

# STATES OF JERSEY



## **EARLY YEARS (S.R.5/2008): RESPONSE OF THE MINISTER FOR EDUCATION, SPORT AND CULTURE**

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**Presented to the States on 8th July 2008  
by the Minister for Education, Sport and Culture**

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**STATES GREFFE**

## EARLY YEARS (S.R.5/2008): RESPONSE OF THE MINISTER FOR EDUCATION, SPORT AND CULTURE

### Ministerial Introduction:

I am pleased to provide States Members with my response to the Education and Home Affairs Scrutiny Panel's report on Early Years.

I am grateful for the work done by the Scrutiny Panel in relation to this matter. The review was conducted in a positive and constructive manner and all stakeholders appear to have been given the opportunity to contribute. The report is thorough and examines the issues in a fair and unbiased way. Whilst I do not agree with all of the findings and have indicated where in the relevant sections of this response, the recommendations generally accord with the plans outlined in the papers that I have published to date and I am pleased to note they indicate support for a coherent strategy to be delivered in partnership with the private sector.

The 'key findings' and recommendations of the Scrutiny Panel are contained in Sections 3.2 and 3.3 of the Panel's report, and my comments on each of these are given below in italics, together with some concluding remarks.

### Findings:

Section 3.2.1: Despite numerous reports, the States of the Jersey does not have a clear, integrated and equitable early years strategy. (6.20.9)

*This is a fact. The first stage of developing the early years strategy was to ensure that all 3-4 year-olds had access to a high quality educational experience and to remove the current inequity. No funding has been made available to make this happen.*

Section 3.2.2: There has been a lack of effective communication by the Minister of Education, Sport and Culture with the Council of Ministers on the matter of Early Years education and care (7.2.37).

*I cannot agree that communication with the Council of Ministers was ineffective, in that the Council of Ministers agreed with the proposed strategy in principle, although it could not identify the funding in the context of other priorities.*

Section 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).

*Initially the early years strategy consisted of an Education, Sport and Culture Committee proposition to extend free nursery education to all 3-4 year-olds. The decision to extend it to 0-5 years and thus open a wider debate with other departments was taken at a time when those departments were implementing significant changes and capacity to engage in such a major area of work was constrained.*

Section 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).

*Another reason was because any strategy for 0-5 year-olds would need to take account of arrangements for parental leave in the first year of a child's life. As the Employment Forum was already scheduled to undertake consultation on that issue, it was deemed prudent to wait for the outcome. From a political perspective it is also worth noting that a comprehensive strategy for 0-5 year-olds is likely to require significant investment over and above that for 3-4 year-olds. Given that the funding for 3-4 year-olds was not forthcoming, it was difficult to see how a broader and*

*much more costly strategy could be implemented at this time.*

Section 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).

*Accepted.*

Section: 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).

*It is hard to understand some of the confusions that appear to have arisen given that the proposal was clearly outlined in a public document. I accept that there may be confusions about the detail of the scheme but this was a strategic proposal designed to secure commitment in principle from the States and the public to further investment in early education.*

Section: 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).

*I agree.*

Section: 3.2.8 The vision for 30 hours of early education and care for 38 weeks of the year identified in 200 (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).

*This was because the findings of the Effective Provision of Pre-School Education project suggested that the maximum educational benefit for nursery children accrued in approximately 20 hours per week.*

Section: 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).

*This was stated in my original proposal.*

Section: 3.2.10 There is significant evidence of support for the principle of offering a free entitlement to Early Years education for all 3 and 4 year-olds (for 20 hours per week, 38 weeks per year) (7.3.22).

*The consultation exercises undertaken to date would confirm this to be the case.*

Section: 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).

*The Department for Education, Sport and Culture is not able to identify funding for this purpose without ceasing other desirable services which it provides.*

Section: 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).

*The Department has considerable experience of working with the private sector, for example in the way it funds private schools. It is envisaged that a framework broadly similar to this might be implemented. Once the strategic commitment to fund early years education has been secured,*

*further detailed work on implementation can begin.*

Section: 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).

*Agreed.*

Section: 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).

*Agreed.*

Section: 3.2.15 Charitable funding is used to supplement the support for children with special needs within the private sector (7.4.27).

*This is one of the roles performed by the Jersey Child Care Trust on behalf of the States.*

Section: 3.2.16 Parents are not able to rely on their child obtaining a place at a Public Nursery (7.5.22).

*As there only exists in the public sector half the number of places that would be required to accommodate all 3-4 years this is inevitably the case.*

Section: 3.2.17 Parents want equality of opportunity of Early Years education for their children (7.5.23).

