

Early Learning and Childcare Service Model for 2020 Consultation

Report by Grace Vickers, Head of Education

1 Purpose of Report

- 1.1** The purpose of this report is to provide Council with:
- I. Information on the consultation currently being undertaken by the Scottish Government on the Early Learning and Childcare Service Model for 2020
 - II. An update on the feedback from the council's consultation with parents, carers, staff and stakeholders on the Scottish Government's consultation
 - III. The proposed Midlothian response to the Scottish Government

2 Background

- 2.1** As set out in the paper "2020 Vision for Early Years, Early Learning and Childcare Expansion Plan" also presented to this Council, the Scottish Government is undertaking a consultation on the service model for delivery of 1140 hours from 2020. The service model is built on the Funding Follows the Child approach, a key aspect of which is the National Standard for funded providers. The consultation opened on 29 March 2018 and closes on 29 June 2018 and is online here: <https://consult.gov.scot/children-and-families/service-model-for-2020/>
- 2.2** The consultation document sets out information on a number of areas, summarised below:
- 2.3 Funded provider standard** – this will determine what standards are required of providers and apply to Council settings, private and voluntary providers and childminders. The Council will be expected to administer the scheme and carry out quality and organisational checks of providers. The extent of this and the level of resources required, and how much support is to be given to providers should they fall below the necessary standards, is unclear at this time, therefore it is difficult to predict the number of staff required.
- 2.4 Funding Follows the Child** – the expanded hours are intended to be "provider neutral" – a guaranteed standard of high quality early learning and childcare in all funded settings who meet the criteria in the National Standard. It should increase choice for families while providing them with certainty that settings are offering high quality provision. Families will be able to access funded early learning and childcare (ELC) at the provider of their choice if that provider meets the criteria set out in the National Standard and offers entitlement in line with local delivery plans. Local authorities will retain statutory responsibility for ensuring that funded ELC is available to all eligible children, will be guarantors of quality and must ensure that there is a range of options for families in their area. Funding will be channelled through local authorities and not go directly to providers or families. It is for the local

authority to set the rate paid to funded providers and the rate must be sustainable and reflect national policy priorities including payment of the real living wage to all childcare workers delivering the funded entitlement.

- 2.5 Meal provision** – the legislation currently requires a lunch to be provided where a child is in attendance over the middle of the day, and as a result we had planned on the basis that only a snack would be needed where a child is in a morning or afternoon session. The consultation document states that a meal must be provided during each session and that guidance will be developed.

3 Midlothian's Response

- 3.1** In order for Midlothian's response to the consultation to fully represent Midlothian stakeholders, the council ran an online survey to gather views. 15 responses were received:

Please let us know if you are either	Number	%
Childminder	1	7%
Member of staff (Council)	2	13%
Other	2	13%
Parent or carer	10	67%
Total	15	100%

- 3.2** In addition council officers have reviewed the consultation and drafted a response taking into account the responses from Midlothian stakeholders. This draft response is included at the appendix.

4 Financial Information

- 4.1** As set out in the paper "2020 Vision for Early Years, Early Learning and Childcare Expansion" presented to this Council, the Scottish Government has announced the funding that will be distributed to local authorities for the implementation of the expansion to 1140 hours.

5 Resource Implications

- 5.1** The resource implications relating to the expansion to 1140 hours are discussed in the expansion paper presented to Council.

6 Risk

- 6.1** The risk implications relating to the expansion to 1140 hours are discussed in the expansion paper presented to Council.

6.2 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☒ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

6.3 Key Priorities within the Single Midlothian Plan

The expansion is relevant to all of the GIRFEMC outcomes for 2017/18 to 2019/20:

- Children in their early years and their families are being supported to be healthy, to learn and to be resilient
- All Midlothian children and young people are being offered access to timely and appropriate support through the named person service
- All care experienced children and young people are being provided with quality services
- Children and young people are supported to be healthy, happy and reach their potential
- Inequalities in learning outcomes have reduced

6.4 Impact on Performance and Outcomes

The expansion will impact upon all five of the GIRFEMC outcomes and will have a long-lasting impact upon the last two.

6.5 Adopting a Preventative Approach

The provision of high quality, flexible, accessible and affordable Early Learning and Childcare is by its very nature preventative, and sets the foundation upon which future outcomes for the children as they grow up and progress through the education system and then onto adulthood are based.

