.....	164
	11.1 Methodology.....	164
	11.2 Evidence Considered	164

1. TERMS OF REFERENCE

- 1.1 To consider what is required for the effective delivery of Early Years education and care, with particular regard to the needs of the following:
 - a. The children
 - b. The parents
 - c. The providers of education and care

- 1.2 To consider the stated aims of the Minister for Education, Sport and Culture in providing all 3 to 4 year olds with 20 hours of early years education for 38 weeks a year, with particular reference to the following:
 - a. Cost and resource implications
 - b. Equity of access
 - c. Potential impact of partnerships between the public and private sectors
 - d. Expectations and requirements of parents who wish to work

- 1.3 To consider how the Department of Education, Sport and Culture's work on the provision of education and childcare for 3 to 4 year olds will fit within an overall, integrated strategy for 0 to 4 year olds

- 1.4 To examine any further issues relating to the topic that may arise in the course of the Scrutiny Review and which the Panel considers relevant

2. PANEL MEMBERSHIP

2.1 Education and Home Affairs Scrutiny Panel

2.1.1 Deputy Deidre Mezbourian, Chairman

Deputy Juliette Gallichan, Vice-Chairman

Connétable Graeme Butcher of St John

Deputy Shona Pitman

Officer Support during the review: Mr T A Oldham.

2.1.2 Connétable Butcher was appointed to the Panel on 29th January 2008 prior to this report's presentation. However, the Panel's investigations had finished by the time of his appointment and the report was nearing completion. He was not therefore directly involved in the review.

2.2 The Panel's Adviser

The Panel was pleased to engage Dr Cathy Hamer BEd, BA(Hons), MAppSci, DPsychol, CPsychol, CSci, AFBPsS, Chartered Educational and Health Psychologist as its independent expert adviser throughout the course of the review. Dr Hamer has extensive experience in the delivery of the Sure Start programme in the United Kingdom and is a trainer for the National Children's Bureau in the PEAL (Parents Early Years and Learning) and VCS (Voluntary and Community Sector) Engage programmes and also trains on behalf of the National Academy of Parenting Practitioners. She is an Expert Adviser for the Centre for Public Scrutiny in England.

3. EXECUTIVE SUMMARY

3.1 Executive Summary

- 3.1.1 The Minister for Education, Sport and Culture has acknowledged the inequity in the public provision of free Early Years education and care for children in the academic year in which they turn four and has stated his intention to resolve this situation.
- 3.1.2 This inequity is an unintended long-term consequence of a policy of building nursery classes attached to States Primary schools which was introduced in the mid-1980s but has not yet been completed, meaning that not every primary school has a nursery class attached to it. There is therefore a shortfall of places available within the public sector.
- 3.1.3 A further unintended consequence of this policy was the negative effect on the private sector providers. We learned that it has put the public sector into direct subsidised competition with the private sector, leading to a situation whereby some private nursery providers have had to close and others struggle to continue to operate.
- 3.1.4 The opportunity to access a free entitlement of 30 hours public sector Early Years education per week for 38 weeks per year is currently available to approximately half of those eligible.
- 3.1.5 The Minister had hoped to provide all eligible children with the opportunity for a reduced annual entitlement of 20 hours per week for 38 weeks but was not able to procure the necessary funding.
- 3.1.6 The rationale for extending this opportunity is that there is evidence of the developmental and educational advantages for children which in turn can provide long term benefits to society. We found that this argument is justified and well supported and that it is entirely appropriate for the Minister to pursue this aim.
- 3.1.7 However, despite the years that have passed and the many reports that have been written we ascertained that insufficient planning has been undertaken into how this aim can be achieved. The source of the required funding remains unknown, and we found general confusion and misunderstanding about the detail of the Minister's proposition. It would require a partnership between the Department of Education, Sport and Culture and the private providers and whilst we noted that there is wide-spread support for a partnership, it has yet to be established in a meaningful way. It is also unclear whether sufficient capacity exists in the private sector to enable the Minister to deliver his aims.

- 3.1.8 We also found a lack of cross-Departmental work and progress not only on the Minister's proposal for 3 and 4 year olds but also on the development of an overall integrated strategy for 0 to 5 year olds.
- 3.1.9 We were surprised to discover that the fundamental step of carrying out a definitive cross-Department economic assessment of the case for investing in child care had not been considered.
- 3.1.10 We believe there is scope to enhance the criteria for admission to States nursery classes which are not sufficiently robust. For example they are not stated in priority order and we identified some omissions, notably relating to multiple births, a child's medical condition, disability or health needs.
- 3.1.11 *RC 100/2006* previously highlighted that there is an acknowledged division of responsibility for Early Years within the Department of Education, Sport and Culture, yet this is still unresolved. We believe that if the Department is to have success in bringing together a cohesive cross-Departmental strategy focussing on the provision of universal services for children it should first tackle this internal division.
- 3.1.12 We were surprised to learn that charitable funding is used to supplement the support for children with special needs within the private sector and that a considerable amount of time is put into fund-raising efforts.
- 3.1.13 Our conclusion is that other options for removing the inequity in provision must now be identified and we believe that this should be undertaken as one part of an overall, integrated States Early Years strategy for all children aged 0 to 5.
- 3.1.14 The Minister needs to resolve the ways and means to deliver a free entitlement of quality Early Years education and care, establish a meaningful partnership with the private sector and provide more detail to all interested parties.

3.2 Key Findings

- 3.2.1 Despite numerous reports, the States of Jersey does not have a clear, integrated and equitable Early Years strategy. (6.20.9)**
- 3.2.2 There has been a lack of effective communication by the Minister for Education, Sport and Culture with the Council of Ministers on the matter of Early Years education and care. (7.2.37)**
- 3.2.3 In the context of Early Years there has been insufficient cross-Departmental working and a lack of understanding of the implications for affected Departments. (7.2.38)**
- 3.2.4 The officer Group established in July 2006 to progress the Early Years agenda recommended a delay because tax mechanisms were going through change and Income Support was due to be introduced. (7.2.39)**
- 3.2.5 Following initial consultation by the Department of Education, Sport and Culture, parents and providers were disappointed by the lack of engagement, follow-up and action. This contributed to the disbanding of the Parents Action Group. (7.2.62)**
- 3.2.6 There has been widespread confusion about and misunderstanding of the Minister's proposal. This has not helped him to achieve his aims. (7.2.84)**
- 3.2.7 The educational element has underpinned the development of the States of Jersey Early Years agenda and has been the driver for the nursery classes attached to States Primary schools. This has led to a perceived distinction between an education based provision within public sector facilities and a care based provision within private sector facilities. (7.2.96)**
- 3.2.8 The vision for 30 hours of early education and care for 38 weeks of the year identified in 2005 (*R.C. 54/2005*) was revised to a proposal for 20 hours for 38 weeks of the year, presented to the Council of Ministers in the *Early Childhood Education and Care: Progress Report – December 2006*. (7.2.97)**
- 3.2.9 There is a growing realisation among professionals working with young children that children's learning, development and education, and childcare objectives, are not mutually exclusive and should be integrated. (7.2.98)**
- 3.2.10 There is significant evidence of support for the principle of offering a free entitlement to Early Years education for all three and four year olds (for 20 hours per week, 38 weeks per year). (7.3.22)**

- 3.2.11 The Department of Education, Sport and Culture has not identified funding to deliver a free entitlement of Early Years education for all three and four year olds. (7.3.23)**
- 3.2.12 There has been inadequate planning for the implementation of a free entitlement to quality Early Years education. The ways and means to deliver free early education entitlement have not been sufficiently established. (7.3.36)**
- 3.2.13 The key needs of children include learning through play at home and in Early Years settings providing integrated learning development and care. (7.4.7)**
- 3.2.14 There is a lack of flexible provision and wraparound care, which does not promote the continuity needed by children and required by working parents. (7.4.14)**
- 3.2.15 Charitable funding is used to supplement the support for children with special needs within the private sector. (7.4.27)**
- 3.2.16 Parents are not able to rely on their child obtaining a place at a Public Nursery. (7.5.22)**
- 3.2.17 Parents want equality of opportunity of Early Years education for their children. (7.5.23)**
- 3.2.18 Parents want choice and need flexibility in the provision of Early Years education and childcare for their children. (7.5.35)**
- 3.2.19 There is a need for the Ministers for Education, Sport and Culture and Economic Development to appreciate the link between childcare and employment in promoting the economy and in meeting the needs of working parents. (7.5.49)**
- 3.2.20 It is clear that no definitive, cross-Departmental economic assessment of the case for investing in childcare has been undertaken. (7.5.50)**
- 3.2.21 There is scope for greater co-operation between the Department of Education, Sport and Culture and the Department of Economic Development in developing the Early Years agenda. (7.5.52)**
- 3.2.22 Private nursery providers have closed and others struggle to continue to operate as a result of States nursery classes being opened. (7.6.16)**
- 3.2.23 The policy of establishing nursery classes at States Primary Schools has led to the present inequity whereby about half of those children ‘rising 4’ (the academic year in which they turn 4) have access to free Early Years education and half do not. (7.6.17)**

- 3.2.24** Despite the seriousness of the impact on private and Parish providers and any potential impact on the future of schools, the Minister for Education, Sport and Culture has continued to implement the policy of opening nursery classes at States Primary Schools. (7.6.18)
- 3.2.25** There are noticeable differences in the way in which the private sector is regulated compared to the regulation of the Public sector, although the private providers are pleased to adhere to the high quality standards demanded of them. (7.6.44)
- 3.2.26** There are highly qualified and experienced personnel within the Early Years sector who have clear principles in promoting effective practice for the well-being and benefit of Jersey's children. (7.6.49)
- 3.2.27** The cost of mandatory training to private providers is high and there is limited assistance to help meet these obligations, particularly since the ending of the Training and Employment Partnership. (7.6.66)
- 3.2.28** The Minister for Education, Sport and Culture is confident that the capacity is available to deliver his Early Years education vision through partnership with the private sector. However, needs and capacity are not fully established and planning work is still required. (7.6.80)
- 3.2.29** Private providers are keen to work on the issue of capacity with the Department of Education, Sport and Culture. However, some capital investment may be needed to achieve the required capacity. (7.6.81)
- 3.3.30** States Nursery classes are currently breaking their own policy by admitting 31 children instead of 30. (7.6.97)
- 3.2.31** The admissions criteria to States nursery classes are not sufficiently robust, for example, they are not in priority order and the evidence of need requirements are not clear. (7.6.98)
- 3.2.32** There are omissions in the priority allocation criteria to States nursery classes, for example relating to multiple births, a child's medical condition, disability or health needs. (7.6.99)
- 3.2.33** There is an acknowledged division of Early Years responsibility within the Department of Education, Sport and Culture, previously highlighted in *RC 100/2006*. (7.7.7)
- 3.2.34** There is no mechanism in Jersey whereby children not born in the Island are

automatically brought to the attention of the Authorities. (7.7.19)

3.2.35 Comprehensive Early Years information is not effectively publicised for parents. (7.7.20)

3.2.36 Jersey is not alone in facing difficulties in effective delivery of Early Years education and has the opportunity to learn from the experiences of other jurisdictions. (8.7.8)

3.2.37 New generations of young children and parents are continuing to miss out on opportunities afforded to others through the inequity of the current system of Early Years provision. (9.3.5)

3.2.38 Despite the extensive history of reports and recommendations, the Department of Education, Sport and Culture has still not taken a lead in establishing an Early Years Partnership. (9.4.15)

3.2.39 There is evidence of broad support and enthusiasm for an Early Years Partnership and all of the key stakeholders that the Panel heard from are keen to be part of it. (9.4.16)

3.2.40 Despite the recognition for its need, there is a lack of joint planning and joined up services across Departments focusing on the provision of universal services for children. (9.6.14)

3.2.41 There are existing examples of where the collaborative corporate approach to children's issues appears to be working. (9.6.15)

3.2.42 There is broad support that the same entitlement to free Early Years education should be available to all children. (9.8.19)

3.3 Recommendations

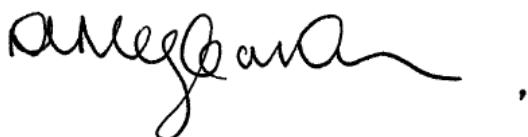
- 3.3.1 The Minister for Education, Sport and Culture should identify and implement outstanding recommendations from previous reports that remain pertinent in order to deliver a clear, integrated and equitable strategy for Early Years education and care in Jersey. (6.20.10)**
- 3.3.2 The Minister for Education, Sport and Culture needs to work in partnership with the private sector to resolve the ways and means to deliver a free entitlement of quality Early Years education and provide a detailed plan to all stakeholders and fellow States Members. (7.3.37)**
- 3.3.3 The Minister for Education, Sport and Culture should work with the Minister for Economic Development to undertake a cross-departmental, economic assessment of the case for investing in sustainable childcare. (7.5.51)**
- 3.3.4 The Minister for Education, Sport and Culture should examine whether the policy of establishing new nurseries at States Primary Schools remains appropriate. (7.6.19)**
- 3.3.5 The Minister for Education, Sport and Culture should ascertain the long term implications for each Primary School that does not have an attached States nursery class. (7.6.20)**
- 3.3.6 The Minister for Education, Sport and Culture should start negotiations with private providers now to establish capacity. (7.6.82)**
- 3.3.7 The Minister for Education, Sport and Culture should conduct a review of policy, practice and procedure in relation to the allocation of nursery places in conjunction with Health and Social Services, to include Family Nursing and Home Care. (7.6.100)**
- 3.3.8 The Minister for Education, Sport and Culture should ensure that, in accordance with Recommendation 7 of *R.C. 100/2006*, his Department reviews its organisational arrangements for supporting Early Years so that they align with a plan for integrated early education and care across the public and private sectors. (7.7.8)**
- 3.3.9 The Council of Ministers should ensure that the appropriate Ministers work to establish a Children's Information Service at the earliest opportunity. (7.7.21)**
- 3.3.10 The Minister for Education, Sport and Culture should give consideration to the extension of the Foundation Stage through the development of an integrated Early Years framework including quality standards and staffing requirements. (8.1.13)**

- 3.3.11 The Council of Ministers should evaluate the need to establish the position of an independent Children’s Commissioner for Jersey. (8.6.12)**
- 3.3.12 The Minister for Education, Sport and Culture should act now, and decisively, to form an Early Years Partnership, with an independent Chairman, to develop and deliver a clear, integrated and equitable strategy for quality Early Years education and care. (9.3.6)**
- 3.3.13 The Minister for Education, Sport and Culture should organise a stakeholder consultation event with an independent Chairman to resolve the ways and means to deliver a free, flexible entitlement of quality Early Years education for rising four year olds. This should be undertaken in time for the 2009 intake of nursery children. (9.8.20)**
- 3.3.14 The Council of Ministers should consider the appointment of an Assistant Minister with clearly identifiable cross-departmental, overall political responsibility for children, and if agreeable should take the necessary steps to arrange this. (See Conclusion)**

4. CHAIRMAN'S INTRODUCTION

- 4.1 The Education and Home Affairs Scrutiny Panel agreed to undertake a review of the Minister for Education, Sport and Culture's Early Years strategy in March 2007, a decision encouraged by significant public interest, as indicated by submissions made to the Social Affairs Scrutiny Panel in 2006.
- 4.2 We identified a number of issues of concern, including the inequality of access and cost and the potential imbalance of standards and regulation between the public and private sectors. Furthermore there was a perceived distinction between an education based provision within public sector facilities and a care based provision within private sector facilities. We were also concerned by the apparent stalling of the Early Years strategy, difficulties such as the lack of wraparound care faced by parents wanting or needing to return to work, and the all-important question of identifying the funding required for the Minister's proposal.
- 4.3 During the course of our review it became increasingly apparent to us that the subject of Early Years encompassed more than simply education alone and that we would be required to examine broader issues than we had initially envisaged. This led to our review being extended in duration and we are grateful for the understanding shown by the Minister for Education, Sport and Culture, his Department and all stakeholders.
- 4.4 We have come to appreciate that excellent Early Years provision provides many benefits, perhaps most importantly a developmental and educational head-start for children, as well as support for parents and a consequential positive impact upon the economy. What matters to children and their parents is that services should be of high quality, delivered by appropriately qualified adults and tailored to meet the learning and developmental needs of every child.
- 4.5 We will begin the main body of the report in Section 6 by charting the development of the Early Years strategy from the entry of the public sector in 1984/5 into pre-school age childcare and education to the current position. In Section 7 we will explore the current situation in detail, examining issues relating to children, parents and providers. Section 7 will also examine strategy and funding. The Panel will take the opportunity in Section 8 to look at Jersey's approach to Early Years and demonstrate how Jersey compares to other jurisdictions. Having portrayed the development of the Island's Early Years strategy and outlined the situation elsewhere, we will examine in Section 9 where the strategy should go from here.

- 4.6 This is undoubtedly an emotive subject but as a Scrutiny Panel we believe that an objective approach needs to be taken and have undertaken our work accordingly. In presenting this report, the Panel would like to thank all those who contributed to the review and, as Chairman, I extend my thanks to my Vice-Chairman Deputy Gallichan, Deputy Pitman, our adviser Dr Cathy Hamer and the Scrutiny Officers.



Deputy Deidre Mezbourian

Chairman, Education and Home Affairs Scrutiny Panel

29th April 2008

5. BACKGROUND

5.1 Scrutiny of Early Years

5.1.1 The Social Affairs Scrutiny Panel had monitored the subject of Early Years education and care provision throughout 2006 and had received a number of proposals from the public that the issue should be subject to a formal Scrutiny review. Furthermore, the Minister for Education, Sport and Culture had requested that the Panel look at the matter. In September 2006 the Panel was advised by the Minister that the Department's review of Foundation Stage Education would be broadened to include an examination of general provision of care and education for 0 to 5 year olds. Subsequent to this advice, the Panel agreed to defer its review.

5.1.2 In November 2006 the States agreed to the establishment of a fifth Scrutiny Panel, and consequently the remit of the Social Affairs Panel changed and it was renamed the Education and Home Affairs Panel. The Education and Home Affairs Panel agreed to undertake a review of the Minister for Education, Sport and Culture's Early Years strategy in March 2007, a decision encouraged by public interest and welcomed by the Minister.

5.1.3 The Chairman of the Panel, Deputy Hill, resigned his position on 6th June 2007, leading to the election of Deputy Mezbourian as Panel Chairman on 19th June 2007 and the appointments of Deputy Gallichan and Deputy Pitman as Panel Members on the same day. The Connétable of St John was elected as a member of the Panel on 29th January 2008, prior to this report's presentation. However, the Panel's investigations had finished by the time of his appointment and the report was nearing completion. He was not therefore directly involved in the review.

5.2 Rationale

5.2.1 The Panel remained aware of the public interest that had been demonstrated by the submission of a number of topic proposal forms to the Social Affairs Panel in 2006 that encouraged a review to be undertaken.

5.2.2 The issue of the provision of Early Years education and care had been discussed by the Minister for Education, Sport and Culture and the Social Affairs Scrutiny Panel in 2006. In 2007 the Minister had further discussions and corresponded with the Education and Home Affairs Panel on the subject, and was consistently positive about the intention to undertake a review

5.2.3 A number of issues of concern were identified by the Panel when considering Early Years

education and care. Such concerns included the inequality of access and cost between public and private sector provision, the funding required for the strategy, the potential imbalance of standards and regulation, an apparent stalling of the Early Years strategy and difficulties faced by parents wanting or needing to return to work.

5.2.4 It was on these bases that the Education and Home Affairs Panel agreed that it would undertake this review of Early Years education and care provision in the Island.

5.3 Report Structure

5.3.1 Commencing the body of the report in Section 6 the Panel will chart the development of the Early Years strategy from the entry of the public sector in to pre-school age childcare and education to the current position, outlining the long running process of consultation and report publication.

5.3.2 In Section 7 we will move on to explore the current situation in detail, covering areas that form the core of Term of Reference 1 when examining issues relating to children, parents and providers. The Section will also address Terms of Reference 2 and 3 when examining strategy and funding.

5.3.3 The Panel will take the opportunity in Section 8 to look at the Department for Education, Sport and Culture's approach to Early Years and demonstrate how Jersey compares to other jurisdictions. In doing so, this section will cover matters pertinent to the first 3 of our Terms of Reference.

5.3.4 Having previously portrayed the development of the Island's Early Years strategy and described the current situation in Jersey and elsewhere, the Panel will examine, in Section 9, where the strategy should go from here. We will outline the areas that we have identified as requiring consideration by the Minister for Education, Sport and Culture in the progression of a high quality Early Years strategy.

6. PREVIOUS DECISIONS, CONSULTATION AND REPORTS

6.1 During the course of our review it became apparent that the development of the States strategy for the provision of Early Years education and care in the Island has a long history, dating back to the early 1980s. Despite the time already dedicated to it, this process of development is not yet complete, but it is important to understand the historical context to the current situation. To this end the key developments are summarised in the following Section.

6.2 Grands Vaux Nursery Class – 1984/85

6.2.1 In 1984 the Education Committee had discussed and agreed in principle its support for the provision of nursery units at Grands Vaux, Le Squez and Rouge Bouillon schools, to operate in partnership with the community and with Parish contribution. The Committee agreed that it favoured working in partnership with Parishes providing the initiative and assisting with the cost of the pre-school worker, as opposed to the Committee bearing the full cost of setting up the units itself. Assistance in running the schemes would also come from the parents themselves.¹ On 12th September 1984, the Education Committee approved the proposals to open units at Grands Vaux and Rouge Bouillon schools, the first of which opened at Grands Vaux the following year. Advising the Panel about the background to the current position the Minister for Education, Sport and Culture told us:

“... when I first became President - as it then was - of the Education, Sport and Culture Committee I quickly became aware of the fact that we had a system whereby we were pledged by the States’ policy to offer free nursery education to all 3 to 4-year-olds, but that it was a very slow process in that the way we were doing it and the way it had been done for the past (then) 17 years, I think, was each time we redeveloped a primary school we attached a nursery class. There was an agreement with the Treasury that funding was provided to run that nursery class and there was an agreement with the then Establishment Committee to agree to the staffing as well. So that was the system I inherited. The inequity in it soon became clear as did the fact that because of the way it was not universal that all children were not able to benefit from this Early Years education”.²

6.2.2 Mr Mario Lundy, Assistant Director, Schools and Colleges, provided some context to the

¹ Minutes of the Education Committee 11th April 1984 and 12th September 1984

² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007, p. 3

decision:

*'I think one point that probably needs to be emphasised is that when the former Education Committee developed its policy to build nursery classes at each provided primary school, there was not much in the way of a private sector. So at the time it was as much about providing nursery education as it was about stimulating the private sector.....in fact, what initially was a good policy done for the right reasons created some problems as the private sector grew in the Island, and obviously there was competition for place.'*³

6.2.3 Notwithstanding the above comment, it is of interest to note early concerns of the Education Committee when it explored the matter of Pre-School education provision in Jersey. In considering alternative approaches to provision the Committee noted, in 1982, that:

*"...if it established any States run nursery classes the demand would be such that it would eventually have to provide Island wide facilities, thus damaging the private groups which the public were happy with."*⁴

6.3 Pre-school Education: Future Strategy - 1989

6.3.1 In October 1989 the Education Committee agreed to greatly extend the provision of nursery places, determining that all primary schools provided by the States should, over the long term, be suitably equipped to provide nursery classes for three and four year olds. The majority of the nursery classes were developed in conjunction with the redevelopment or refurbishment of primary schools through the Committee's capital development programme.⁵

6.4 Report of the Working Party on Childcare - 1996

6.4.1 In 1996, policy relating to early childcare provision was the responsibility of several Committees. The Working Party on Childcare, chaired by the former Presidents of the Employment and Social Security Committee and the former President of the Education Committee presented its report in 1996. In recognising the benefits associated with high quality care provision to children in the Early Years of development it presented the original childcare strategy to the States:

"To extend the current range of childcare provision for children up to 12 years through partnerships between all interested parties whilst ensuring high standards in

³ Transcript of Public Hearing with Assistant Director, Schools and Colleges, 15th October 2007, p. 4

⁴ Education Committee, 24th November 1982

⁵ Written answer by the Minister for Education, Sport and Culture to a question by Deputy R G Le Hérisier, 6th July 2004

all provision".⁶

6.4.2 Recommendations made in the report proposed the establishment of the Jersey Child Care Trust (JCCT), enhanced tax allowances related to childcare costs and the introduction of child care allowances for low income groups.

6.5 Childcare Provision: Working Party Strategy- 1997

6.5.1 On 18th February 1997 the Education Committee brought a proposal to the States outlining the Childcare Provision: Working Party Strategy that included amongst other matters the proposal to establish the Jersey Child Care Trust. The strategy to extend the current range of childcare provision for children up to 12 years through partnerships between all interested parties whilst ensuring high standards in all provision was approved by the States.

6.5.2 Further to this the States approved the establishment of the Jersey Child Care Trust, as described in the Committee's report, to co-ordinate, promote and facilitate expansion of childcare provision in the Island. The report supported the Education Committee's policy to provide a nursery class at every non-fee paying primary school with a recommendation that consideration be given to parents making a graduated contribution towards the cost of a nursery class place, dependent upon their means; requested the Finance and Economics Committee to consider and report to the States on ways of enhancing tax allowances for childcare costs aimed at making childcare more affordable and more widely available, and also to ensure that there was sufficient incentive for women to work; approved the principle of childcare allowances for low income groups and asked the Employment and Social Security Committee to report to the States on the most effective way of providing such allowances.⁷

6.6 Strategic Policy Review and Action Plan - 1997

6.6.1 The review, undertaken by the Policy and Resources Committee, contained a proposal to encourage more women to take up paid employment or to remain in paid employment (e.g. through expansion of childcare facilities).

6.7 Revised Policy for Nursery Classes in Primary Schools - 1998

6.7.1 The Revised Policy for Nursery Classes in Primary Schools, an operational level document, was produced in January 1998 and provided comprehensive aims, objectives and guidelines for Head Teachers and nursery staff. Matters covered by the policy included

⁶ R.C.54/2005

⁷ Official Record of the States Assembly, 18th February 1997

aims and objectives for staff, admission policy, partnership with parents and continuity and progression, relating to a child's move from nursery to school.

6.7.2 The 2002 Audit Report: Foundation Stage commented that:

“The policy represents good practice: yet although there is much evidence of such practice throughout the majority of schools there are inconsistencies in the application of the ‘Revised Policy for Nursery Classes in Primary Schools.’”

“It is recommended that the Revised Policy for Nursery Classes in Primary Schools be consistently applied throughout all primary schools.”

6.8 Audit Report: Foundation Stage - 2002

6.8.1 The report was carried out on behalf of the Education Audit Committee, with a Steering Group that included representatives from the Education Department, the Jersey Child Care Trust, the private providers of nursery care and a States Primary School Head teacher. This comprehensive report listed a number of key recommendations, including:

- *“The Education Committee develop a co-ordinated Island-wide five year Strategy for Early Years, under the remit of a steering group consisting of stakeholders in education and childcare.*
- *The Education Committee should agree explicit, clear aims and objectives which support the Committee’s commitment to Early Years/nursery education in the Education Committee’s Strategic documents, along with appropriate performance criteria which will demonstrate whether the policy is meeting objectives.*
- *The Revised Policy for Nursery Classes in Primary Schools be consistently applied throughout all primary schools (1998 policy).*
- *After consideration have (has) been given to children with special educational needs (SEN), children at risk, children with siblings with SEN and parental illness, further consideration should be given to offering priority to families on low incomes. There should be a consistent, transparent process in place to assess the social/economic needs of applicants for a States nursery place whilst maintaining an appropriate balanced mix of children in the class.*
- *The admission policy for children in nursery classes states “Admission to nursery class does not guarantee a place in the reception class of the school”.*
- *The policy, which represents good practice, should be consistently applied throughout all schools. If places become available during the year consideration*

should be given to allowing the next children on the waiting list to attend the free session. If no children are on the waiting list for that school, alternative schools should be contacted in order to obtain details of children on their nursery waiting lists. To ensure effectiveness this could be undertaken centrally.

- *Costs relating to nursery education should be identified separately (i.e. to Primary School costs).*
- *The Revised Policy for Nursery Classes in Primary Schools states that “There must be one adult to ten children in the nursery class”.*
- *The policy on pupil/adult numbers should be adhered to.*
- *The grading structure/qualification required for nursery officers and teaching assistants be reviewed to look at how they could be more comparable, now that the Foundation Stage is being implemented throughout the schools.”*

6.9 Review of the Principles, Practices and Provision for Children and Young People with Emotional and Behavioural Difficulties and Disorders in the Island of Jersey - 2002

6.9.1 The report by Kathy Bull for the Education, Health and Social Services and Home Affairs Committees made a number of key recommendations that related to care of pre-school age children, including:

- *“A Children’s Executive be established which has responsibility for, and oversight of, all matters relating to children in need.*
- *A small specialist team be established to work with pre-school/reception aged children and their families where the child is exhibiting emotional and behavioural difficulties and/or disorders.”*
- *Review of the outcomes of Parenting Programmes e.g. JELLY – Jersey Early Learning Literacy Years.*

6.10 Education Committee - 2003

6.10.1 The Education Committee reaffirmed its commitment to the policy of continuing to build nursery classes at States Primary schools. By the time of the 2003-2004 school year there were 14 such classes in operation offering 425 places.⁸

⁸ Written answer by the Minister for Education, Sport and Culture to a question by Deputy R G Le Hérissier, 6th July 2004

6.11 A Vision for the Future of Early Education and Care for Children in Jersey - 2004

6.11.1 The independent review was commissioned by the Education, Sport and Culture Department in February 2004 and undertaken by Jenny Spratt, Head of Early Years and Childcare Services for Peterborough Borough Council. It was a review of the work of the JCCT in relation to the development of an overall strategy for childcare and early education services in the Island.

6.11.2 With regard to the overall strategy, a key finding of the review was that:

“Whilst there is a clear strategy for Early Years Education in Jersey there is no overall States strategy for integrated early education and childcare (and) a perceived lack of investment in early education and childcare services has resulted in criticism of the existing policy.”

6.11.3 The report went on to make a number of significant recommendations, including:

- *“A vision & overarching strategy for early education & childcare be developed to provide integrated, high quality services for children and their families.*
- *An analysis of the necessary investment to support the strategy should be undertaken.*
- *Principles of early education, as already identified in the ESC early education strategy, should be reviewed in order to underpin the overall strategy for early education & childcare, providing consistency of approach, common ground & shared values across all settings.*
- *JCCT Trustees & senior members of ESC consider the structure & function of the Trust, with the intention of ensuring targets are relevant, transparent, cost effective & measurable.*
- *Identify areas of duplication in roles & responsibilities of different agencies/departments with a ‘flatter’ more equitable structure between JCCT & ESC. Review job title/description of ‘Executive Director’ of JCCT.*
- *A partnership approach is taken to the co-ordination of information available to parents to provide a one-stop shop to reduce confusion & promote accessibility.*
- *JCCT + other agencies identify current & predicted market trends alongside demographics in considering future sustainability of early education & childcare. ESC should consider the re-introduction of part-time, as well as full-time nursery places and a system of graduated fees and means testing established.*

- *Foundation Stage teacher supporting the private nurseries be contracted from the Trust to work under the ESC Early Education Advisor providing a cohesive approach to the implementation of the curriculum and continuity in transition.*
- *A partnership be developed, built on mutual respect, trust and identified common vision. The vision, supported by agreed principles, will develop a co-ordinated overall strategy for Early Years & childcare services in Jersey. This should be established through open, transparent, inclusive processes, ensuring clarity of purpose in which to benefit the children of Jersey.”*

6.11.4 Subsequent to receipt of its comments on the report, the Education, Sport and Culture Committee agreed that it would dissolve the Early Years Partnership Group that had been established for the purpose of the report. It was intended however to re-constitute the Group when a strategic direction had been established.

6.12 Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)

6.12.1 Following on from the previous year’s review undertaken by Jenny Spratt, this 2005 report set out the Education, Sport and Culture Committee’s vision for early childhood education and care in Jersey. With an aim to implement it within 3 years the Committee set out its vision, encompassing:

- *“a more coherent family policy, based on clear values which recognise that the States needs to actively support parents in the choices they make in the best interests of child development.*
- *All 3 and 4 year olds would have access to affordable high quality early education and care for up to 30 hours per week for 38 weeks per year.*
- *An integrated children’s centre would provide free early education and extended childcare for vulnerable children under 5 years old, family support, adult education and outreach services. It would also provide a base for the existing Parenting Team, JCCT and Youth Action Team and operate as a one-stop-shop providing information on all aspects of Early Years provision.”*

6.12.2 The Committee proposed that the strategy, based on 30 hours of free nursery education per week, 38 weeks per year for remaining 3 and 4 year olds, would cost an additional £2 million per year based on 2005 values. This cost was established taking into account average private sector childcare cost per hour and the development and implementation of a quality assurance framework.

6.12.3 The Committee confirmed that it would require additional funding from the States to achieve its vision, as it was unable to meet the additional commitment out of its existing revenue budget. It maintained that investing in the youngest children would be one of the best ways to positively influence the long term economic and social future of Jersey.

6.12.4 Alternative funding solutions were also highlighted, including reducing the free entitlement to 20 hours with flat rate charges for additional hours, income from nursery classes being used to offset expenditure on private sector places. Graduated fees and means testing for all were also outlined. The Committee noted that the issue of how to fund the vision was a crucial dilemma, and stated that its preference was to pursue the alternative model based on reducing the free provision to 20 hours, although:

“only where private providers are prepared to enter into a fair value partnership which guarantees a quality experience and realistic charges”

6.12.5 The Committee outlined a number of action points to support the vision. Key to its success would be a partnership between the public and private sectors to include private providers who commit to quality and a fair value contract. It also established a set of principles to underpin all funded provision and address key child development issues and proposed that the current evaluation framework would be expanded to complement existing good practice in registration and ensure highest standards of provision. Funding would be channelled to accredited private sector partners to support high quality provision for all 3 and 4 year olds and the JCCT would become a more powerful champion for quality, focus on raising income to support childcare, encourage family friendly workplace policies and provide information to the States, parents and partners.

6.12.6 The Committee remained committed to the policy of building nursery classes at States Primary Schools and confirmed plans to provide further nursery classes at St Clement's School (2006) and St Peter's School (2009), although it acknowledged that this approach would take many years before it would provide a free place for all 3 and 4 year olds.

6.12.7 Concluding, the Committee stressed that while this would be in the best interests of child development, it would not be easy to achieve without additional funding support from the States.

6.13 Report to Employment and Social Security Committee, Policy Director - 2005

6.13.1 In July 2005 the Employment and Social Security Committee considered a report by the Department's Policy Director that considered R.C. 54/2005. Noting the strategy for the three year vision the Committee concluded that whilst it acknowledged the positive impact the vision could have on the facilitation of nursery education for 3 to 5 year old children, it

considered that the scope of proposals brought forward by the Education, Sport and Culture Committee was somewhat narrower than had been anticipated.

6.13.2 The Committee considered that there was a pressing need for a broad and cohesive childcare strategy based on the concept of wraparound childcare. It further considered that any strategy should allow for public and private sector service providers to co-exist. It agreed that representatives from Education, Sport and Culture should be invited to attend a joint meeting.