*Agreed.*

Section: 3.2.18 Parents want choice and need flexibility in the provision of Early Years education and childcare for their children (7.5.35).

*Agreed.*

Section: 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).

*I cannot fully agree with this finding. I believe the link is already well appreciated. The fact is that Jersey already has the highest percentage of working women in Europe. The point of my proposal is to ensure that parents are properly supported in balancing work and family life and that their children enjoy a high quality educational experience. It is driven by the needs of the child. Inevitably this brings economic benefits.*

Section: 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).

*It is my understanding that an assessment such as this underpinned the original childcare strategy adopted by the States. As indicated previously, my proposal is driven by the educational and developmental needs of the child.*

Section: 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).

*Agreed.*

Section: 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).

*That is a matter of conjecture. The closure of private nurseries cannot be attributed solely to increased nursery class provision. Some pre-schools, for example, have been affected by the expansion of day care facilities which have widened parental choice.*

Section: 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).

*Whilst this policy may have contributed to this effect, the fact is that the establishment of nursery classes has stimulated the development of high quality nursery education across the Island and at least provided half of all 3-4 year-olds with access to a free nursery education place.*

Section: 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).

*The two most recent new nursery class developments had been planned for a number of years and would have required major revision and consideration. I have continued to implement what is in effect States policy. However, I have said that I will not seek to build further nursery classes after the completion of St. Peter's in 2008, pending the adoption by the States of a new policy.*

Section: 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).

*The private sector is governed by the Day Care of Children (Jersey) Law 2002. As nursery classes in provided schools are staffed by qualified teachers who come under the management of headteachers, they are governed by the arrangements for the evaluation of schools as set out in the Education (Jersey) Law 1999.*

Section: 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).

*There is much evidence of excellent practice in early years settings across Jersey.*

Section: 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).

*Whilst this may be the case, private sector practitioners have benefited from public sector training at no cost, and a Foundation Stage Advisor has been appointed by the Department to support continuous development in private nurseries. However, I do appreciate that the private sector does now have to fund other mandatory training in such areas as management and first aid for example. I recognise that it is important for us work closely with other partners, particularly Economic Development, to explore ways to support.*

Section: 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).

*At the time of my proposal, capacity would have been sufficient if all private providers agreed to join the partnership. However, there is little point in working through the detail of this and entering into discussions with private providers until a clear strategic commitment is made in relation to early years and funding has been identified.*

Section: 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).

*Capital investment in private sector provision does not form part of my proposal. If there is insufficient capacity then I would be prepared to explore how additional capacity might be stimulated. That does not necessarily imply capital investment.*

Section: 3.3.30 States Nursery classes are currently breaking their own policy by admitting 31 children instead of 30 (7.6.97).

*Class size in provided schools is neither a matter of regulation nor Law. It is policy and may be amended in particular circumstances. Whilst I believe in the benefits of smaller class sizes, sometimes additional children may be admitted to address specific cases of need.*

Section: 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).

*I have commissioned a review of the criteria for nursery admissions to be completed for the next cohort of admissions in September 2009.*

Section: 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).

*As above.*

Section: 3.2.33 There is an acknowledged division of Early Years responsibility within the Department of Education, Sport and Culture, previously highlighted in R.100/2006 (7.7.7).

*This has been addressed. The Advisor for Early Years Education and the Manager of Day Care Registration now work in a more integrated way.*

Section: 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).

*There is no formal mechanism for this to happen. Informal mechanisms exist through schools, the Bridge, the Jersey Child Care Trust and contact with other agencies such as Social Security and Family Nursing.*

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

*The Jersey Child Care Trust has been responsible for the dissemination of information in relation to childcare provision. It is keen to develop as a comprehensive Children's Information Service and discussions have already taken place to that effect.*

Section: 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).

*It is important that we take cognisance of developments elsewhere. Foundation Stage practice in Jersey has, for example, been influenced significantly by the world famous provision in Reggio Emilia, Italy and by the development of Critical Skills in America and the UK. Jersey has already received acclaim from leading national professionals in the field for the quality of work achieved in early years. In terms of structure, it has been noted by the National Daycare Trust that, for a relatively modest further investment that quality could be extended to all 3-4 year-olds.*

Section: 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).

*Agreed.*

Section: 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).

*A meaningful partnership needs to be formed in the context of an integrated strategy for Early Education and Care. Steps have already been taken to develop a framework for a new partnership which will involve key stakeholders in a more meaningful strategic role. This is currently being advanced and will involve consultation with key partners in due course.*

Section: 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).

