

SCMA RESPONSE TO CARE INSPECTORATE CONSULTATION ON QUALITY FRAMEWORK

In making a comparison with the document initially circulated for consultation in 2019 we note the following areas after cross-referencing. Building on our comments from the previous consultation the following feedback should be noted:

How is the framework structured?

- The key question “What is our overall capacity for improvement?” needs stronger explanation. Further guidance is required to demonstrate how it fits with and supports all the quality indicators and to what extent there will be consistency in order to ensure this is not based on individual and subjective opinion.
- Key question ‘What is our overall capacity for improvement?’ Page 4. The examples provided are not relevant to a childminding setting.

Key question 1:

- 1.1 - There should be a stronger focus and mention of children being able to grow and cook their own food and be involved in menu planning, which in turn contributes to increased provision of fresh fruit and vegetables.
- 1.2 – Toolkit no longer includes Public Services Reform (Scotland) Act 2010.
- 1.3 – previous text removed: ‘highlights the importance of placing the needs and interests of children at the centre of their play and learning.... Building on children’s natural curiosity and creativity’ This links really well with Realising the Ambition which is included in the toolbox.
Missing also is ‘Effective use is made of observation and evaluations to identify progress through play’
- Scrutiny and improvement toolbox for 1.5 more or less duplicates 1.4 and only one tool with direct reference to Transition. No link provided in toolkit to Scottish early childhood and families transition statement.

Key Question 2:

- Links to Gender Equal Play, Safe Sleeping Guidance in original document and also RtA and UNCRC are missing from this Toolkit.
- 2.1 – Indoor and outdoor play should be fluid and children should be able to access outdoor learning opportunities on an equal basis to indoor, allowing them to choose where they play.
- 2.1 & 2.2 – There should be a stronger focus on ensuring that children access childcare which is community based and local, in line with the H&SCS to ensure they are included and can participate as active citizens.

Key question 3:

- 3.3 – terminology ‘people’ has been changed to staff. Still a sense of nursery focus.

Key question 4:

- 4.1 - Effective regular supervision and support enables staff to develop and improve through reflective practice. Nothing has been added about ‘lone workers’ and approaches to support. Also as previous request please also include a link to SCMA Induction Support Programme - <https://www.childminding.org/become-a-childminder>

This was developed in partnership with Scottish Government and is the only national childminding specific induction programme which can be funded through ITAs. The national induction resource referenced is not aimed at childminding settings and does not provide appropriate induction support for childminders setting up their business

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Key question 5:

- Feedback from childminders is that the inclusion of key question 5 going forward duplicates what childminders are already doing in their risk assessments, and is yet another example of excessive bureaucracy for the sake of being seen to scrutinise this area.
- 5.2 and 5.3 – Given that childminders are largely sole traders, infection, prevention and control practices as well as appropriate staffing arrangements should all take into account their lone worker status. In childminding settings, the additional requirements in terms of paperwork such as risk assessments, implementing updated guidance, enhanced cleaning responsibilities and similar, should be reflected within the overall recognition of what staff are realistically able to undertake given the increased demands on their time. There has been feedback that childminders feel they have been marked down in relation to the standards of paperwork at a time when they are overwhelmed with increasing demands for compliance whilst also ensuring that children are safe and nurtured during a pandemic.
- There is no reference to Childminding Services Guidance in the Scrutiny and Improvement Toolbox, or other Covid guidance for School-Aged Childcare etc.

Additional detailed comments on the text within the Quality Framework:

The document is not inclusive for all Early Years settings –

- The word ‘staff’ or ‘relevant person’ should be replaced with ‘practitioner’ throughout to reflect that not all ELC providers work in staff teams. A childminder reading this would see this as a nursery framework and not an Early year’s framework document the way it reads.
- 1.4 reference is made to ‘the home environment’ - this should be ‘their home environment’ to differentiate between childminders home (where appropriate) and the child’s home?
- There is a bias to group/nursery settings e.g. 1.5 Descriptor ‘.....or moving through different rooms.....’