6.13.3 At the subsequent joint meeting the Committee received a presentation from the President of the Education, Sport and Culture Committee, Senator Mike Vibert, and the Assistant Director, Schools and Colleges. It was agreed that the Assistant Director, Schools and Colleges would chair a working party of officers of the Employment and Social Security and Education, Sport and Culture Committees. Its first task would be to produce a position paper.

6.14 Report to the Council of Ministers – July 2006

6.14.1 A report prepared by the Assistant Director, Schools and Colleges was presented to the Council of Ministers on 27th July 2006. The report contains an overview of the complexities of developing an Integrated Strategy for Early Education and Care by the end of 2006 for implementation in 2008.

6.14.2 The policy context is explained with particular reference to financial support for childcare (Income Support system 2007), nursery classes (by September 2006 16 nursery classes would be operating offering 490 full-time equivalent places for 3 to 5 year olds) and family policy (the Social Security Department are re-assessing maternity leave and family friendly policies in the workplace).

6.14.3 A number of key questions are posed, including:

- What role should the States take in respect of non-statutory education and care?
 - provider, facilitator, partner, regulator.
- What is the primary driver for the Early Years strategy?
 - child development, family support, economic development
- How can the present system be made more equitable?

6.14.4 In relation to the last question, the report outlines the advantages and disadvantages of a number of options. Option A proposed to continue the plan to provide a nursery class at each primary school. Option B described a scenario that would see the introduction of flat rate charges for States nursery classes. Option C would provide children in the private

sector with access to the same entitlement as those children in provided nursery classes. Option D included the introduction of a basic entitlement for all children and flat rate charges for additional hours in nursery classes. The final Option, E, highlighted the possibility of introducing a means tested system and scale of charges for all.

6.14.5 The Minister for Education, Sport and Culture, Senator Vibert, informed the Council of Ministers that it was his preference to pursue Option D. It was agreed that the Departments of Education, Sport and Culture, Social Security, Health and Social Services and Treasury and Resources should work together under the auspices of the Social Strategy Group to develop an Early Years strategy for the 0 – 5 year age range by the end of 2006.

6.15 Early Childhood Education and Care Report to the Council of Ministers – August 2006

6.15.1 The Director of Education, Sport and Culture presented the report to the Council of Ministers, proposing the Terms of Reference for the working group that had been agreed by the Council of Ministers in July 2006 to develop an Early Years strategy for the 0 to 5 age range by the end of 2006. It proposed an officer group with a membership comprising representatives from the Departments of Education, Sport and Culture, Health and Social Services, Social Security and Treasury and Resources. An invitation would also be extended to the Executive Director of the JCCT, Fiona Vacher. The group was to report to the Social Policy Strategy Group, chaired by the Chief Executive of the States, and subsequently to the Council of Ministers no later than December 2006.

6.15.2 In September 2006 the Membership of the group was agreed as above, and the Chairman was to be the Assistant Director, Schools and Colleges. The Council of Ministers further approved the Terms of Reference as follows:

- (a) bring forward recommendations for a comprehensive strategy for supporting early years childcare and education in respect of the 0 – 5 age group*
- (b) consider the appropriate arrangements for financial support for the parents and carers of this age group, including benefits and tax allowances*
- (c) take account of the potential impact of any proposals on existing provision*
- (d) ensure that any recommendations or options for development are fully costed*
- (e) ensure that the recommendations balance the interests of Private and public sector provision to create choice as far as possible with an efficient system of provision, and;*
- (f) work within the current strategic and business plan framework.*

6.16 Jersey Child Care Trust: Report of the Comptroller and Auditor General - 2006

6.16.1 The review was conducted at the invitation of the Trustees of the JCCT. Key findings of the report can be summarised as follows:

- The Trustees have made an effort to implement the Spratt report recommendations.
- Spratt report concerns in the childcare sector were repeated in the review's soundings and reflected dissatisfaction with the JCCT's performance.
- Failure to meet expectations may in part be due to a failure to resolve conflicts between a number of the Trust's objectives.
- There are 3 possible models which the Trust may follow:
 - (a) Model 1: The Trust acts as an agent for the States in serving as a conduit for providing funds to the private sector by way of grants.
 - (b) Model 2: The Trust acts as a campaigner and lobbyist for childcare interests in the Island.
 - (c) Model 3: The Trust acts as an Executive Agency providing services to the sector.
- The Education, Sport and Culture Department should settle which model of organisation it would prefer the Trust to follow and to what extent it would be prepared to fund the Trust.
- The Trustees should then consider the future of the Trust in light of funds available from the Department and other sources.
- The original grant may have been unduly generous hence lack of need to raise funds from non-States sources.

6.16.2 The Comptroller and Auditor General observed that the Department's eventual policy with regard to childcare should clarify the States' view of the purpose of the JCCT and that view should be based on the transparent choice between the available models for the Trust. However, he stated that it would be inappropriate to make recommendations:

"...before the States' long term policy with regard to childcare has been settled."

6.17 Early Childhood Education and Care: Progress Report – December 2006

6.17.1 The progress made to review Early Years provision was described in the Minister's Report presented to the States on 22nd December 2006. The Minister outlined four policy objectives:

"Objective 1: To ensure that high quality early education and care is available and

affordable for children 0 – 5 years.

Objective 2: To give parents greater choice in the way their children are cared for in their Early Years.

Objective 3: To provide targeted support for the most challenged families.

Objective 4: To establish a strong and stable partnership between all providers, public and private, to support the growth and development of Early Years services.”

6.17.2 The report also contains a series of key recommendations, including:

- *“The ESC Dept works with the States of Jersey Statistics Unit and the JCCT to determine a mechanism for collecting data to establish trends in the use of childcare, parental preferences and gaps in provision.*
- *The Departments for Social Security, Education, Sport and Culture and the Treasury monitor the impact of Income Support and tax relief for families with children of 0 – 5 years and assess the effectiveness of these benefits in facilitating access to early education and care.*
- *The Minister for Education, Sport and Culture brings forward for consideration alongside other requests for 2008, costed proposals for both free entitlement and means tested models of delivery for 3 – 5 year olds.*
- *The Dept for HSS and ESC begin to develop a framework that would support the greater integration of services for all children in Jersey and make recommendations for a strategic governance model to support its delivery.”*

6.17.3 In his foreword the Minister again demonstrated his commitment to bring a proposal to the Council of Ministers to provide a free entitlement of 20 hours per week for 38 weeks of the year for all 3 and 4 year olds, achieved through investment in a partnership between private providers and the public sector.

6.18 Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey – January 2007

6.18.1 The consultancy report was prepared for the Department of Education, Sport and Culture by the National DayCare Trust, authored by Nicky Road. It examines the various options that were being considered to extend early education. The first option examined is the provision of free, universal nursery education for all 3 and 4 year olds. The report advises that:

“To achieve universal provision in the short term suggests that provision needs to be opened up within the private and voluntary sector. This would need to be funded appropriately to achieve both the free entitlement and to sustain the desired level of quality.”

6.18.2 The second option to be examined is the introduction of charges and means testing. On this option the report draws attention to potential disadvantages to already vulnerable sections of society:

“...children of Portuguese and Polish workers are likely to be particularly disadvantaged. Their parents would not be eligible for Income Support until they have been resident in the Island for 5 years. Consequently they are likely to be denied a nursery education experience and may seek unregistered care. This would have a negative impact on those children in terms of their overall educational achievement and when they start school they could have an impact on other children who have already had the benefits of settling into a learning, socialising environment.”

6.18.3 The final option to be considered is the extension of the nursery education offer to the private and voluntary sector. The report suggests:

“The public nursery education subsidy would have to be set at a realistic level, with an inflation index, to make providers willing to join and comply with any conditions set around the delivery of quality education.”

6.19 Early Childhood Education and Care: Report for the Council of Ministers – March 2007

6.19.1 The Assistant Director, Schools & Colleges presented two models for funding integrated early childhood education and care for 3 and 4 year olds. The first model demonstrates the effect of introducing charges for nursery classes and providing financial assistance for parents through means tested income support and childcare tax relief. The second highlights the impact of funding private providers to offer free access for up to 20 hours per week, 38 weeks per year.

6.19.2 It is notable that the Council of Ministers supported the proposed scheme (Model 2) in principle. However, it agreed that it would not be possible to include sufficient provision within the proposed cash limits to enable the implementation of the scheme.

6.19.3 The Council of Ministers did note that the UK Government was considering the extent of charges to be levied on students from the Channel Islands regarding university education. It

was possible that if this lead to a reduction in the cost to the States then there could be further budget available. However for the time being it was not possible to identify a suitable funding scheme despite the Council of Ministers in principle support for the policy.

6.20 Annual Business Plan Amendment by the Minister for Education Sport and Culture – September 2007 (P.93/2007 Amd.)

6.20.1 The Minister for Education, Sport and Culture proposed an amendment to the States Annual Business Plan to extend the opportunities for universal nursery education for 3 and 4 year olds from September 2008 by committing the required funding from the additional tax revenue that had been confirmed by the Treasury and Resources Minister. The Amendment proposed:

(a) *In paragraph (b), after the words “set out in Summary Table C, page 45”, insert the words –*

“, except that the figure for total States net expenditure in 2008 shall be increased by £600,000, in 2009 by £1,519,000, in 2010 by £1,489,000 and in 2011 by £1,447,000 to extend opportunities for children aged three and four years to access free education, 20 hours per week, during term time, with this education being available to children after they reach their third birthday”.

(b) *In paragraph (c), after the words “withdrawn from the consolidated fund in 2008”, insert the words –*

“, except that the net revenue expenditure of the Education, Sport and Culture Department for 2008 shall be increased by £600,000 to extend opportunities for children aged three and four years to access free education, 20 hours per week during term time, with this education being available to children after they reach their third birthday”.

6.20.2 The Minister stated:

“If this amendment is accepted, my Department will establish a Nursery Education Fund and develop guidelines for private and voluntary providers seeking to apply for funding to support free early education 20 hours per week during term time.”

6.20.3 The defeat in the States of the proposed Amendment to the Annual Business Plan (P.93/2007 Amd.) brings us to the current situation regarding the policy to extend early

education opportunities for 3 and 4 year olds. It has been noted by us that since the first States nursery class opened at Grands Vaux, the many rounds of consultation have not been reflected by the successful development of an equitable situation in the provision of early education.

6.20.4 The current Minister for Education, Sport and Culture has held political responsibility for his Department since 2002, previously as President of the Education, Sport and Culture Committee and since December 2005 as Minister. During this time there have been a number of reports produced by and on behalf of his Department, as demonstrated above. Whilst the commitment to alleviate the inequality in the system is to be applauded there appears to have been limited progress in the delivery of an approved overall Early Years strategy, including the equitable delivery of early education.

6.20.5 The Council of Ministers meeting noted on 7th September 2006:

“In recent years, there had been a number of studies and reports into Childcare Provision which had resulted in a number of developments, including the formation of the Jersey Child Care Trust, the enhancement of tax allowances for childcare costs, the introduction of a childcare allowance for low income groups and support for the policy to provide a nursery class at every non-fee paying primary school. However, such developments had not constituted a coherent family policy....”⁹

6.20.6 Furthermore, the Council of Ministers recalled the presentation and report it received on 27th July 2006 from the Minister for Education, Sport and Culture that had focused on children aged 3 to 5. The Council of Ministers recognised however that:

“Such provision was only (one) component of arrangements for children aged 0-5, and support for their parents/carer”

6.20.7 This had led to the establishment of the working group under the auspices of the Social Strategy Group to develop an Early Years strategy for the 0-5 year age range by the end of 2006.

6.20.8 The Panel notes finally that there is still a commitment to building new nursery classes at States Primary schools, such as at St Peter’s School, even though there is acknowledgement of the damage that this policy has caused to the private sector and the intention declared in recent reports to develop a strong public-private partnership. The damage that this policy has caused to the private sector is pursued in Section 7.6.1.

⁹ Official Minutes, Council of Ministers, 7th September 2006

6.20.9

Finding:

Despite numerous reports, the States of Jersey does not have a clear, integrated and equitable Early Years strategy.

6.20.10

Recommendation:

The Minister for Education, Sport and Culture should identify and implement outstanding recommendations from previous reports that remain pertinent in order to deliver a clear, integrated and equitable strategy for Early Years education and care in Jersey.

7. WHERE ARE WE NOW?

7.1 Strategy and Funding

7.1.1 States Strategic Plan 2006-2011

7.1.2 Included amongst the 'new priorities' identified in the States Strategic Plan 2006-2011 was the objective to develop an integrated Social Inclusion Strategy that itself would include Early Years childcare. Objective 2.7 was access to high quality learning opportunities that would be indicated by, amongst other things:

"...a higher proportion of children (who) have access to affordable Early Years education and care."

7.1.3 Action 2.7.1 says that the following will be done:

"Bring proposals to the States in 2006 for an Early Years strategy which will increase the number of children with access to affordable and equitable Early Years education and care."¹⁰

7.1.4 Commitment 2 of the Plan also includes:

"We recognise that all forms of investment in the Island's children from the earliest years are an important and necessary investment in the Island's future".

7.1.5 Departmental Business Plan

7.1.6 The matter of Early Years is also covered within the Department for Education, Sport and Culture's 2007 Departmental Business Plan.¹¹ Objective 1 of the Plan is to:

"...ensure the maximum achievable and equitable benefit from the Department's investment in Early Years education and care."

7.1.7 The success criterion for this objective is:

"...an increase in the number of 3-5 year olds receiving "early years" programmes."

7.1.8 One objective of the Division of Life-Long Learning (See Section 7.7 for the Early Years responsibilities within the Department for Education, Sport and Culture) is 'contributing to the establishment of an integrated policy and strategy of childcare and Early Years based on well defined regulatory policy and partnership agreement between all stakeholders. This will be indicated by the 'level of satisfaction'. The targets are to "carry out consultation exercise to

¹⁰ Further information available at www.gov.je/ChiefMinister

¹¹ Further information available at www.gov.je/ChiefMinister

determine impact of regulatory policy and review policy in light of feedback.” This will be done by November 2007. The risks to this work are that ‘outcomes of consultation process on integrated strategy of childcare are unpredictable [and that] community aspirations may exceed government ability to deliver.’

7.1.9 Another objective is *“to develop and implement an integrated strategy for Early Years.”* The indicator for this is that *“all 0 to 5 year olds have access to affordable high quality early childhood education and care programs [and that] a review of support for families with children 0 to 5 (is) completed.”* The targets are *“Cross Department Senior Officer Group established to develop strategy [and that] any necessary structural recommendations [are] implemented.”* This will be done by 2008. The risks are *“inefficient use of resources, difficulty establishing cross agency communications [and that] private sector not sufficiently supported and/or support not forthcoming from private sector.”*

7.1.10 Social Policy Framework

7.1.11 The Social Policy Framework for Jersey was launched in May 2007.¹² With regard to Early Years education and care point 8.3 advised that *“a new Early Years Strategy for Jersey should take into account not only acknowledged benefits to child development but also identify the contribution to other objectives of the Social Policy Framework.”* In considering family support it further states:

“High quality childcare contributes to society through promoting children’s growth and development. It also helps parents to better respond to the needs of their children by offering periods of respite, as well as the opportunity to combine parenting with other responsibilities. In addition, childcare makes a substantial contribution to the economy by supporting parents, particularly those with young children, to participate in society in a range of ways. For the vast majority of parents currently using childcare, participation involves work. In this way, childcare is a part of the essential infrastructure that supports the economic activity of our society. Research elsewhere shows that the return on government investment in childcare is substantial and could be considered an investment in productive activity, rather than just a social outlay. Any future consideration of States funding for Early Years childcare in Jersey should give due prominence to the other economic and social benefits.”

¹² Further information available at www.gov.je/ChiefMinister

7.1.12 Minister for Education, Sport and Culture

7.1.13 As we highlighted in Section 6, the Minister's proposal to amend the 2008 Annual Business Plan to deliver the funding required to deliver a free entitlement of 20 hours per week for 38 weeks of the year for all 3 and 4 year olds, achieved through investment in a partnership between private providers and the public sector, was defeated by the States in September 2007, 10 votes 'pour' and 25 votes 'contre'.

7.1.14 We heard from the Minister at a public hearing on 15th October 2007 that he remains committed to delivering this aim. He told us:

*"I asked the States to increase the budget overall to allow this system to be introduced but was unsuccessful I am passionate about education in general and I am particularly passionate about Early Years education. I have no intention of letting it rest and will be pursuing some way of making sure all young children in the Island have the opportunity to access early years education"*¹³

7.1.15 Funding Options

7.1.16 The States decision to reject the Minister's proposed amendment to the Annual Business Plan appears, for the short term at least, to have closed the door on funding being provided through this channel. We were informed that it is not possible to fund the proposals via the Department for Education, Sport and Culture's existing budget, as was reiterated to the Panel by the Minister:

*"....I believe that it is not possible to find the resources from within our current budget without unacceptable cuts. But I believe it is in the best interests of the Island that we improve the offer for Early Years education and get rid of the inequity."*¹⁴

7.1.17 However, he also suggested that the matter could be brought back to the States to secure the additional funding required:

*"I intend to return in the coming year hopefully with a proposal that will receive States' support I will be seeking the States' support to do that again in the coming year."*¹⁵

7.1.18 Alternative funding options have been presented throughout recent reports on Early Years

¹³ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

¹⁴ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

¹⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

education and care provision and some, such as means testing or reducing the hours of free provision offered from 20 to 15 are still being considered. In relation to the current position the Minister informed the Panel:

“...I am looking at lots of other options such as the 15 hours with maybe an intention to go up further in the future which is the way England have approached it in the past.”¹⁶

7.1.19 The issue of future funding is examined in greater detail in Section 9.4

7.2 Cross-Departmental Working and Stakeholder Involvement

7.2.1 It was clear to the Panel from the evidence that we received that this issue requires cross-Departmental liaison, touching as it does on aspects of the work of Departments including Health and Social Services, Economic Development, Social Security and Treasury and Resources. Indeed, we note that the JCCT was set up in 1997 to act as a ‘co-ordinator’ because of the multiplicity of departmental responsibilities for childcare. This multiplicity situation was illustrated in the following table contained in the report to the Council of Ministers dated 26th July 2007:¹⁷

The table below illustrates departmental responsibilities in respect of children aged 0 – 5.

Department	Responsibilities
Employment & Social Security	Child Care Allowance Maternity Allowance Maternity Grant Family Allowance Home Responsibility Allowance
Treasury & Resources	Child Care Tax Credit
Health & Social Services	Family Support & Child Protection
Education, Sport & Culture	Nursery Class Provision Regulation of Independent Child Care Provision Political sponsorship of Jersey Child Care Trust

7.2.2 The Minister for Education, Sport and Culture told us that under the old Committee system

¹⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

¹⁷ Report to Council of Ministers, 26th July 2007

it had been much more difficult to hold consultation and discussions between committees with positive and timely outcomes and suggested that this had not helped with the progression of the Early Years policy in light of the number of committees involved.¹⁸

7.2.3 However, the new Ministerial system of government should make such communication easier, as the Minister himself told us:

“Ministerial government makes it that much easier because Ministers have the responsibility and can make decisions and you have only to get a couple of people together to do it rather than 20 odd.”¹⁹

7.2.4 We endeavoured to gather the necessary evidence from these Departments in order to be able to address our Terms of Reference and in doing so considered the extent of work that had been carried out in conjunction with the Department for Education, Sport and Culture to develop the Early Years agenda.

7.2.5 Health and Social Services Department

7.2.6 The Panel notes the advice of the Department that it is currently in a state of transition. However, it was clear to the Panel that the Health and Social Services Department’s remit touches significantly on the Early Years agenda, largely related to the social context as well as to physical and mental well-being. The Panel was therefore pleased to be able to receive representation from the Department and spoke to a delegation of Officers and the Assistant Minister on 20th March 2008.

7.2.7 Routine surveillance around children’s health is currently in transition, with an aim to move towards routine health surveillance based primarily through General Practice. This is a key link for Health and Social Services in delivering services to children. In turn this would develop the link between the Department for Health and Social Services and the Department for Education, Sport and Culture via Health Visitors.

7.2.8 In relation to consultation, the Panel learnt of working groups that representatives from the Department had been involved with, including the officer group established with the agreement of the Council of Ministers in July 2006 to take forward the 0-5 strategy (see 6.16). Unfortunately, the Panel learnt that this group’s work had been restricted in part by its feelings regarding the necessity to allow the impact of the introduction of Income Support to become apparent. The Assistant Director, Schools and Colleges advised:

“ ...the recommendations of that group were that it would not be a good time to be

¹⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

¹⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

*looking at those things because the tax mechanisms in Jersey were going through tremendous change. Income Support was due to be introduced but at that time there was no real understanding by officers of the group of how that would impact on the Island. The recommendation was that these changes needed to be in before you would start modifying them to take account of Early Years.*²⁰

7.2.9 The Department is represented on a working group of officers that also includes Social Security and Education, Sport and Culture. It is charged with the development of integrated services along the lines of part of the broader Every Child Matters agenda in the UK.²¹

7.2.10 However we learnt that:

*“At this point in time there have been meetings between Education, Sport and Culture and Health and Social Services really to develop the pathway: who will need to be consulted: who will need to be engaged in this: who will take the lead? That work has just begun.”*²²

7.2.11 We heard from a Consultant Child Psychologist to the Health and Social Services Department. Talking about communication at the strategic policy level he told us that all the very good pieces of work that go on seem to go on in vacuums. He had been at a meeting earlier in the week talking about parenting with a group of professionals who are very keen to have a parenting strategy, very keen to have a plan and a shared approach, but at present it is not joined up. Dr Williams’ observation coming from the UK was that we could do with a little bit more of a bigger picture.²³

7.2.12 Within the last six months the Department for Health and Social Services has tried to integrate the Early Years strategy within a wider remit, a Health and Welfare Strategy for the children of the Island. This is at its very earliest stages and is an extensive undertaking that may take two years to achieve but a working group has been established, driven by Health and Social Services, that currently includes officers from both Health and Social Services and the Department for Education, Sport and Culture. The Working Group does not yet have Terms of Reference as it is at preliminary discussion stage, identifying the Departments and individuals that need to be involved, its remit and where funding will come from.

7.2.13 Child and Adolescent Mental Health Services (CAMHS) do not offer a universal service to

²⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²³ Transcript of Public Hearing with the Consultant Child Psychologist to the Health and Social Services, 15th October 2007

the under 5s as such, but do undertake some work that involves Education, Sport and Culture. It has some links with the Education Support Team and Educational Psychology Service, as well as the Parenting Services, who work closely with the 0 to 5s. A Clinical Psychologist hosted in CAMHS for the Children's Executive also works closely with Looked After Children and there is limited support to the Health Visitors in meeting their patients' needs

7.2.14 Family Nursing and Home Care are an independent charity and the main provider of Community Nursing and Home Care in the Island. It receives an annual grant from the Department of Health and Social Services, which stands at £5.882 million for 2008 on budgetary expenditure of £7.857 million. Its work with children aged 0 to 5 includes Health Visitors, Nursery Nurses and Community Paediatric Nurses providing a community based health service for families with children under the age of 5. Support and advice services can take place in a variety of settings, for example home, clinic or group setting. It works closely with Paediatric, Maternity, Children's Services and the Child Development Team and works to provide its clients with information on what other services may be able to provide them with specific advice and support. This includes information on The Bridge and the JCCT.²⁴

7.2.15 Family Nursing and Home Care highlighted a number of issues to the Panel relating to an overall integrated Early Years strategy. These include:

- *Continued lack of growth funding from the States of Jersey regarding Child and Family Services within Family Nursing and Home Care. Current staffing levels in this Division within the Association have been primarily funded by Family Nursing and Home Care's charitable status.*
- *Lack of strategic frameworks and planning forums for integrated and flexible Child and Family Services within Jersey.*
- *Lack of structured consultation with user groups and little opportunity for independent providers to influence the tendering process regarding any proposed initiatives e.g. changes to delivery such as immunisation and family planning services.*
- *Lack of co-ordinated demographic information e.g. health needs assessment, especially around ethnic minorities and movements within the Island.*
- *Childcare facilities in relation to the high proportion of working mothers, and current divorce rates, as well as the high cost of provision.*

²⁴ Written Submission by Family Nursing and Home Care

7.2.16 Economic Development Department

7.2.17 The Panel was pleased to hear from the Minister for Economic Development at a public hearing on 15th October 2007 in light of our need to examine the economic factors that must be taken into account in an overall Early Years strategy, such as the needs of working parents and employers. We discussed the matter of consultation between his Department and that of Education, Sport and Culture on areas of mutual interest with regards to the Early Years agenda. When talking about the role of women in the workforce and return to work after maternity he acknowledged that there was more work to be done, and more consultation required:

“I think there is a whole world of work that needs to be done to join up the work between education, social security and economic development in terms of the Skills Executive and skills work. We need to bring the world of job seekers much closer to the world of employers and I think in order to do that, and this trips off the tongue quite easily, but we do need to understand what some of the barriers are to people working, and if I am really honest with you I am not sure that that work has been done. I am not sure necessarily that we have done an honest economic assessment of the case for putting more money into childcare.”²⁵

7.2.18 The Chief Officer of the Economic Development Department also urged closer working between the two Departments on the matter. Whilst he did not believe that it was fair to conclude that there had been no work between the two he agreed with his Minister that there was scope for more to be done. He suggested that the umbrella of the Skills Executive may allow closer ties to be developed.²⁶

7.2.19 While we heard about the possibilities of future close working through the Skills Executive we had received the impression that only limited consultation had already taken place between the two Departments vis á vis the development of the Early Years strategy. Indeed, when we spoke to the Minister for Education, Sport and Culture on 15th October 2007 and asked about the combined work between the two Departments the extent of that work was not clear. We came back to the matter again on 9th November 2007 when we were informed by the Assistant Director, Schools and Colleges:

“In terms of working with Economic Development, I think, as I said at the beginning, it could be argued that in order to get this strategy through, one could have emphasised more the economic benefits, but when you already have the highest rate of working

²⁵ Transcript of Public Hearing with the Minister for Economic Development, 15th October 2007

²⁶ Transcript of Public Hearing with the Minister for Economic Development, 15th October 2007

women in Europe the point was to emphasise the educational benefits. That is what the Minister wanted to do. He wanted this to be about the education of children as opposed to simply about providing childcare support for families.”²⁷

7.2.20 At the Public Hearing with the Minister for Economic Development and senior Departmental officers, the Minister offered to access employers using the Department’s established contact database in order to ask questions from the Panel on relevant Early Years matters. The Panel, appreciative of the offer, then forwarded questions to the Department. The Panel understands that the Department discussed the matter and agreed internally that the best way forward was to include those questions in Statistics Unit work, rather than to contact employers directly, as originally offered. Unfortunately the Panel was not advised of this change and regrets that as a consequence of the Minister’s offer being changed some of the Panel’s questions to employers remain unanswered.

7.2.21 Treasury and Resources Department

7.2.22 The Treasury and Resources Department has been involved on the working group that was set up under the auspices of the Social Strategy Group in 2006. We also learnt about the role that it has played in helping model scenarios arising out of work on the Income Support scheme between Education, Sport and Culture and Social Security, and also its part in discussions that included the Chief Minister and the JCCT.²⁸

7.2.23 However, it has to be noted that the proposition put forward by the Minister for Education, Sport and Culture to amend the *Annual Business Plan (P.93/2007 Amd)* was opposed and countered by an Amendment to that proposition by the Minister for Treasury and Resources (*Amendment (P.93/2007 Amd.) – Amendment*). The Minister argued that:

“...the wisest course of action must surely be to reject the amendment of Senator Vibert and to retain the current levels of expenditure shown in the Business Plan.”²⁹

7.2.24 This raised concerns to the Panel over the extent of constructive communication between the two Departments. Indeed, the Minister for Economic Development referred to ‘*an extraordinary position*’ that a Minister would take an amendment to the Council of Ministers’ Business Plan and that it was fair to conclude that there is not agreement at the Council of Ministers and more work, and therefore more communication, should be undertaken.³⁰

²⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²⁹ Amendment (P.93/2007 AMD.) – Amendment)

³⁰ Transcript of Public Hearing with the Minister for Economic Development, 15th October 2007

7.2.25 Social Security Department

7.2.26 As agreed at a meeting between the Departments for Education, Sport and Culture and Employment and Social Security on 15th September 2005, representatives from those Departments worked together on a steering group under the Chairmanship of the Assistant Director, Schools and Colleges, which was responsible for the *Early Childhood Education and Care: Progress Report 2006*.

7.2.27 However, there were limits to the work that the group was able to undertake, as the Panel was informed by the Assistant Director, Schools and Colleges:

*"I recall it certainly met for one extended period. In May it met twice but it determined that it could not pursue the work in the way that had been expected because of the issues that we talked about earlier on, the fact that the tax system was changing, income support was being introduced and we were being asked to make recommendations about systems that had not yet been introduced.... These systems would have to be embedded before we could recommend any changes to them."*³¹

7.2.28 More generally, the Panel asked how much consultation had taken place between the two Departments regarding the proposal for free provision of 20 hours early education for 3 and 4 year olds. In response the Assistant Director advised the Panel that Social Security had been involved informally throughout discussions, and therefore had an opportunity to consider the nursery education policy and to look at the implications from their perspective, particularly with regard to Income Support. The Panel heard that Social Security was involved with the Treasury in modelling the various scenarios that came out of it.³²

7.2.29 When asked if the Department of Education, Sport and Culture had worked with Social Security to develop the childcare element within the Income Support scheme, the Assistant Director told the Panel that it had discussed the childcare element with them (and the JCCT) in terms of the likely impact on nursery classes. The Department was not however engaged in any of the calculations around what benefits would be provided. When asked if that was enough input the Assistant Director said that he did not consider that his Department had the expertise to offer additional input to the Social Security Department on such areas of their expertise.

7.2.30 The Panel also received written information from the Minister for Social Security regarding the recent liaison that had taken place between the two Departments. The Minister

³¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

³² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

confirmed to us that the two worked closely on relevant matters, as it did with the JCCT. He further advised that consultation had been undertaken by the Employment Forum in June and August 2007, the outcomes of which would be important:

“...in terms of considering the policy intent of different options for the provision of parental rights and determining an appropriate balance for Jersey of the policy and legislation against the needs of the economy and families.”³³

7.2.31 The results of that consultation are due to be made public shortly.

7.2.32 Chief Minister

7.2.33 As shown in Section 6, the Council of Ministers was updated about the progress of Early Years policy development through a series of reports. It follows that the Chief Minister has therefore played some role throughout this period and indeed we received correspondence from the Chief Minister confirming a meeting that he attended with the Minister for Education, Sport and Culture, the Minister for Treasury and Resources and the JCCT, called at the instigation of the JCCT.³⁴

7.2.34 The Minister for Education, Sport and Culture advised us of other dialogue with the Chief Minister that had taken place after the States had not approved the amendment to the Business Plan. He told us that his Department had been thinking since then how it could move the matter forward and had held discussions with the Chief Minister, at which the Minister had reiterated his commitment to do so.³⁵

7.2.35 The two Departments are also working together where possible to benefit from sharing statistical data. Officers from the Department of Education, Sport and Culture have been working with the States Statistics Unit to gather more information about the requirements of parents in respect of Early Years. The Panel was told that in the past there have been 3 childcare surveys but the Departments were looking to avoid these periodic childcare surveys and instead have something that is more regular that provides a constant stream of information to model provision around.³⁶

7.2.36 We were informed by the Jersey Early Years Association (JEYA) that it had met the Chief Minister on a number of occasions. Mr M Farley, a co-owner of Charlie Farley’s Nursery, informed us:

“We had an opportunity to have a without prejudice meeting with the Chief Minister

³³ Written submission by the Minister for Social Security

³⁴ Written Submission by the Chief Minister, 4th December 2007

³⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

³⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

which was extremely useful So that was a groundbreaking meeting because we felt that we had got our point across and that that point was going to go straight back to the Council of Ministers.”³⁷

7.2.37

Finding:

There has been a lack of effective communication by the Minister for Education, Sport and Culture with the Council of Ministers on the matter of Early Years education and care.

7.2.38

Finding:

In the context of Early Years there has been insufficient cross-Departmental working and a lack of understanding of the implications for affected Departments.

7.2.39

Finding:

The officer Group established in July 2006 to progress the Early Years agenda recommended a delay because tax mechanisms were going through change and Income Support was due to be introduced.

7.2.40 Parents and Providers

7.2.41 The most noticeable recent consultation carried out by the Department for Education, Sport and Culture and the private providers and parents came out of the Department's 2005 paper *Investing In Our Future: A Vision For Early Childhood Education And Care For Children In Jersey*, that set out for consultation the then Education, Sport and Culture Committee's vision for early childhood education and care. The Department received 30 written responses during the consultation exercise which were broken down as 12 from individuals, 4 from local associations who had an interest in social policy, 1 response from

³⁷ Transcript of Public Hearing with JEYA, 16th October 2007

the Parent's Action Group and the remainder from childcare providers and Early Years practitioners.³⁸

7.2.42 The Department further advised us about ongoing discussions with stakeholders including JEYA, with whom meetings were held on 17th October 2007 and 13th December 2007 to discuss the possibility of reducing the amount of free provision to 15 hours from the previously proposed 20 hours.³⁹

7.2.43 As we spoke to a variety of stakeholders during our evidence gathering we developed a fuller picture of the consultation that had taken place. In early 2005 the Parent's Action Group (PAG) issued a press release that demonstrated its hope at the time for constructive consultation on the development of an overall Early Years strategy. Amongst other meetings PAG met the Minister for Education, Sport and Culture, JEYA and JCCT on 11th February 2005 and the Minister commented that:

*"The issues around early education and childcare in Jersey are complex. In developing a vision for the future, the Committee is keen to engage parents, providers and the Childcare Trust from the outset so that our proposals are properly driven by the needs of children. This was a very positive meeting which enabled us to explore potential solutions for the children of Jersey."*⁴⁰

7.2.44 This sentiment was echoed by Mr. M. Gallery, Chair of PAG:

*"We were pleased to have this opportunity to engage in discussion with the Committee. Although this is an issue for the States as a whole, the constructive dialogue we have had and hopefully will continue to have, with Members of ESC has been encouraging."*⁴¹

7.2.45 However, the early optimism demonstrated by PAG has not continued. The group are now no longer active and we were informed that the lack of progress from the Department on the issue had contributed significantly to that situation. Recalling previous discussions a representative of PAG at those meetings, Mrs L McKenzie, told us of the growing frustration:

"It was quite astounding because as parents we were sitting there thinking: "I do not know how many times we have put this in writing and we have submitted it and we have sent emails. Has nobody read any of this stuff? Because you seem to be sitting

³⁸ Report to the Council of Ministers, 26th July 2006

³⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

⁴⁰ Written submission by Mrs L Mackenzie

⁴¹ Written submission by Mrs L Mackenzie

*at us looking at us like this is all new information but we have said it and said it and said it.*⁴²

7.2.46 Indeed, once the officer working group had been put together to further the Early Years 0-5 strategy, in 2006 PAG felt that consultation with them was sidelined. PAG was not represented on the working group despite asking to be included, Mrs Mackenzie telling the Panel that they were politely turned down.⁴³

7.2.47 JEYA has also taken part in consultation and discussions with the Department on the matter. However, whilst meetings may have taken place the JEYA representatives who spoke to us had concerns about the effectiveness of that consultation, advising the Panel in fact that the most constructive meeting it had attended was with the Chief Minister. They also advised that consultation between the two parties was almost exclusively at its (JEYA's) request.⁴⁴

7.2.48 The impression of limited consultation with private providers was further demonstrated by our conversations with the largest private provider of daycare nursery places in Jersey, La Petite Ecole Group of Day Nurseries. The Group's Chairman, Mr. F. Laine, told us about his disappointment in the Department's consultation process over *Investing In Our Future: A Vision For Early Childhood Education And Care For Children In Jersey*. La Petite Ecole had responded to the consultation with a considered response but felt very disappointed that the consultation had not led anywhere when the issues involved should have been dealt with a long time ago.

