



Response to Economic and International Affairs Scrutiny Panel

Review of Family Friendly Employment Rights

JEYA welcomes any opportunity to support young children and their families, the Association is committed to academic research showing that the stronger the early years experience is for people the better their future opportunities.

This response is in two parts, the first as providers of childcare and the second as owners of small businesses. It should be noted that JEYA members provide 50% of care and education to 3 to 5yr olds and 100% of childcare to under 3yr olds.

It must also be noted that the context of all the following points is set at a time of staffing crisis. There are not enough qualified, experienced staff within the sector at the moment and any additional need for staff to cover Family Friendly Rights would be unsustainable. JEYA supports the present high level of regulation.

For ease of reference the points are numbered.

Response as an industry that will need to react to the new proposals.

1 Continuity of care is important for young children. The nurseries would not be able to keep a place open for a child in order that care can be taken in blocks, (unless parents were able to pay to keep the place open). This would result in children being unable to access childcare in the same environment for their blocks of care.

2 A notice period of 2 weeks to access care may not be enough for the required (by law) induction process for the child and is not a long enough time to give a setting notice if a parent decides to take advantage of these blocks.

Response as owners of childcare businesses

1 Small businesses need continuity of revenue so places cannot be kept open for parents to use when they need. If nurseries needed to employ extra staff to react to care taken at 2 weeks notice, in blocks, the increase in cost would need to be passed on to parents. It would be ironic if supposedly family friendly legislation increased the cost of childcare.

2 The Requirements for Registration written to the Day Care of Children (Jersey) Law 2002 clearly state adult child ratios. These ratios vary with the age of the children in care. All staff must have clear “fit person” checks which take weeks to complete. This would prevent the hiring of staff to react to children needing care on 2 weeks notice.

3 If staff employed by nurseries were able to take leave at 2 weeks notice, in blocks, all the above difficulties would apply. The nurseries cannot afford to have additional staff to react to short notice parental leave as well as the additional staff they need to cover present parental leave and staff sickness.

4 If staff were to take advantage of the block leave childrens care would be disrupted by changes to their care team and to their own key worker.

Adoption and Surrogacy Leave

JEYA members are inclusive employers and support moves to ensure all parents are treated equally.

Gender Balance

Childcare is an inclusive profession and JEYA members are aware of equality of opportunity for all. All staff are DBS checked and need to meet the “fit person” criteria set out by the Requirements for Registration. Gender is not a barrier to employment.

Breastfeeding facilities

JEYA members support parents to breastfeed and provide appropriate facilities for parents to breast feed in the nurseries.

JEYA consider the proposed rights to be desirable but not practical for nursery staff. The adult child ratios for nurseries are determined by law so it would be impractical to have a breastfeeding staff member taking periods of time throughout the day as this would necessitate additional employment.

Although these proposals offer better parental leave it must be pointed out that it is still only 6 weeks of paid leave. This is a very short period of time for parents and baby to start out in life. The single biggest factor for parents returning to work is financial responsibility. We have concern that particularly mothers who work in low paid, powerless situations will only be able to take 6 weeks leave. The additional amendments will benefit professional parents and parents at management level.

Belinda Lewis
Chair

Jersey Early Years Association