6.6 Involving Communities and Other Stakeholders

Communities and other stakeholders were invited to respond to the council's local version of the consultation in order for Midlothian's response to reflect the views of these groups.

6.7 Ensuring Equalities

Not applicable to this report.

6.8 Supporting Sustainable Development

Not applicable to this report.

6.9 IT Issues

Not applicable to this report.

7 Recommendations

It is requested that Council:

- 7.1** Note the consultation currently being undertaken by the Scottish Government on the Early Learning and Childcare Service Model for 2020
- 7.2** Note the update on the feedback from the council's consultation with parents, carers, staff and stakeholders on the Scottish Government's consultation
- 7.3** Confirm the Midlothian response to the Scottish Government

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Report Contact:

Julie Fox, Schools Group Manager, (Early Years)

Tel No 0131 271 3725

Julie.Fox@midlothian.gov.uk

Background Papers:

2020 Vision for Early Years paper to Midlothian Council 7 November 2017

2020 Vision for Early Years, Early Learning and Childcare Expansion Plan to Council
26 June 2018

Appendix – Response to Scottish Government Consultation

Early Learning and Childcare Service Model for 2020: Consultation 20180629

Question 1

What factors should be considered in developing a simple, standardised yet flexible process for becoming a partner provider.

Midlothian Early Years response.

The consultation document was discussed within the Early Years team and their feedback was gathered:

Completion of a written contract giving detail needed, including the following and taking into account LA procurement processes and process for financial and legal scrutiny. A model agreement could be produced that sets out the Government's expectations on what should be included in partnership contracts. However, local authorities should be free to build on this agreement so that local level practices and processes can be included.

Non-statutory guidance from SG would help support a more standardised approach to the commissioning process of early learning and childcare providers as this can vary significantly between local authorities. Flow chart of guidance to enter into the process, simple application process and clear guidance on timing etc.

In relation to best value we need a process to manage demand for people to come into partnership if e.g. there is not a need. Does the LA need to carry out due process and quality checks where the provider is not required for capacity? How will the minimum number of children for partners including childminders be linked to need and local authority plans within a locality?

Being regulator and supporter of quality is very challenging for a LA.

It is important to consider LA grading/ judgements for settings and not just rely on CI grading. Consideration of best value and quality match.

Issues around quality and information from inspections – need guidance on at what point do we come out of partnership as this would be disruptive for the children and parents/carers and potentially close the business, versus leaving children with a provider who is not meeting the required standard?

Improvement journey considered for settings and termination of contract clauses built in.

Flexibility within a framework – model only sustainable (for providers as well as the local authority) if we have parameters.

Financial criteria.

Contingency planning needed around business and sustainability.

Guidance on core aspects of coming into partnership, national criteria then flexibility for LAs.

Three years length of contract with an option to extend for another year.

Transition period needs to be clear – will all partnerships be reviewed in this time as this would be a very intense workload for local authorities if it is to be implemented for August 2020, followed by a significant drop? Publication timeframe should allow ample time for LAs to plan.

Need to review partnerships during the session 2020-21 against the standard to allow us to go forward to 2021-2022.

Will CI re-grade all partners during this time within that session?

Process – weightings for key areas that ensures we have coherence/clear criteria

Checklist template to be created - one page overview

Key Criteria:

Quality

Accessibility

Business Sustainability

Fair Work Practices, including Payment of the Living Wage

Payment Processes

Physical environment

This would give parity across LA in case partners were to go out of business

Midlothian survey responses:

We asked our parents, carers, staff and partner providers to complete a consultation hosted by Midlothian Council in order to incorporate their views in the submission. There were 15 responses in total including parents and carers, childminders, council staff and others. Their responses to this question were:

Have a choice of where to have your child looked after i.e. childminder and nursery.

Having the child's needs at the heart of it all. For some children they pilot will work for them. Especially if use to other nursery/play group settings. But for some children, i believe a stage of phasing them in is best. Moving from perhaps 2 full days the first term and building up if need be. Nurseries need to have rest room/ relaxation areas that the children can access. The day can be long and it's good for them to have a space to lie down and gather thoughts and recharge batteries. I believe England have the right approach that you have to be working 16 hours minimum as a parent to be part of the criteria for the pilot. This then rewards families who are gaining employment. And helps the families in the working poor category where they are paying more than they earn sometimes to stay in employment as the childcare cost is so high. I also think that if the child is already attending a childminder and are happy to have a blended model then it should be considered as a priority. As the child already has a consistent adult that's in their life and that relationship should be maintained.