7.2.49 He was also extremely frustrated at the lack of follow up to the consultation:

*"I have never had a response to that. I have never had an acknowledgement, a response or even a telephone call."*⁴⁵

7.2.50 The message of limited consultation was also expressed by the Parish Nurseries in St Helier. The Manager of Westmount Day Nursery informed us of a number of instances dating back to 1998 of what she perceived to be a lack of consultation on important policy developments, particularly in areas that had impacted negatively on the providers rather than on the children directly.⁴⁶

⁴² Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

⁴³ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

⁴⁴ Transcript of Public Hearing with JEYA, 19th October 2007

⁴⁵ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

⁴⁶ Transcript of Public Hearing with Parish Nurseries, 5th November 2007

7.2.51 The Manager of Avranches Day Nursery, Ms. J Baker, gave the Panel a similar impression:

“I can just read you, this is the minutes of the meeting and it says: “Why were not childcare providers consulted and informed about the policy change beforehand? Some felt embarrassed that they knew nothing about it until parents told them. Tom (Mckeen, Director Education, Sport and Culture) acknowledged the importance of early discussion and feedback in future when educational policies are likely to have an impact on private nurseries and play groups. One of the purposes of the current meeting is to improve communication channels.

Deputy D.W. Mezbourian:

When was that?

Ms. J. Baker:

This was 1999.

Deputy D.W. Mezbourian:

Has it been improved, do you think?

Ms. J. Baker:

No.”⁴⁷

7.2.52 Jersey Child Care Trust

7.2.53 The Jersey Child Care Trust (JCCT) is an important stakeholder in the Early Years agenda. It was established in November 1997 following recommendation in the Working Party Report on Childcare issued in September 1996. This working party had been established in response to the reference in the States’ strategic policy review 1995 – 2000 that the Employment and Social Security Committee should be requested to join with the Education and the Health and Social Services Committees in considering what steps can be taken to improve the availability and affordability of private childcare arrangements, particularly for those with low incomes either seeking or in employment.⁴⁸ The JCCT is primarily focused on the accessibility, affordability and quality of childcare provision within Jersey and works towards raising the status of the private childcare workforce. It also examines other related issues such as pay and conditions, training and allowances.

⁴⁷ Transcript of Public Hearing with Parish Nurseries, 5th November 2007

⁴⁸ Jersey Child Care Trust: Report of the Comptroller and Auditor General, 2006

7.2.54 Essentially, the JCCT deals with all aspects which generally fall within the business side of the childcare settings and the childcare providers. The JCCT receives an annual grant from the States of Jersey via the Education, Sport and Culture Department, receiving £162,000 in 2007, in addition to which the JCCT has been successful in obtaining private funding of £100,000.⁴⁹ Grants are paid by the JCCT to private providers of childcare providing the applications fall under certain categories such as new idea grants and start-up grants.

7.2.55 We note that in a submission made by the JCCT to the Council of Ministers it sought to gain greater appreciation of the real benefits that are obtained from an investment in children from their earliest years, including:

- * Improved academic performance;
- * Enhanced social skills;
- * Reduced requirement for supporting special needs;
- * A reduction in crime and antisocial behaviour;
- * Improved life skills and job satisfaction.

7.2.56 The JCCT advised us that research has shown that many of the problems surrounding the activities of young people have their roots in the lack of adequate investment/support made available for children in their formative years. Enabling parents to support their families through work rather than through benefits is an important objective to secure from which the economy as well as the individuals benefit.

7.2.57 It is important that we consider here the consultation that it has taken part in with the Department for Education, Sport and Culture in the recent development of the Early Years agenda. It is clear to an extent that the JCCT has been included in consultation, and we have already mentioned its part in meetings with PAG and the Chief Minister and at which the Department was present. The JCCT has also made submissions when consultation opportunities have been presented such as *A Vision for the Future of Early Education and Childcare in Jersey (Spratt 2004)*.

7.2.58 However, when the Panel spoke to the JCCT there was, again, frustration expressed at the recent consultation with the Department over the Early Years agenda. The Executive Director of the JCCT was asked about what consultation had occurred between the two regarding a 0-5 strategy and 3-4 provision. She informed us:

⁴⁹ Transcript of Public Hearing with JCCT, 19th October 2007

“Well, the initial plan was I had a call from the director asking for 10 days of my time and it eventually turned out to be one meeting of an hour at Social Security. I was quite disappointed about that to be honest.”⁵⁰

7.2.59 The Chairman of the JCCT added:

“There was a suggestion that there would be a kind of strategy steering group which would develop these things but, whether from the pressure of time and the feeling that they needed to get something out, they came under pressure and wanted to produce that just before Christmas last year, I think it came out. So I do not think that there was enough opportunity for input from that strategy group.”⁵¹

7.2.60 States Primary Schools

7.2.61 The Panel was pleased to speak to a Head Teacher representative from the States Primary School sector. We were advised that discussions had not yet taken place between the school and the Department about the possible implications of the proposal to offer 20 hours nursery care education as opposed to the current 30 hours or the possibility that some children may go back to morning and afternoon sessions.⁵²

7.2.62

Finding:

Following initial consultation by the Department of Education, Sport and Culture, parents and providers were disappointed by the lack of engagement, follow-up and action. This contributed to the disbanding of the Parents Action Group.

7.2.63 Confusion

7.2.64 As the Panel gathered its evidence and spoke to stakeholders it became apparent that there were degrees of confusion about some aspects of the Minister’s Early Years proposals, which raised concern over how effectively the Minister had communicated his strategy. We encountered confusion from a variety of stakeholders on a range of issues.

7.2.65 Confusion About Funding

7.2.66 When the Panel heard from the Minister for Economic Development it was clear that there

⁵⁰ Transcript of Public Hearing with JCCT, 19th October 2007

⁵¹ Transcript of Public Hearing with JCCT, 19th October 2007

⁵² Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d’Auvergne Primary School, 5th November 2007

was much confusion in his understanding of how much funding, and for what purpose, the Minister for Education, Sport and Culture was requesting in his Amendment to the Annual Business Plan (P.93/2007 Amd.). He told us:

“...I thought that his £1.6 million and £7 million capital which I quote from his report is to increase the amount of public sector provision. Now if he has moved then I welcome that. Are you aware -- do I have it wrong?”

7.2.67 The Minister for Economic Development referred to the disconnect between his understanding and the report accompanying the Amendment proposal and suggested that there was a lack of clarity. He also suggested that colleagues on the Council of Ministers had thought, as he had, that the requested additional funding would go into the public sector provision, not the private sector as intended by the Minister for Education, Sport and Culture.⁵³

7.2.68 When we spoke to the Chairman of La Petite Ecole Group of Day Nurseries he referred on several occasions to his understanding of £2.5 million annual additional funding rather than the approximately £1.5 million requested by the Minister. He went on to say that in his opinion the Minister’s proposal had become “woollier”.⁵⁴

7.2.69 Confusion About Top Up Hours

7.2.70 Mr M Farley, co-owner, Charlie Farley’s Nursery, who we heard from as a representative of JEYA also referred to confusion. Talking about top up hours (those hours additional to the free provision) he told us:

“What we are not sure about is that in the early part of the discussion with ESC (Education, Sport and Culture) about the 20 hours, there was the question of whether the Department was prepared to charge their parents for the extra hours over and above 20. Now, some of us feel that that was on the table but it has sort of disappeared off the table as an issue ... charging over and above the 20 hours sort of disappeared by the time it got to the States. We are in some confusion as to how that happened.”⁵⁵

7.2.71 The Panel was advised that it had been the understanding of the Parents’ Action Group (PAG) from meetings with the Department of Education, Sport and Culture that all children, whether attending a private nursery or a States nursery class would receive 20 free hours.

⁵³ Transcript of Public Hearing with the Minister for Economic Development, 15th October 2007

⁵⁴ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

⁵⁵ Transcript of Public Hearing with JEYA, 16th October 2007

Those attending any more than 20 hours in a States nursery class would then pay the hourly rate as calculated by the Department. For those children attending a private day nursery the nursery would receive the same hourly rate for 20 hours per week per child. If the nursery's hourly charge was higher than that the parents would pay the difference per hour and for any hours over 20 hours per week for 38 weeks per year.

7.2.72 This matter was discussed at the very first meeting between the Department, JEYA, PAG and the JCCT. Discussion took place as to how this cost would be calculated and how the Department would then monitor the subsidy to private day nurseries and ensure that prices in the private sector did not just absorb this subsidy in price increases. The discussions also covered how private day nurseries would be monitored to ensure that they met the same criteria as States nursery classes as laid down by the Department. It was suggested that the role of the JCCT could be expanded to provide an independent monitoring system.

7.2.73 It was not PAG's understanding that the Department would subsidise the full cost of a private day nursery's hourly rate for 20 hours per week 38 weeks per year. It understood that the cost would only be subsidised at the rate the States provide funding for a States nursery class place. This would have to be calculated by the Department based on the total cost of funding for all their States nursery classes.

7.2.74 Discussions concluded at this stage on the understanding that the Department would undertake to draft a paper to be presented to the States following further consultation. PAG was led to believe that it would be included in this consultation but this was not the case.

7.2.75 Confusion About the Age of Entry

7.2.76 The Institute for Fiscal Studies in the UK published its report *When you are born matters: The impact of date of birth on cognitive outcomes in England* in October 2007. The impact of birth date on cognitive performance is well documented across many countries with, on average, younger children from an academic year cohort performing less well than the older children. A key recommendation of the Institute's report is that children are entitled to free nursery education from the beginning of the year in which they turn three rather than the beginning of the term after they turn three and that all children start formal schooling in September of the year in which they turn five.

7.2.77 In Jersey, the *Policy for Nursery Classes in Provided Primary Schools*, May 2003, informs us that:

“Admission to nursery classes must be after the child’s third birthday. Ideally, a child will attend three terms in the nursery class before entering a reception class”⁵⁶

7.2.78 The age of entry policy should the Minister implement his proposals for 3-4 year olds was clarified by the Department. Children may start in Nursery school in the September following their 3rd birthday i.e. the academic year in which they turn 4 (rising 4).

7.2.79 However, this definition of the Minister’s intentions on age of entry was not clear to us as we studied reports produced by the Department outlining and updating the strategy development over recent years, confusion echoed when we spoke to the Department of Health and Social Services. In those documents the term ‘all 3 to 4 year olds’ is used to describe the age group that would benefit from the Ministers proposal to deliver 20 hours (or in earlier reports 30 hours) free nursery education per week for 38 weeks of the year. In light of the use of the term ‘all 3 and 4 year olds’ the Panel had, mistakenly, understood that the Minister’s intention was to provide free nursery education to a child at the time of their third birthday.

7.2.80 We have referred to the term ‘all 3 and 4 year olds’ throughout our public hearings and indeed in our Terms of Reference. We note that, our adviser aside, what was actually meant by ‘all 3 and 4 year olds’ appeared unclear to the people that we spoke to. Many submissions and witnesses at Public Hearings have referred to the policy for all 3 and 4 year olds including parents, childcare professionals and States Members and it is not unreasonable to assume that some, at least, have misinterpreted the term to mean all children who are 3 and 4 from their third birthday onwards.

7.2.81 Confusion About Capacity

7.2.82 It was clear to the Panel that there is also confusion over whether or not there is sufficient capacity within the private sector to deliver the Minister’s proposals on early education for 3 and 4 year olds. On the one hand some private sector providers, such as the Parish Day Nurseries, supported the Minister’s belief that capacity exists for the proposals to be delivered. On the other hand some, for example La Petite Ecole Group of Day Nurseries, suggested that they did not currently possess the spare capacity to assist delivery.⁵⁷

7.2.83 Indeed, even the Minister’s own Department of Education, Sport and Culture has highlighted some concern regarding establishing the required capacity, despite the certainty of the Minister that the additional capacity is in place. The 2007 Annual Business Plan for the Department identified a potential risk of delivering the Early Years proposals for 3 and 4

⁵⁶ *Policy for Nursery Classes in Provided Primary Schools*, May 2003

⁵⁷ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

year olds. That risk was that the private sector may not sufficiently support those proposals.⁵⁸ In turn this would place in jeopardy the required additional capacity.

7.2.84

Finding:

There has been widespread confusion about and misunderstanding of the Minister's proposal. This has not helped him to achieve his aims.

7.2.85 Care or Education?

7.2.86 The integral nature of education and care provision in the Early Years is very well supported by research and has been widely accepted by the stakeholders that we spoke to. Many research projects have been undertaken across the world on the matter and some of the key pieces that have been studied by the Minister and his Department to inform their work were highlighted to the Panel, a small sample of which are the 'Effective Provision of Pre-School Education' (EPPE)⁵⁹ project, the *Reggio Emilia Approach*⁶⁰ and the *DayCare Trust* report.⁶¹

7.2.87 The Minister has frequently set out his commitment to the benefits of education in the Early Years, both in reports outlined in Section 6 and when he came to speak to the Panel at Public Hearings during the review. Recently, when he spoke to the States Assembly during the debate on his proposed amendment to the Annual Business Plan the Minister gave a comprehensive summary of his belief in Early Years education, informing States Members:

"Extensive research demonstrates that high quality early education and care is beneficial for the growth and development of children. This in turn brings significant benefit for society as a whole. A wealth of research, including an extensive study undertaken by PricewaterhouseCoopers, not known particularly as bleeding heart liberals, illustrates that the economic and social benefits far outweigh the costs..... So, why is high quality Early Years' education and care so important, so valuable? Another one of the most respected research bodies on the subject, EPPE (Effective Provision of Pre-School Education) Research, at London University School of Early

⁵⁸ Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey – January 2007

⁵⁹ Further information available at www.ioe.ac.uk/schools/ecpe/epped/

⁶⁰ Further information available at <http://zerosei.comune.re.it/>

⁶¹

Childhood Education, outlined the benefit of such provision in terms of socialisation, health and learning. Their research has shown in socialisation that children by the age of 3 need to socialise with their peers to develop good communication skills, social awareness and the ability to resolve conflicts. I will add, Sir, that Jersey's Physical Speech Therapy Department is promoting early intervention because of the growing number of school age referrals. Health: children over 3 who enjoy good preschool education enjoy better health and mental wellbeing. Do we not want that for all our children? Remember in Jersey we now have a higher percentage of obese children than in the UK. Learning: children over 3 who attend good preschool education enjoy better sustained thinking, have a greater ability to solve problems and to be independent learners. Exactly what we need to provide a well-educated and skilled workforce for the future. Good quality early years' education is also proven to lead to fewer social delinquency problems in later years and importantly, again in terms of cost, EPPE Research confirms the saving of £8 in the longer term for every £1 spent on high quality preschool education. The extension of free universal nursery education will support the many families in Jersey who struggle to reconcile work and family life. It will reduce the use of unregistered childcare and ensure all have access to high quality educational experience, critical for their intellectual, social and emotional growth and development. It will also help support the social integration of families from outside the Island who come to settle here and it will make the Island a more attractive place for local young families to stay in or return to. Young families who might otherwise be put off by the high cost of childcare on top of the high cost of living and the high cost of housing. Young families we so desperately need and are critical to our future.”⁶²

7.2.88 Mr A Turner wrote to the Panel expressing concern that Jersey was not building on work that had been undertaken in other countries. He highlighted that American research had discovered a clear relation between provision of high quality childcare and a decrease in teenage/young adult crime.⁶³ The EPPE project in England had determined where money should be spent and the type of provision that encourages well balanced, social children who in turn go on to become well adjusted, balanced and social adults. The findings of the project were related to Early Years provision.⁶⁴

7.2.89 Many of the stakeholders that we heard from were supportive of the educational aspect of

⁶² Official Record of the States Assembly, 21st September 2007

⁶³ America's Childcare Crisis: A Crime Prevention Tragedy. Further information available at www.fightcrime.org/reports/childcarereport.pdf

⁶⁴ Written submission by Mr A Turner, 13th November 2007

Early Years, including parents, nursery providers from both the public and private sectors and the Jersey Association of Child Minders. When the Panel spoke to JEYA the representatives were also supportive of the educational element and pointed out that this already formed part of the provision that was delivered by the private sector. This point was echoed by some of the other private providers, both day nurseries and child minders, who we heard from individually. It was clear that parents were also aware of the benefits to children of the educational element to their children's Early Years development and this manifested itself in their desire to ensure that all children were given an equal opportunity to access this provision.

7.2.90 The Jersey Annual Social Survey 2007 questioned parents of children aged 3 or 4 years on what for them was a priority when considering pre-school facilities. Parents were asked to rank three options in order of importance, with "1" being the most important, and "3" being the least important. Calculating the mean ranking of all responses gives the following priorities in order of importance. The ranking was shown to be statistically significant at the 95% confidence level.

- **Top** rank (i.e. most important): Early Education for your child(ren) (average rank 1.6)
- **Middle** rank: Childcare for your child(ren) (average rank 1.8)
- **Bottom** rank (i.e. least important): For you to return to employment (average rank 2.5)⁶⁵

7.2.91 The Minister has presented the case for the benefits to the children and the Island of quality Early Years education and care provision. Particular emphasis has been placed on the education aspect and it is this element that has underpinned the development of the Early Years agenda. It is the education element that has been the driver for the nursery classes attached to States Primary schools.

7.2.92 It appears to the Panel from the evidence that we gathered that making a distinction between education and care has not been helpful. The Panel heard that it had become an area of some resentment from the private sector, with the perception being that the Minister and Department had overestimated the difference in the provision of the two sectors and valued more highly the education based States provision than the supposedly 'care' based private provision. According to JEYA for instance:

⁶⁵ Jersey Annual Social Survey 2007. Further information available at www.gov.je/ChiefMinister/Statistics

“It has been an uphill struggle to say the least, not least the biggest battle has been the impression in the minds of the Education Department that everything in the private sector is poor quality”⁶⁶

7.2.93 More recently however the distinction between the two aspects has narrowed. The report *Investing In Our Future: A Vision For Early Childhood Education And Care For Children In Jersey* notes that:

“...there is a growing realisation among professionals working with young children that, child development and childcare objectives are not mutually exclusive – good education involves good care and good care involves good educational experiences”⁶⁷

7.2.94 The Department for Education, Sport and Culture's Early Years Adviser further demonstrated the closing of the two areas. She acknowledged that there has always been some rivalry between the private sector and the state sector but the introduction of the Foundation Stage had contributed to a growing understanding of what it means to young children. She pointed out that children do not think of care and education as separate and that they learn from everything they do. Encouragingly, she felt that there was a move away from professional rivalry to focusing on the needs of the children.⁶⁸

7.2.95 When we spoke to the Minister on 27th November he explained his position on the matter, demonstrating his reasoning behind a continued belief in there being grounds for some distinction but acknowledging the narrowing of the two elements:

“It is not a clear cut difference but ... in a day nursery for 3 to 4 year olds, they would be there all year practically, except for a few weeks, some children, and for quite long periods of time and when you are at that early age play is learning, et cetera. But the foundation stage education we offer in our classes is more concentrated and expressly aimed all the time the children are there with the education element. It does not have such a care element as there is when a child is there for a much longer period So obviously there are elements of care in the education provision provided in nursery schools and there is a strong element of education in the day nurseries and so it is not a one is one and one is the other. But the emphasis certainly within our provided nursery places is on the education side because they are there for a shorter period of time in a school setting so I am certainly not saying

⁶⁶ Transcript of Public Hearing with JEYA, 16th October 2007

⁶⁷ *Investing In Our Future: A Vision For Early Childhood Education And Care For Children In Jersey*

⁶⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

*that education is not a major factor in a private childcare and I am not saying care is not a major factor in our provision but they are 2 different provisions.*⁶⁹

7.2.96

Finding:

The educational element has underpinned the development of the States of Jersey Early Years agenda and has been the driver for the nursery classes attached to States Primary schools. This has led to a perceived distinction between an education based provision within public sector facilities and a care based provision within private sector facilities.

7.2.97

Finding:

The vision for 30 hours of early education and care for 38 weeks of the year identified in 2005 (*R.C. 54/2005*) was revised to a proposal for 20 hours for 38 weeks of the year, presented to the Council of Ministers in the *Early Childhood Education and Care: Progress Report – December 2006*.

7.2.98

Finding:

There is a growing realisation among professionals working with young children that children’s learning, development and education, and childcare objectives, are not mutually exclusive and should be integrated.

7.3 Is There a Strategy?

7.3.1 The extensive timeline of the development of policy on Early Years is demonstrated in some detail in Section 6. We have seen that the element focused on providing free Early Years education and care for 3 to 4 year olds is often separated from the overarching strategy for 0 to 4 year olds. We will address our third term of reference directly in

⁶⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

examining here how the proposals for 3 to 4 year olds fit in to the overall, integrated strategy for 0 to 4 year olds

7.3.2 There have been recent efforts to encourage the Minister to develop the two strands together to ensure an integrated overall strategy on Early Years for pre-school age children, with the proposals for 3 to 4 year olds not being pursued at the expense of the overall strategy. The calls for the development of a broader policy have been made in a number of key reports that we examined during the review, including the report by Spratt in 2004. The calls have also been made from other Departments. We learnt, for example, that in 2005 representatives from the Department of Education, Sport and Culture had agreed to work together with representatives from the Department for Social Security to pursue the overall strategy. Similarly, in 2006 the Council of Ministers agreed that a working group should be established. Its key task was to develop an Early Years strategy under the auspices of the Social Strategy Group in terms of bringing forward a comprehensive strategy for supporting Early Years childcare and education in respect of the 0 to 5 age group.

7.3.3 There has been action on the development of the broader integrated strategy. For instance, the Bridge has been established offering a platform for integrated service delivery, and the Children's Executive is another example of cross-Departmental collaboration. The Departments for Health and Social Services and Education, Sport and Culture began to develop a framework that would support the greater integration of services for all children in Jersey and make recommendations for a strategic governance model to support its delivery.⁷⁰ And, Education, Sport and Culture have also worked with other Departments to pursue issues including parenting, parental leave, families and income support.⁷¹

7.3.4 To this extent the Department has endeavoured to make progress pursuing the overall strategy. The Assistant Director informed us:

*“So when you bring those things together and there is some real joined up thinking between those things you can then start to say that you have a strategy for 0 to 5 year-olds and when the 3 to 5 year-old strategy complements the 0 to 3 year-old strategy”.*⁷²

7.3.5 However, the work on progressing an overall strategy has had limitations. The Assistant Director, Schools and Colleges also told us that the working group that looked into provision had considered a number of elements but these were not taken forward because in some

⁷⁰ Early Childhood Education and Care: Progress Report December 2006, R.C.100/2006

⁷¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

⁷² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

respect they were untimely.⁷³

7.3.6 The Minister explained the dual element situation and illustrated how it had arisen:

“one of the difficulties is - again, with a limited workforce - with the income support proposals coming in it was thought it was better to get those in place and see how they impact before taking it forward and also, Social Security just have not got any spare time, with doing income support, to put officer time on to other issues and they must be involved.... We are working towards it and we want to work with all the other agencies involved but that does not mean we should stop work on improving our Early Years education and childcare from 3 to 5.”⁷⁴

7.3.7 Furthermore, acknowledging that there was still much work to be done before an overall strategy was complete, he advised:

“The broader strategy we are working on, as Mario has been explaining, but that is quite a large thing, the whole early years thing, and some of the recommendations were included in the progress report for December 2006 in item 4 that we brought to the States, for example, recommendation 47 that my department works with the statistics units and the Jersey Child Care Trust to determine a mechanism for collecting data to establish trends in the use of childcare parental preferences and gaps in provision and so on. So there is a lot of work to be done on the wider nought to 5 or whole Early Years....”⁷⁵

7.3.8 The responsibility for the overall integrated Early Years strategy should be noted. The issues involved determine that a wide range of Departments have a stake in the strategy and the table previously shown in Section 7.2.1 demonstrates the responsibilities for public service delivery. No one single Department had full responsibility for the 0 to 5 age group with the Department for Education, Sport and Culture having been primarily responsible for nursery education policy. It has only been within the last year that the Department has taken on the broader remit of leading the co-ordination of a more integrated overall strategy when at the time it had no responsibility for 0 to 3 year-olds and was pursuing an early education policy, as we were informed by the Minister for Education, Sport and Culture and his Assistant Director, Schools and Colleges.⁷⁶

7.3.9 Indeed it was the Department that brought to the attention of the Council of Ministers the

⁷³ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

⁷⁴ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

⁷⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁷⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

concern that no single States department was responsible for 0 to 3 year-olds and subsequently took the lead in forming an integrated working group. It was pointed out however that capacity in the Civil Service in Jersey is an issue when it comes to major initiatives and this had affected the progression of the overall strategy.⁷⁷

7.3.10 Although his Department has taken on the leadership role for developing the overall strategy the Minister did make clear to us that he would prioritise if required, commenting:

*"I ... have a responsibility for 3 to 5 year-olds and early years education and I am trying to address that responsibility and I do not want that to get lost in trying to achieve an overall vision which may take even longer and some of which I have no control of."*⁷⁸

7.3.11 As the overall integrated strategy is still some way off from being completed, the Education, Sport and Culture Minister appears to have placed greater focus on the proposal to provide all 3 to 4 year olds with 20 hours of Early Years education for 38 weeks a year, although he has still to establish a partnership with the private providers.

7.3.12 Is There Support for the Minister's Proposal?

7.3.13 As we heard through our evidence gathering process, there is support for this proposal from across the stakeholders. The Council of Ministers has agreed that it would not be possible to find sufficient funding within current cash limits to enable the implementation of the proposed scheme for 3 and 4 year olds. However, it has committed its in principle support.

7.3.14 The Panel received considerable evidence in broad support of the proposal to provide free places for all 3 and 4 year olds from amongst private providers who wrote to us with their views on the matter. The same message was received when we spoke to JEYA, the Parish nurseries, JCCT and La Petite Ecole Group of Day Nurseries. A number of those who consulted with us highlighted the need to reduce the inequality in provision of free places as the driving force behind their support. In fact, the message was very similar when we heard from Head Teachers at a number of States Primary Schools and from parents, who as a group were overwhelmingly in favour of the broad proposal as a means of ending the inequity.

7.3.15 Whilst there is support for the principle of offering free quality Early Years education and

⁷⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

⁷⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

care provision for all 3 and 4 year olds for 20 hours per week, 38 weeks per year, it is clear to us from the evidence received that, even amongst those groups who demonstrated broad support, there are many concerns and criticisms that remain about how well developed the strategy is.

7.3.16 The Minister was firm in his belief that the strategy was thorough and informed us that:

“We have completed an Early Years strategy. This is what I brought to the States. This is what the whole document is about. That is the early years strategy.... there is a lot of work to be done on the wider nought to 5 or whole early years but the early years education agenda for the nursery education is what we have put forward.”⁷⁹

7.3.17 The Assistant Director, Schools and Colleges also insisted that:

“There is a clear vision of integrated services which underpins the Minister’s proposition for integrated early education and care. If you look in the report that went to the Council of Ministers, and the recommendation was accepted in there that the Island services agencies should work together to develop a comprehensive agenda for children similar to the Every Child Matters agenda in the UK.”⁸⁰

7.3.18 The Panel heard from many stakeholders, however, who did not share the view that a comprehensive strategy had been developed. We learnt about the ‘in principle’ support from the Council of Ministers but were informed of caveats to this support surrounding the wish of the Council of Ministers to see greater emphasis on the overall integrated strategy for 0 to 5 years olds, a message echoed by the former Employment and Social Security Committee in 2005 and the JCCT. The Minister for Economic Development had gone further and suggested some discontent within the Council of Ministers at simply putting more money towards the 3 to 4 year old proposal, questioning whether sufficient thought had gone into the consequences of it.⁸¹

7.3.19 There were caveats to the support of some of the private providers also. The Parish nursery providers advised the Panel that they saw the 0 to 3 strategy as being an afterthought by the Minister and that effectively there is no cohesive strategy, referring to a “*sticking plaster approach*”.⁸²

7.3.20 The Manager of La Petite Ecole Group of Day Nurseries had informed us about her thoughts on the concept of a strategy and shared a very similar view to a number of others

⁷⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁸⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁸¹ Transcript of Public Hearing with the Minister for Economic Development, 15th October 2007

⁸² Transcript of Public Hearing with Parish Nurseries, 5th November 2007

we heard from. She informed us:

*'I think it seems to be they go down one channel and make that right and then they go down another channel but it does not seem to be co-ordinated.'*⁸³

7.3.21 Following a similar theme, Mr. M. Farley, representing JEYA told us:

*"There clearly cannot be an overall strategy because how did the 0 to 3 element that we were talking about a moment ago suddenly get morphed into the equation? No, I think it is make it up as you go along time, quite frankly."*⁸⁴

7.3.22

Finding:

There is significant evidence of support for the principle of offering a free entitlement to Early Years education for all three and four year olds (for 20 hours per week, 38 weeks per year).

7.3.23

Finding:

The Department of Education, Sport and Culture has not identified funding to deliver a free entitlement of Early Years education for all three and four year olds.

7.3.24 Planning to Deliver the Strategy

7.3.25 Linked to how developed the strategy is, the Panel also endeavoured to establish the work that has been undertaken to deliver free early education.

7.3.26 We spoke to the Minister and Assistant Director, Schools and Colleges about the mapping and implementation plan for the various aspects of the vision on Early Years. At our first public hearing on 15th October the Minister assured the Panel that, had the recent Amendment debate been passed in his favour, the proposal for 3 and 4 year old nursery provision would have been ready to implement by September 2008. The Department had planned to require approximately one year to be in a position to implement the strategy.⁸⁵

⁸³ Transcript of Public Hearing with Mrs J Rogers, 15th October 2007

⁸⁴ Transcript of Public Hearing with JEYA, 16th October 2007

⁸⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

7.3.27 The Minister had set out some ground rules however regarding how much work would be put in to planning for delivery of the proposals:

“One of the ground rules was that we wanted to avoid the private rent rebate scenario, so that what we were putting in did not become a subsidy and fees just went up. I did not want officers to spend hours and hours and days and days working out with the providers the detail of this, until we knew there was some funding forthcoming. Otherwise, one it would raise the expectations of the providers and it would also mean putting officers’ time to it, if there was no material result in the end. So we know what we want to do, we believe and we have spoken with J.E.YA. (Jersey Early Years Association) that we can work out a funding mechanism, when we have experience in these areas. But I took the view that there is no point in working out the detail of this funding mechanism until we know whether we are going to have any funding to provide.”⁸⁶

7.3.28 As mentioned previously the Department gave the Panel the impression of confidence in its plans surrounding the mapping and needs assessment and delivery, elements of which we heard during the course of our discussions. The Panel notes that one year has been programmed to complete plans for implementation. However, this approach has led to a situation whereby the available details are limited as to what will happen if funding is secured. In turn this has limited the full understanding of the proposals by stakeholders, and by the Panel.

7.3.29 The Consultant Child Psychologist for Health and Social Services, Dr Bryn Williams, speaking to us about mapping spoke of:

“...very little evidence that there is a formal mapping exercise going on across the board so that all agencies involved in children can identify those areas of need, that they can come together to identify provision and use resources to put together. What I would say, however, and I have been party to some of these myself, is that there are pockets of mapping going on. I make reference again to the parenting review that has been undertaken by the Children’s Executive has undertaken a mapping exercise of parenting programmes here. This is being led by Colin Powell, and I have been part of that panel. The other example of a mapping exercise is one that I have undertaken with colleagues in special needs. That includes people from Education, paediatricians, and mental health. But again it is a very isolated piece.”⁸⁷

⁸⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁸⁷ Transcript of Public Hearing with Dr B Williams, Consultant Child Psychologist , 15th October 2007

7.3.30 The Minister was asked about the delivery plan and time scale for the 0 to 5 strategy and informed us that there is no timescale and outlined the difficulties and delays that can be associated with a limited workforce and partner Departments having to spend time on other pressing matters. The Panel asked about the plans to work with private providers to ensure delivery of the 3 to 4 year old proposal, a key matter. The Assistant Director responded:

“This might seem sketchy but it is not, in the sense that there is a sort of a vision for how this would work. There is a real recognition that at the outset, if it would work in a fruitful way, private providers themselves would have to be engaged at the very beginning.”⁸⁸

7.3.31 Parents support for the principle behind introducing greater equality to the 3 to 4 year old provision was tempered by other criticisms. We heard from a prominent member of the former Parents Action Group whose discontent was clear:

“ESC... should consider that due to an outdated policy to build a nursery class to every primary school, this has had a direct impact on many private nurseries that were forced to close and childcare costs becoming too excessive.

There has been a lack of strategic forward thinking and planning with a strategy that has been designed to compete with private enterprises, rather than creating a mutually beneficial and totally equitable system.”⁸⁹

7.3.32 During the debate in September 2007 on the Minister’s proposal to amend the Annual Business Plan there were further concerns expressed that the Minister has not produced a sufficiently developed strategy, even on just the single element of the proposals for 3 and 4 year olds.

7.3.33 Speaking during the debate, Deputy Sarah Ferguson advised the States Assembly:

“We are voting in the dark, Sir. We really cannot vote money for something, and as the Minister said this morning, we must have business plans as he is planning for the national gallery. Well, we really do not have the plans and the cost effectiveness in order to assess this project...”⁹⁰

7.3.34 Deputy Judy Martin told the States Assembly:

“Unless the Minister in his summing up completely gives me a lot more information

⁸⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁸⁹ Written submission by Mrs Z Bisson

⁹⁰ Official Record of the States Assembly, 21st September 2007

about this scheme, I, and I hope others, as Deputy Ferguson has already said, withdraw and have a Members' briefing so we can all ask questions that he might not want in the public arena....it is a basic scheme."

7.3.35 The Deputy continued:

"I, Sir, do not think that that is too much to ask when we have an Education Minister who is telling us he wants X, X and X for the next 4 years to introduce this scheme. Really, Sir, I will listen and I hope - I do not know - the procedure may be for reference back or if the Minister will not withdraw, maybe somebody else. If they do not get the information, because I am telling you now there are some serious problems with this, we are blindly agreeing to money if we do not know how the proposed scheme would work."⁹¹

7.3.36

Finding:

There has been inadequate planning for the implementation of a free entitlement to quality Early Years education. The ways and means to deliver free early education entitlement have not been sufficiently established.

7.3.37

Recommendation:

The Minister for Education, Sport and Culture needs to work in partnership with the private sector to resolve the ways and means to deliver a free entitlement of quality Early Years education and provide a detailed plan to all stakeholders and fellow States Members.