*I believe that a meaningful and constructive partnership that has a clearly defined role is the way forward and I am pleased that stakeholders are enthusiastic about this prospect.*

Section: 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).

*Further joined up working is essential.*

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

*Agreed.*

Section: 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).

*Agreed.*

### **Recommendations:**

Rec: 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).

*Most of the recommendations in these reports have been implemented. Others are in the process of implementation. I have commissioned a review of all outstanding recommendations.*

Rec: 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).

*Once there is a clear strategic commitment to provide additional funding for integrated early education and care, detailed discussions can begin in earnest with the private sector. In the meantime I have commissioned a draft document to outline how the partnership would operate in practical terms. This would be the subject of consultation at the appropriate time.*

Rec: 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).

*The summary case for investing in early education and care is set out in Investing in Our Future.*

*The detailed economic case has already been established in a major report by PricewaterhouseCoopers which was commissioned by the National Daycare Trust – ‘Universal early education and care in 2020: costs, benefits and funding options’. A study of this size and nature could not be undertaken in house and it would not be a good investment to replicate such a significant piece of work.*

Rec: 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).

*I have already communicated my decision not to establish any further nursery classes after St. Peter’s pending the development of a public private sector partnership.*

Rec: 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).

*The benefit of having a nursery class attached to a primary school is the opportunity that it provides for a seamless transition into reception class. In the long term, the further development of quality across the private and public sector, alongside affordable access, will ensure that children get the best start and are properly prepared for transition regardless of which setting they start in.*

Rec: 3.3.6 The Minister for Education, Sport and Culture should start negotiations with private providers now to establish capacity (7.6.82).

*The capacity of the system is already known and revised every year. The number of providers who would be keen to engage in a partnership is not known and it is unlikely that it could be known until the terms of the partnership were agreed. The time to enter into discussions of this nature is when a strategic commitment to fund integrated early education and care has been agreed.*

Rec: 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).

*This is underway.*

Rec: 3.3.8 The Minister for Education, Sport and Culture should ensure that, in accordance with Recommendation 7 of R.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).

*This has been done.*

Rec: 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).

*Discussions have already taken place with the Jersey Child Care Trust in relation to this.*

Rec: 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).

*I have already committed to this in my proposal. Investing in Our Future set out that the following would be put in place to support the vision for integrated education and care:*

*A clear set of principles would be developed to underpin all funded provision and address key child development issues relevant to Jersey;*

*The current evaluation framework would be expanded to complement existing good practice in registration and ensure the highest standards of provision.*

Rec: 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).

*This should be considered following the publication of Andrew Williamson's Report into Children's Services.*

Rec: 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).

*Action has already been taken and a draft framework is currently being prepared for consultation.*

Rec: 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 4 year-olds. This should be undertaken in time for the 2009 intake of nursery children (9.8.20).

*The Jersey Child Care Trust has agreed to host a consultation event on my behalf in July 2008. This may indicate public preferences with regard to a funding mechanism but, if the aim is to deliver a free entitlement, that cannot be achieved without additional funding.*

Rec: 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.

*This should be considered following the publication of Andrew Williamson's Report into Children's Services.*

### **Conclusion:**

I do accept that the States of Jersey does not at present have a clear, integrated and equitable Early Years Strategy. That is the reason why I am pursuing my proposal to provide access to 20 hours per week, 38 weeks per year early education. One major benefit of this approach is that it would mitigate the current inequity but the main driver is ensuring that all 3-4 year-olds have access to a high quality early education experience.

Support for my proposal was evident from the consultation which the Department for Education, Sport and Culture organised. I am pleased that this has been confirmed by Scrutiny. Planning has taken place on the ways and means to deliver the entitlement although the detail has not yet been consulted on. I believe this would be inappropriate until such time as a strategic commitment to extend early years funding has been made. However, it is worth pointing out that the Department for Education, Sport and Culture already has secure and robust methods of funding and working with the private sector in this respect. The arrangements in place for funding private schools are an example of this.

I can appreciate the frustration felt by parents and providers about the lack of follow-up and action on implementing the early years proposals. I too have been frustrated by the lack of progress which is solely due to lack of funding. This was why I brought an amendment to the States in respect of the Business Plan for 2008. That would have secured the funding for this important development, but unfortunately it was defeated.

Nevertheless, I intend to pursue the development of a fair, equitable, high quality integrated early education and care strategy for Jersey and I greatly value the contribution, support and constructive criticism of the Education and Home Affairs Scrutiny Panel in this respect.

Senator Mike Vibert,  
Minister for Education, Sport and Culture  
3rd July 2008