In addition:

- Greater clarity should be provided on inspection cycles, expectations and levels of scrutiny.
- It is surprising that the Quality Framework does not include consistent reference to Gender Equality given the Care Inspectorate developed Gender Equal Play, the ongoing national work stream and that gender equality features prominently in the Scottish Government’s National Standard for ELC
- Similarly, the Quality Framework does not appear to significantly promote workforce equality and diversity

Timing of Introduction of Quality Framework

Feedback from members would indicate that while the intention of the Quality Framework to get all providers to become exceptional is admirable, this is unrealistic at a time when we are still in a pandemic and given the balance of childminders’ work which is COVID-specific. As such, it was felt that those developing and implementing the Quality Framework may not be in touch with what is happening in practice at this time and it would have been better to have delayed the Framework’s introduction. SCMA agrees that it would have been better to have delayed implementation. As a result of the soft launch and limited piloting in practice before wider rollout there is risk that the Quality Framework is introduced by the back door and becomes embedded before the consultative process is complete, responses considered and adaptations made. Details remain unclear about when the Quality Framework will fully come into effect.

Timing of Consultation

A number of members have fed back to us that the timing of the consultation has been poor, coming at a time when the implementation of 1140hrs has been reintroduced and multiple, unco-ordinated demands are being placed on childminders by a range of statutory stakeholders. This includes parallel consultations from Scottish Government for the National Care Service, COVID-19 Legislation, the refresh of GIRFEC and Education Reform not to mention multiple survey requests from a range of organisations. As the Care Inspectorate will be aware, COVID-19 monitoring returns have also been very low due to the multiple demands placed on childminders at this time.

As a consequence a number of members have fed back to us that they simply do not have the time to respond to the consultative survey on the Quality Framework at this time. Childminders are still working extended days due to COVID (regularly working from 7am until after 7.00pm undertaking enhanced cleaning of their setting for the next day and before having to catch up with paperwork and working until 9.00 or 10.00pm). Delivering a quality service during the day to support children and families, all other additional work (contract compliance, quality assurance, writing up observations and plans, undertaking CPL, studying towards qualifications, business planning, finance, paperwork, responding to e-mails and repeated requests for information, marketing, reporting back to parents etc) has to be done unpaid in the evenings and at weekends.

There is a risk that this could distort response levels to this consultation and a low response from childminders could mistakenly imply either disinterest or conversely satisfaction and agreement through non-responding when some childminders may have real practical concerns with the Quality Framework, but do not have the time or energy to respond at this time.

Increasing Bureaucracy

The Care Inspectorate will be aware that SCMA has raised serious concern nationally about the increasing and excessive levels of bureaucracy which are making childminders' workloads unsustainable. When reading the Quality Framework there was no sense of how this adds to other, equally important, demands being placed on childminders by other statutory stakeholders and the adverse impact which this is having. It is of particular concern that agreement could not be reached between the Care Inspectorate and Education Scotland on the development of a single, shared inspection and that as a result we now have two separate quality frameworks which childminders involved in delivering funded hours must follow (the Quality Framework and Education Scotland's How Good Is Our ELC?), inspection by the Care Inspectorate and potential inspection by Education Scotland.

SCMA believes it positive that the decision has been taken to remove the inspection function from Education Scotland and has shared with the Care Inspectorate and the Scottish Government our submission to the independent expert group on Education Reform in which we urged that lessons are learned and a single shared inspection is required. [SCMA response to SG consultation on Reform of SQA and Education Scotland Expert Panel and Advisory Group Draft Terms of Reference FINAL_66cd5b.pdf \(childminding.org\)](#)

In simple terms there has been a layering effect with too many policies, standards, frameworks each with their own reporting requirements which are disproportionately affecting childminders and the level of bureaucracy associated with current practice is the main reason that childminders have been leaving or are planning to leave our workforce. Action is required to redress this and SCMA will be happy to work with the Care Inspectorate and Scottish Government as part of a multi-stakeholder response.

Format of Future Output (including final Quality Framework)

Finally, one of the learning points from COVID-19 has been that childminders and other providers do not have the time to read lengthy, detailed policy, guidance and framework documents which are often written in policy jargon and lacking in key point summaries. Such documents are often published without any thought to implementation. During COVID-19 SCMA has stepped in and increasingly provided the missing link between policy/guidance and practice by producing simple key message and childminding-specific output to support implementation. This has been invaluable to childminders. We continue to receive strong feedback from members that Care Inspectorate published output needs to be shorter, less detailed, written in plain English and also ideally in alternative formats (i.e. Audible).

We would advise that these principles are applied to the version of the Quality Framework consulted on to improve readability, accessibility, understanding and use.

Graeme McAlister
Chief Executive

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Scottish Childminding Association, Argyll Court, Castle Business Park, Stirling FK9 4TY
Tel: **01786 445377** | Email: **information@childminding.org** | **childminding.org**



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