7.4 Children

7.4.1 Needs of Children

7.4.2 To address our first Term of Reference, we will examine the evidence gathered about the needs of children in their Early Years education and care. The Panel heard a consistent message from the Minister for Education, Sport and Culture that the nursery education

⁹¹ Official Record of the States Assembly, 21st September 2007

policy has been driven by the development needs of children, with the best interests of the child a core theme. The Department's Early Years Adviser told us that there was a good level of understanding now in both the public and private sector of what represented the needs of children. She told us:

*"...we have now come to a stage where there is a shared understanding of what young children need and how we need to make sure that the emotional and social wellbeing of young children is absolutely paramount and that learning and play and work with parents should be absolutely seamless."*⁹²

7.4.3 Dr Williams, a Consultant Child Psychologist to Health and Social Services, provided the Panel with a fascinating and comprehensive outline of the importance of promoting young children's social and emotional attachments, their early learning and development for the critical importance of early brain development which will influence children's future life chances. He emphasised the need to link work within health services, parenting support, mental health services, Early Years and childcare services saying:

*"it would be a tragedy for me ... if Early Years started when children went into school. Early Years to me starts at gestation.... If I was given one sort of wish in Jersey, how we could change things...it would be to develop in the early years a very rigorous strategic view about parenting provision. That is to make universal parenting available."*⁹³

7.4.4 The Panel heard a parent's perspective on what they believed were the needs of children. Mrs L. Mackenzie told us that her aspiration for her children was:

*"an environment where my children are cared for, pre-school, and after school, with the same carers in the same environment I as a parent felt that that was extremely important, that they had that continuity of care, they were settled, they were in an environment where they felt safe, and I felt safe that they were safe."*⁹⁴

7.4.5 The Jersey Association of Child Carers also gave us a perspective on children's needs as it saw them in a written submission, and the needs identified were common with those heard throughout our review. The needs identified included continuity of care and education, a secure environment where their individual needs are met and being able to continue to enjoy childhood whilst being educated in a "family environment", until it is necessary and appropriate to their age & stage of development to enter the structure of a school based

⁹² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

⁹³ Transcript of Public Hearing with Dr B Williams, Consultant Child Psychologist, 15th October 2007

⁹⁴ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th October 2007

system.

7.4.6 Current understanding in the UK about the needs of children can be found in the report *Raising Standards – Improving Outcomes: Guidance on the Early Years Outcomes Duty*.⁹⁵

Needs identified include that children:

- *feel secure in their home environment and safe at all times outside it*
- *are happy and begin to understand what it feels like to be healthy and the importance of things like eating and sleeping, that contribute to this*
- *enjoy playing and doing things with their parents that introduce them to new experiences*
- *enjoy learning through play, both at home and in Early Years settings providing integrated learning, development and care*
- *feel confident in their relationships with others*
- *have developed a robust sense of self-esteem so that they are competent learners*
- *know that they will be actively listened to by adults on matters that affect them*
- *enjoy an acceptable level of economic well-being, through helping parents into employment*

7.4.7

Finding:

The key needs of children include learning through play at home and in Early Years settings providing integrated learning development and care.

7.4.8 Continuity

7.4.9 As touched upon in the previous section, the need for continuity of care, effectively a settled routine of care for children, was a matter that was brought to our attention by a number of

⁹⁵ Raising Standards – Improving Outcomes: Guidance on the Early Years Outcomes Duty. Further information available at <http://www.surestart.gov.uk/doc/P0002514.pdf>

stakeholders. Continuity in care can lead to a settled environment for the child, helping them to feel safe which in turn helps to give them a better opportunity to learn and develop. Although recognised as a key need of children, the Panel did hear of concerns that the current situation was not promoting continuity. A key issue that challenged care continuity that was raised by parents and private providers is the absence of wraparound care, and the difficulty this poses for working parents, both daily due to the shorter opening hours of public nurseries and in holiday periods, when the States nursery classes are closed. Working parents faced with an opportunity to take up free provision or pay for private provision are in many cases taking up the free place. Some are then forced to make alternative arrangements for out of hours care that are not necessarily conducive to continuity. We heard that this is particularly a problem where there is no extended family, as is often the case in Jersey with its relatively high number of immigrant workers.

7.4.10 JEYA committee member Mr T. Brint explained JEYA's view point on the lack of continuity and highlighted some of the concerns that we also heard from other stakeholders:

"The current policy is also damaging to children in that it is encouraging discontinuity. Many families are moving from a settled private sector arrangement where their children are looked after by the same people during the holidays and all day, and they then move to school because the schools offer them a free place where they are looked after by different people at the beginning of the day, the end of the day and school holidays. This sort of discontinuity research clearly shows - and even the States' Early Years advisor said some years ago - that discontinuity is bad for children. So even by their own admission discontinuity is not good for children, yet it is precisely what their present policy is encouraging."⁹⁶

7.4.11 On a slightly different aspect of continuity, when children move on to school from nursery, the Manager of Westmount Day Nursery, Mrs V. Payne, was concerned about children that are 3 in August and start the nursery class the first week in September. She told us of a number of such children at her nursery who had found it a tremendously difficult transition, even though the nursery tried to work with the schools to help prepare children.⁹⁷

7.4.12 The Panel made a site visit to the nursery class at d'Auvergne Primary School. On the matter of continuity during the transition the Panel noted the fact that as the nursery is physically attached to the rest of the school, next to the reception class area, it benefited the children attending the nursery in the continuity of their environment when they leave the

⁹⁶ Transcript of Public Hearing with JEYA, 16th October 2007

⁹⁷ Transcript of Public Hearing with Parish Nurseries, 5th November 2007

nursery, as we were informed that the majority of those children will go on to the same primary school. The children are also introduced to Critical Skills that are used throughout the school years but which are not widely practiced in the private sector. However, the Panel was advised that two training sessions in Critical Skills had been given to private providers of Early Years education. This training had been paid for by the Department of Education, Sport and Culture.⁹⁸

7.4.13 Speaking to private providers we did learn that, shortly before they move, every effort is made to introduce children from private nurseries to the school that they will be attending. However it did appear that arrangements for this practice were not formalised but ad-hoc and no policy exists regarding the managed exchange of the child's information between the private provider and the primary school. On a site visit to La Petite Ecole's day nursery at Fort Regent the Panel was informed that it would be very helpful if the nursery received greater feedback from the primary schools as to how the children had settled. This could help inform the nursery about the areas that they were succeeding in or those in which they may be able to improve to give the children the best opportunity in transition.

7.4.14

Finding:

There is a lack of flexible provision and wraparound care, which does not promote the continuity needed by children and required by working parents.

7.4.15 Special Needs/Ethnic Minority/Vulnerable Children

7.4.16 It is important that the needs of all children are taken into account in the proposals for Early Years education and care provision and we received evidence on the matter during the review. We heard of some of the elements that are in place to try to ensure that all children have the opportunity to access the provision, particularly in the public sector. Some of the key elements in the process involve cross-departmental work and can be found in such bodies as The Bridge, the Children's Executive and the Child Development Centre based at Overdale Hospital. The Health and Social Services Department plays a particularly important role in identifying vulnerable children with Health workers often the first line in making the identification and commencing the communication chain.

7.4.17 The cross-departmental approach to identifying special needs/vulnerable children was further illustrated by the Assistant Director, Schools and Colleges who explained that

⁹⁸ Record of Education and Home Affairs Scrutiny Panel meeting, 17th September 2007

identification might be made by Health and Social Services or perhaps by the Educational Psychologist Services. It would invariably be through some form of multi-agency assessment with standard procedures that would apply for any child with special needs.⁹⁹

7.4.18 The Department for Education, Sport and Culture provide educational psychologist support for children with special needs in families across the Island and once identified the Minister told us that:

“children with special needs would come very high up our list for admission into our own nursery classes is the first thing and I would be very surprised if any child, with the sort of needs you are outlining whose parent applied, would not be accommodated, they would be accommodated.”¹⁰⁰

7.4.19 For those children with special needs or vulnerability who were accessing or identified within the private nurseries (0 to 4 years old) there is some support available. The Manager of Day Care registration at the Department of Education, Sport and Culture told us:

“The Jersey Childcare (Childcare) Trust have got some funding. Say there was a child with special needs accepted into a day nursery and that would be decided between the nursery and the parent because every nursery that we register is a private enterprise so they do have choices. They can apply to the Jersey Child Care Trust for funding to have a support worker but, again, that arrangement would be a private arrangement between the nursery and the Jersey Child Care Trust. So that is outside of anything that we are responsible for.”¹⁰¹

7.4.20 We spoke to the Jersey Child Care Trust about its funding for special needs children and the Executive Director explained it to us:

“...the project is co-ordinated by the trust and has ensured that training for all special needs co-ordinators, of which there are (from memory) about 26 in the sector, have all received special needs training. We then employ support workers on a one-to-one basis to work with the children following targets set by the health professionals who are involved with those children. Really the key thing about this is to ensure that these children can access mainstream childcare provision. Without this project they really would not be accessing the same learning environment as the other children would because of their particular needs. That project employs a 2-day a week part

⁹⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

¹⁰⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

¹⁰¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

time co-ordinator who runs the whole project basically from the trust. The entire budget for that this year of £40,000 is from fundraising that we have achieved. We have got the supported places project which pays for children who would not have been attending any Early Years environment whatsoever before starting school in reception. That is making significant headway at the moment because of our fundraising efforts. We have raised £57,000 this year for that so we are making significant inroads for the children that have missed out on free nursery places or parents cannot afford for the nursery places.”¹⁰²

7.4.21 We also addressed, with the JCCT, the matter of children from minority groups for whom English is a second language. The Executive Director informed us that those children would be able to access the supported places project. She advised us that practitioners would say that there is no need for a one-to-one worker if English is your second language, that once they are immersed within an English nursery the child will quickly pick up the English language.

7.4.22 However, we learnt from her that the problem is if the children do not access any nursery environment whatsoever before school, and this was a cause for concern. The JCCT ran several focus groups in 2007 with the Polish population, with a group of 12 parents who told them what it was like to live in Jersey as a Polish parent. It was clear that some Polish children are accessing either registered private or public provision. However, some significant issues arose, one being that a large proportion of Polish workers with children bring their parents over who themselves do not speak any English. As the grandparents, they care for the children in very small environments, often one-bedroom places, and they are all living within that one environment which may not be wholly conducive to quality childcare.

7.4.23 She went on to describe a further worrying problem that highlighted the potential for illegal childcare. She explained that she was being asked to find a room where the group could arrange its own childcare. They were keen to set up informal childcare where they could have Polish people looking after the children while the rest of them worked. We understand that this is illegal in Jersey as it would be unregistered and would need to be referred to the regulator.

7.4.24 The Panel heard about other, albeit seemingly limited, support available through other Departments. This was demonstrated to us when we spoke to the Parish nursery providers at a Public Hearing. The Manager of Westmount Day Nursery, Mrs V. Payne, reminded the

¹⁰² Transcript of Public Hearing with JCCT, 19th October 2007

Panel that the childcare allowance system administered by the Department for Social Security existed to give assistance to disadvantaged families. However she was concerned that the threshold on that had not changed in a number of years, which in turn meant there are very few people that get a childcare allowance. Ms J Baker, Manager of Avranches Day Nursery, illustrated this by informing the Panel that her nursery had at one time 30 people on the books receiving the allowance but that this number had since dropped to about 5 or 6.

7.4.25 The Panel received information from the Department for Social Security about the provisions available to parents (pre-dating the introduction of the Income Support scheme), both Contributory Benefits and Non-Contributory Benefits. The system of benefits is undergoing a significant change since the introduction of the new Income Support scheme on 28th January 2008. The new system of support will continue to offer support to vulnerable children and families, and has a specific childcare component available for children below the age of 12, with day care providers covered including registered day carers and pre-school nurseries. A parent or the main person responsible for looking after the child will be entitled to access the component if he or she is working, has a medical condition or is a student, subject to certain conditions.¹⁰³

7.4.26 At the Public Hearing with the Parish providers, the Panel asked the nursery Managers if they received any support for individual children from the States Departments. For example, if they had a child with a disability or a child with particular needs, what would happen then?

“Mrs. V. Payne:

We can apply to the trust for some help and the help they give is usually they will put somebody in 2 or 3 hours a day. It depends on the child’s needs. They have just allocated some funding through one of our children for 2 hours a day, but finding a person that will come in for that 2 hours a day is extremely difficult. They will help for that. They will not help with nursery fees, that parent, but they will help for an extra pair of hands.

Ms. J. Baker:

Which sometimes causes difficulties because sometimes you might have a child who needs to come to a nursery for specific reasons and if the parent is not working she cannot afford to pay the fees. We are at the moment trying to help a child with

¹⁰³ Further information available at www.gov.je/SocialSecurity

learning difficulties because the mother herself does not go to work and cannot afford the fees for this child, so we are applying to a charity for it.'

Ms. V. Payne:

We can refer children to speech and language.

Dr. C. Hamer:

Right, and to educational psychology?

Ms. V. Payne:

*Yes. We can access those services.*¹⁰⁴

7.4.27

Finding:

Charitable funding is used to supplement the support for children with special needs within the private sector.

7.4.28 Listening to Babies and Young Children

7.4.29 The recent UK National Children's Bureau (NCB) meeting of the Local Authority Early Years Network on childcare and early education in September 2007 highlighted the belief amongst childcare professionals that children's views should be listened to. Current initiatives include the Young Children's Voices Network Project, recommending that Local Authorities in the UK must have regard to the views of young children aged from birth to 5 years in discharging their duties in relation to early childhood services. Furthermore, there is a duty to involve parents, providers and others in the planning and management of Early Years services.¹⁰⁵

7.4.30 The *Listening as a Way of Life* series, run by the NCB on behalf of Sure Start in the UK, encourages the following considerations:

- Listening to babies
- Why and how we listen to young children
- Are equalities an issue? Finding out what young children think
- Listening to disabled children

¹⁰⁴ Transcript of Public Hearing with Parish Nursery providers, 5th November 2007

¹⁰⁵ Further information available at www.ncb.org.uk

- Supporting parents and carers to listen – a guide for practitioners¹⁰⁶

7.4.31 The UK National Youth Agency promotes a standards framework called ‘Hear by Right’. It promotes opportunities for children and young people to take an active part in shaping, amongst other things, the services they use. It states that they have a right to be involved in the decisions that affect them and that their participation is essential to improve services and respond to their needs, a view that is now much recognised.

7.4.32 We found no evidence that the voice of children in Jersey has been heard in the development of the Early Years strategy. There are of course limitations to what the children can tell us but as demonstrated in the UK it is considered to be important to listen to the voice of children to help determine what their needs are. That opportunity does not seem to have been extended to the children in Jersey.

7.5 Needs of Parents

7.5.1 As set out in our first Term of Reference, the Panel aims to understand the needs of parents in accessing childcare services for their children. Whilst we have demonstrated that the needs of children are the Minister’s driver for his policy it is clear that parents’ needs will have a large impact on the choices that are made for their children. A number of recurring themes emerged from the information that we received from parents during the review.

7.5.2 Affordability

7.5.3 Throughout the submissions that we received from parents many raised the issue of affordability: that the current cost of private childcare provision is high and at times prohibitive. This situation was a cause of much resentment, particularly in light of the situation whereby those parents whose child was able to access a States nursery place paid no fees. The Jersey Annual Social Survey asked those parents who are looking after their children and are not currently employed to identify the main reason preventing them from returning to work. The three most popular reasons were cost of care for the children (27% of parents not currently working), health reasons (24% of parents not currently working) and desire to raise children personally (22% of parents not currently working).¹⁰⁷ It was clear to the Panel from the evidence that it gathered that parents want a resolution to the matter that will help to make access to childcare more affordable.

7.5.4 The situation regarding provision in the States sector should be recalled. Currently there is

¹⁰⁶ Further information available at www.ncb.org.uk

¹⁰⁷ Jersey Annual Social Survey 2007. Further information available at www.gov.je/ChiefMinister/Statistics

no cost to parents whose child attends a nursery class at a States Primary school. The child is entitled to 30 hours of free education and care per week for 38 weeks of the year i.e. during the term time opening of that school. Funding for places is met by the Education, Sport and Culture Department. There are 16 States nurseries offering 480 places for children aged 3 and 4, which is a market share of approximately 50% of total childcare provision.¹⁰⁸ The overall expenditure budgeted for by the Department on services for 0-5 year olds in 2007 was £5,689,400, of which £3,070,100 was set aside for Primary Funding, e.g. Reception classes in mainstream Not For Profit schools. Direct Nursery Funding accounted for £1,713,500 and combined with Indirect Nursery Funding (e.g. premises and supplies) to give a total Nursery Funding budget of £1,862,300.¹⁰⁹ This means an expenditure of £3,879 per place in a public sector nursery for 30 hours per week 38 weeks of the year. This compares to a figure of £4,560 for equivalent delivery within the private sector, based on the rate of £4 per hour being used by the Minister to work out costs for his 3 and 4 year old early education proposals.¹¹⁰

7.5.5 We received evidence about the cost of private childcare provision in the Island. Some private providers gave us information about their fees and a number also indicated some of the difficulties they face. They have to make enough profit in order to stay in business (making a profit as they have every right to as a private enterprise) as well as keeping their fees at an affordable level to ensure children had access to private day nurseries and also to not jeopardise their businesses if, through high fees, too few people can afford to access the provision.

7.5.6 The funding situation of the Parish nurseries in St Helier illustrate the challenges nurseries face in paying their way, that in turn contributes to nurseries needing to charge high fees. We heard that the fees for the 3 and 4 year olds attending Westmount Day Nursery are £3.75 per hour: the fees at Avranches Day Nursery are the same as Westmount for 3 and 4 year olds, £4.80 per hour for 2 year olds and babies are £5.70 per hour. The regulations governing the private nurseries require a higher staff to child ratio for younger children than the older children in the nursery: 1 staff member per 8 children aged 3 – 4, and 1 member of staff per 3 babies. States nurseries take about 50 % of the 3 and 4 year old nursery sector but no children under that age group. The Panel heard that as a result of these factors the fees for 3 year olds tend to subsidise the younger children because it is so

¹⁰⁸ Annual Business Plan 2008: Amendment (P.93/2007 AMD.)

¹⁰⁹ Details of Departmental spend on 0-5 year olds supplied to Panel by Department, 2nd January 2008

¹¹⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

expensive to look after the younger ones in light of the high staff ratios. By taking away 3 year olds to the free public places it makes the job of the Parish in balancing the books very difficult, and contributes to high prices.¹¹¹

7.5.7 The Connétable of St Helier informed the Panel about the extent of the funding difficulty:

“We have the discussion every year about the raising of the fees and certainly in recent years the fee rises have almost exclusively been gobbled up by staff costs. The parish is effectively subsidising its nurseries, I think to the tune of certainly tens of thousands - it has been between £30,000 and £60,000 a year - and that is really because all of the money we take in fees is going to pay the staff. The other costs are being met really by the goodness of the ratepayers.”¹¹²

7.5.8 The 2005 consultation paper *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)* produced by the Department for Education, Sport and Culture highlighted the affordability issue for parents. It stated that the cost of childcare presented a major challenge for many parents in Jersey, in particular for single parent families, for those where there is a child with special needs or for families where there is more than one child under school age.

7.5.9 According to 2005 figures, the average cost of a nursery place for a child under two in Jersey’s private sector was 63% higher than the equivalent in England and 30% higher than in London. The figures for children over the age of two are 52% and 26% higher respectively, although the report notes that adjustments were not made to Jersey figures to take account of variations in average earnings, costs of goods, services and property rents.¹¹³

7.5.10 The table below illustrates those differences in costs (2005):

Figure 3: Average Weekly Cost (£) Per Child of Nursery Places¹¹⁴

Area	Under 2 Years	2 Years +
Jersey Average	218	187
Inner London	168	149

¹¹¹ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹¹² Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹¹³ *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)*

¹¹⁴ *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)*

Outer London	169	147
England Average	134	123

7.5.11 A number of parents that contacted us raised affordability as a real concern for them, as the following sample of quotes from those parents illustrates:

“I have two children and could therefore not afford to pay for two nursery places.”¹¹⁵

“...most people cannot afford to pay the nursery charges or struggle to pay these charges.”¹¹⁶

“As parents we struggle to cover the cost of nursery fees.”¹¹⁷

“I am also aware of families who simply cannot afford to pay for private nursery education - in some cases this must prove detrimental in terms of primary education to the child.”

“They have closed the private nurseries. Private nurseries have been forced to close. Why? Because there is not sufficient funding, because people cannot afford to put their children in nursery.”¹¹⁸

7.5.12 A risk identified whereby parents are unable to afford to send their child to private nurseries or registered day carers was the potential for increased use of unregistered childcare.¹¹⁹ It is a cheaper option for parents to pursue if they need their child cared for should they, for example, need to work to bring in an income to support the family. Jersey has a significant immigrant population that does not have the traditional extended family network that could help out in such a situation, which could increase the potential demand for cheaper, unregistered or unaccredited childcare, as highlighted by the JCCT.¹²⁰ (See 7.4.21)

7.5.13 Lottery and Inequity

7.5.14 As the Panel gathered its evidence a recurring description emerged to describe the current Public provision situation: a lottery. This view is not the preserve of any single group but appears to be shared across the stakeholders. The lottery issue in the broad sense is the

¹¹⁵ Written submission by Mrs P Ball

¹¹⁶ Written submission by Mrs V Clayton

¹¹⁷ Written submission by Mrs Nelson

¹¹⁸ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

¹¹⁹ Written submission by Mrs Z Bisson

¹²⁰ Transcript of Public Hearing with JCCT, 19th October 2007

allocation of places in the States nursery classes and the inequality of a system that provides free places to some children but not to others. More specifically the label is attached to the system of allocation, i.e. how it is decided which children will receive a place and those that will not.

7.5.15 The widespread frustration at the apparent lottery of the current system of provision was demonstrated in representations across the stakeholders, including parents, private providers and States Members. On this matter, the Minister for Education, Sport and Culture told us:

“The inequity in it soon became clear as did the fact that because of the way it was not universal that all children were not able to benefit from this Early Years education. It was somewhat of a lottery based on the clear criteria that we have now set out.”¹²¹

7.5.16 The inequality of the system is very evident and accepted by all stakeholders as a matter that requires addressing. With free States nursery classes accounting for 50% of the total capacity for 3 and 4 year olds in the island but the remainder having to pay for their children’s places in the private sector, a two tier system exists. Out of choice, for example for more flexible opening hours, some parents would in any circumstance decide to pursue private provision and understand and accept that they will pay the private sector fees, but other parents’ decisions are constrained by their lack of choice in the first instance and their ability to pay in the second.¹²² As well as being simply unfair, a parent’s need for choice in the childcare provision for their child is not available to many.

7.5.17 In his proposals the Minister is trying to address this problem, as he explained when he addressed the Panel:

“...the Committee started - and then when it became a Ministry I continued - trying to find a way in which this could be resolved. Obviously there are a number of ways: continue with the existing policy, try and speed up the existing policy, or you would come up with a new policy. Looking at the existing policy, if we had the space to build nursery classes on to every school and the money to do so, it would in time have resulted in free universal nursery education in nursery classes attached to primary schools for all children in the Island who wished to take advantage of it. Looking ahead, that was a very, very long-term policy and in the meantime we were not offering that universal opportunity. So we put our minds to considering other policies

¹²¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

¹²² Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)

and alternatives and we held meetings, as you would expect, with the Jersey Early Years Association, advice from the officers and so on. That finally led to the policy we have come up with. The architect of that policy and trying to address the fundamental problems as we saw them, as I saw them, of how to give each and every 3 to 4-year-old the opportunity to access early years education and how could we achieve it.”¹²³

7.5.18 There have been some reservations expressed that the Minister’s proposals for 3 and 4 year olds as they stand at present (20 hours per week of free provision for 38 weeks of the year) do not address the inequity issue and leaves some parents at a distinct disadvantage to others. For example, Connétable Crowcroft advised the Panel:

“I had been pushing this particular Minister, and previously when he was the president of the committee, to address the inequity issue as I attempted to explain in the Business Plan debate, to offer 20 hours a week to everybody, while the lucky few are still enjoying 30 hours a week, is not equity, nor does it address the fundamental problems that are thrown up by a system where, as I mentioned with my own children, you have to make very complicated childcare arrangements in order to profit from the current offer by E.S.C. (Education, Sport and Culture).”¹²⁴

7.5.19 Indeed the Minister did acknowledge to us that some inequity may remain in the system under current proposals but that ultimately his intention was to provide a fully equitable system:

“I have been trying to think of a way in which perhaps we can move forward and perhaps similar to the U.K. in one respect of starting off at a point and then having an aspiration to move forward from there.”

7.5.20 He continued:

“...my driving force still is to introduce equity into the system and to give all 3 to 4 year olds in Jersey an opportunity of some Early Years’ education. If by offering 15 hours for all the States will support or gets support for funding in some way, because it will still require funding, then it is not my ideal. I would have an aspiration to move up from that to offer more hours. It would certainly be better than the current situation, which is so inequitable.”¹²⁵

¹²³ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

¹²⁴ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹²⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

7.5.21 Despite the reservations that a degree of inequity would remain, there has been significant support from parents for the Ministers proposal to introduce free provision of 20 hours per week, 38 weeks of the year for all 3 and 4 year olds, and the subsequent increase in choice this would entail. Indeed, of all the parents that the Panel heard from during the review the majority expressed their support to see the Minister's proposals approved in order to reduce the inequity.

7.5.22

Finding:

Parents are not able to rely on their child obtaining a place at a Public Nursery.

7.5.23

Finding:

Parents want equality of opportunity of Early Years education for their children.

7.5.24 Flexibility and Choice

7.5.25 The Panel heard about the need of many parents to have access to flexible childcare. The need for flexibility can manifest itself for a variety of reasons, one being the pressure of work and the need to find suitable childcare arrangements to fit in with working hours. Most private providers provide childcare for up to 50 hours per week for at least 48 weeks per year, with morning, afternoon or all day sessions. They are invariably open earlier in the morning than States nursery classes and remain open later. States nursery classes however offer a maximum of 30 hours per week for 38 weeks of the year, i.e. during school term time.¹²⁶ It should be noted that the 30 hours includes care given to children over lunch times, therefore it could be argued that not all of the time is necessarily 'educational'.

7.5.26 This offers up a dilemma for parents as the private sector hours may be better for most working parents but the States provision is free, and we have already discussed the expense of the private sector. In practice the Panel heard examples of how the inflexible opening times of the States nursery classes restricts the choice of many parents, who often have to access the private sector even if offered a free place at a States nursery. Some

¹²⁶ Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)

parents who work longer hours need to find additional forms of provision, wraparound care, to fit in with the demands of their working hours. This can be expensive, complicated and disruptive for the child, and may be particularly restrictive to those who do not have an extended family network to help with childcare.¹²⁷

7.5.27 Speaking to the Panel about wraparound care, the parents that we spoke to illustrated some of the problems they faced:

“...they were making a huge commitment to no longer having a family holiday, because to cover the outside of term time, both parents were having to take their holidays separately to cover the holidays. Because obviously a 3 or 4 year-old does not qualify for an after school or holiday club place. They have to be school age, so unless you are in a very lucky position that you work term-time only, which is like gold dust, taking a place at a nursery like that for somebody like myself, even if I was offered a place, would be impossible. My husband and I both are not Jersey born, we have no family here, so for us a place in a States nursery class is just impossible. For those local people who have managed to accept a place, some work full-time, some work part-time but covering the holidays meant no family holiday. If they were lucky grandparents or aunts picking up and dropping off if it did not suit in with working hours and covering holidays.”¹²⁸

7.5.28 The private nurseries offer greater flexibility, but the parents pointed out that that did come at a cost:

“A lot of the private sector nurseries for funding reasons have morning sessions, lunch time sessions and afternoon sessions. My working hours meant that I would always fall into the afternoon session and the cost of that would then be so prohibitive that I would then have to work full time, so my hours are 9.15 a.m. to 2.15 p.m. at the present time. They were 9.00 a.m. to 2.00 p.m. but obviously by the time you then leave work, get your car and get to nursery I was then hitting the afternoon sessions.”¹²⁹

7.5.29 It should be recalled that the Parish providers are assisted by the Parish subsidy that may in turn allow more flexibility in their provision offer compared to other private providers, but it was the Parish providers that had offered the most suitable solution to this circumstance:

“Avranches was one of the few nurseries that you paid by the hour so you could tailor

¹²⁷ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

¹²⁸ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

¹²⁹ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

your hours to suit your working needs. I could collect my children as soon as I could to spend as much time with them as I then could in the afternoons. A lot of the other nurseries, by the time you then pay for that afternoon session you have to work to pay for it, so it was one of the few that suited my needs and I was very lucky that I lived in the Parish at the time and I could get a place, because obviously the Parish nurseries give priority to the Parishioners first and foremost.”¹³⁰

7.5.30 The Assistant Director, Schools and Colleges, explained to us the current position of the Department’s arrangements for wraparound care and how these are being developed through the Minister’s proposals:

“There are play schemes at the moment but not for this age range. If we developed a partnership with the private sector, there is the possibility that we could share our premises, so that something could be developed with qualified professionals during holiday times. We have had a pilot scheme working at one of the primary schools where there was a wraparound care facility and the wraparound care facility was managed by the private sector, voluntary sector, I think Centrepont. I cannot say it was highly successful. There were some challenges to overcome and I think the challenges were around different philosophies, the expectations of educationalists during the school day, the expectations of professionals working with children at the end of the school day. I am not saying these are hurdles that could not be overcome. It was a pilot and these are some of the challenges that we found. The strategy that the Minister has developed, of course, was designed to minimise wraparound care which, while it is a necessity, can also be less desirable than a continuous experience through the course of the day”¹³¹

7.5.31 Another reason for parents requiring flexibility is apparent from those who would like to provide their children with a predominantly educational experience of childcare but are unable to access a free States place, immediately reducing their choice of facilities offering such an experience. Other parents may have been content to give priority to the childcare element but are offered and take up a free nursery place, denying a place to the parent that had prioritised education.¹³²

7.5.32 The need for parents to have choice has been highlighted by the JCCT and is the major theme of its plans for 2008. The JCCT explains that:

¹³⁰ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

¹³¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture and the Assistant Director, Schools and Colleges, 9th November 2007

¹³² Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C. 54/2005)

“The choices that parents refer to include overall childcare, as well as specific issues as were highlighted by the Employment Forum’s consultation in 2007. This consultation exercise, in which the Trust took part, focussed upon family friendly employment legislation and the legal entitlement to take maternity, paternity and adoption leave. Many parents are also seeking part time positions within employment, as well as creative ways that they can balance their work and family life. The Trust will be involved in promoting these initiatives throughout the year.”¹³³

7.5.33 The JCCT Executive Director said:

*“Genuine choice for parents in Jersey is one of the Trust’s main goals for 2008. Through our consultation exercises in 2007, parents told us that they wanted to be able to make choices, supported by legislation and policy, of whether to return to work: how to return to work: or not to return for some time, after having their child or children”.*¹³⁴

7.5.34 It was interesting to note the findings on flexibility in the Jersey Annual Social Survey 2007. Three-fifths (60%) of parents not currently working responded that flexible working hours would encourage them to return to work sooner. 52% of *all* parents, both those working and those not working, involved in looking after dependent children identified flexible working as the issue that would make working easier for them. Indeed, 60% of parents felt it would be “Very difficult” or “Fairly difficult” to work the required hours in their job after returning to work. 66% of people with one child said they would find it “Fairly” or “Very” difficult to return to work, and the opinion that returning to work is “Fairly” or “Very” difficult held true for people with one child who had already returned to work. 48% of parents who said they would find it difficult to work the required hours in their job after returning to work said that one factor was the amount of hours they would be required to work.¹³⁵

7.5.35

Finding:

Parents want choice and need flexibility in the provision of Early Years education and childcare for their children.

¹³³ JCCT Press Release, January 2008

¹³⁴ JCCT Press Release, January 2008

¹³⁵ Jersey Annual Social Survey 2007. Further information available at www.gov.je/ChiefMinister/Statistics

7.5.36 Working Parents

7.5.37 Some of the problems faced in accessing childcare by working parents, and parents who wish to return to work after maternity, have been touched upon in the preceding Section, but it is a significant matter and explored in more detail here. Gathering its evidence, the Panel received a clear message that whilst a number of women in Jersey want to return to work after the birth of their child, for many, it is a necessity to do so in order to be able to maintain a suitable income level to pay the relatively high cost of living in the Island, particularly mortgages. In order to facilitate these needs suitable childcare provision must be in place.

7.5.38 There are some positive signs in this respect. For instance, Jersey has a very high proportion of women in the work force, and over the period from 2001 to 2006 the female participation rate increased from 76% to 80% which compares to a change from 87% to 88% for men over the same time.¹³⁶ Aside from those women with jobs that it may be possible to return to, the Minister for Economic Development explained to us that there were other jobs available in different sectors of the Island economy:

“There are 2,700, at the end of June, vacancies across all of our private sector, economic sectors, the biggest one being wholesale and retail trades. 470 jobs, 300 in construction, maybe not available perhaps for women who want to get back to work. Sorry, the biggest one is financial services currently, just with the unfilled vacancies that we have, 840 vacancies and that is not including the job opportunities that would present themselves if there was an expanded workforce. It is quite clear we are trying to ignite the entrepreneurial spirit of the Island. The economy is working, there are more people in work.”¹³⁷

7.5.39 The Minister for Economic Development outlined the policies in place to encourage a local workforce and was keen that the opportunity should be in place for women to be able to return to the workforce should they wish to. Enabling women to return to the workforce would increase the number of local people in work, increasing the skills base and could help to reduce the pressure for inward migration.

7.5.40 He did comment however that:

“...working should be an option. I do not think it should be compulsory for mothers or fathers. I think that we need to create a society in which parents have the choice of

¹³⁶ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

¹³⁷ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

*whether or not they wish to work and that may conflict with a maximisation of economic activity in the Island but it is just a guiding principle that I personally hold. I do not think there should be any coercion to fathers who wish to bring up their children or mothers for bringing up their children doing so. However, the option of working should be there and should be available to all.”*¹³⁸

7.5.41 However, the evidence that we received from some parents indicated that there were barriers to the opportunities afforded to those wishing to return to work after the birth of their child. For those that do return to work in many cases there is pressure and juggling involved in enabling that situation to occur. The Panel noted that the proportion of women looking after the home was significantly high (3700 out of 3800) and that some of these may be impacted upon by childcare issues.¹³⁹ One parent who wrote to the Panel told us that he is aware of families who simply cannot afford to pay for private nursery education. He considered that in some cases this must prove detrimental in terms of primary education to the child and enabling parents to return to work, as one of the parents would be required to stay at home to look after the child.¹⁴⁰

7.5.42 A second parent provided a clear illustration of the consequences on returning to work that she felt the States nursery policy had brought about:

*“The States have denied me and other parents the right to return to work.”*¹⁴¹

7.5.43 On a different note, another frustrated parent wrote:

*“Has there ever been a more unfair system in place regarding free nursery spaces for a handful of Islanders’ children (the lucky ones!). I am a working mother of two trying to do the right thing by going back to work and not draining the social security pot! However, by doing this I seem to be worse off than those who decide not to work and have the luxury of their childcare being funded at the States expense.”*¹⁴²

7.5.44 When we spoke to parents at a public hearing and from other evidence, it was drawn to the Panel’s attention that the inflexible hours and limited opening times of States nursery classes was another barrier to those parents needing or wanting to return to work. The pressure to meet “pick up” and “drop off” deadlines that are not particularly compatible to

¹³⁸ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

¹³⁹ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

¹⁴⁰ Written submission by Mr P Wilson

¹⁴¹ Written submission by Mrs P Ball

¹⁴² Written submission by Mrs Elder

working hours mean that it can be very complicated to arrange the working day, and the employer must often be accommodating.