I am responding to this survey to say the Scottish government should start addressing the teacher shortage in Scotland rather than planning for additional early level hours. There is no evidence to support the basis that providing additional early years education will shrink the attainment gap. But you will know that the single biggest impact on a child is the quality of their teachers. Pay teachers fairly. Reduce their work load. Make the job more attractive to attract graduates. Within the next 5 years the overseas markets are going to soak up ALL of our underpaid teachers. When my daughter starts high school in 6 years' time there will be no maths, physics, chemistry or English teachers to teach her. Put this funding into fixing the teacher crisis. I am a concerned parent with a 3 year old son and a 6 year old daughter. We need quality teachers at all levels. Not additional early years teaching.

I feel the curriculum should have further training every year for 3-5 years old so private and childminders are even more capable of teaching and giving these children some skills before school. These facilities should have to show they are able to meet children's needs successfully with qualified and capable staff within this age group

Knowing when payments are going to be made to private nurseries so you can work out how much you are due. Currently have to pay then get money back which if you are on tight budget is difficult.

Length of time in job and experience. Inspection gradings, what kind of setting they want to provide. How it will benefit the parents working hours and the child's development.
Parents working hours
Quality. Quality. Quality. Staff should be supported financially (i.e. paid a good wage--an issue with private settings in particular) and have regular access to CPD. The CPD should not just be about 'how to track a child', but should be in the vein of the Froebel qualification--CPD that engages the mind and hearts of early years staff. Private providers that don't meet these criteria should not be getting Government funding. Otherwise we are subsidising the expansion through poverty wages for the ELC workforce, which is mostly women--a major equalities issue.
That childminders are inspected just like other early learning and childcare providers and offer parents a unique and flexible service. Therefore you could use these grades as an idea how good the service is. So much experience in childminders.

Question 2

What are the key shared principles which should underpin an effective and positive partnership between local authorities and funded providers?

Partnership arrangements could be effectively underpinned by the principles of the Blueprint – quality, flexibility, affordability and accessibility

Quality : A commitment on both sides to achieving a guaranteed standard of a minimum of Good gradings, with recognition of a broader aspiration to do better. Good is the starting point. Aspirations for children should go beyond that.

The tools for achieving that higher standard may be found in the LA commitment to pay a sustainable rate, enabling the provider to pay the real living wage to staff ; the LA commitment to providing access to a range of CLPL opportunities, met by the provider releasing staff to attend ; the LA commitment to putting in place quality support, challenge and monitoring arrangements, alongside the provider's agreement to comply with those.

Flexibility : Recognition that all parents want flexibility in services, even if their first choice is to have what they have always had. Family circumstances and needs change and there should be flexibility to meet these needs with a framework. Local authorities have set out their plans for delivery of the 1140 hours and funded providers have an important role to play in helping to provide flexibility for families.

Accessibility : Commitment to working together - local authority and the funded provider sectors – to ensure sufficient capacity within the system, sharing openly planning information and information on demand for services.

Beyond that, a recognition that access to services for some families requires more than a service simply being made available – it requires a nurturing approach to families within the nursery, which encourages them in and makes the parent feel as welcome in the setting as the child. This is particularly true in areas of higher deprivation where parents may face many challenges.

Appropriately meeting the needs of children who require support should be a given in any high quality service as it is expected of nurseries as part of their Care Inspectorate registration.

Affordability : Improving the affordability of childcare is a key focus of the 2020 aspirations, however, affordability can also be thought of in terms of a sustainable rate for funded

providers and a best value, affordability for the local authority. A commitment to ensuring affordability in the round should be a key principle of partnership
Responsibilities of having a true partnership with key principles as stated in consultation document.

Free at point of delivery with fair payment practices for both parents/carers and providers.

Staff across all settings receiving the appropriate level of support to deliver a high quality ELC experience with understanding of working across early level.

Priority focus to be closing the attainment gap, eradicating poverty.

Untrained staff will be needed to allow expansion to go ahead and this may impact on above.

Effective management system – Seemis not fit for purpose

Children's rights at the heart of all practice

Partners need to comply with legislation related to their business e.g. environmental health, equalities etc. Need to be clear about what happens if they do not comply?

Midlothian survey responses:

All private nurseries and child minding services should provide the same learning opportunities and the hours funded by the government.