7.5.45 The parents advised us however that term time only jobs were like gold dust, and gave an example of how difficult it can be to find an employer who will agree to a parent's return to work part time. It is therefore often the case that alternative arrangements for out of hours care must be found, without which returning to work can involve meeting the cost of private provision, which in a lot of cases prohibits their return to work. The Panel heard that, perhaps to a lesser degree, a linked barrier was the morning/afternoon session based provision of private providers that itself created wraparound care and cost issues for parents.¹⁴³

7.5.46 The Minister for Economic Development was aware of this situation. He commented on the high figure of the proportion of women looking after the home:

“Clearly , there is a whole host of reasons why they might be looking after the home but if there are barriers there in terms of people that are wanting to enter work then clearly there is a policy issue from an economic perspective that could help people etc.”¹⁴⁴

7.5.47 At the same public hearing the Economic Adviser explained:

“So there are people in economic activity, obviously a high proportion of them in Jersey, a high proportion of women in participation, but then when you look at the breakdown of the numbers in terms of the inactivity there are people there that might be impacted by childcare issues.”¹⁴⁵

7.5.48 In addition, the Minister for Economic Development spoke to the Panel about the States understanding of the barriers. He said:

“I think we do need to do some more work to understand what the barriers are to women who are wanting to get into work and if I am totally honest with you I do not think necessarily that we do know what all those barriers are..”¹⁴⁶

¹⁴³ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

¹⁴⁴ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

¹⁴⁵ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

¹⁴⁶ Transcript of Public Hearing with Minister for Economic Development and officers, 15th October 2007

7.5.49

Finding

There is a need for the Ministers for Education, Sport and Culture and Economic Development to appreciate the link between childcare and employment in promoting the economy and in meeting the needs of working parents.

7.5.50

Finding:

It is clear that no definitive, cross-Departmental economic assessment of the case for investing in childcare has been undertaken.

7.5.51

Recommendation:

The Minister for Education, Sport and Culture should work with the Minister for Economic Development to undertake a cross-Departmental, economic assessment of the case for investing in sustainable childcare.

7.5.52

Finding:

There is scope for greater co-operation between the Department of Education, Sport and Culture and the Department of Economic Development in relation to developing the Early Years agenda.

7.6 Providers of Early Education and Childcare

7.6.1 Impact of States Provision Policy

7.6.2 The Panel received representation regarding the impact upon the private sector of the policy of providing nursery places at States primary schools, which was important to our understanding of the current situation within the private sector.

7.6.3 The Panel met representatives from the Jersey Early Years Association (JEYA) at a public hearing on 16th October 2007. JEYA committee member Mr Tim Brint, Director, Leeward Childcare, explained that five years ago a broad cross section of the private sector had reacted to the pressure of the States policy on Early Years by gathering together and forming JEYA to tackle the issues they faced. He added that JEYA now represented the entire private sector.¹⁴⁷

7.6.4 The Panel was told that JEYA had spoken to the Chief Minister on a number of occasions. Committee member Mr Martyn Farley told the Panel:

“I think the Chief Minister certainly understood the frailty of some of the businesses that were in the private sector. This is not the occasion to come and plead poverty, but it is a factor that the policy has impacted on the viability of some of the private sector nurseries.”¹⁴⁸

7.6.5 Mr Brint commented on the impact of the policy on the private providers, highlighting the effect of the move to full-time places that was introduced following recommendation in the *Audit Report: Foundation Stage – 2002*, saying:

“This had an effect on all the private sector nurseries. They started by just having one intake a year, every September, rather than having two intakes a year, which affected children and their families and the private sector nurseries. Then they moved to just having full-time places: no part-time places or hardly any part-time places were on offer to families. This had a greater effect on us...”¹⁴⁹

7.6.6 Another Committee member, Belinda Lewis, raised the point that it was her understanding that it was mainly pre-schools that had been unable to continue. She said there was some merit to the argument that their time was coming to an end in any case, as the community no longer required that type of provision that had been running for 50 to 60 years.¹⁵⁰

7.6.7 The Panel met Mrs Jane Rogers, Manager of La Petite Ecole Group of Day Nurseries. Mrs Rogers informed the Panel that prior to her current position she had run her own private pre-school nursery, however this had been affected by the States policy of opening nurseries at States primary schools and her business had subsequently closed:

¹⁴⁷ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁴⁸ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁴⁹ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁵⁰ Transcript of Public Hearing with JEYA, 16th October 2007

“It was the beginning of the end of my business really when they opened all the...I was surrounded by States nursery schools, which was fine. It was just that was the end of my business because I could not take them until they were 2½ and they left me when they were 3½, so I could not really sustain a business with that, which was very sad.”¹⁵¹

7.6.8 The Panel also heard from Mr Frank Laine, Chairman of La Petite Ecole Group of Day Nurseries who, referring to his Group’s day nursery in St Mark’s Road and the impact of the opening of a nearby States nursery (at Janvrin School), told us that:

“..they emptied our nursery in September one year. They opened this thing up, which is about 200 yards from our nursery, and the top two floors of the building were empty.”¹⁵²

7.6.9 When the Panel spoke to the Parish nursery providers in St Helier we heard a similar message regarding the impact on those providers. The market distortion was outlined by the manager of Westmount Day Nursery Mrs Val Payne who informed the Panel about what had happened at her nursery:

“...last year we lost 42 children at Westmount...I cannot take 42 in the first week of September. Those children would never settle. We only take 2 children in a week, so we try and settle them in. That has a financial effect, because some children are still coming in towards the end of September, so that in itself, to lose so many children and to replace so many children, is not good for the nursery.”

7.6.10 This in turn was backed up by the Connétable of St Helier who told the Panel:

“...one of the things I was concerned about when I took office was that the nurseries were quite a long way from being self funding and it was as we examined the need to make these 2 units pay that certainly I was made aware of the problems that were being created for us and other providers in the private sector by the States policy of free nursery places.”¹⁵³

7.6.11 The Panel was told that in taking away a large number of 3-4 year olds from the private sector a major profitable element in those business revenue streams had been lost. The costs involved in providing day care for different age groups of children were explained,

¹⁵¹ Transcript of Public Hearing with Mrs J Rogers, Manager of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁵² Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁵³ Transcript of Public Hearing with Parish Nurseries, 19th October 2007

with the costs associated decreasing as the age group of the children increases. This can be explained by the differences in staff: child ratios through the age groups, a point illustrated by Ms Janice Baker, Manager of Avranches Day Nursery:

“Our 2 year-olds are £4.80 and our babies are £5.70. If you do a very quick equation, the staff ratio is one member of staff and 3 babies. So for one hour you are going to get about £16-something. If you look at the ratio of the 3 to 5s it is one to 8. So if you are charging £3.75 you are going to get about £30 an hour, for the babies you are going to get £16, and out of that you have to pay your staff costs when your staff are away or when they are on holiday, your cleaners, everything has to come out of those charges.”¹⁵⁴

7.6.12 The message of the negative impact on private providers by the States provision of free nursery places was clear, and it is a situation that is acknowledged at a political level. As we noted above both the Chief Minister and the Connétable of St Helier have expressed agreement at the negative impact that the policy has had on private provision. It was also clear when speaking to the Minister for Economic Development, that he was unhappy with the consequences of the policy and that the current situation should not be allowed to continue. He concluded:

“...I have to say I am very sympathetic. I do not have a solution, though. I have not as yet but clearly there is a solution that needs to be worked up. But just throwing in £1.4 million is certainly not going to solve that problem.”¹⁵⁵

7.6.13 In the debate on 21st September 2007, on the Minister’s proposal to amend the *Annual Business Plan (P.93/2007 Amd.)*, Deputy John Le Fondré spoke:

“Let us face it. In my view, the present situation is, putting it mildly, a bit of a mess. It is inequitable and it has ultimately been created by Education. In fact, I think the Minister himself stated in his speech that this position is a result of an educational policy that has created the problem. There is no control over who has access to this free education, and basically it has put the public sector into direct subsidised competition with the private sector. I understand it had been one of the main factors in the closure of several private nurseries.”¹⁵⁶

¹⁵⁴ Transcript of Public Hearing with Parish Nurseries, 19th October 2007

¹⁵⁵ Transcript of Public Hearing with Minister for Economic Development, 15th October 2007

¹⁵⁶ Official Record of the States Assembly, 21st September 2007

7.6.14 The Panel heard from the Minister for Education, Sport and Culture on the matter, when he too commented on the impact on the private providers of the policy of opening nursery classes. The negative impact of the policy to build nursery classes on primary schools was clearly highlighted, but despite this the commitment to continue building new nursery classes was reaffirmed. A current dilemma is the time that it takes to deliver on this commitment and the costs involved. It is estimated that delivering universal free nursery education to the proposed 3 and 4 year old age group at provided schools would cost a further £1.6m in revenue and approximately £7m in capital expenditure.¹⁵⁷

7.6.15 Talking about the policy to build nurseries at States Primary Schools the Minister said:

“That policy has been, and still is, unless the States change it, to establish nursery classes at all our States’ primary schools. This policy, although well-intentioned has led to the present inequity whereby about half of those children aged 3 to 4 have access to free early years’ education and half do not. Many parents call it a lottery. If we continue to follow this policy we face a number of issues...”¹⁵⁸

7.6.16

Finding:

Private nursery providers have closed and others struggle to continue to operate as a result of States nursery classes being opened.

7.6.17

Finding:

The policy of establishing nursery classes at States Primary Schools has led to the present inequity whereby about half of those children ‘rising 4’ (the academic year in which they turn 4) have access to free Early Years education and half do not.

¹⁵⁷ Annual Business Plan 2008: Amendment (P.93/2007 AMD.)

¹⁵⁸ Official Record of the States Assembly, 21st September 2007

7.6.18

Finding:

Despite the seriousness of the impact on private and Parish providers, the Minister for Education, Sport and Culture has continued to implement the policy of opening nursery classes at States Primary Schools.

7.6.19

Recommendation:

The Minister for Education, Sport and Culture should examine whether the policy of establishing new nurseries at States Primary Schools remains appropriate.

7.6.20

Recommendation:

The Minister for Education, Sport and Culture should ascertain the long term implications for each Primary School that does not have an attached States nursery class.

7.6.21 Regulation – Different Standards

7.6.22 The Daycare Registration section is part of the Culture and Lifelong Learning Directorate of the Department for Education Sport and Culture. The team of four led by the Manager of Day Care Registration carries out the first registration and annual re-registration of out-of-home-care, comprising Day Nurseries, Pre-Schools and School Age Care, in centres, and Family Day Carers in their own home. The regulation is performed on behalf of the Minister for Education, Sport and Culture to meet the requirements of the Day Care of Children (Jersey) Law 2002. Based on quality improvement it aims to ensure the health and safety of children by determining minimum requirements for registration, without which the providers cannot operate. Areas covered within the regulations include the play space available, the number of adults caring for and adequately supervising children, a healthy and safe environment free of hazards and the spread of disease, healthy relationships with adults and adequate, developmentally appropriate equipment and activities.

7.6.23 In addition to ensuring that the requirements for registration are met at all times, by the annual audit and unannounced follow up and “pop in” visits, Daycare Registration also

provide advice, support and workshops for registered providers for the purpose of encouraging improvement beyond the minimum requirements.¹⁵⁹

7.6.24 In the public sector States Nursery classes follow the *Policy for Nursery Classes in Provided Primary Schools*, written by the Department itself following consultation with Primary Head Teachers, Nursery staff and Early Years Advisers in the U.K. The Policy provides detailed procedures for Nursery Education in Provided Primary Schools. Nursery and Reception Classes constitute the Foundation Stage, which was introduced in Jersey in September 2000. In the interest of being able to make like for like comparison with the States Nursery classes, the Panel focused on the requirements of registration of a Day Nursery and Pre-School in the private sector.

7.6.25 As the review progressed the Panel learnt of frustration from within the private sector at the inconsistency in regulation between the public and private sectors, a point illustrated by the Chairman of La Petite Ecole Group of Day Nurseries who told the Panel:

“They (the States nursery classes) do not have to work to the same registration restrictions as we do. They apply those restrictions to us but when they nick (poach) the children from the end they do not have to work to the same criteria as we do.”¹⁶⁰

7.6.26 At the Panel's public hearing with JEYA, we heard of discontent at the position whereby the regulator of the private sector is also the competitor. The major issue of dissatisfaction however is the difference in staff to child ratios in the two sectors and the impact that this has on the private providers.

7.6.27 The regulations for the private providers of Pre-School and Day Nurseries determine the following ratios:

Staffing the Centre

There is a minimum adult child ratio that must be met at all times, which is:

- *one adult to 3 children for each child aged 0 - 2 years:*
- *one adult to 4 children for each child aged 2 - 3 years:*
- *one adult to 8 children for each child aged 3 - 5 years.*¹⁶¹

¹⁵⁹ Website of the Department of Education, Sport and Culture, www.gov.je/ESC/Lifelong+Learning/Daycare+Registration

¹⁶⁰ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁶¹ Website of the Department of Education, Sport and Culture, www.gov.je/ESC/Lifelong+Learning/Daycare+Registration

7.6.28 The *Policy for Nursery Classes in Provided Primary Schools* outlines that the States nursery classes, with one age group as no children under the age of 3 are accepted, stipulates a ratio of one adult to every ten children. When the providers in the private sector take the children out on a trip away from the centre they are required to comply to a ratio of 1:4, which is not a stipulation made of the public sector nurseries. The Panel also learnt that in addition to the ratio of 1:8 the private sector is also required to have supernumerary management. The States primary schools do not factor this specifically in to the nursery class, instead they accept the presence of other teaching staff and teaching assistants on the school premises for this matter.¹⁶²

7.6.29 Frustration was expressed not only in the differences in the number of staff required but also a perceived imbalance in the staff qualification demands. The regulations for private sector Day Nursery and Pre-Schools set out the following requirements:

A suitably qualified manager, or deputy manager, must be in charge of the Centre at all times,

- *in a **day nursery** the manager must hold an occupational qualification at Level 3 plus Management at Level 4*
- *in a **pre-school** the manager must hold an occupational qualification at Level 3 plus Management at Level 3*
- *Of the total staff present at any one time, 75% of them must be trained or completing a plan of training*
- *The remainder may hold the minimum basic training requirement of having completed a basic course*
- *All staff employed to care for children must hold a current first aid certificate, and have completed child protection, aids awareness and infection control training¹⁶³*

7.6.30 Within the public sector, the *Policy for Nursery Classes in Provided Primary Schools* informs that:

“The appointment of high-quality staff is a priority. Nursery classes must be staffed by one appropriately qualified teacher and two nursery officers with either N.N.E.B. or

¹⁶² Transcript of Public Hearing with JEYA, 16th October 2007

¹⁶³ Website for the Department of Education, Sport and Culture, www.gov.je/ESC/Lifelong+Learning/Daycare+Registration

*N.V.Q. level 3 qualifications.*¹⁶⁴

7.6.31 As indicated above the Nursery Teacher must be appropriately qualified. However, it is not a requirement that he or she holds qualifications relating specifically to childcare and pre-school age children. The Panel heard again this was not in balance with the private sector requirements:

*"I do not have anybody that does not have childcare qualifications, but Education's policy was that we should undertake specific trainings and the person running the nursery should take a management qualification, a level 4 in management minimum, and so we went along with that....We have complied with policy throughout. So I think it is a very weak argument to say: "Well, our nursery classes have a teacher and yours do not." We have a teacher that can be called upon, who is employed by Education, I believe, but seconded to the trust, Foundation Stage teacher. A lot of the teachers in the nursery classes are not nursery trained. They have come down.....Well, we should not say "come down", because I think they are going to the better end of the school.....I know of a geography teacher that went from secondary school to a primary school and then went into the nursery for a while. They are not there now but the arguments do not stand up, to me. We are doing everything we are told by Education's policy and the parish I know we have followed it 100 per cent, done exactly as they have asked, trained our staff completely to their requirements and they do not do the same themselves, and they have 2 different sets of policy."*¹⁶⁵

7.6.32 A States Primary School Head teacher who spoke to us advised the Panel that this is not a crucial requirement in itself, and the standard of staff members is closely monitored:

*"I think you are really wanting somebody who is very passionate about Early Years, that is what you want. It is, of course, about caring for children. I mean, if the children are not cared for, if the children are not happy - and that is not just the nursery, that is for all our children - they are not going to learn. ... But certainly training is a big aspect of it. You would not just let somebody loose in the nursery if they really did not know what they were doing and that is part of my job to monitor that."*¹⁶⁶

¹⁶⁴ Policy for Nursery Classes in Provided Primary Schools

¹⁶⁵ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹⁶⁶ Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d'Auvergne Primary School, 5th November 2007

7.6.33 The Lead Nursery Officer is required to have either a Nursery Examination Board qualification, or a CACHE (Council for Awards in Children’s Education) Level (DCE) or an NVQ Level 3 qualification. A First Aid qualification is desirable but not essential.¹⁶⁷

7.6.34 A Nursery Officer must possess a Nursery Examination Board qualification, or a CACHE Level (DCE) or an NVQ Level 3 qualification. A minimum of 3 years post qualifying experience with children aged 0-5 is also required as is a First Aid qualification.¹⁶⁸

7.6.35 Another area that was brought to the Panel’s attention was concern at the difference in inspections of private providers compared to the Public sector. The private sector providers are subject to ad-hoc inspections and to wide-ranging annual inspections by Day Care Registration that cover areas including health and safety, play space available, staffing and equipment, at the end of which a report is issued that may make requirements for particular changes to be implemented to achieve registration.

7.6.36 The public sector nursery classes are not subject to the same inspection as the private providers. Although the Early Years Adviser works closely with all of the Nursery Teachers to pursue high standards there is no equivalent annual inspection of State nurseries to those of the private sector.¹⁶⁹ Monitoring is also carried out by the Head Teacher and through self evaluation using the Internal Evaluation Framework.¹⁷⁰

7.6.37 The Panel heard of some of the consequences of the ratio pressures on private providers, and the JCCT spoke to us about its understanding of the problems. The Chairman of the JCCT said:

“... one of (the) issues we have picked up on in our submission, and which the private sector has touched on as well and it came up in one of your hearings, is this question of the different staff child ratio for the private sector than for the public sector, which I know is a bone of contention.”¹⁷¹

7.6.38 The Executive Director followed on, telling us:

“... it is the inequity that is difficult within training as well. I mean every single person

¹⁶⁷ Example of job description for a Lead Nursery Officer, submitted by the Department for Education, Sport and Culture

¹⁶⁸ Example of job description for a Nursery Officer, submitted by the Department for Education, Sport and Culture

¹⁶⁹ Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d’Auvergne Primary School, 5th November 2007

¹⁷⁰ Policy for Nursery Classes in Provided Primary Schools

¹⁷¹ Transcript of Public Hearing with JCCT, 19th October 2007

*needs first aid at £85 each within the private sector and one within the school.*¹⁷²

7.6.39 Mr T Brint from JEYA advised the Panel that in needing to provide and train so many staff, in the region of 70% or more of overall costs to a private provider are taken up by staff costs.¹⁷³ When the Panel spoke to the Manager of La Petite Ecole Group of Day Nurseries she told us a similar story:

*“We want to provide the best facility that we can but the fact that the regulations are quite strict means that it is an expensive process for us. I do not know whether this is the right time to say this but my one thing, my bugbear, is that private nurseries have to have all these regulations and school nurseries dealing with the same age group do not have the same requirements as far as first aid and H.I.V. and all that kind of thing. So their costs, as it were, if they were a private business would not be as high as ours and I do not think that is a level playing field.”*¹⁷⁴

7.6.40 However, the Panel heard from the private sector that while many were dismayed at the imbalance in regulations between the sectors they were pleased to be required to meet high quality standards and provide high standard childcare.

7.6.41 The Chairman of La Petite Ecole Group of Day Nurseries told us:

*“Whatever is the best practice and whatever will give us an edge in providing good quality childcare, my mission would be to make sure that this company was providing it in the best and most appropriate way. That is...our integrity is on the line with this business. Looking after other people’s children is not something to be taken lightly.”*¹⁷⁵

7.6.42 JEYA also commented in a similar vein:

“We welcome the regulation that we have here because we believe we have a very high quality service to parents and children here. We are regulated every year. We have to put forward a re-registration. With the regulating role comes a developmental role, so the regulator also has to pick up areas of what she perceives are needs for development and she has to develop them, and she does. So we run at a very high

¹⁷² Transcript of Public Hearing with JCCT, 19th October 2007

¹⁷³ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁷⁴ Transcript of Public Hearing with Mrs J Rogers, Manager of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁷⁵ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

*level, we think.*¹⁷⁶

7.6.43 The Manager of La Petite Ecole Group of Day Nurseries was equally minded, advising the Panel:

“They are quite good guidelines. We were recently accredited with a U.K. (United Kingdom) organisation called the National Day Nurseries Association and we have recently gone through their process, a little bit like Ofsted (Office of Standards in Education) inspections when they come and inspect you, and they commented on how good the regulations were that we have, the fact we are registered every year whereas in the U.K. Ofsted only do every 3 years, I think. So I think the standards are quite high here. Dr. Mountford will give us lots of advice on the layout of the room. She is quite helpful with that.”¹⁷⁷

7.6.44

Finding:

There are noticeable differences in the way in which the private sector is regulated compared to the regulation of the Public sector, although the private providers are pleased to adhere to the high quality standards demanded of them.

7.6.45 Qualifications and Training

7.6.46 During the course of our review we noted that there are an impressive number of highly qualified people working in both the public and private sectors. This in turn links in to the EPPE evidence that staff qualifications influence outcomes for children.¹⁷⁸ To illustrate this point we spoke to Dr Sandra Mountford, Manager of Day Care Registration and Yasmine Thebault, Early Years Adviser for the Department for Education, Sport and Culture who have both spent many years involved in the Early Years field.

7.6.47 On the private sector side, we again met and heard from a number of people who are very highly qualified and experienced. For example, Mrs V Payne, Manager of Westmount Day Nursery and JEYA Committee member Mr T Brint, Director of Leeward Childcare, both have Masters Degrees associated with early education care. And, La Petite Ecole Group of

¹⁷⁶ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁷⁷ Transcript of Public Hearing with Mrs J Rogers, Manager of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁷⁸ Further information available at www.ioe.ac.uk/schools/ecpe/eppe

Day Nurseries have made a concerted effort to challenge themselves to achieve high quality standards. The Chairman of the Group explained about the accreditation that they had attained:

“I then got the N.D.N.A. (National Day Nurseries Association), which is an independent organisation in the U.K. and I insisted that we became members of that. To become members of that we had to spend 18 months getting all our stuff together, assessing it, making sure that we were correct, because this is a national day care ... they are a supervising body. It is not easy to become a member, and in fact the ones I am involved in the U.K. are not quite there yet. But I insisted that this happen here. Now, we got our membership and we got almost at the top mark.”¹⁷⁹

7.6.48 The Panel was also struck and encouraged by the energy and passion for providing the best possible start for young children amongst the wide range of people that we heard from as we gathered our evidence for the review.

7.6.49

Finding:

There are highly qualified and experienced personnel within the Early Years sector who have clear principles in promoting effective practice for the well-being and benefit of Jersey’s children.

7.6.50 Training and Employment Partnership (TEP)

7.6.51 We established in the previous section the requirement for staff to be highly trained and the associated high cost of this particularly in the private sector with the additional demands on staff training and qualifications. We will now examine what support is available to those providers to meet the demands of the Day Care Registration regulations.

7.6.52 The TEP was established in 1994 following a recommendation in the Policy and Resources Committee’s 1994 Strategic Review and Action Plan that a single agency should be established to develop and co-ordinate action for the unemployed. It would work in partnership with employers in order to achieve a well-trained, effective local work-force that was to meet the Island’s current and future need. The objectives of TEP evolved over time and in 2002 the States agreed to transfer responsibility for it from the then Employment and

¹⁷⁹ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

Social Security Committee to the then Economic Development Committee.

7.6.53 The TEP Strategic Framework 2003 to 2005 was as follows:

Aim

To be recognised as having a positive impact on the economic and social development of the Island through working to raise skill levels and improve business performance.

Objective

To work with employers, employees, and the community to -

- *raise participation and achievement rates in vocational training, post compulsory learning:*
- *improve competitiveness by raising skills:*
- *reduce ‘marginalisation’ of the present and future workforce, and improve access to training:*
- *monitor the quality of training delivery, and support improvements:*
- *encourage local organisations to review current business practices and improve effectiveness and efficiency:*
- *research and monitor trends to ensure the appropriate skill improvement and business development support programmes are correctly prioritized.*¹⁸⁰

7.6.54 In 2003 the States agreed to disband TEP, agreeing with the Economic Development Committee the aim and objectives would best be met by disbanding the Board and integrating its functions fully within the Strategic Development Directorate of the Economic Development Department.¹⁸¹

7.6.55 The Director of Enterprise and Business Development outlined to us that the Department for Economic Development had, through TEP, supported the training and development of staff employed in the private sector in order to maintain the ratios. He advised the Panel about the introduction several years ago of a back-fill grant that encouraged or enabled the release of staff employed within private nurseries to access the learning so that the business could employ staff from the pool, to go in to ensure that the provision was maintained.¹⁸²

¹⁸⁰ P97/2002

¹⁸¹ P76/2003

¹⁸² Transcript of Public Hearing with Minister for Economic Development, 15th October 2007

7.6.56 We heard on a number of occasions from private providers of the importance of TEP funding to them, in helping to support the high costs associated with their staff training, and of their disappointment and the extra pressure upon them from the ending of TEP and the loss of the associated funding. One provider explained that the withdrawal of TEP funding was of great concern, as it had suddenly transferred the whole cost of staff training on to the provider, a significant burden that would inevitably have to be passed on to parents.¹⁸³ The Executive Director of the JCCT highlighted the situation:

“We had a very close working relationship with T.E.P. My history with the trust goes back 5 years, so let us say from 5 years previous it was a very close relationship and we used to have T.E.P. representation on many of our bodies which then had good communication with the sector, with Economic Development, and we could also access grants for qualifications which were not essential to meeting the requirements of the law. So desirable qualifications but if you were not in that position to do the qualification you could go up to that position. So we had a nice clear way forward for the sector. Financially these qualifications are astronomical, some of them. The management one is nearly £5,000 now I understand. The qualifications grants were withdrawn by Economic Development, I think, about 2 years ago and that, I am sure, would have had a significant effect on ... well, from our perspective as a little business it has had a significant effect on our training financially and I am sure for all the nurseries as well it will be the same.”¹⁸⁴

7.6.57 Highlands College

7.6.58 The Panel heard that there was an opportunity to access courses at Highlands College that offered childcare qualifications. The Early Years Adviser informed us that it is possible to do NVQ4 (National Vocational Qualifications) and that a number of the practitioners in the private sector had registered for the social degree. In terms of the availability of higher level qualifications, she believes that there is good access through Highlands.¹⁸⁵

7.6.59 Speaking about access to training we heard from the Manager of Westmount Day Nursery:

“...it is available through Highlands College. They can either go on a C.C., that is a 1 year course in Childcare and Education, or there is a D.C. which is a 2 year full-time or you can go through the N.V.Q. (National Vocational Qualification) 2 or 3 route, so

¹⁸³ Written submission by Centre Point Trust

¹⁸⁴ Transcript of Public Hearing with JCCT, 19th October 2007

¹⁸⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

*there are trainings available.*¹⁸⁶

7.6.60 There was, however, some concern from the private sector about the provision of courses at Highlands College. One provider highlighted to us that providers need Highlands College to offer childcare qualifications above Level 3, but it is not fulfilling this mandate. An example given was that a number of students taking the Diploma in Childcare had higher aspirations for academic qualifications and would welcome such opportunities in Jersey, for instance a Diploma in Childcare and Education, which was previously offered. Despite strong representation on the matter it had not been taken up by the College.¹⁸⁷

7.6.61 Furthermore there was frustration expressed at the timing of an increase in fees for the Level 4 Management Qualification that has become a requirement of Day Care Registration regulations. Mr T Brint of JEYA explained:

“They started off with some training years back with level 4 training, quite meaty training for management qualifications for which they provided the funding, so the private sector are always very keen on training. There is no holdback there for the private sector to improve ourselves. We do not say that we know it all and that we do not want to know anything else: it is quite the reverse. So we launched into this training enthusiastically. It then became part of registration. Fine, because we are all supportive of this, but as soon as it became part of registration States funding through TEP was pulled.”

7.6.62 He continued:

*“The year before last we had to find £6,000 to cover this sort of training. It is a big expense that is now mandatory, and it is not that we do not support it because it does improve quality and we are all for quality, it is just that this is the type of culture that we are up against.”*¹⁸⁸

7.6.63 Ms. B. Lewis added:

*“Also, not only did they pull the funding for it, but also Highlands doubled the fees, so Jersey Business School added £1,000 to the mandatory level for qualification that we have to hold.....It costs about £5,000 to train a manager.”*¹⁸⁹

7.6.64 This matter was raised with the Minister for Education, Sport and Culture on 9th November

¹⁸⁶ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹⁸⁷ Written submission by Centre Point Trust

¹⁸⁸ Transcript of Public Hearing with JEYA, 16th October 2007

¹⁸⁹ Transcript of Public Hearing with JEYA, 16th October 2007

at a Public Hearing. The Assistant Director, Schools and Colleges advised us:

“To my knowledge, there have been no financial support directed to private providers from the Department of Education, Sport and Culture for this and if T.E.P. has withdrawn the funding, we have not sought to substitute for that. I think, as I mentioned earlier on, in developing the cost per hour and arriving at a cost per hour for initial education, we are building into that some expectation that there might be funding in there to assist in training and, as I have said earlier on, in terms of the professional development, not necessarily the qualification route but the skills route for early years workers, the department has been very active in engaging early years professionals in the private sector in our own training programmes. If there is no funding for that level of qualification, I am sure this is an issue that would be high on the agenda of any strategic partnership. It is something we, as a department, would probably advise the Minister to do something about but, at the same time, that does not mean we would have the resources to do it. So that would obviously be something we would have to look at but we certainly want to make sure that Jersey has a well qualified, highly skilled workforce in early years”¹⁹⁰

7.6.65 The option of Jersey adopting a similar measure to England with an Early Years Professional Status was discussed with the Minister and the Manager of Day Care Registration. We were advised that such a scheme in England is in its infancy and the Department had not really looked at that yet. At the moment if people want to go beyond the minimum for registration they tend to do it themselves, for example those who have gone on to do Masters degrees. However, should this be something that the Minister wanted to take on board then the qualification framework for the private sector could be redefined.¹⁹¹

7.6.66

Finding:

The cost of mandatory training to private providers is high and there is limited assistance to help meet these obligations, particularly since the ending of the Training and Employment Partnership.

¹⁹⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

¹⁹¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

7.6.67 JCCT

7.6.68 There is some further support for staff training in the private sector available through the JCCT. Continuous professional development courses co-ordinated by the JCCT provide for over 1,000 places a year on courses generally run in the evening. Costs are kept to a minimum, £7.50 a time and the agenda is led by the private sector providers to meet their needs. The JCCT involves a lot of professionals from many different areas that come and help with the training.

7.6.69 Within the Foundation Stage Project a teacher, employed by the Department of Education, Sport and Culture is contracted to the JCCT. This post is intended to raise the quality of the Foundation Stage curriculum within each private nursery setting through the co-ordination of a large training prospectus.

7.6.70 The JCCT is also able to provide financial support for the private sector through its Special Needs Project, providing training for all special needs co-ordinators in the private sector, about 26 in total. The Manager of Westmount Day Nursery highlighted practical ways in which the JCCT is able to assist, such as trying to keep costs down where possible and co-ordinating training:

“They do H.I.V. (Human Immunodeficiency Virus) A.I.D.S (Acquired Immune Deficiency Syndrome) do they not, and they charge £7.50 which is very reasonable. We do not have a problem paying that. We get child protection training which we have paid for, is that about £30, and then we have first aid which has to be renewed every 3 years which is the dearest. That is £85.”¹⁹²

7.6.71 Capacity

7.6.72 The Minister’s proposals to extend the provision of free early years education and care for 3 and 4 year olds depends greatly upon a strong partnership with private providers. In turn, it requires the private sector to provide the additional capacity to deliver the places if the Minister is to avoid the need to spend the estimated £7 million to deliver (i.e. build new nursery classes) the capacity for universal free provision through the public sector.

7.6.73 The Panel gathered evidence about the current situation with regard to capacity and in relation to the partnership and requirements as outlined above. Speaking to the Minister and Assistant Director, Schools and Colleges, we heard that unlike the U.K., where due to lack of capacity its Government cannot deliver all that it would wish to in terms of places for

¹⁹² Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

children in the Early Years, the capacity does exist in Jersey to deliver the Minister's aims, but through a partnership with the private sector. From Education, Sport and Culture's perspective it is fully aware of capacity as it is responsible for the registration of private sector providers and of family day carers, and therefore knows exactly what is available in terms of that capacity.¹⁹³

7.6.74 Some of the private sector providers that we spoke to agreed that the capacity exists for the proposals to be pursued, the Parish nurseries for instance saying that they would have some extra capacity to be able to take additional children.¹⁹⁴

7.6.75 However, the majority of information that we received on the issue of capacity suggested to us that there are a number of uncertainties surrounding the level of available capacity.

7.6.76 Despite the Minister's certainty over capacity, demonstrated above, information from the Department of Education, Sport and Culture suggests that it too acknowledges some caveats to establishing the required capacity. In the 2007 Annual Business Plan the Department identified a potential risk of delivering the Early Years proposals for 3 and 4 year olds:

"Private sector not sufficiently supported and/ or support not forthcoming from private sector."

7.6.77 As well as the issue of capacity, we were also informed of other issues to be overcome, by the Assistant Director, Schools and Colleges, including in relation to capacity. He informed us that:

"There are issues, obviously, in respect of relative qualifications, training, et cetera, the provisions themselves, but the majority of private providers have embraced the foundation stage curriculum and the Department for Education, Sport and Culture already provides a fulltime dedicated teacher adviser to the private sector to support the development of the foundation stage curriculum. So the blocks were in place in a sense for the development of a more cohesive partnership - providing, of course, that private sector providers were willing to engage - that would provide capacity and give us the opportunity to develop the quality right across the piece."¹⁹⁵

7.6.78 The evidence that we received from La Petite Ecole Group of Day Nurseries, the largest private providers, emphasised some of the concerns that had been mentioned. The Panel

¹⁹³ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

¹⁹⁴ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

¹⁹⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

heard that the Group would not be in an immediate position to accept more than a few children should the Minister be able to roll out his plan in the near future, as they were operating at virtually full capacity and have a waiting list. They would need to expand their facilities to create extra capacity¹⁹⁶. A similar message was given by the co-owner of Charlie Farley's Nursery who spoke as a representative of JEYA, who also believes that capital investment would be needed in order to attain the required capacity¹⁹⁷.

7.6.79 Of particular concern, in light of the reliance of the Minister's proposals on using private provider capacity and the risk identified by the Department in the Annual Business Plan, was to learn from La Petite Ecole that they had not received any consultation to date on the matter of capacity.¹⁹⁸ The Chairman of La Petite Ecole told us:

"We would be very pleased to get into serious negotiations with the States. We have tried and my letter of 29th September 2005 clearly sets out what we would have liked to have done before we got to this stage so I could have come here today and said to you, we have started meaningful negotiations, we have got a blueprint of something we would like to suggest and you would have had your job partly done because we would have dealt with it years ago. We could have come to you today and said: "Since 2005 we have exchanged this amount of correspondence and if it ever came about this is the way we could do it." Two years, three years nearly, not even an acknowledgment of the letter."¹⁹⁹

7.6.80

Finding:

The Minister for Education, Sport and Culture is confident that the capacity is available to deliver his Early Years education vision through partnership with the private sector. However, needs and capacity are not fully established and planning work is still required.

¹⁹⁶ Transcript of Public Hearing with Mrs J Rogers, Manager of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁹⁷ Transcript of Public Hearing with JEYA, 19th October 2007

¹⁹⁸ Transcript of Public Hearing with Mrs J Rogers, Manager of La Petite Ecole Group of Day Nurseries, 5th November 2007

¹⁹⁹ Transcript of Public Hearing with Mr F Laine, Chairman of La Petite Ecole Group of Day Nurseries, 5th November 2007

7.6.81

Finding:

Private providers are keen to work on the issue of capacity with the Department of Education, Sport and Culture. However, some capital investment may be needed to achieve the required capacity.

7.6.82

Recommendation:

The Minister for Education, Sport and Culture should start negotiations with private providers now to establish capacity.

7.6.83 Allocation of Places and Admissions Process

7.6.84 As we have discussed previously, the allocation of free nursery places in the island has been widely described as a lottery and there is deep resentment amongst many parents at the inequity of the system. The inequity is acknowledged on all sides and has been well documented. We will look now at the criteria used by the Department to allocate places to understand how the current situation is being dealt with.

7.6.85 The *Policy for Nursery Classes in Provided Primary Schools* sets out the admissions policy for nursery classes in States Primary Schools.²⁰⁰ The key elements of the admissions process and policy are summarised below.

7.6.86 Although children may start in nursery school in the September following their third birthday, parents can apply for a nursery place for their child at any time. They are advised to do so however, as soon as possible, as one of the criteria is the date of application (and can apply to any school inside or outside their catchment area). They are then asked to complete a standard application form by the school that includes a section that allows parents to ask to be considered for an alternative nursery class. It is the information collected on that form that determines how the places are allocated.²⁰¹

7.6.87 There is no catchment area priority for allocation due to the fact that not all primary schools have a nursery. Parents are advised however that entry to a nursery does not imply any priority in relation to entry to a particular school's reception class for the following year.

²⁰⁰ Further details available from www.gov.je/ESC/Education+in+Jersey

²⁰¹ Written submission by the Department for Education, Sport and Culture, Revised Nursery Education Policy

7.6.88 The Policy indicates that the provision of places in States nursery classes takes account of the needs of individual children.

“We have a set of criteria and we believe that that is the best criteria we have come up with to ensure that we get the balance we need.”²⁰²

7.6.89 In particular, consideration is given to the following:

- *Children with social/educational needs:*
- *Children from families with particular needs (e.g. low income families, siblings with special needs, parental illness):*
- *Children suspected of being at risk:*
- *Children with siblings in the school:*
- *There must be approximately equal numbers of boys and girls in the class:*
- *Children must come from a cross section of backgrounds so that no particular social group dominates:*
- *A balance must be maintained so that the social and educational demands of the group are not overwhelming:*
- *Up to 20% of children may be taken from outside the school's catchment area:*

7.6.90 We were given a helpful insight into the admissions procedure in practice by a States Primary School Head Teacher, highlighting the effort that is made to ensure the places are allocated fairly with the needs of the child a key element. She informed us:

“There are sets of criteria across the board and it comes down to we have to take a percentage of children in catchment and so on and out of catchment and I think it is 80:20, 80 per cent within the area and I think it is 20 per cent outside the area. We also look at siblings; we also look at children's needs; we look at families' needs, and that is it. What we do currently is that parents will register. They usually ring up and try and register. They register over the phone and what we tend to do is invite the parents in, whether it is for nursery reception classes or both, and out of those meeting when we meet the parents a lot of other issues come up.....So we do invite parents in and we do fill out the forms together, whether it be for nursery, reception and so on. We do go through the criteria and then, once our lists are complete, on a certain date we send them up to the department and then the places are allocated by

²⁰² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

*the department rather than individual schools.*²⁰³

7.6.91 Although the final allocation is made centrally, there is liaison between the Head Teacher and the allocating officer. This means that the Head Teacher has the opportunity to ensure that the children they identified as in need of accessing the free nursery provision, perhaps the most vulnerable children, are able to do so:

*“At the moment our nursery is a 30-place nursery and at the moment we have 31 children, which I think is in line with all the States nurseries. At the moment. But we have pretty good links with The Bridge and if a name comes through or a family is known that perhaps has a particular need or there is a child with a particular need then I would highlight that on the form and on the list to make sure that those families are prioritised.”*²⁰⁴

7.6.92 When Family Nursing and Home Care addressed the Panel, they raised the issue of the increasing prevalence of multiple births, although it appears that there is no allocation criterion that takes into account this particular trend. They also advised the Panel that from their perspective it has become more difficult to access priority places since the allocation of nursery places has become more centralised. Speaking to the Panel in March 2008, the Assistant Minister for Health and Social Services also urged the Minister for Education, Sport and Culture to work closely with the Health and Social Services Department to ensure vulnerable children were allocated those much need places.

7.6.93 There is an appeals process for those parents whose child is not allocated a place but who wish to pursue the matter to appeal, and any such parent has the right to do so. The first stage of any appeal will be dealt with by the Director of Education, Sport and Culture. If there is a further appeal it is dealt with by a Panel established by the Minister, the Panel’s decision is final.

7.6.94 We heard that there are some formal appeals that are pursued but that number is limited. In 2006, the Department informed the Panel that of four appeals that it received two were successful and two were unsuccessful.²⁰⁵ In 2007, the States of Jersey Complaints Board was convened to review a complaint by Ms. M. McCartney, represented by the Deputy of St Martin, against a decision of the Minister for Education, Sport and Culture not to offer a

²⁰³ Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d’Auvergne Primary School, 5th November 2007

²⁰⁴ Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d’Auvergne Primary School, 5th November 2007

²⁰⁵ Written submission by the Department for Education, Sport and Culture, Revised Nursery Education Policy

nursery place for her child at St. Martin's Primary School (or elsewhere). Whilst the Board accepted that Ms. McCartney's application for a nursery placement for her child had been dealt with in accordance with established Education, Sport and Culture procedures, it noted that certain aspects of the mechanics of the process were less than satisfactory and made a number of recommendations. These included the production of a simple explanatory booklet to accompany the application form to enable step-by-step guidance to be given regarding the completion of the form and the criteria ultimately to be taken into account. Following Ms. McCartney's comments the application form has been amended, taking into account her concerns.

7.6.95 On 11th March 2008, the following written questions were tabled for the Minister for Education, Sport and Culture by Deputy Gorst of St Clement, relating to the appeals process.

- “(i) Can the Minister confirm the number of appeals made, both in writing and in person, against the current Nursery Education Placement Policy each year over the last three years, and can he state the grounds on which these appeals were made?”*
- “(ii) Of the appeals made, how many have resulted in a child subsequently being found a place after initially having been unplaced and on what grounds were the appeals upheld?”*

7.6.96 The Minister's answers were as follows:

- “(i) Over the last three years we have received four formal appeals against the non-allocation of a nursery place. Three of these appeals were made in 2007 and one in 2006.*

One appeal was made on the basis of previously undisclosed health issues, two related to financial hardship, and in the remaining case it was claimed that the application had not been handled correctly by the school.

To place this in context, I should advise members that a total of 520 full-time nursery places will be available in September 2008, and approximately 700 applications have been received for these places. 540 of these applications will be granted, and the reason for the apparent disparity in figures is because approximately 40 places have been allocated on a part-time basis.

- “(ii) Two of the appeals resulted in the allocation of nursery places, whilst the other two did not.*

A range of criteria are taken into account when considering appeals, and these are set out in Section 2.3.3 of the Policy for Nursery Classes in Provided Primary Schools. These criteria include social/educational needs, children with siblings in the school, date of application etc.²⁰⁶

7.6.97

Finding:

States Nursery classes are currently breaking their own policy by admitting 31 children instead of 30.

7.6.98

Finding:

The admissions criteria to States nursery classes are not sufficiently robust, for example, they are not in priority order and the evidence of need requirements are not clear.

7.6.99

Finding:

There are omissions in the priority allocation criteria to States nursery classes, for example relating to multiple births, a child's medical condition, disability or health needs.

7.6.100

Recommendation:

The Minister for Education, Sport and Culture should conduct a review of policy, practice and procedure in relation to the allocation of nursery places in conjunction with Health and Social Services, to include Family Nursing and Home Care.

7.7 Communication

7.7.1 Early Years Responsibilities within the Department for Education, Sport and Culture

²⁰⁶ Available at www.statesassembly.gov.je/frame.asp

7.7.2 The Panel heard about the organisation of Early Years responsibilities within the Department of Education, Sport and Culture. Not all elements of its Early Years work are situated within the same section of the Department.²⁰⁷ The Day Care Registration team, responsible for monitoring and supporting quality development in the private and non-profit making sectors, is situated within the Lifelong Learning section of the Department for Education, Sport and Culture, where the Manager of Day Care Registration reports to the Assistant Director, Lifelong Learning. Although it may be anticipated that the Day Care Registration team would work very closely with the Early Years Adviser, responsible for quality development in school nursery classes, this position is placed within the Schools and Colleges team, reporting to the Assistant Director, Schools and Colleges. The Foundation Stage Teacher is located at the Day Care Registration Department within Education, Sport and Culture; the position is seconded to the JCCT. The work undertaken by this post is within the private sector.

7.7.3 The *Early Childhood Education and Care: Progress Report December 2006, R.C.100/2006* raised a question over this structure, and suggested that the Department should restructure to reflect the requirement for the development of a more integrated strategy for Early Years. It states:

“Whilst it may be argued that there (are) benefits from organising services in this way, such division of responsibilities does not properly reflect a vision of cohesive partnership delivering integrated early education and care. Therefore it is recommended that:

The Department for Education, Sport and Culture reviews its organisational arrangements for supporting Early Years so that they align with a vision for integrated early education and care across the public and private sectors.”²⁰⁸

7.7.4 In the evidence received it is apparent that the recommended restructuring has not occurred and the division essentially between 0 to 3 policy and 3 to 5 policy remains. Some stakeholders that we heard from raised matter of this division and indicated that it was not a constructive situation. JEYA told the Panel of how it believed the division of the two areas was unconstructive, Mr T Brint commenting:

“I think this is part of the big fracture division between the 2 sectors that Dr. Sandra Mountford has her part, which is all the private sector: Yasmin Thebault has all her

²⁰⁷ Early Childhood Education and Care: Progress Report December 2006, R.C.100/2006

²⁰⁸ Early Childhood Education and Care: Progress Report December 2006, R.C.100/2006

*part, which is the school sector. The 2 never meet and it has created an awful lot of arrogance and what we believe is arrogance coming from the States sector, from the school sector that: "They are just playing. They are just messing about really with what they are doing. It is not proper education because proper education comes from an education degree and we are teachers and we know how to do it."*²⁰⁹

7.7.5 Mr. M. Farley added:

*"I cannot ever recall meeting Yasmin Thebault and Dr. Mountford in the same room at the same time."*²¹⁰

7.7.6 The Parish Nursery providers were also concerned that the division between the two Early Years sections had a negative impact. The Manager of Westmount Day Nursery spoke to us about a number of policy changes that had affected private providers, and noted:

*"I think all of the changes have had financial implications over the past 16, 17 years.... I think it is interesting to note that the first change, day-care registration, comes under the Lifelong Learning Division of Education but the other 2 changes were made by the Schools and Colleges Division. So you have got a division immediately for 3 and 4 year olds because we are registered under the Lifelong Learning Division and the nursery classes are under the Schools and Colleges Division, which again has a knock-on effect."*²¹¹

7.7.7

Finding:

There is an acknowledged division of Early Years responsibility within Department of Education, Sport and Culture, previously highlighted in RC 100/2006.

7.7.8

Recommendation:

The Minister for Education, Sport and Culture should ensure that, in accordance with Recommendation 7 of R.C. 100/2006, his Department reviews its organisational

²⁰⁹ Transcript of Public Hearing with JEYA, 16th October 2007

²¹⁰ Transcript of Public Hearing with JEYA, 16th October 2007

²¹¹ Transcript of Public Hearing with Parish Nurseries of St Helier, 5th November 2007

arrangements for supporting Early Years so that they align with a plan for integrated early education and care across the public and private sectors.

7.7.9 Information to parents

7.7.10 The Panel received representations about the sharing of Early Years information with parents. There are a number of matters that parents could and should be informed about to assist them in accessing the relevant childcare provision, and in many cases this will come at what can be a very busy and stressful time either during pregnancy or shortly after the birth of a child. The information that parents require therefore needs to be readily accessible.

7.7.11 The Panel became aware of the JCCT's part in promoting the private provision of childcare in the island. The Trust's childcare information service to parents of children aged from birth to 12 years extends through the website that has, amongst other features, full details of all registered private providers. They also provide an array of leaflets, advice via the telephone, as well as holding a number of awareness raising events. The JCCT highlighted a variety of opportunities for parents to network. Examples, which the Midwife and/or Health Visitor inform the parents about and which are known to the JCCT and/or the JCCT participates in, are:

- **Speed Bumps**; a quarterly event co-ordinated by the National Childbirth Trust (NCT) for all parents, not necessarily members of NCT, to be at the Bridge where support, services and advice can be sought for during pregnancy and after the birth.
- **The Breast Feeding Café** run by Midwifery Services, Family Nursing and Home Care (FN&HC) and the NCT.
- **Under One's groups** – baby and parent weekly groups run by Pathways at Samares and FN&HC in a variety of locations with a qualified nursery nurse running the groups.
- **Young Mum's Group** – run by the Youth Service and FN&HC specifically for mothers under the age of 21 years.
- **Weaning Workshops** run by FN&HC
- **Baby Massage** run by FN&HC

7.7.12 The Department for Education, Sport and Culture uses its website as a main tool for informing parents of issues relating to childcare and we understand that it sees its role as to

predominantly receive applications for the registration of providers, not to market services, which the Minister advised he sees as a role of the JCCT.²¹²

7.7.13 The Panel learnt more about the process when speaking to the Manager of La Petite Ecole Group of Day Nurseries. She told the Panel that often the first parents find out about childcare information and the different facilities is through a booklet, provided when they are in maternity. She informed the Panel that newcomers to Jersey are advised to telephone the Department of Education, Sport and Culture so that they can be told what facilities are in their area and what is available for their age group. Word of mouth referral is a popular method of imparting such information. La Petite Ecole Group finds that people often telephone them after consulting the telephone book; sometimes they are advised by their employers who to contact. If they telephone La Petite Ecole, and they are full, the parents are advised to telephone Education, Sport and Culture to find out the full list of registered childcare providers.²¹³

7.7.14 Indeed, the parents that we spoke to advised us of how they had picked up helpful information, but that this was often through friends advice rather than through an official source.

7.7.15 We had also heard from a States Primary School Head Teacher about communication problems regarding the allocation process of free nursery places:

“What happened recently is that parents really are not sure of the procedures and unless they see the Evening Post, which not all families take anyway, where there is a guidance of how to apply for nursery places, they miss out, I think.”²¹⁴

7.7.16 The Assistant Director, Schools and Colleges did however suggest that there could be an opportunity to address the issues of parents' access to important Early Years information through the development of a comprehensive children's information service. He explained the possibility to us:

“The opportunity obviously exists, if the strategy were to move forward, for the Jersey Child Care Trust to adjust its position and its role and perhaps to become more of a comprehensive children's information service as opposed to just a body that is

²¹² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

²¹³ Transcript of Public Hearing with the Manager, La Petite Ecole Group of Day Nurseries, 5th November 2007

²¹⁴ Transcript of Public Hearing with Mrs A Curzons and Mrs R Evans, d'Auvergne Primary School, 5th November 2007

*focusing on Early Years. One of the main roles for the trust originally was to develop sponsorship, to raise funding for Early Years, and I think since the CAG's report they have been able to demonstrate that they have done that most effectively. So they are working in a new way and the potential exists for that to be developed even further in order to produce a more comprehensive children's information service for the Island.*²¹⁵

7.7.17 The Department for Health and Social Services advised the Panel about the Children's Network Directory, a charity funded document published by the JCCT that is used by service providers to help advise parents of relevant services, It was produced primarily for those working in childcare, as they can often be the first professionals that a working parent will seek advice from about their children. The provider of the service, for example a midwife or a provider at the Bridge, can then reference the catalogue to advise parents of where they can access the service they require. It also advised that parents are advised of support that is given at, and by, places such as the Bridge and Le Bas Centre. With regard to children of immigrant families and how they are identified and informed, we were told that there is work that needs to be done to make structural changes to improve the situation. This is underway, and the current work by the Department for Health and Social Services to have additional GP's at the front of the provision of care in the community is one example of the developments that will help address such issues in conjunction with all of the appropriate agencies.

7.7.18 Family Nursing and Homecare informed the Panel that there is a range of information provided to parents who are provided with a 'New Parent Information Pack' that includes information on education and childcare as well as organisational health related information. It is given out at the New Birth visit. A 'Birth to 5 Book' is provided by the Department of Health and Social Services, giving information on child health and development. There is also the 'Red Book', paid for by Family Nursing and Home Care but distributed by midwives, that is given to all new mothers and is a personal child health record used by agencies to record health developments in the child's early years. Other relevant leaflets are also distributed.

²¹⁵ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

7.7.19

Finding:

There is no mechanism in Jersey whereby children not born in the Island are automatically brought to the attention of the Authorities.

7.7.20

Finding:

Comprehensive Early Years information is not effectively publicised for parents.

7.7.21

Recommendation:

The Council of Ministers should ensure that the appropriate Ministers work to establish a Children's Information Service at the earliest opportunity.

8. JERSEY IN CONTEXT

8.1 Introduction

8.1.1 The nature of the current and proposed systems for the provision of early education and childcare in Jersey has been previously established in this report. There is a clear message from across Jersey's stakeholder groups, firmly backed by evidence from other jurisdictions, that the education and care provided must be of 'high quality'.

8.1.2 In this Section the Panel will outline the Early Years provision in Jersey and elsewhere including the matter of 'quality standards' that underpin the quality of the provision delivered to young children. This will enable us to establish similar or alternative approaches and address some of the concerns raised above.

8.1.3 Jersey

8.1.4 The history behind the current situation in the provision of Early Years education and care in Jersey, whereby nearly 50% of nursery places for children rising 4 up until school age are provided free by the public sector, and the Minister's proposed scheme for universal free provision for that age group have been well documented in the report.

8.1.5 The matter of quality standards in Jersey has also been touched upon (See Section 7.6.20). Within the private sector, childcare providers are monitored by the Daycare Registration section of the Department for Education, Sport and Culture (Section 7.6). To summarise Daycare Registration carries out the first registration and annual re-registration of out of home care on behalf of the Minister for Education, Sport and Culture to meet the requirements of the Day Care of Children (Jersey) Law 2002. It determines minimum requirements for registration, without which the providers cannot operate. Areas covered by the regulations include the play space available, the number of adults caring for and adequately supervising children and adequate developmentally appropriate equipment and activities and staff training and qualification requirements, such as minimum NVQ Level 4 Management presence. In addition to annual audit and unannounced follow up and pop in visits, Daycare Registration also provides advice, support and workshops for registered providers for the purpose of encouraging improvement beyond the minimum requirements.²¹⁶

8.1.6 In contrast, the public sector States Nursery classes follow the *Policy for Nursery Classes in Provided Primary Schools*, written by the Department itself following consultation with

²¹⁶ Website of the Department of Education, Sport and Culture, www.gov.je/ESC/Lifelong+Learning/Daycare+Registration

Primary Head Teachers, Nursery staff and Early Years Advisers in the U.K. The Policy provides detailed procedures for Nursery Education in Provided Primary Schools. Nursery and Reception Classes constitute the Foundation Stage, covering the age range 3-5, which was introduced in Jersey in September 2000. Standards in the sector are monitored through self-evaluation, although overseen by the Early Years Adviser.

8.1.7 Addressing the matter of a structured quality assurance framework with the Minister and his Department, the Panel was informed that within the States Nursery sector the Department has adapted a 'foundation profile'.²¹⁷ This is used for every child in terms of looking at the progress of children. In light of the Department's responsibility for class environments and the training and evaluation of staff, a range of frameworks are in place in the school setting. Included amongst these is the performance review in the nursery classroom. Observation of nursery teachers will be a common practice, looking at planning and at the outcomes of children, particularly their initial profiles.

8.1.8 In the private sector the Panel was advised about the work undertaken by the Daycare Registration section in developing a quality assurance framework. The Manager of Daycare Registration told the Panel of the work undertaken on the raising of standards, with the first detailed requirements put in place in 1992 under the direction of the former Education Committee. She further advised that:

"I liaise very closely with the National Children's Bureau in the development of them. Miss Cowley was the contact person and at some point around about 1994 Liz Cowley said that the National Day Nurseries Association liked them so much they have adopted them as their quality standards."²¹⁸

8.1.9 It was very clear to the Panel that a lot of work has been put into establishing high standards within a regulatory framework suitable for Jersey, and we heard from both the private and public stakeholders that the aspiration for such high standards was not only accepted but widely encouraged.

8.1.10 Indeed the Panel heard from the Chairman of La Petite Ecole Group of Day Nurseries that such an aspiration had led his Group to apply for the National Day Nurseries Accreditation. (See 7.6.47)

²¹⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²¹⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

8.1.11 As part of the UK quality assurance of Early Years education and care facilities, the Ofsted (Office for Standards in Education) inspection reports on the standards of individual nurseries are made public to help raise parents' awareness of standards. The possibility of following this process in Jersey, and publishing the Daycare Registration Annual Inspection Reports, was raised with the Minister and the Assistant Director, Schools and Colleges, The Minister began:

"We do not. Sorry, general philosophy. We do not believe it is beneficial in a small Island to have league tables and comparative reports and that is a philosophy running through the whole of the department in schools.

Mr. M. Lundy:

We are in a position to report significant success in this area. We have experienced both systems. Inspection systems where there have been public reports; the current system we have at the moment, the system they have at the moment is not soft but it produces reflective and honest practitioners who are prepared to be critical about their own practice and they are also subject to external validation. If you set that against a context where O.F.S.T.E.D. reports are forcing people to hide their mistakes for fear of being blamed for them, then there is a very different emphasis. The emphasis there is accountability where the emphasis that we have put on this is about development. It is about getting better as opposed to simply saying: "This is how good we are."

Deputy D.W. Mezbourian:

I think we were looking on the philosophy perhaps of publishing the O.F.S.T.E.D. reports as being one of openness and allowing parents to look at nurseries to decide

Senator M.E. Vibert:

I think one should learn from the U.K. and see what a disaster league tables are, in my opinion, in the U.K.²¹⁹

8.1.12 The Assistant Director, Schools and Colleges further explained:

"Parents make judgments - I will not rate these in any way - on cost, on what they hear from other parents, on the experience they have had before, themselves, and there is an emphasis on ease of access. In the research we have done, we

²¹⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

understand parents are not necessarily the best determiners of quality because those other factors that are around, what is in the best interests of the other aspects that are made can sometimes affect their judgments about what is real quality within that supervision. As the Minister says, we have tried not to publish the reports on the basis that it is not simply acceptable if you publish a report so that parents can say: "I do not want my child to go there any more. I want them to go somewhere else" because that, in a sense, shirks the responsibility and the responsibility is to make this place, if it is not up to the standard, up to the standard that it should be.²²⁰

8.1.13

Recommendation:

The Minister for Education, Sport and Culture should give consideration to the extension of the Foundation Stage through the development of an integrated Early Years framework including quality standards and staffing requirements.

8.2 Other Jurisdictions**8.3 Reggio Emilia**

8.3.1 The northern Italian city of Reggio Emilia's approach to Early Years care based on education, community and the care environment has informed the practice of Early Years education and care in many jurisdictions around the world including Jersey. Indeed, representatives from the Department of Education, Sport and Culture have visited the region to see the work first hand. The Municipal Infant-toddler Centres and Pre-Schools of Reggio Emilia started in 1963 with the opening of the first pre-schools for children aged 3 to 6. In 1970 infant-toddler centres for children aged 3 months to 3 years were established and the approach taken has continued to be the subject of interest and research and has seen exchange of teachers, teacher educators, researchers, administrators, and political and cultural figures from across the world.²²¹

8.3.2 The early childhood services managed by the Municipality of Reggio Emilia are based on a number of distinct features; the participation of families, the educational work of staff and the importance attached to the school environment, the presence of 'atelier' (areas

²²⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²²¹ Further information available from <http://zerosei.comune.re.it/inter/nidiescuole.htm> and www.sightlines-initiative.com

designed for children to be able to access a number of sensory and informative experiences) and the on-site kitchen, and the pedagogical-didactic coordinating team.

8.3.3 Each infant-toddler centre and pre-school has a Community Early Childhood Council composed of parents, community members, teachers, staff, and the pedagogical coordinator (pedagogista). Elected every three years, the Council represents the basic democratic structure having the responsibility to promote family participation in the educational project of the infant-toddler centres and pre-schools, contributing to maintaining the quality of the service.

8.3.4 The organisation of staff in each facility is based on the values of collegiality, relationships, exchange and co-responsibility. Staff work for thirty-six hours per week, including direct contact hours with the children and time for staff meetings, professional development, and meetings with the families. The work shifts are arranged so that the entire staff is present during the morning hours, a period of intense activity at the centre and school. This helps to create the conditions that give shape to the educational quality of the service.

8.3.5 In the infant-toddler centres and Pre-Schools, the physical environment and spaces are organized and designed to support the interaction between adults and children, among the children themselves and also among the adults. The environment is primarily educational, offering opportunities and structured spaces (atelier) that provide each child and the group of children with stimuli for play, discovery, and research.

8.3.6 The choice of having an on-site kitchen in each facility is another distinctive characteristic of the service. The highly qualified kitchen staff prepare daily meals based on a balanced diet developed by a team of dieticians, paediatricians and cooks for the children and adults. New parents are given a copy of the dietary menu when their child enters the centre. The diet may vary in relation to a child's particular health conditions certified by the paediatrician, but also in relation to dietary prohibitions dictated by religious choices that the families ask be respected. The cook is available at the facilities for the younger children to talk to the families and enable a personalised diet to be maintained for each child up to one year of age.

8.3.7 The infant-toddler centres and pre-schools are overseen by a single pedagogical-didactic coordinating team composed of the Director of Education, the Director of the Infant-toddler Centres and Pre-schools, and a group of education professionals who coordinate and are responsible for the centres and schools assigned to them. One of the professionals is specifically in charge of following the children with special needs and their families. The education professionals establish the teaching guidelines and organisation of the services, participate in meetings with the families, organise and carry out professional development

initiatives, and coordinate the teachers and staff of the centres and schools.²²²

8.4 Guernsey

8.4.1 In Guernsey, there is no public provision of Early Years education and/or childcare nursery facilities, they are available only through private sector providers. Children are subsequently admitted to school from the beginning of the school year in which they reach the age of 5.

8.4.2 Matters relating to the provision of Early Years childcare in the Island fall pre-dominantly within the remit of the Health and Social Services Department and, unlike Jersey with its emphasis on an element of educational provision, not within the Education Department. All private providers are required to register with the Department. Within the Health and Social Services Department the Early Years Service is responsible for regularly inspecting and monitoring all private schools that take children under the age of 5 years, pre-schools, nurseries, crèches and childminders that are registered with Health and Social Services to ensure that they continue to meet the required standards. This format provides a single monitoring and inspection framework.²²³

8.4.3 The Health and Social Services Department has developed a set of standards and requirements for the different types of childcare provider which must be met to achieve registration and the right to operate; Day Nurseries, Pre-Schools, Crèches and Childminders. The regulations cover amongst other areas staff qualifications, responsibilities and ratios (within a Day Nursery these must be birth to 2 years old a ratio of 1:3, 2 to 3 years old a ratio of 1:4 and 3 to 5 years old a ratio of 1:8), space, equipment and record keeping.

8.4.4 The Early Years Service team is responsible for registration and inspects the providers with both routine term time visits and a full annual inspection. The main purpose of the inspections is:

- *To enable the Health and Social Services Department to satisfy itself that services are being provided to an acceptable standard and that children are appropriately cared for.*
- *To provide reassurance to parents about the involvement of the Health and Social Services Department.*
- *To ensure that facilities provided are consistent with the information held in the Register.*

²²² Further information available from <http://zerosei.comune.re.it/inter/nidiescuole.htm> and www.sightlines-initiative.com

²²³ Further information available from www.scuf.gg/early_years_service.htm

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- *To encourage Day Care providers to provide a high standard of care.*²²⁴

8.5 Isle of Man

8.5.1 The Government of the Isle of Man provides 470 free part-time nursery places for the 3 and 4 year old of the Island, 58% of the annual cohort of approximately 800 children. There are 11 purpose built nursery classes attached to schools to provide the places, some being part of the non-private school system but others run within a public private partnership arrangement. Further to this provision, the Isle of Man's Department of Education has been encouraging those schools with spare capacity in reception classes to offer those available places to nursery age children by working as a Foundation Stage unit. Such units operate with a teacher and a minimum of one further Full Time Equivalent staff member. The Early Years agenda in the Island has been influenced by the work in a number of other jurisdictions including Leuren in Belgium and the Canadian 'Roots of Empathy' project.²²⁵

8.5.2 There is currently work being undertaken to establish a model nursery that will be used for training purposes to help address re-training and qualification issues. Further to this there are plans to introduce a quality mark for providers and associated training on how this can be achieved. Training is delivered by the Department for staff in both sectors and 8 staff members have been trained as quality moderators and they make regular visits to providers. Early Years education and care is linked to the whole Island curriculum plan with stated desired outcomes.

8.5.3 In addition to the provision outlined, the Minister and her Department are exploring the opportunity of working with the private and voluntary providers of Early Years education and care, notably nurseries, to try to extend the free provision and reduce the inequity issues of the current system. They hold regular meetings with those providers and are undertaking work to establish the potential cost of purchasing additional spaces for those children not served by the existing public provision. They are further pursuing the possibility of establishing the position of a Children's Commissioner. (see Section 8.6.9)

8.5.4 Broader work is now being undertaken to develop a cross-government strategy for Early Years in the Isle of Man. This has included consultation with the broad spectrum of stakeholders and the establishment of an interdepartmental team to develop an overview strategy statement. The Panel further noted that a next step identified is the use of focus group discussions to further inform and refine implementation plans, and that in order to

²²⁴ States of Guernsey Health & Social Services Department Standards & Requirements for Day Nurseries

²²⁵ Written Submission by the Minister for Education, Hon A V Craine MHK, Isle of Man.

steer and monitor high quality provision for the Early Years a need has been identified for a managing committee composed of representatives of all key stakeholders.²²⁶

8.6 England

8.6.1 All 3 and 4 year olds in England are entitled to a free part-time early education place irrespective of parents' means. Funding is provided to Local Authorities from central government for 12.5 hours per week, 38 weeks of the year although the entitlement must be used within the facility of a registered provider. The children become eligible at different stages through the year; children born between 1st April and 31st August become eligible for their place from 1st September following their 3rd birthday, children born between 1st September and 31st December are entitled to their place from 1st January following their 3rd birthday and those born between 1st January and 31st March become eligible on 1st April following their 3rd birthday.²²⁷ Work is currently being undertaken on plans to increase the provision of free provision from 12.5 to 15 hours per week and on pilots to extend free provision to 2 year olds.

8.6.2 There have been a number of initiatives and frameworks followed in order to try to achieve the best possible outcomes for children through high quality provision, with much of this work driven by the EPPE research. One recent example of the drive for improved quality is the National Quality Improvement Network's Comprehensive Quality Improvement Principles that offer a framework for Local Authorities and national organisations to improve quality outcomes for children and young people. The framework offers 12 principles with supporting rationale and approaches for each.²²⁸

8.6.3 Another recent example in England of the continuing drive to improve quality standards is the Early Years Foundation Stage (EYFS). The EYFS is given legal force through an Order and Regulations made under the Childcare Act 2006. From September 2008 it will be mandatory for all schools and Early Years providers in Ofsted registered settings attended by young children i.e. children from birth to the end of the academic year in which a child has their fifth birthday.

8.6.4 The EYFS aims to set the standards for learning, development and care for children aged 0 to 5 and brings together previous work in the area: *Curriculum Guidance for the Foundation Stage* (2000), the *Birth to Three Matters* (2002) framework and the *National Standards for Under 8s Daycare and Childminding* (2003), building a coherent and flexible approach to

²²⁶ Written Submission by the Minister for Education, Hon A V Craine MHK, Isle of Man.

²²⁷ Children and Young People Now, 10-16 October 2007

²²⁸ National Quality Improvement Network's *Quality Improvement Principles*

care and learning. All providers are required to use the EYFS to ensure that whatever setting parents choose, they can be confident that their child will receive a quality experience that supports their development and learning.²²⁹

8.6.5 From September 2008, providers will be inspected by Ofsted under Sections 49 and 50 of the Childcare Act 2006, with regard to the *Statutory Framework for the Early Years Foundation Stage* booklet when they are carrying out their inspections.²³⁰

8.6.6 A final example of an important current development in raising standards is the Early Years Professional Status (EYPS), intended to improve the quality of the Early Years workforce. The EYPS is aimed primarily at graduates who possess a range of experience and qualifications working in a number of settings and roles, or people who have a degree level qualification and who aspire to work in Early Years as a career development opportunity.

8.6.7 EYPS is not a qualification itself, it is a status that recognises expertise as a practitioner and professional leader. By 2010 it is the aim of the UK Government to have an Early Years Professional (denoted by having gained the EYPS) in every children's centre offering Early Years provision. By 2015 it is intended that this will have extended to every full day care setting. EYPS is a key element of raising the quality of provision in Early Years settings, leading practice across the Early Years Foundation Stage and being a role model for other practitioners in safeguarding and supporting children's learning and development.²³¹

8.6.8 Another key development has been the establishment of a Children's Information Service in every Local Authority. Local authorities are funded by the Sure Start, Extended Schools and Childcare Group to make a Children's Information Service (CIS) available in their area. There are 145 Children's Information Services operating in England, providing parents with up to date information on the availability of nursery education and childcare. Children's Information Services also play a key role in providing information to local authorities and their Early Years Development and Childcare Partnerships to support planning and evaluation of progress against delivery targets.²³²

8.6.9 The role of a Children's Commissioner is developing across Local Authorities in England, effectively an independent ambassador for children in each Authority that adopts the position. As an example, Sandwell Local Authority, based on thinking nationally in England,

²²⁹ Further information available from www.standards.dcsf.gov.uk/eyfs

²³⁰ Further information available from www.standards.dcsf.gov.uk/eyfs

²³¹ Further information available from www.edgehill.ac.uk/ProspectiveStudents/Courses/EarlyYearsProfessional.htm

²³² Further information available from www.surestart.gov.uk/surestartservices/childcare/childrensinformation-service

proposes that its Children's Commissioner would promote awareness of the views and interests of children by:

- *Encouraging persons exercising functions or engaged in activities affecting children in Sandwell, to take account of their views and interests.*
- *Advising and challenging the Children and Young People's Strategic Partnership on the views and interests of children.*
- *Considering or reviewing Sandwell's complaints procedures relating to children.*
- *Investigate and review systematic complaints to identify themes and connections that may need addressing.*
- *Considering or review any other matter relating to the interests of children.*
- *Linking to the scrutiny roles within the Local Authority and other agencies as appropriate in relation to Children and Young People.*

8.6.10 The Commissioner would be concerned, in particular, with the views and interests of children relating to physical and mental health; protection from harm and neglect; education and training; contribution to society; and social and economic well being. The Commissioner would be expected to take reasonable steps to involve children in decision making, ensuring they are aware of his/her role. The Commissioner would also be expected to consult children and organisations working with children, and would have particular regard to groups of children who do not have other means of making their views known. The Commissioner would not conduct an investigation into the case of an individual child but would refer to the United Nations Convention on the Rights of the Child in considering the interests of children.