Communication Putting children first Safety

Dignity Privacy Choice Safety Equality Diversity Realising potential

I think there should be positive differences. Children are all different and sometimes need different requirements. Childminders provide a family experience and I don't want that changing. Definitely don't tell us to become mini nurseries.

Payment made on time and when they say they will. In Midlothian we are constantly being told that payments have not been made for term by Scottish government.

See above.

The same curriculum and the same connections with schools Having the best staff, qualified and enthusiastic about children's learning

Working in collaboration Offering help and support Understanding the needs of children and families

Question 3a

We are proposing that the National Standard includes a qualification requirement for childminders delivering the funded entitlement to be qualified to or working towards the same qualification as is required for an ELC practitioner. What are the advantages of including this criteria?

The greatest advantages in including a qualification requirement for childminders would be seen in the following ways :

Recognition of the childminder as an ELC professional on the same footing as a practitioner in any nursery setting

Consistency across all providers to ensure high quality Early Learning and Child Care.

Reassurance for parents that the adult caring for their child holds an appropriate qualification, childminders should be qualified before being able to offer the service. As they work alone they have no model or experienced practitioner to turn to for support if needed.

We are in discussion around going into partnership with childminders and a level of

qualification and training is expected.

Support for local authorities to measure the quality of their commissioned services in a more equitable way.

Ability for the childminder and the nursery practitioner to flow easily between different roles within the ELC with sharing of information and capturing learning key.

Midlothian survey responses:

67% of 12 respondents to the question agreed with the requirement for childminders delivering the funded entitlement to be qualified to or working towards the same qualification level as is required for an ELC practitioner, 25% said no and 8% did not know.

The responses to the written element of the question were:

I have my SVQ2 and I love what I do but I would struggle to find the time or money for me to be able to gain a further qualification due to having a young child. I think this should be judged on abilities on inspections

It means that to get the money they have to be providing a certain standard of care. I know childminders who sit kids in front of telly why should they be paid for that.

Knowledgeable practitioners that are working together with nursery providers

More qualified staff

Parents look for a childminder to provide a home from home environment. I don't think asking childminders who have years of experience in their field to go and re train is practical nor fair. A lot of child minders of a certain age, won't sign up to provide care for this very reason. Children learn mostly through play, and childminders provide this. Educational learning should be kept in educational environments.

Yes, as long as there is financial support for them.

Question 3b

Are childminders able to access adequate funding to pay for training to SCQF Level 7? Are childminders able to access training to SCQF Level 7 in a way that is flexible enough to allow them to continue to run their business?

Subject to budget availability, funding towards the cost can be made available.

Advice is also offered on accessing other financial supports such as SAAS funding and ITA's.

Local discussions are ongoing with SCMA regarding the best timing for childminders to access training – this is likely to be evenings or weekends. Training providers are happy to provide courses at times to suit students and this could be negotiated should a large enough cohort wish to access training. Weekend HNC course is currently being considered aimed at Childminders.

Need to have national guidance for provider/funding rather than local arrangements.

Midlothian survey responses:

20% of 10 respondents agreed that childminders are able to access adequate funding to pay for training to SCQF 7, but the same proportion disagreed and 60% did not know.

The responses to the written element of the question were:

I absolutely can't. I have a young child so I'm order to gain my further qualification I'd have to get an apprenticeship which would mean not being able to afford my own childcare or going to full time college and not being able to work or afford childcare or to live.

It's an additional cost to their business which parents would otherwise have to fund.

They should be if it becomes a requirement.

40% of 10 respondents agreed that childminders are able to access training to SCQF level 7 in a way that is flexible enough to allow them to continue to run their businesses, but 30% disagreed and 30% did not know.

The responses to the written element of the question were:

I wouldn't be able to run my business and go to college, even at night I wouldn't make the class in time
They have children to look after and that should be top priority. So they should be able to do it when they have the time.
To continue their business

Question 4

Our aspiration is to see outdoor learning and play becoming a defining feature of funded ELC in Scotland

National Standard : CRITERIA 3 – Physical Environment

ALL PROVIDERS

Sub-criteria 3.1 - Inspection grading of good or better on themes that relate to quality of environment.

Sub-criteria 3.2 - Children have access to outdoor play and they experience outdoor learning in a range of environments as part of their funded ELC offer.

Does criteria 3 capture this ambition? If not, how can it be strengthened in a way that is sustainable for providers?

Could be strengthened by referencing daily access to outdoor play and learning – or where buildings lend themselves to it, by giving children free flow access to the outdoors at will on a daily basis.

The focus must be on high quality outdoor environments and experiences not just time spent outside.

There should be a requirement to ensure equal value is placed on indoors and outdoors e.g. planning, staffing, staff training, environment, resources, experiences, accessibility.

We have plans to extend the opportunity for children to access ELC in the outdoors by introducing a range of delivery models and are working with Inspiring Scotland to develop this.

The Daily Mile should not be seen as the answer to outdoor learning for ELC.

Midlothian survey responses:

30% of 10 respondents agreed that criteria 3 captured the ambition to make outdoor learning and play becoming a defining feature of funded ELC, but 30% disagreed and 40% did not know.

What challenges, if any, exist for funded ELC providers to ensure children have access to outdoor play? How can these challenges be overcome?

In common with the entire ELC sector, including local authority provision, funded providers

will face challenges around existing buildings and their connection to the outdoors, and challenges with regard to the quality of their existing outdoor play areas.

Funded providers will face challenges with staff training and attitudes, and with parent attitudes to outdoor learning for young children.

Staff need to receive suitable training. The expectation and commitment must be written into job role and be embedded into the ethos of all settings not an add-on.

Physical resources including suitable clothing, this should be taken into account and included when considering funding rates.

A clearer definition of risk and challenge, systems and processes around Care Inspectorate (CI) registration for outdoor spaces is required. Space to Grow was extremely helpful but CI are challenging every decision about development of outdoors at an officer level.

Midlothian survey responses:

I think Health and safety has gone a bit over board. From working in nursery and speaking to childminders and private nursery staff, they are dealing with parents who don't fully understand loose parts play and having the time to try and develop areas and then the understanding of how to be Safe with that to do more outside.

Lack of space and secure space

Lack of space money and facilities

None of you're a childminding minder!

With the correct staff there is no reason children shouldn't get regular access to outdoor learning and play

Question 5 (a)

Will the criteria set out in the draft National Standard

- **Ensure high quality, accessible, affordable Early Learning and Childcare is delivered in all funded providers?**
- **Support increased choice for parents and carers?**

The draft National Standard is set in the context of provider neutral and Funding Follows the Child, noting that this context should mean consistency of high quality provision across all provider types. The current definition of provider neutral, however, could be strengthened by making a more explicit link between it and the principles within the Blueprint – quality, flexibility, accessibility, and affordability.

Our definition of provider neutral is set out in our expansion plans and is effectively that from the parent's point of view there should be no difference between settings, no matter its ownership, Local Authority (LA), Private or Voluntary – Provider Neutral across all settings encompasses the blueprint terms.

Midlothian survey responses:

38% of 8 respondents agreed that the criteria set out in the draft National Standard will ensure that high quality, accessible, flexible and affordable Early Learning and Childcare is delivered in all funded provider settings, but 62% did not know.

25% of 8 respondents agreed that the criteria set out in the draft National Standard will support increased choice for parents and carers, but 13% disagreed and 63% did not know.

Question 5b: Is there any criteria not included in the National Standard that is required to ensure a high quality service is provided to all children?

Against a strengthened definition for provider neutral, the blueprint principles could be further defined to support the criteria within the National Standard in the following way :

Quality: Creating mechanisms to encourage excellence (beyond the grade 4's minimum) across all settings – aspiring to excellence for children and improving outcomes.

Working towards creating a unified workforce in terms of pay and conditions across the entire sector – for funded providers at a level beyond the minimum set by living wage. Living wage should represent a starting point in a journey to equity rather than an end point.

Flexibility: Creating a coherent cross-sector operating model that meets the needs of partners and is financially sustainable - including a common understanding of flexibility that meets the needs of children and parents.

Accessibility: Ensuring capacity planning is a coherent cross-sector activity.

A common understanding of the importance of family engagement and family nurture and in particular the relationship between parents, staff and setting managers (this could equally sit under the principle of quality).

Build equivalent relationships between funded providers and primary schools – mirroring existing relationships between LA settings and primary schools.

Affordability: Creating a single understanding of affordability across the sector improving affordability of any fees for parents and affordability for government in building a sustainable funding model which evidences Best Value. The affordability of the offer to parents could be improved even further through a model of cross-subsidising an element of top-up fees to bring them in line with local authority charges.

The criteria in the consultation paper seems to be guided by Care Inspection results but do not refer to HMIE inspections. Where does education fit within the criteria?