8.6.11 Sandwell's children shared their view of what a Commissioner would 'look like' during the interviews that they conducted with the candidates - smart, good listener, a heart for children, knows when to speak out and what to keep confidential.

8.6.12

Recommendation:

The Council of Ministers should evaluate the need to establish the position of an independent Children's Commissioner for Jersey.

8.7 Scotland

8.7.1 In Scotland there is a requirement for Local Authorities to provide a free part time pre-school education place for every 3 and 4 year old that parents have the option to take up should they wish to for their child. This minimum entitlement rose to 12.5 hours per week for up to 38 weeks of the year mirroring the entitlement in England, with Local Authorities able to offer more should they wish to. Children in Scotland become eligible at the same time as those in England (see above) although some Local Authorities choose to provide additional weeks, for example beginning from the date of a child's 3rd birthday. Local Authorities in Scotland currently offers the most free hours entitlement to 3 and 4 year olds of the countries within the UK.²³³

8.7.2 The Childcare Strategy for Scotland, published in May 1998, recognised that good quality childcare can be of benefit to children by promoting their development and learning. It also noted that there are benefits to parents such as enabling them to work. A diverse range of childcare provision existed at the time in Scotland, but action was needed to fill gaps in the formal childcare sector which enables parents to take up employment or training. The overall aim of the Childcare Strategy was to make high quality, accessible and affordable childcare available in every neighbourhood.²³⁴

8.7.3 The Strategy set out its intention to tackle identified problems in a number of ways. The issue of quality was to be addressed by the introduction of a new national regulatory body, the Scottish Commission for the Regulation of Care, and new National Standards for Childcare. Further to this Childcare Partnerships were detailed to be established in every Local Authority area bringing together all those with an interest in childcare to promote its expansion in line with parental demand. A Childcare Information Service was also set up in each Local Authority.

8.7.4 As part of the Smarter Scotland debate in 2007, it was announced that an updated, comprehensive Early Years and childcare strategy would be developed. The strategy will be comprehensive in scope, cover a period of 10 years and be published in 2008.²³⁵

8.7.5 As mentioned above, a feature of the Scottish Childcare Strategy is to achieve high quality, and quality was addressed by the introduction of a national regulatory body, the Scottish Commission for the Regulation of Care, and new National Standards for Childcare.

²³³ Children and Young People Now, 10-16 October 2007

²³⁴ Further information available from www.scotland.gov.uk/Topics/People/Young-People/Early-Education-Child-Care

²³⁵ Further information available from www.scotland.gov.uk/Topics/People/Young-People/Early-Education-Child-Care

Furthermore, the Executive works closely with the Care Commission and Her Majesty's Inspectorate of Education (HMIE) to promote high quality provision of daycare services for children, whether pre-school establishments, nurseries, after-school clubs, or childminding services. The regulation and inspection framework ensures services conform to the legislation laid out in the Regulation of Care (Scotland) Act 2001 and the appropriate National Care Standards.²³⁶

8.7.6 A very recent example of the continued drive to develop standards and quality is the Standard for Childcare Practice, launched in October 2007 to give professional recognition to nursery and childcare workers. It was developed by Scottish Social Services Council (SSSC) in response to proposals resulting from the National Review of The Early Years and Childcare Workforce. This Standard sets a benchmark from which an integrated qualification and professional development framework will be developed.

8.7.7 Candidates will be required to attain the standards through a new award that is expected to begin in universities, colleges and training providers in autumn 2008. In the long term, all Early Years and childcare managers will be required to gain new awards of 360 credits and SCQF level 9 for registration with the SSSC.²³⁷

8.7.8

Finding:

Jersey is not alone in facing difficulties in effective delivery of Early Years education and has the opportunity to learn from the experiences of other jurisdictions.

²³⁶ Further information available from www.scotland.gov.uk/Topics/People/Young-People/Early-Education-Child-Care

²³⁷ <http://www.scotland.gov.uk/News/Releases/2007/10/31094755>

9. WHERE DO WE GO FROM HERE?

9.1 In this Section the Panel will examine how the Minister may progress from the present situation, outlining the areas that we have identified as requiring consideration by the Minister for Education, Sport and Culture in the progression of a satisfactory Early Years strategy.

9.2 Outline of the Latest Proposals

9.2.1 The case for the benefits of early education and care for the growth and development of children and for society as a whole, is well established. The findings of many studies which suggest that the economic and social benefits exceed the cost, have been thoroughly made and are widely accepted as an appropriate basis on which to proceed by the vast majority of stakeholders. Whilst the principle and support for early education and childcare has been made and widely accepted the method of delivery has not, both overall for 0 to 5 year olds and specifically for 3 and 4 year olds.

9.2.2 The overall strategy for 0 to 5 year olds has faced delays and the Minister for Education, Sport and Culture has prioritised his proposals for 3 and 4 year olds. To recap, the Minister has proposed to provide the opportunity for free universal nursery education, 20 hours per week, term time only for all 3 and 4 year olds. Although the Council of Ministers supported this proposal in principle, it was unable to find the required funding from within existing cash limits and the Minister was unable to secure the additional funding from States Members.

9.2.3 The figures involved were highlighted by the Minister in his report accompanying the Annual Business Plan Amendment (P.93/2007 Amd.) in September 2007:

Based on assumptions about live birth predictions, net migration and inflation, the estimated gross cost of providing free nursery education to all 3 and 4 year olds for the period September 2008 to December 2011 would be as illustrated below. The accuracy of these figures is dependent upon the actual numbers in any given cohort and the costs do not take account of any savings that might accrue in respect of income support and childcare tax relief if the proposal is implemented.

Year	2008	2009	2010	2011
Funding	£600,000	£1,519,000	£1,489,000	£1,447,000

If this amendment is accepted, my Department will establish a Nursery Education

Fund and develop guidelines for private and voluntary providers seeking to apply for funding to support free early education 20 hours per week during term time.

9.2.4 Subsequent to the Amendment debate the Minister informed us that he remained committed to pursuing the proposals for 3 and 4 year olds, although he advised the Panel that the scheme may be altered to reduce the number of hours offered to 15 in order to try to make progress. He told us:

“What we have agreed to do, and what we are very close to completing is to look at costs for a slightly altered scheme, which would be to offer 15 hours per week free to all 3 to 4 year olds, with offsetting some of the costs by charging in our own schools for any hours over those 15.”²³⁸

9.3 A Waiting Game - Ending the Spiral

9.3.1 We have previously detailed, in Section 6, that there has been a considerable body of reports and consultations that have been carried out in respect of Early Years since the opening of the first nursery class at a States Primary school at Grands Vaux in 1985. Looking at the more recent past, since the *Audit Report: Foundation Stage – 2002*, reports have continued to be written recommending actions to be taken in respect of developing an appropriate strategy. The Minister has demonstrated to us that the pressing need for a resolution to the inequality of the current provision is a priority for himself and his Department, as outlined in the Annual Business Plan for 2008.

9.3.2 However, as things stand the Early Years Strategy has not been successfully delivered, the culmination being the defeat of the Minister’s proposed Amendment to the Annual Business Plan (P.93/2007 Amd.) in September 2007 that had sought to secure the additional funding required to provide 20 hours of free Early Years education and care to all 3 and 4 year olds for 38 weeks of the year. However, as the Minister told the States Assembly:

“I would remind members that the vision of the former ESC Committee, set out in the document “Investing In Our Future” was an aspiration to take effect in 2008.”²³⁹

9.3.3 As we gathered our evidence for the review, we noted that a number of important pieces of work or responses to recommendations made in previous reports have not been progressed. Perhaps the most significant delay however is seen in the development of an

²³⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²³⁹ Official Record of the States Assembly, 15th September 2007

integrated Early Years Strategy for 0 to 5 year olds. Calls for progression of this strategy have been repeatedly made, including from the Council of Ministers who, for example, established the working group in July 2006 to develop an Early Years Strategy for the 0 to 5 age range by end of that year. It proposed an officer group with a membership comprising representatives from the Departments of Education, Sport and Culture, Health and Social Services, Social Security and Treasury and Resources, with an invitation to be extended to the Executive Director of the JCCT, Fiona Vacher. However, we learnt from Mrs Vacher that her input had been limited to only one meeting, and the report of the Working Group demonstrated a waiting game:

“In undertaking this review of provision for 0 – 5 years, the Working Group has concluded that, whilst many of the policy instruments available to support families with young children are already undergoing significant change, it would be unwise to make specific recommendations in respect of these at this time. To do so without understanding the full impact and effect of the changes already proposed could increase the risk of unintended consequences. Given that any changes, particularly to benefit systems, are likely to have significant financial implications, the recommendations in respect of these are cautious.”²⁴⁰

9.3.4 Whatever the reasons for the long timeline that has been witnessed, those reasons have not helped the progression of an accepted and deliverable Early Years Strategy. New generations of young children and parents are continuing to miss out on opportunities afforded to others through the inequity of the current system of provision. The Minister has demonstrated his commitment to ending the inequity and extending the education opportunity to 3 and 4 year olds and his firm belief in the proposals that he has brought forward to date. However, the strategy must be progressed at the earliest opportunity to a deliverable form, both for 3 and 4 year olds and the overall integrated strategy for 0 to 5 year olds.

²⁴⁰ Early Childhood Education and Care: Progress Report – December 2006

9.3.5

Finding:

New generations of young children and parents are continuing to miss out on opportunities afforded to others through the inequity of the current system of Early Years provision.

9.3.6

Recommendation:

The Minister for Education, Sport and Culture should act now, and decisively, to form an Early Years Partnership, with an independent Chairman, to develop and deliver a clear, integrated and equitable strategy for Early Years education and care.

9.4 Partnership with the Private Providers

9.4.1 The delivery of the Minister’s proposals for universal free education and care provision for 3 and 4 year olds is centred upon a partnership with private sector providers of childcare that in turn will provide the required capacity:

“To work effectively this partnership would need, from the outset, to involve key stakeholders who would then define clear goals for the future, develop a framework for quality and accountability and establish clear ground rules.”²⁴¹

9.4.2 It is proposed by the Minister that the Jersey Child Care Trust would have an important role to play in this partnership. It would continue:

“to coordinate, promote and facilitate the expansion of high quality and affordable childcare provision in the Island’ providing information to parents and professionals, supporting training and passporting small grants to providers. It would become a more powerful champion for quality and take a lead role engaging parents in that process. Furthermore, it would seek to attract private sector funding and encourage employers to develop more family friendly workplaces which recognise the value, to the family and the employer, of flexible working practices.”²⁴²

²⁴¹ Investing in Our Future: A Vision for Early Childhood Education and Care for Children in Jersey

²⁴² Investing in Our Future: A Vision for Early Childhood Education and Care for Children in Jersey

9.4.3 The alternative method to deliver the universal free education and care provision is the continued building of nursery classes attached to States Primary schools, a scenario that would not, in the short or mid term, address the inequality and affordability issues. It would take many years to achieve and would cost a further £1.6m in revenue and approximately £7m in capital expenditure.²⁴³ Furthermore the widely acknowledged negative impact on the private providers of this policy would continue, potentially forcing more private providers to close thus reducing the choice and flexibility to parents.

9.4.4 There have been many calls for a strong partnership, indeed it is a recurring theme. The important independent report in 2004 *A Vision for the Future of Early Education and Care for Children in Jersey* recommended that:

- *A partnership be developed, built on mutual respect, trust and identified common vision. The vision, supported by agreed principles, will develop a co-ordinated overall strategy for Early Years & childcare services in Jersey. This should be established through open, transparent, inclusive processes, ensuring clarity of purpose in which to benefit the children of Jersey.*

9.4.5 Recently for example, the *Early Childhood Education and Care: Progress Report – December 2006* stated the following objective and subsequent recommendation:

“To establish a strong and stable partnership between all providers, public and private, to support the growth and development of Early Years services.”

“The Department for Education, Sport and Culture develops clear Terms of Reference for the establishment of a Jersey Early Years Partnership to involve key stakeholders who will work strategically with the States of Jersey to achieve its aspirations for children in the Early Years.”²⁴⁴

9.4.6 The January 2007 report *Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey* advises:

“The issue that remains is how best to achieve the complete solution and this could be achieved by building an effective partnership between the private and voluntary sectors, parents and the States of Jersey.”²⁴⁵

9.4.7 The evidence that we received from stakeholders also informed the Panel of the wide held

²⁴³ Annual Business Plan 2008: Amendment (P.93/2007 AMD.)

²⁴⁴ Early Childhood Education and Care: Progress Report – December 2006

²⁴⁵ *Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey, 2007*

enthusiasm amongst the private sector to see the development of a strong partnership. Indeed, this spirit of cooperation and early examples of it in practice were mentioned in *Examination of the Options for Providing Early Childhood Education and Care for Children*:

“Although the inequity of the current system might suggest that there is tension between private and public providers, on a professional level there are many examples of joint working which indicate a shared commitment to develop an integrated approach to early education and care. The development of joint training initiatives for public and private employees has given early years practitioners access to high quality professional development, created opportunities for debate about professional issues and signified a clear ambition to ensure that people who work with our youngest children are well-trained and qualified. The appointment of the Foundation Stage Teacher, funded by the ESC dept and seconded to the JCCT to work exclusively with private providers, is another example of effective partnership.”²⁴⁶

9.4.8 Indeed very recent discussions have been held between the Minister and the representatives of the private sector, JEYA. As the Minister informed us in November 2007:

“We had a further meeting with J.E.Y.A., representing this. It was a very open meeting, where they put forward a number of ideas and different ways of doing it. What we have agreed to do, and what we are very close to completing is to look at costs for a slightly altered scheme, which would be to offer 15 hours per week free to all 3 to 4 year-olds, with offsetting some of the costs by charging in our own schools for any hours over those 15.”²⁴⁷

9.4.9 However, the Panel did receive evidence from the private sector that there were some concerns about the partnership that need to be addressed. We have previously detailed the concern as to whether the Minister has fully established the capacity of the private sector to deliver the necessary places. Some providers questioned the extent of engagement to date, the Manager of Westmount Day Nursery informing us that when JEYA was established it had built up a partnership with the Department and with PAG. She advised that it had been working well but that it had been effectively terminated by the Department because the new form of government was being introduced. She advised that once this had settled the

²⁴⁶ *Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey*

²⁴⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

situation was to be reviewed but with limited progress to date.”²⁴⁸

9.4.10 The Chairman of La Petite Ecole Group of Day Nurseries told us of his willingness to engage but that, as the Manager of La Petite Ecole also told us, they had had very little communication from the Department: The Chairman of La Petite Ecole continued:

“In my experience the Education Department is an empty shell. I can never find any substance to the whole structure. As a businessman I find that whole thing quite alarming...I do not think that the way that it is administered is conducive to good management.”

9.4.11 The Chairman outlined a principle that he would like to see adopted to advance the partnership:

“I would like to see a nice clear structure of responsibility through a supervising body.”²⁴⁹

9.4.12 When the Panel heard from JEYA on the matter of the partnership a clear message was received that the private sector would also like to see a representative body with an independent chair, greater consultation and a meaningful voice:

“Mr. T. Brint:

There is a great deal of research being done on the effect of partnerships in the mainland and how they work. Basically what needs to be done is to have very clear parameters set down on the subject matter, the piece of power on the table, if you like, that is up for discussion. That needs to be clearly laid out, be it the Foundation Stage Curriculum or whatever. The other very important factor to quality is to make sure that all interested bodies are represented. Then the other - and this is perhaps a contentious one for education - key to quality is to have an independent chair, and I think that is the one we may struggle with. So far it has proven difficult with those 3 quality factors. Education has not had JEYA represented on meetings that they have been having to do with Early Years. They have much more quickly invited JCCT because they are perhaps less confrontational than we are and there has been no clear set-out of exactly what is up for discussion, what is on the table to be shared out in terms of power.

²⁴⁸ Transcript of Public Hearing with Parish Nursery Providers, 5th November 2007

²⁴⁹ Transcript of the Public Hearing with the Chairman, La Petite Ecole Group of Day Nurseries, 9th November 2007

Mr. M. Farley:

*We broached the subject in one of the meetings with ESC and clearly there is an opportunity for all the main bodies to be represented in a forum that should have power, that should meet regularly, should forget this dogmatic battleground and move forward. I think the ESC were very keen that they appoint the chair, which was something that we were against. I do not see any reason why it cannot be a reputable business person, anybody really that brings a different skill. Now, if you have, if you like, the public sector on one side, it was clear that the public sector should be represented by both strands of the department that we have been talking about....That from our point of view would have been very useful if both sides were represented. On our side of the table clearly JEYA, and I think as the new boys on the block JEYA want to have a seat at that table, alongside the Jersey Child Care Trust or perhaps instead of the Childcare Trust. That would all come out in the fullness of funding and representation. There is a very simple way of constructing this model and getting on with it, but as you have heard for the last hour and a half it needs a lot greater consultation and integrated thinking and us all on the same page.*²⁵⁰

9.4.13 The Panel received representation from other stakeholders that want to be involved in the Early Years partnership. It should be noted that we received a written submission for the Jersey Association of Child Minders advising the Panel of the valuable role that its members play within the private sector of childcare and stressing that the voice and role of child minders should not be missed in the development of Early Years provision in the island.²⁵¹The Panel is also aware of the need to include input from other stakeholder States Departments including Health and Social Services and Economic Development (see Section 9.6).

9.4.14 Parents also expressed their desire to be involved in the partnership. The PAG had been involved in some earlier discussions as has been mentioned and had pro-actively engaged with government departments to put the parents' voice across, for instance making a presentation to the Economic Development Department on economic matters relating to the current issues within Early Years education and childcare provision. Whilst PAG is no longer active for reasons previously outlined, we heard from parents that they should be

²⁵⁰ Transcript of the Public Hearing with JEYA, 16th October 2007

²⁵¹ Written submission by the Jersey Association of Child Minders

able to participate in the partnership between all providers of education to enable practitioners to share and develop their ideas.²⁵²

9.4.15

Finding:

Despite the extensive history of reports and recommendations, the Department of Education, Sport and Culture has still not taken a lead in establishing an Early Years Partnership.

9.4.16

Finding:

There is evidence of broad support and enthusiasm for an Early Years Partnership and all of the key stakeholders that the Panel heard from are keen to be part of it.

9.4.17 Supporting Providers

9.4.18 Linked to the progression of a strong partnership between the Department for Education, Sport and Culture and the private sector providers, the Panel gathered evidence about the support available to the private providers that highlights joint working relationships and a shared belief in terms of what is trying to be achieved.

9.4.19 The States Nursery classes receive support from the Early Years Adviser and have more direct access to supporting services offered by the Education, Sport and Culture Department and other States Departments. Private Nurseries receive support from the Head of Day Care Registration and the Foundation Stage Teacher. Indeed the Panel heard that a number of providers in the private sector were working together with the support from the Department to adopt and implement the Foundation Stage curriculum, to the benefit of the children in their care.

9.4.20 Perhaps the most significant single source of support for the private sector is the JCCT. The Panel heard however that historically the relationship between the private sector and the JCCT had not been fully co-operative or productive. Indeed, Committee member Mr T Brint advised us about the role the JCCT had played in the formation of JEYA:

“The way it started was that Jersey Child Care Trust represented a very wide group or

²⁵² Written submission by Mrs Z Bisson

had an interest in a very wide group of people: parents and training organisations, et cetera. Education also had the biggest or a large part of control over the Childcare Trust. Right from the start when the Childcare Trust was formed, I was there sort of working with them, trying to promote the private sector case, and it became increasingly hard to the point where they themselves, one of their members, advised us: “You need to start your own body because we cannot represent you adequately.”²⁵³

9.4.21 The Manager of Westmount Day Nursery informed us:

“It was at that point that the trust said “Well, we cannot help you, we cannot do anything” and that was when JEYA was formed by all the private providers, because the trust had said “I am sorry, we cannot do anything for you”

9.4.22 Furthermore, the Minister himself expressed to the Panel his view that the JCCT had lost its focus for a while but that it was now regaining its direction, although this had only been something that had occurred comparatively recently.²⁵⁴

9.4.23 There have been reviews that have considered the role and effectiveness of the JCCT. A *Vision for the Future of Early Education and Care for Children in Jersey - 2004* had made a number of recommendations that touched upon the JCCT. Another notable report was *Jersey Child Care Trust: Report of the Comptroller and Auditor General* in 2006, conducted at the invitation of the Trustees of the JCCT. The report set out concerns that were raised about it by the childcare providers, although it recognised that they may have been due to a certain extent to debates about what the role of the JCCT should be.

9.4.24 The report outlined 3 models that could form the basis of the future role of the JCCT. It recommended that the Education, Sport and Culture Department should settle which model of organisation it would prefer the Trust to follow and to what extent it would be prepared to fund the Trust. The Trustees should then consider the future of the Trust in light of funds available from the Department and other sources. The three models proposed were:

Model 1: The Trust acts as an agent for the States in serving as a conduit for providing funds to the sector by way of grants.

Model 2: The Trust acts as a campaigner and lobbyist for childcare interests in the Island.

²⁵³ Transcript of Public Hearing with JEYA, 16th October 2007

²⁵⁴ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

Model 3: The Trust acts as an Executive Agency providing services to the sector.

9.4.25 However, the Early Childhood Education and Care: Progress Report – December 2006 demonstrated that the decision by the Minister and his Department over which Model should be adopted had not been taken at that stage. It noted, as did the report of the Comptroller and Auditor General, that none of the proposed models might be practicable, given the Jersey context but re-iterated that the Department for Education, Sport and Culture should establish which model of organisation it would prefer the Trust to follow and to what extent it would be prepared to continue its funding.²⁵⁵

9.4.26 The Panel was updated by the Chairman of the JCCT about the current situation, explaining that the ‘Jersey context’ had indeed meant that no single model had been appropriate and that the JCCT operated as a mixture of the models, a bridge between the public and private sector:

“We made it very clear that we are a bridge and that we cannot rely upon Government to fund us and that we need private funding for things like the special needs programme and supported places. Whereas when Mr. Swinson did his report, as I say he was looking at a situation where we had a grant of something like £200,000 plus or had had a grant of £200,000 plus and we were raising something like £25,000 from the private sector. We now have a grant of £162,000 and we are raising £100,000. So I think that we have shown that that point that he was making is not valid. We can raise money but because people do recognise us as being a useful organisation on The Bridge, as it were, we are a mixture of his models. Now, as I say, I think that he felt that it might be able to work. He suggested that maybe it would work better if we were separated into one or 2 models, either the agency of the States, which I think would be a lot more expensive for the States, or a campaigner, in which case I think we would lose some of the benefits we believe we get from being a bridge.”

9.4.27 The JCCT further advised that in the context of it supporting the private sector through a lobbying role, particularly focussed upon the 3 – 4 year olds, this matter had concerned the private providers for a number of years. About four years ago, the JCCT stated that it was not able to fulfil the lobbying role that JEYA wished the JCCT to perform because it was not totally independent of government nor was this consistent with the aims and objectives it had been set by the States.

²⁵⁵ Early Childhood Education and Care: Progress Report – December 2006

9.4.28 The Panel addressed the matter of the models with the Minister, who alluded to the notion that decisions had yet to be made on its role:

“We have worked quite closely with the Jersey Child Care Trust and we see it as having a very important role....I think it is working very well in the areas it should be working in. They will be reporting back to us shortly on how their new refocusing is going. In the report it said they should get back to basics really, back to their thing, and I think that is what they are doing.”²⁵⁶

9.4.29 The Assistant Director, Schools and Colleges added:

“It would depend on how the strategy were to move forward and also it would depend on whether, for example, means testing were to come in as another option again, because you could consider the JCCT more as an executive arm. I think that would probably be the more likely. As a lobbyist it is difficult to maintain the role of effective lobbyist if, in effect, your funding comes from government. So I think that is not likely to be the case. So it would have to be either in an executive capacity or in a fundraising capacity as a champion for children.”

9.4.30 The view of the Minister and his Department is that the JCCT is seen as having the potential to play a major role should the Early Years strategy be progressed. The Panel was advised that the position of the JCCT could be altered so that it would become more of a comprehensive children’s information service for the island rather than an organisation that is focused on Early Years.²⁵⁷

9.4.31 The JCCT requires a good relationship with the private sector if it is to fulfil its current, or any future, role and despite some of the issues that have been highlighted there were positive signs of progress expressed to the Panel. We noted above that the Minister is encouraged that the JCCT has recovered direction, a point supported by private providers that we heard from, including the Manager of Avranches Day Nursery who informed the Panel:

“I think there were a few teething problems. I think when this started about 5 years ago a lot of people felt there was not support from the Jersey Child Care Trust because one of their remits was to provide or help to provide affordable childcare and a lot of people at the time felt there was no help there. That has now changed. They

²⁵⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²⁵⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

*are now being much more active than what they were before.*²⁵⁸

9.4.32 The Executive Director of the JCCT told the Panel about the progress of the relationship between her organisation and JEYA, since its fractious beginnings. She advised:

“J.E.Y.A., basically all of the members of the Early Years sector are members. Their chair is Val Payne, and we have a very good communication, myself and Val, through email, through phone, through meetings, and that is quite a frequent and very positive communication.....I am confident that with the chair particularly we have a very good, close working relationship.”

9.4.33 The work of the JCCT in supporting the private providers and promoting childcare information continues to develop. Its most recent press release, in January 2008, sets out the Trust’s work programme for 2008 and provides a timely indication of the current work of the JCCT to demonstrate the support service that it is providing to private providers. It highlights that the Trust is set to implement initiatives and pursue policies that aim to provide genuine choice to parents, a ‘need’ of parents acknowledged in this report by the Panel. Amongst the Trust’s key projects associated with the private sector providers for 2008 are:

- *The support of up to 20 pre-school children with special needs through the Special Needs Inclusion Project.*
- *The support of over 20 pre-school children, referred through a professional to the Supported Places Scheme*
- *Provision of over 1,000 training places through the Trust’s Continuous Professional Development (CPD) to those working in childcare.*
- *Provision of at least £30,000 to the childcare sector through a Small Grants Scheme to purchase equipment or resources.*
- *A Training Needs Analysis of the entire childcare workforce to inform future training plans for a variety of training providers.*
- *Provision of bursaries for two people working in childcare to access the “Working with Parents” Qualification.*²⁵⁹

9.4.34 The Panel’s attention was drawn to a number of significant JCCT projects that help to support private providers, for example the Special Needs Inclusion Project, Supported Places Project and Small Grants Scheme. One of the JCCT’s recent initiatives is the

²⁵⁸ Transcript of Public Hearing with Parish Nursery Providers, 5th November 2007

²⁵⁹ JCCT Press Release, January 2008

Accredited Nanny Scheme, which appears on the surface to be an excellent initiative regulating and promoting quality in the service offered by nannies, in turn raising the profile and encouraging parental trust in that area of childcare provision. However, the Panel does have some concern that in effect this introduces a third strand of regulation in monitoring quality in Early Years education and childcare without a comprehensive framework. The three strands are Day Care Registration, States Primary School's self regulation in conjunction with the Early Years Adviser and now the JCCT.

9.4.35 The JCCT explained to us that it had spent many years lobbying for a process to be put in place for nannies as they work in a mainly unsupervised position with children and are unregulated. When the JCCT Five Year Childcare Strategy was initiated in 2002, Day Care Registration had agreed that they could not accept the regulatory responsibility because nannies were not to be included in the Day Care of Children (Jersey) Law 2002. In addition, the JCCT recognised that this Law did not clearly define whether a Nanny Share situation was entirely legal under this Law and so requested a decision from the Department of Education, Sport and Culture. As a result, the JCCT is now able to advise that two families may share one nanny so long as the care takes place in both the homes. In 2002, the JCCT initiated the Nanny Accreditation Scheme, which now links in with the Income Tax and Income Support Systems for parents employing Accredited Nannies. The JCCT agrees that a central regulatory body would be a more effective delivery of monitoring all our Early Years' childcare, private and public.

9.5 Engaging Employers

9.5.1 Also linked to the partnership and engagement of stakeholders is a need to engage with employers to understand important issues that should inform the Early Years policy development, such as return to work opportunities and the assistance offered by employers to new mothers within their workforce. This issue was pursued by the Panel as it gathered its evidence.

9.5.2 It became clear to the Panel in speaking to the Ministers for Education, Sport and Culture and the Minister for Economic Development that only limited work had been undertaken in pursuing the employers' voice, and that more could have been done. The Panel asked the Minister for Education, Sport and Culture whether he was considering any incentives, perhaps in conjunction with the Economic Development Department, for encouraging more employers to participate into the Early Years strategy. The Minister advised the Panel that it was a remit of the JCCT to encourage employers to be much more family friendly and that

the JCCT had been working on this with some, albeit limited, success.²⁶⁰ The Assistant Director Schools and Colleges added that there are large employers who take this matter very seriously, but bearing in mind that the majority of businesses in the Island are small businesses the issues involved are a real challenge for them.

9.5.3 However, it was not apparent that the Minister or his Department have engaged directly with employers, or in conjunction with the Department for Economic Development. The Minister for Economic Development was asked about the feedback available from employers about the amount of childcare provision in the Island and told us:

“To be honest I do not know that, and I was just exchanging with Mike (King) a note before to say that I think probably we should ask, because all I know is that all employers across the economic spectrum are saying they cannot find sufficient labour resources to fulfil their job requirements. As to the particular issues of childcare provision and how that impacts on employers, I cannot really answer that but I think that we can go out and ask for you and I think we should be asking, and I think it is an action that we should be doing, because I do not know the answer to the question.”

9.5.4 We learnt that his Department has access to a number of channels that could be used to access such information, however the Minister advised:

“I do think that in progressing an Early Years strategy it is the job of the Education Minister. He is the lead person here. I am happy to, and I think we see the need ever more, but we need to partner with him to do that but I think it is up to him to lead this but to bring forward the other departments and the other Ministers with him”

9.5.5 As alluded to by the Minister for Education, Sport and Culture, work has been undertaken in engaging employers by the JCCT. A key objective of the Trust for 2008 is that more emphasis is placed on the Family Friendly Employer of the Year Award, with support from the Minister for Economic Development, Jersey Finance Limited and the Chamber of Commerce. The Awards began in 2007 to bring more focus and publicity to the importance of employers working with women who they employ who have children and recognising the demands placed upon those women²⁶¹. Within an updated 2008 ‘Employers Toolkit’, designed to promote good family practice amongst businesses, the JCCT will be publishing these winning examples, and others, to demonstrate real case studies of employers, large

²⁶⁰ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²⁶¹ Transcript of Public Hearing with the JCCT, 19th October 2007

and small, who are achieving a family friendly balance within their workplace.²⁶²

9.5.6 The 'Employers Toolkit' was the first project that sought to engage the employers, as mentioned by the Executive Director of the JCCT when talking about how her organisation seeks to engage with employers:

*"Our initial project for that started quite a few years ago on the employer's toolkit which was released. That gave good examples of those sorts of things. Again, as I say, we are going to be updating that. We have worked with some ... first of all we have worked with the C.I.P.D. (Chartered Institute of Personnel and Development), which is the H.R. (human resource) professionals network, and we go through that network to communicate with as many H.R. professionals as possible because we think that is probably one of the best ways into the larger companies particularly. The Family Friendly Employer Award is raising it rather than the naming and shaming aspect, looking the positive. We have worked with a number of employers, larger employers, advising them on how they can support their staff through childcare, voucher schemes, some of them are very narrow, whether you are looking at just nursery care, and we have tried to encourage them to look widely so that parents have got a choice of childcare, you are looking at your daycarers and nannies as well. So we have had that kind of consultation service for them."*²⁶³

9.5.7 Private providers that the Panel heard from during the review were also able to inform us about their opportunity to engage with employers to provide the required service, but this appears to be on a limited scale. La Petite Ecole Group of Day Nurseries has a 'bank' scheme, in that they guarantee 10 full time places to a business which in turn encourages its staff to send their children to the Nursery. The fees are just the same but that business wants to ensure that there are the spaces, as they have had problems with their staff finding nursery places. However she pointed out:

*"The problem with that is that they have to pay. If they want spaces kept they have to pay for it and that becomes expensive if they do not fill them. I think companies are very reluctant to offer it as a perk of the job to provide nursery education."*²⁶⁴

9.5.8 JEYA representative and Co-owner of Charlie Farley's Nursery Mr M Farley explained his Nursery's successful experience with employers, outlining a long standing arrangement brought about by past liaison between the Department and employers and expressing

²⁶² JCCT Press release, January 2008

²⁶³ Transcript of Public Hearing with the JCCT, 19th October 2007

²⁶⁴ Transcript of the Public Hearing with the Manager, La Petite Ecole Group of Day Nurseries, 5th November 2007

surprise that such an approach had not been pursued further by the Department. He explained that a previous Head of Day Care Registration:

“...was handling our initial registration - this is 17 years ago - and also handling a request from what was then Midland Bank to do something about their staffing levels and providing childcare for their staff. She brought the 2 of us together. As a result of that, for 17 years now we have had a commercial relationship with what is now HSBC. Obviously I am not going to go into a great deal of detail about that: suffice to say that it appears - and the proof is in the time that it has been in existence - that each element gets some benefit from the arrangement. So if the employer makes a contribution towards the childcare, it says things about the value of their staff, that the staff have some financial assistance with their fees, and the nursery has an additional stability because you are dealing with 2 sides. There has been over the years huge complications with tax structures, all sorts of stuff, way beyond my understanding, but frankly I have always been very surprised that it is not an approach that has been properly examined.”²⁶⁵

9.6 Collaborative Corporate Working

9.6.1 As the Panel has demonstrated in this report, particularly in Section 7.1.1, work in the Early Years involves the input of several States Departments, including Education, Sport and Culture, Health and Social Services, Social Security and Economic Development. The different responsibilities have been covered, and the Minister for Education, Sport and Culture informed us of his responsibilities regarding 0 to 3 year olds:

“The Deputy of St. Mary:

So, just one very quick point of clarification, at this moment in time, who still has responsibility for 0 to 3? That is not your department?

Senator M.E. Vibert:

It is not, no. I would say the main responsibility is under the Children’s Law, which was some years ago - 10, 11 years ago, I think - switched from Education to Health and Social Services and that comes directly under the health and Social Services Minister.

Mr. M. Lundy:

²⁶⁵ Transcript of Public Hearing with JEYA, 16th October 2007

*The Minister's responsibility for 0 to 3 is by way of child protection in terms of the registration arrangements for private nurseries and Social Security's responsibility is around support for parents and as the Minister said, health and Social Services is around Child Welfare.*²⁶⁶

9.6.2 However, although the statutory situation has been set out to the Panel, as have reasons behind some of the limited progress of the overall strategy for 0 to 5 year olds (see Section 7.3), the Minister has agreed to lead the development of an integrated Early Years strategy.²⁶⁷

9.6.3 The Panel has established that there are existing examples of where the collaborative corporate approach to children's issues appears to be working, indicating that such an approach should be possible with matters relating to Early Years and the development of an overall integrated strategy for 0 to 5 year olds.