Appears to be driven by the business of a setting as opposed to high quality provision.

Midlothian survey responses:

33% of 6 respondents said no when asked if there are any criteria not included in the National Standard that are required to ensure a high quality service is provided to all children and 67% did not know.

Question 5c: Do the proposed criteria within the National Standard seem fair and proportionate for all? Do the proposed variations for some criteria seem fair and proportionate for childminders?

With the possible extension or strengthening of the criteria aligned to the Blueprint principles, these seem fair and proportionate.

We are also content with the proposed variations for childminders.

Midlothian survey responses:

50% of 6 respondents agreed that the proposed criteria within the National Standard seem fair and proportionate for all, but 17% disagreed and 33% did not know.

Only 17% of 6 respondents agreed that the proposed variations for some criteria seem fair and proportionate for childminders, with 17% disagreeing and 67% not knowing.

Question 6: What areas would you look to be addressed in the technical guidance note for supporting implementation of the ELC Living Wage commitment?

Whilst welcoming the general principle of improving wages in the funded provider sector, we should like to see further guidance on the management of the impact of the current proposal.

The current proposal appears to create a 2 tier staffing system within funded providers with some workers receiving living wage for the hours they work with ELC funded children and the living wage not to be paid potentially for hours or staff not working with funded children. The Workforce review already emphasised that 0-3 spaces are sometimes staffed with the youngest, most inexperienced staff. This would exacerbate this – this devalues the importance of the 0-3 age group.

This could be viewed as detrimentally impacting on the workforce, creating division and a major management problem for funded providers. It also works in opposition to criteria 6 of the National Standard – Business Sustainability.

Fully appreciating that achieving a completely provider neutral system may take some years, it would be an important step towards it to raise wages for all staff in the funded provider sector, not just those working with funded children.

It would be helpful to have guidance on percentage of staff in a setting that should be in training/qualified for each age group.

Scottish Government has been clear that it will be for local authorities to set the commissioning rate to funded providers. It is noted, however, that the consultation paper mentions publishing guidance in Autumn 2018 which would be likely to have some influence on those rates.

Question 7: Should newly established ELC settings be able to deliver the funded hours on a probationary basis, pending the outcome of their first inspection, provided they meet all other aspects of the National Standard? Are there any particular challenges or issues that may arise from this approach?

We have no difficulties around an approach allowing new ELC settings to deliver funded hours on a probationary basis pending the first inspection. It may present challenges, however, for local authorities in terms of supporting quality in the setting as numbers build up.

In our experience, some new settings have been relatively slow to become established – particularly in their 3-5's rooms. This is because parents of this age group usually already have childcare arrangements in place if they are working families and this is the foremost market for funded providers. It can, therefore, take time for new funded providers to see the babies and toddlers who initially come into their settings reach the age of funded entitlement. Local authority quality support arrangements are targeted towards the funded children as this is where the statutory entitlement sits and therefore, the funding for the quality infrastructure and resource to support it.

It also raises potential risks should a setting not achieve good enough gradings at the first inspection as potentially, the funded provider status would be withdrawn – which may be difficult for children and families who need to source other funded places, as well as for the provider.

Midlothian survey responses:

33% of 6 respondents agreed that newly established ELC settings be able to deliver the funded hours on a probationary basis, pending the outcome of their first inspection, provided they meet all other aspects of the National Standard but the same proportion, 33%, disagreed and 33% did not know.

Question 8: What support will service providers require to prepare for the introduction of the National Standard and meet the criteria and delivery of the new service model?

The single biggest risk to funded providers during the transition to 2020 and introduction of the new Standard, is the loss of a significant proportion of their qualified, experienced staff to the local authority workforce. This is likely to impact negatively on the quality that can be provided in the short-term and in turn this may have dual impact.

The first concern would be the potential for children to be spending long hours within settings which are not performing well and where the child's experience may not be all that would be expected.

The second concern would be the potential for the funded provider to fail the assessment against the National Standard at the point of implementation of 1140 hours and to have the contract withdrawn. If this was the case for a substantial proportion of funded providers, it could present a significant risk to capacity to deliver the full additional entitlement.

The potential mitigation against these risks would be to take whatever steps possible to protect the funded providers' workforce by raising the commissioning rate as early as possible against the current 600 hours offer and to implement increased wage commitments at an early stage.

Both of these proposed mitigating solutions are of course funding dependent and against the current phasing of the multi-year funding, would be unlikely to be achievable until at least 2021.