9.6.4 One example of this approach in practice is the Bridge, as the Panel heard from some stakeholders and saw for itself. We heard that the Bridge had been a positive addition to tackling cross-Departmental matters relating to vulnerable groups, including children. Indeed, the JCCT is itself located at the Bridge and this had been a very positive move for it, enabling easier access to important strategic partners such as Health Visitors and Midwives. The Chairman of the JCCT illustrated the value to the Panel:

"...there is a study going on, on parenting. I am chairing a group, a parenting group, which brought the professionals together, which is producing a report for the Children's Executive on parenting services and the need to co-ordinate parenting services. Pathways, but also The Bridge, are very good examples of where it works. I think what is coming out of that exercise is that there is great value in the interplay between the different services, so that is why the fact the Childcare Trust is in The Bridge is very valuable. When we kind of set out on our own, we did not get the same interaction with other services. So you have the parenting services with Trish Tumelty, and you have other services, the health visitors calling and the midwives are all there in The Bridge, so that is working very well."

9.6.5 The Panel was also interested to hear about the NSPCC Pathways project, which although not a States Department initiative does show a positive aspect to the approach to collaborative working that could be harnessed by the stakeholder States Departments when

²⁶⁶ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²⁶⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

working together and to encourage working with other stakeholders. The Chairman of the JCCT advised us about the project, and when informing the Panel that it may be beneficial for more projects of its type to reach across the island, echoed similar sentiments that had been expressed about The Bridge:

“Pathways is producing a similar kind of combination, and I think that is certainly something for the future, that I think we probably need one or 2 more providing that kind of omnibus range of services, because you get lots of interaction with Pathways, which I am also involved with, because I am involved with the N.S.P.C.C. (National Society for the Prevention of Cruelty to Children). You get a drop in centre, so the parents come in, drop in just to spend some time with their children, and then they learn about parenting services and then they go off and perhaps enjoy that. Where if you said to someone: “I think you need a parenting service” they might come up with: “No, I do not” but if they come in to a environment where they hear other people talking and hear about the services, then they can hear about the childcare services and the support services, special needs and various other things. So it is very much working in that co-ordinated way within those centres is very valuable.”

9.6.6 The Children’s Executive, a cross-agency body that was formed mostly to engage with children with emotional and behavioural difficulties and develop the broader agenda for children, although it does have a wider interest, also demonstrates the capacity of Departments to work together in a formally structured, collaborative manner.²⁶⁸ Although he informed the Panel of the reservation of some people that its brief may be a little limited, the Consultant Child Psychologist to the Health and Social Services Department told us that the Children’s Executive was a very good example of the co-ordinated approach.²⁶⁹

9.6.7 There have been many calls for this approach to be used to further the development of the overall Early Years strategy, including from the Council of Ministers and other States Departments such as Social Security. The Minister for Economic Development spoke strongly to the Panel about the need for a more co-ordinated approach:

The Deputy of St. Mary:

...we have had in other areas the triumvirate approach to bringing people together and I am concerned that we are not seeing perhaps as much of the joined up approach to this whole subject as we could have done.

²⁶⁸ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

²⁶⁹ Transcript of Public Hearing with the Consultant Child Psychologist to the Health and Social Services, 15th October 2007

Senator P.F.C. Ozouf:

On the subject of Early Years and the impact, or just small businesses?

The Deputy of St. Mary:

Well, early years and the impact, really, on the strategy because obviously that impacts into small businesses but so do other things as well and what we have chosen to look at is really quite a defined area, but having looked at it we have seen how it opens up into a much wider area.

Senator P.F.C. Ozouf:

I think you are right, and I think and this is somewhat critical of the Minister for Education but I do think that they have decided that they should be going to plough ahead with the provision and the funding of an additional number of hours and I do not think there has been sufficient amount of corporate working.²⁷⁰

9.6.8 The Minister did, however, allude to a shared responsibility in pursuing a collaborative approach:

“...but having said that it takes 2 to tango or 3 to whatever, and maybe we should have been more forthcoming with offers of assistance and offers of research and offers of identification of the blockages et cetera. We should have maybe moulded on that as well, so mea culpa...”²⁷¹

9.6.9 Whilst some initial work appears to be underway, that undertaken specifically on the development of the 0 to 5 Early Years strategy does seem to have stagnated (see Section 7.3) but the recognition, willingness and precedent for collaborative working on children’s matters are in place.

9.6.10 Indeed, some initial work and ideas have been mentioned to the Panel that need to be expanded and worked upon further in order to enable the strategy to be moved on. For instance, we heard from the Assistant Director, Schools and Colleges that the next step with regard to the all-Island agenda is to engage professionals from across the Island with an interest in child welfare and to broaden the role of the Children’s Executive.²⁷²

9.6.11 The Minister for Economic Development raised the suitability of the Skills Executive as a forum to address some of the issues that linked his Department and the Department and the Department for Education, Sport and Culture, for instance on the subject of the women

²⁷⁰ Transcript of Public Hearing with Minister for Economic Development, 15th October 2007

²⁷¹

²⁷² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 15th October 2007

returning to the workforce:

“...in the context of the Skills Executive which now does involve the Minister for Social Security, the Education Minister and myself, maybe this is an area that we should be focusing on.”²⁷³

9.6.12 And what about the development of the Integrated Children’s Service, on a slightly broader but level but with Early Years as a key component? The report *A Vision for the Future of Early Education and Care for Children in Jersey – 2004* by Jennifer Spratt led to the Education, Sport and Culture Committee’s vision for the early childhood and education and care in Jersey, *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C.54/2005)*. It established an aim to implement the vision within 3 years and included that:

“An integrated children’s centre would provide free early education and extended childcare for vulnerable children under 5 years old, family support, adult education and outreach services. It would also provide a base for the existing Parenting Team, JCCT and Youth Action Team and operate as a one-stop-shop providing information on all aspects of Early Years provision.”²⁷⁴

9.6.13 This matter was covered by the Panel with the Minister for Education, Sport and Culture, and the Assistant Director, Schools and Colleges informed us:

“We touched on this at the Scrutiny Panel the last time that we met, which was around a more holistic framework for children in the Island of Jersey. The recommendation of the working group at the time was that the Department for Health and Social Services and the Department for Education, Sport and Culture begin to develop a framework that would support the greater integration of services for all children in Jersey and make recommendations for a strategic Government model to support its delivery. Now, that is the big piece of work. That is Jersey’s Every Child Matters agenda. I think that will work around Early Years and obviously, work around the health of young people, children, their safety, their education, et cetera, so it will be a much more holistic approach. I see some of this work coming under that framework.”

²⁷³ Transcript of Public Hearing with Minister for Economic Development, 15th October 2007

²⁷⁴ *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C.54/2005)*

9.6.14

Finding:

Despite the recognition for its need, there is a lack of joint planning and joined up services across Departments focusing on the provision of universal services for children.

9.6.15

Finding:

There are existing examples of where the collaborative corporate approach to children's issues appears to be working.

9.7 Pathfinders/Pilots

9.7.1 The Panel learnt of the use pathfinder or pilot projects in other jurisdictions that had been used to help progress Early Years projects, and the practice is common for instance in the UK. A current example revolves around the UK Childcare Act 2006 in which the UK Government committed to offering all eligible children 15 hours per week from 2010. In addition, the 15 hours is to be made available in a flexible way, meeting the needs of parents wishing to take up work or training opportunities.

9.7.2 Twenty Local Authorities are involved in the early implementation of the increased flexible entitlement. The pilot itself will be run in phases, for example during the 2007/08 financial year the project in Sheffield will have operated in two areas of the city, however, Ministers have now requested that all Pathfinder authorities roll out their projects to cover all eligible children in their area from April 2008.

9.7.3 Sheffield has also been chosen to pilot an important new initiative over 2 years to find out whether providing nursery places for two year olds would bring significant benefits in terms of development, educational attainment and overall wellbeing. Around 70 children are involved in the pilot scheme, which is centred around several Service Districts.²⁷⁵

9.7.4 The use of such methods to trial initiatives is obviously not a new concept to States Departments in Jersey. Looking at Early Years there have been a number of theoretical options and models outlined in reports for the delivery of the Early Years proposals for 3 and 4 year olds, for example the Options to make the system more equitable detailed in the

²⁷⁵ Further information available from www.sheffield.gov.uk/education/services-to-schools/eyecs/pathfinder-and-pilot-projects

Report for the Council of Ministers, July 26th 2006. However, the Panel received very little evidence of the use of pathfinder or pilot projects to trial the different ideas that may have helped to contribute to developing a deliverable strategy, particularly for the proposals for 3 and 4 year olds.

9.7.5 The only instance of such a scheme was drawn to the Panel's attention by Mrs B Lewis, Managing Trustee, Centre Point Trust, representing JEYA. She advised the Panel about a wrap around care pilot scheme that is still being run by Centre Point in conjunction with the Department for Education, Sport and Culture, although not without problems:

*"Centre Point Trust piloted wrap-around care for the States. We still run it. Because we have over 70 per cent of women work in Jersey so at 3.00 p.m. children need somewhere to go, we piloted a service of picking the children up and bringing them to us for care. To date we are still the only provider that does that. It has had a lot of difficulties because we use the facilities at Janvrin School and that has caused the teaching side quite a lot of distress because they feel that their equipment is used in a different way to the way that they use it. Our argument is that it is community equipment, it is bought by the community, but it is a meeting of 2 professions."*²⁷⁶

9.7.6 The scheme was discussed with the Minister for Education, Sport and Culture, and the Panel was advised about its progress by the Assistant Director, Schools and Colleges who mirrored the sentiments of Mrs B Lewis although he confirmed that the pilot has been discontinued:

*"We have had a pilot scheme working at one of the primary schools where there was a wraparound care facility and the wraparound care facility was managed by the private sector, voluntary sector, I think Centrepont. I cannot say it was highly successful. There were some challenges to overcome and I think the challenges were around different philosophies, the expectations of educationalists during the school day, the expectations of professionals working with children at the end of the school day. I am not saying these are hurdles that could not be overcome. It was a pilot and these are some of the challenges that we found."*²⁷⁷

9.7.7 Unfortunately this appears to be the only pathfinder/pilot scheme that has been run by the Department in relation to Early Years and this lack of piloting may have been a missed opportunity in the work to produce deliverable proposals for 3 and 4 year olds and perhaps

²⁷⁶ Transcript of Public Hearing with JEYA, 16th October 2007

²⁷⁷ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

even younger children.

9.8 Funding

9.8.1 With work on the strategy for 0 to 5 year olds having been delayed and the proposals for all 3 and 4 year olds to receive an element of free early education and care having been prioritised for funding by the Minister for Education Sport and Culture, the Panel will concentrate here on the funding issues of the latter.

9.8.2 As has been established, to date the Minister has not been able to identify the source of funding for his proposals for 3 and 4 year olds. To recap, the Minister is currently proposing to make available free universal early education and care for 3 and 4 year olds for 20 hours per week, 38 weeks of the year through a quality assured partnership with private sector providers of Childcare. This would cost approximately an additional £1.5million to £2million, recurring, per year. This is based on subsidising places at the current average private sector childcare cost per hour and takes account of the costs associated with the administration, development and implementation of a quality assurance framework.²⁷⁸ The Minister has indicated that he is considering an option to reduce the entitlement to 15 hours per week but as yet the proposal remains for 20 hours.

9.8.3 A number of options for funding the proposals have been considered by the Minister but have been rejected. More recently these include:

- Use/Re-prioritisation of the existing budget of the Department of Education, Sport and Culture. The Minister informed the Panel that this was not feasible without unacceptable cuts to other services. 82% of the budget is taken up with statutory obligations and the Minister has fully looked at the budget and concluded that it would not be in the best interests of the Island or the Education, Sport and Culture Department to cut from other services.²⁷⁹
- A request to the Council of Ministers to secure the required additional funding from within existing cash limits.
- The Annual Business Plan Amendment by the Minister for Education Sport and Culture in September 2007, requesting the States to agree to commit the required funding from the additional tax revenue that had been confirmed by the Treasury and Resources Minister.

²⁷⁸ Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C.54/2005)

²⁷⁹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

9.8.4 Those options currently under consideration include:

- The possibility, as indicated to the Panel by the Minister, of bringing a fresh proposal to the States Assembly to request approval to increase his Department's budget to provide the required additional funding for 20 hours (with parents paying for any additional hours).
- As per above but substituting 20 hours with 15 hours. With reduced costs it may be possible to explore sourcing alternative funding, for example within the existing budget.
- The Comptroller and Auditor General has been conducting an in depth review of the budget and spending of the Department of Education, Sport and Culture. The results are not yet known but this may identify potential sources of funding from the existing budget.
- Introduce charges for Nursery Classes and provide means testing.²⁸⁰

9.8.5 As a key issue of the Ministers proposals, the Panel sought to establish views on funding from across the stakeholders. The matter was, of course, raised with the Minister for discussion when he spoke to the Panel at Public Hearings during the review. As previously mentioned, the Minister set out the reasons as to why it has not been possible to find the necessary funding from within the existing Departmental budget. He was also very disappointed that States Members had rejected his Amendment to the Annual Business Plan, closing another channel of funding.

9.8.6 The Minister talked to us about the options that he is now considering, and he insisted to the Panel that he was committed to returning to the States once more to try to secure the additional funding. He also advised the Panel of the consideration that he was giving to reducing the provision to 15 hours, in line with research about the optimal time required for children to benefit from early education, whilst at the same time immediately reducing the required funding. In time and subject to funding this entitlement could gradually be raised to a higher level (20 hours) that would address any remaining concerns about affordability.²⁸¹ The 15 hours option does however still require more work to be done to establish how it would work for parents and the impact on providers

9.8.7 The Minister told us that the 15 hours costings still require working out, that such a proposal contained a number of issues to be overcome and that work is going on at the moment to remodel the consequences. This includes the fact that recently in most of the discussions around Early Years, the parents that have engaged have been those with private sector

²⁸⁰ Report to the Council of Ministers, 1st March 2007

²⁸¹ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 27th November 2007

places and not those parents who already have free places. More work is required to gauge how those parents might respond to the introduction of charges. The Assistant Director, Schools and Colleges explained some of the work to be considered, beginning with information that had been gathered in the build up to the introduction of Income Support:

“At that time about 7 per cent of the parents who had free nursery classes would not have been eligible for any financial support. So we would have to think about what would be the impact on classes there. In terms of household income about 33 per cent of the parents were already on income of less than £26,000, so we were concerned there again about the impact on income support. Probably one of the most interesting things was the question: “If charges had been introduced for nursery classes would you have chosen a fulltime or part-time place?” About 45 per cent suggest they would go to a part-time place. So it is not easy to assume, it is not right to assume that your nursery classes are full, and if you introduce charges for 15 hours that all those people are going to turn up and pay them. You might find, as we did when we introduced part-time places - and of course the Audit Commission recommended that we moved away from part-time places to fulltime places - most parents wanted a morning place and then we had vacancies through the afternoons. So there is a modelling exercise to be done around the impact of 15 hours free, 15 hours charged, and that exercise is ongoing at the moment.”²⁸²

9.8.8 On means testing, the Minister informed the Panel that whilst it was option that he must now consider it is not one that he favours:

“You were asking about means testing. Particularly if we went to the 15, there is a sort of almost built-in means testing because, as Mario was saying, quite a large proportion of the families were below £26,000 and would be likely to qualify for income support, which has an element for childcare. There are also others who will benefit from the tax allowances and so on. So there is that, but because we already offer free nursery education, and the State’s policy is such, we have not gone further than we did before to a great extent on looking about means testing everybody, if I can put it like that. It is an option I would be prepared to look at but certainly it is not an option I favour, because I do not believe that we should be moving backwards and away from what is a best accepted practice in western Europe, which is offering free

²⁸² Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

*nursery education and Early Years education, as much as possible*²⁸³

9.8.9 The Panel heard from other stakeholders to gauge opinion on funding. The Chief Minister confirmed the position of the Council of Ministers. Whilst the Council of Ministers support the importance of Early Years education and childcare provision it was recognised that the issue of funding would need to be overcome. Indeed the Minister for Education, Sport and Culture had been requested to bring back proposals which would serve the overall objectives, but remain within the constraints of the States budget.²⁸⁴

9.8.10 JEYA told the Panel that it had been fully supportive of the Ministers proposed Amendment to the Annual Business Plan as the solution to sourcing the required funding. They were unhappy that this had been rejected and facing the prospect of perhaps having to agree to “the least good solution”²⁸⁵, which would be potentially means testing.

9.8.11 The Chairman of La Petite Ecole Group of Day Nurseries, Mr F Laine, advised the Panel that from his perspective as a businessman the Department must begin by having greater engagement with the individual private nursery providers. The nursery providers are providing their facilities and the Department must enter meaningful discussions with the providers as to how things will work as no provider will be willing to participate unless it makes economical sense. If there is not an element of profit for the private providers he did not envisage that private providers would enter the partnership, and the proposals would fail.

9.8.12 He also commented that should funding become available to be distributed, an uncomplicated system should be in place for it to be done in a proper, easily accessible manner for the parents and also then for the nursery provider. He continued:

*“Providing it is clear and defined and has good boundaries and good structures to it business people will make it work. All government needs to do, in my opinion, is just provide clear uncomplicated boundaries so that we can go about our business and do it properly.”*²⁸⁶

9.8.13 On the issue of means testing Mr Laine said:

²⁸³ Transcript of Public Hearing with the Minister for Education, Sport and Culture, 9th November 2007

²⁸⁴ Written Submission by the Chief Minister

²⁸⁵ Transcript of Public Hearing with JEYA, 16th October 2007

²⁸⁶ Transcript of the Public Hearing with the Chairman, La Petite Ecole Group of Day Nurseries, 9th November 2007

“I do not know how they do it. That is a very sensitive thing. That needs to be done professionally. Means testing is fairly intrusive and can be interpreted in all sorts ... I would like to see that ... we do that in some of the businesses I am involved in and I would not go near that with a barge pole. You need good professional help and good input and that needs to be a very, very sensitively put together document.”

9.8.14 He also raised the possibility of a Service Level Agreement with the private providers that would be more cost effective than the States running nursery classes themselves. He illustrated this with the example of Silkworth Lodge, the rehabilitation Centre that he is involved with:

“Health and Social Services purchased 6 of our beds, we have 12 beds in Silkworth Lodge, and under the service level agreement with us they purchased the 6 beds from us and they pay us an annual amount of cash. We access that quarterly, very simple. So we may get someone who is an executive in a bank and then we have someone who works at (a shop). They are not treated any differently. So they both come in and they get the same treatment and the same provision and they are not treated any differently. I do not think there is any difference between rehabilitation and childcare. I do not see why there should be any difference. If someone cannot afford it that is what governments are there for. Make the independents provide the childcare..... A service level agreement. But you would have to be clear....the structure has to be clear. If they said they had £2.5 million and they wanted to put some service level agreements in place with childcare providers and that they had to do this, this and this to access it, end of story....When we provide this to the States for Silkworth Lodge, it would cost them £1 million a year to provide a rehab centre, it costs them £200,000....They get the same facility, all they do is send 2 people in 3 times a year, make sure we are doing it right, we have employed the right people (and complied with regulations) and we provide them with the results (as and when requested).”

9.8.15 The JCCT had been in favour of the additional funding being approved by the States Assembly as an additional budgetary allocation to the Department. It is also in favour of the Minister returning to the States to seek the funding once again from central funds. Most parents that we heard from offered overwhelming support for the Ministers’ attempt to secure funding through the proposed Amendment to the Annual Business Plan, to end the inequity and affordability issues. Responding to a question on her thoughts about means testing as a funding method one parent that we spoke to replied:

“...we all pay tax so every child of every parent whether they earn £100,000 or £20,000 ... if you are earning £100,000 you are paying more tax so to me you are just as entitled ... or your child is just as entitled to the same funding as a child who has a ... because there is nothing to stop me earning £100,000 and getting a place at a States nursery.”²⁸⁷

9.8.16 The Parish Nurseries also touched upon their support for looking further at means testing. The Connétable of St Helier has concerns that the system would remain inequitable as he is uncertain as to whether the work has been carried out to confirm if the States Nursery Classes will continue to offer parents 30 hours of free education and care whilst others in the private sector will only receive 20 hours. On means testing he commented:

“...there are some parents accessing free places who can well afford to pay for them. This does not sound like sensible use of funds, and it was suggested to me that we are currently putting in place, hopefully, the finishing touches to an income support system, which will hopefully be able to assess people’s needs. The question I put to the Minister and his chief officer when we last met to talk about income support, our last meeting before the debate, was: “Could your system accommodate payment for nursery care? Could that be a component in the income support system?”, and he said: “Absolutely. The system is designed to deal with components.....It was very much left that they would be willing to be approached, or Employment and Social Security would be willing to be approached, about including effectively means testing so that you would not have parents accessing free places who could afford it. That would mean there is more money to go around to make sure that everybody can access their 20 hours.”²⁸⁸

9.8.17 The advantages and disadvantages of means testing as method of funding for Early Years provision are discussed in a number of reports, including *Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005 (R.C.54/2005)*. The report summarised that such a system would offer a pragmatic and cost effective way to address the inequality of the current two-tier system but may also prove complex and costly to administer. It would also lead to the withdrawal of free provision for the nursery class cohort that may be seen as a backward step. Another argument against means testing is that it could make Early Years provision less attractive to some parents and lead to the use of unregistered childcare. The

²⁸⁷ Transcript of Public Hearing with Mrs L Mackenzie and Mrs T Roscouet, 9th November 2007

²⁸⁸ Transcript of Public Hearing with Parish Nursery Providers, 5th November 2007

consultancy report prepared for the Department of Education, Sport and Culture by the National DayCare Trust, authored by Nicky Road The report by Nicky Roads also looked at the funding options, including means testing. It concluded that:

“The situation that currently exists whereby the States of Jersey is providing free quality nursery education places is at the forefront of other countries wishing to achieve such a position....Introducing charging and means testing is fraught with difficulties and would have a negative impact on the core principles of securing equity, accessibility and affordability.”²⁸⁹

9.8.18 It is noted by the Panel that in Denmark, Sweden and Finland early childhood education and care is heavily subsidised. In the U.K., policy is aimed toward providing some free entitlement. In Reggio Emilia, Early Years provision is means tested and all parents are expected to contribute something. Most jurisdictions that support early childhood education and care with public funds generally do so through one or a mix of two methods. One method is for subsidies to be directed to families in order to provide choice, which can be done through tax credits and childcare allowances. However this method does not necessarily guarantee affordability or uniformity in terms of quality. A second method is to channel subsidies directly to private sector providers by way of grants or vouchers. However, this would not necessarily guarantee quality or affordability unless a clear accountability framework was introduced.²⁹⁰

9.8.19

Finding:

There is broad support that the same entitlement to free Early Years education should be available to all children.

²⁸⁹ Examination of the Options for Providing Early Childhood Education and Care for Children in Jersey – January 2007

²⁹⁰ Investing in Our Future: A Vision for the Future of Early Education and Care for Children in Jersey – 2005

9.8.20

Recommendation:

The Minister for Education, Sport and Culture should organise a stakeholder consultation event with an independent Chairman to resolve the ways and means to deliver a free, flexible entitlement of quality Early Years education for rising four year olds. This should be undertaken in time for the 2009 intake of nursery children.

10. CONCLUSION

- 10.1 Despite the issue having been the subject of numerous reports over many years, the Panel has concluded that the States of Jersey does not have a clear, integrated and equitable Early Years strategy.
- 10.2 We believe that the current situation in which only half of those eligible can be offered a free place at a public nursery is not only inequitable, it is unacceptable.
- 10.3 The policy of building nursery classes attached to States Primary schools was initially well intentioned but has proved to be flawed; it has contributed to the current inequity by realising a shortfall of places available within the public sector and has also led to the public sector being in direct subsidised competition with the private sector.
- 10.4 There is evidence of support for the principle of offering some free entitlement to Early Years education for all rising four year olds and broad support that an equal entitlement to free Early Years education should be available to all children. However, we are disappointed that there has been insufficient planning for the implementation of a free entitlement and that even now, the ways and means to deliver that entitlement have not been identified.
- 10.5 Considerable enthusiasm for the setting up of a working partnership was demonstrated to us by the private providers, who recognised the many benefits that could result. However the Department of Education, Sport and Culture failed to take advantage of this enthusiasm and indeed, following initial consultation by the Department, parents and providers alike were frustrated by the lack of engagement, follow-up and action. This situation persists today. New generations of young children and parents are continuing to miss out on opportunities afforded to others through the inequity of the current system of Early Years provision.
- 10.6 We have concluded that the Minister for Education, Sport and Culture should identify and implement those outstanding recommendations from previous reports that remain pertinent in order to deliver a clear, integrated and equitable strategy for Early Years education and care in Jersey. Furthermore, he needs to work more closely with other Ministers as well as in partnership with the private sector to resolve the ways and means to deliver a free entitlement of quality Early Years education.
- 10.7 We conclude that despite the recognition of a need for an overall integrated strategy for 0 to 5 year olds and notwithstanding some isolated developments in this area, there is still little

cohesion in the planning for this across States departments. In light of our findings the Panel concludes that the Council of Ministers should evaluate whether the appointment of a non-political independent Children's Commissioner would be appropriate for Jersey.

10.8 To ensure political accountability, we conclude our report with the following recommendation:

10.9

Recommendation:

The Council of Ministers should consider the appointment of an Assistant Minister with clearly identifiable cross-departmental, overall political responsibility for children, and if agreeable should take the necessary steps to arrange this.

11. METHODOLOGY AND EVIDENCE CONSIDERED

11.1 Methodology

11.1.1 The Panel used the following methods to gather evidence during our review.

- Research of written sources including relevant legislation, former Committee Acts and departmental papers and policies
- Requesting advice and information from the Departments of Education, Sport and Culture, Economic Development, Treasury and Resources, Social Security and Health and Social Services
- Call for Evidence from the Public (placed in the *JEP*)
- Written requests for information from stakeholders
- Public Hearings
- Site visits

11.1.2 It became apparent that the Panel would benefit from the engagement of an independent expert Early Years Adviser. To that end we appointed Dr Cathy Hamer, a highly experienced Chartered Educational and Health Psychologist, to the position on 20th September 2007.

11.2 Evidence Considered

11.2.1 Those documents listed below, to the extent that they are relevant to the Terms of Reference, that were not received on a confidential basis are available to read at www.scrutiny.gov.ie. Those unable to access the Internet are requested to contact the Scrutiny Office (telephone: 441080) about accessing hard copies of documents.

11.2.2 Legislation

- Education Law 1999
- Day Care of Children Law 2002
- Children Law 2002

11.2.3 Official Record of the States Assembly

- Official Record of the States Assembly, 18th February 1997

- Official Record of the States Assembly, 15th September 2007
- Official Record of the States Assembly, 21st September 2007
- Official Record of the States Assembly, 9th October 2007

11.2.4 **Committee Acts**

- Council of Ministers (CoM) 27.07.06
- CoM 07.09.06
- CoM 14.12.06
- CoM 08.03.07

- Education Sport and Culture Committee (ESC) 28.06.04
- ESC 20.07.04
- ESC 28.07.04
- ESC 01.12.04
- ESC 27.04.05
- ESC 15.06.05
- ESC 24.10.05

- Employment and Social Security Committee (ESSC) 22.07.05
- ESSC 15.09.05

- Policy and Resources Committee 23.09.04

11.2.5 **Other Written Material**

- Review of the Principles, Practices and Provision for Children and Young People with Emotional and Behavioural Difficulties and Disorders in the Island Of Jersey – December 2002
- Children's Network Directory
- Investing in our Future (R.C. 54 2005)
- Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.) – second amendment

- Education Audit Committee Review of the Foundation Stage/Nursery Education 2002
- States Assembly Written Questions 2006
- Early Years Strategy - Report for CoM - 24.08.06
- Jersey Child Care Trust – Report of the Comptroller and Auditor General (R.42 2006)
- Early Childhood Education and Care Progress Report (R.100 2006)
- States of Jersey Strategic Plan (2006-2011) and Annual Business Plan (2007)
- National Evaluation of the Neighbourhood Nurseries Initiative 2007
- BBC Report - Nursery Link to Bad Behaviour - April 2007
- Universal Education and Care in 2010: Costs, Benefits and Funding Options – Daycare Trust 2005
- Report of the Education and Skills Select Committee (UK) - Early Years – 2001
- The Department for Education and Employment (UK) - Government Response to Early Years Report – 2001
- Nursery Admissions form and guidelines - October 2006
- Childcare Market Management: Integrating Care and Education in Early Years - Presentation by National Chairman of the Professional Association of Teachers Mrs D Lawson – St Helier, May 2007
- Response by Deputy Bridge to R.C. 35/2004 – 2004
- Effective Provision of Pre-school Education - 2003
- JCCT Financial statements at 31.12.06 – R.C. 68/2007
- Annual Business Plan 2008 (P.93/2007): Amendment
- Annual Business Plan 2008 (P.93/2007): amendment (P.93/2007 Amd.) – Amendment
- Children's Cognitive Behaviour Report - August 2007
- States of Jersey Complaints Board: Findings – Complaint against a decision of the Minister for Education, Sport and Culture relating to a nursery school place – R.92/2007
- Letter from JCCT in relation to the Income Support Review by the Income Support Scrutiny Sub-Panel – 2007

- Education, Sport and Culture Policy for Nursery Classes
- CAMHS Jersey report 05.07.06
- ACNJ Issue Brief - Build The Future: Early Learning in New Jersey
- Corporate Services Scrutiny Panel Goods and Services Tax Review Interim Report 18.10.06
- Scotland: Out of School Care Report 2003
- JEYA – submission to Corporate Services Goods and Services Tax Review 2006
- Jersey Labour Market June 2007
- Jersey Annual Social Survey 2006
- Every Child Matters (UK)
- Official Transcript - Income Support Sub-Panel with JCCT - 06.07.07
- Early Years Foundation Stage Principles into Practice
- Practice Guidance for Early Years Foundation Stage booklet
- Statutory Framework for Early Years Foundation Stage Booklet
- Official Questions in the States on Early Years – 2006 and 2007
- Busy Bee Childcare Voucher Employer Pack
- JCCT 2008 Plans Press Release
- Education, Sport and Culture information January 2008
- Jersey Annual Social Survey 2007
- Report on Consultation to Determine the Effectiveness of Management Training in Registered Child Care Centres

11.2.6 Written Submissions

- Early Childhood Education & Care – Submission to Scrutiny by ESC March 2007
- Early Childhood Education & Care – Submission to Scrutiny by ESC January 2008

- Jersey Child Care Trust
- Department of Social Security
- Department of Treasury and Resources
- Chief Minister's Department
- Family Nursing and Home Care
- St Clement's School
- D'Auvergne School
- Samares School
- St John's School
- St Lawrence School
- Les Landes School
- Mont Nicolle School
- Jersey Association of Child Carers
- Jersey Early Years Association
- Department of Education, Isle of Man
- Department of Health and Social Services, Guernsey
- Bluebird Nursery
- Centre Point Trust
- Parish of St Helier Day Nurseries
- La Petite Ecole Group of Day Nurseries
- Mr B Bullock
- Mrs S Ibbotson
- Mrs S Kett
- Mrs Z Bisson

- Mrs D Evans
- Dr L Posner
- Mr E Le Quesne
- Mr A Turner
- Mrs C Luce
- Mrs A Ruddy
- Mrs P Ball
- Ms V Clayson
- Mrs C Day
- Mrs L de Gruchy
- Mrs K Dorey
- Ms T Dornan
- Ms J Elder
- Ms C English
- Ms L Hazley
- Ms S Hazley
- Mr J Ireson
- Mr and Mrs Le Brocq
- Mr I Mackenzie
- Mrs L Mackenzie
- Ms M Maricard
- Ms K Nelson
- Mr and Mrs Newton
- Ms S Olliver

- Mrs R Richards
- Ms B Richardson
- Mrs T Roscouet
- Mr C Ruellen
- Mrs N Ruellen
- Mrs J Salmon
- Mrs A Simoncelli
- Mrs L Taylor
- Mr G Thirkettle
- Mr N Touzel
- Ms S Waite
- Mrs L Wheeler
- Mrs J Whittaker
- Mrs C Williams
- Mr P Wilson
- Ms S Scotland

11.2.7 Public Hearings

- Senator M Vibert, Minister for Education, Sport and Culture and Mr M Lundy, Assistant Director Schools and Colleges: 15th October 2007
- Senator P Ozouf, Minister for Economic Development, Mr M King Chief Officer Economic Development, Mr S Pritchard, Director of Business Creation & Growth and Mr D Peedle, Economic Adviser: 15th October 2007
- Dr B Williams, Consultant Clinical Psychologist for Health and Social Services: 15th October 2007
- Jersey Early Years Association Committee Members, Mrs B Lewis, Mr M Farley and

Mr T Brint: 16th October 2007

- Jersey Child Care Trust, Chairman Mr C Powell and Executive Director Mrs F Vacher: 19th October 2007
- Connétable S Crowcroft, Mrs J Baker and Mrs V Payne, Parish of St Helier Day Nurseries: 5th November 2007
- Mrs A Curzons, Head teacher, D'Auvergne Primary School and Mrs R Evans, Nursery teacher, D'Auvergne Primary School: 5th November 2007
- Mrs J Rogers, Manager, La Petite Ecole Group of Day Nurseries: 5th November 2007
- Mr F Laine, Chairman, La Petite Ecole Group of Day Nurseries: 9th November 2007
- Mrs L Mackenzie and Mrs T Roscouet: 9th November 2007
- Senator M Vibert, Minister for Education, Sport and Culture and Mr M Lundy, Assistant Director Schools and Colleges: 9th November 2007
- Senator M Vibert, Minister for Education, Sport and Culture and Dr S Mountford, Manager of Daycare Registration: 27th November 2007

11.2.8 Site Visits

- La Petite Ecole Group of Day Nurseries (Fort Regent branch): 17th September 2007
- The Bridge: 17th September 2007
- Jersey Child Care Trust: 17th September 2007
- D'Auvergne Primary School: 24th September 2007
- Westmount Day Nursery (Parish of St Helier): 3rd December 2007
- Avranches Day Nursery (Parish of St Helier): 3rd December 2007

11.2.9 Websites

- www.gov.je/ChiefMinister
- www.ioe.ac.uk/schools/ecpe/eppe/
- <http://zerosei.comune.re.it/>
- www.fightcrime.org/reports/childcarereport.pdf
- www.gov.je/ChiefMinister/Statistics

- www.surestart.gov.uk/doc/P0002514.pdf
- www.gov.je/SocialSecurity
- www.ncb.org.uk
- www.gov.je/ESC/Lifelong+Learning/Daycare+Registration
- www.statesassembly.gov.je
- www.sightlines-initiative.com
- www.standards.dcsf.gov.uk/eyfs
- www.scuf.gg/early_years_service.htm
- www.edgehill.ac.uk/ProspectiveStudents/Courses/EarlyYearsProfessional.htm
- www.surestart.gov.uk/surestartservices/childcare/childrensinformation-service
- www.scotland.gov.uk/Topics/People/Young-People/Early-Education-Child-Care
- www.sheffield.gov.uk/education/services-to-schools/eyecs/pathfinder-and-pilot-projects