

## SCMA RESPONSE TO SCOTTISH GOVERNMENT CONSULTATION ON EDUCATION REFORM (on behalf of the Independent Expert Group)

### Executive Summary

The Scottish Childminding Association (SCMA) was pleased to be consulted on the above important subject. Within this response we will provide general comment on the consultation's vision on the curriculum and more specific and detailed comment on the proposals to remove the inspection function from Education Scotland and to consider the impact of this (and any replacement activity) on the wider inspection and scrutiny landscape.

#### On the curriculum we believe –

- we know the importance of the early years in terms of providing a foundation for learning and specifically the focus on learning through play. Formal curriculum and assessment should not be imposed within the early years, but rather, quality play experiences should be delivered as part of an informal curriculum to facilitate learning;
- as childminders provide childcare for a large proportion of children within the early years (0-3 as well as 3-5 years) they are key stakeholders within the early levels of the curriculum. However, they often do not feel they have a valued role in delivering what should be seen as an equally important aspect of the framework. They should be encouraged to continue to offer creative learning opportunities, tailored to each child's own learning needs and should be supported both to understand and to evidence the impact that these early play experiences are providing. Ongoing resources and support are necessary in order to ensure childminders can link the application of their practice to the CfE framework;
- the process of bringing together Education Scotland and SQA risks the continuing emphasis on the secondary sector and on formal curriculum, with childminders continuing to feel undervalued in the role they play in contributing to learning outcomes. As such, it will be vital to consider and understand the implications for childminders and highlight ways in which to mitigate this risk and highlight their significant contribution to the CfE framework.

#### We believe that scrutiny is a critical area and that –

- action is urgently required to reduce duplicative scrutiny and quality assurance at national and local levels which has arisen during Early Learning and Childcare (ELC) expansion and which has had a significant adverse effect on the childminding workforce. This has significantly increased workload and the number of childminders leaving our workforce - 26% decline (1457 childminders) in the last five years, with the levels of bureaucracy and paperwork associated with childminding practice cited as the main reason that childminders have left or are considering leaving our workforce. This has significant implications for families, access to childcare, parental choice and for the delivery of future Scottish Government policy ambitions;
- there is a need to deliver a single or shared inspection covering both early childcare (Care Inspectorate) and learning (Education Scotland);
- there is a need to reduce duplicative inspection and quality assurance at national and local levels, between the Care Inspectorate (nationally) and local authorities (who also have a legal responsibility to oversee quality locally) resulting in duplicative inspection and quality assurance activity;
- there is an urgent need to review the wider scrutiny landscape BEFORE creating any additional scrutiny through Education Reform, the National Care Service and the development of the Programme for Government's commitments to extend ELC to one year-olds and to develop a new system of wraparound school aged childcare (SAC). These are very significant policy developments and areas in their own right and all of which have the potential to adversely impact further on childminders' workloads.

As a professional membership organisation we are committed to quality assurance and improvement, but believe this has to become lighter-touch, joined-up and proportionate to childminding; scrutiny also needs to be looked at in the round rather than just from individual, and sometimes siloed, policy or individual statutory perspectives as it has been.

## VISION, CURRICULUM & ASSESSMENT

We know the importance of the early years in terms of providing a foundation for learning and specifically the focus on learning through play. Formal curriculum and assessment should not be imposed within the early years, but rather, quality play experiences should be delivered as part of an informal curriculum to facilitate learning. As such, there needs to be a continued and expanded focus on the importance of play within Curriculum for Excellence (CfE), which will set the foundation for the four capacities and the eight curriculum areas. This should include linking with other policy frameworks such as the Play Strategy, Out to Play and Health and Social Care Standards in which childminders can evidence not only what they are doing and why but can also demonstrate consistent high-quality early learning and childcare<sup>i, ii, iii, iv, v</sup>.

The CfE has a strong focus on the secondary sector and upper levels of secondary in particular. Accordingly, there is a lower proportion of the framework which focuses on the early years/early level covering 3-5 years, provided in nursery settings as well as one to one, tailored, nurturing childminding settings. As childminders provide childcare for a large proportion of children within the early years (0-3 as well as 3-5 years) they are key stakeholders within the early levels of the curriculum. However, they often do not feel they have a valued role in delivering what should be seen as an equally important aspect of the framework. They should be encouraged to continue to offer creative learning opportunities, tailored to each child's own learning needs and should be supported both to understand and to evidence the impact that these early play experiences are providing. Ongoing resources and support are necessary in order to ensure childminders can link the application of their practice to the CfE framework.

The process of bringing together Education Scotland and SQA risks the continuing emphasis on the secondary sector and on formal curriculum, with childminders continuing to feel undervalued in the role they play in contributing to learning outcomes. As such, it will be vital to consider and understand the implications for childminders and highlight ways in which to mitigate this risk and highlight their significant contribution to the CfE framework.

## REMOVING SCRUTINY (INSPECTION & REVIEW) FROM EDUCATION SCOTLAND

Our response on this section of the consultation builds on our earlier detailed written submission to the Independent Expert Group (1 September 2021) which we made in response to the initial consultation on the draft Terms of Reference for the Independent Expert Group's work. Some of our earlier submission is repeated here to support its inclusion within this part of the formal consultation process and this has been updated, but the detail below also builds on our subsequent participation in the ELC Sub-Group on Education Reform, includes additional new data captured by SCMA and further comment requested by Prof Ken Muir, Chair of the Expert Group, regarding other developing policy areas which could create further scrutiny for childminders.

**We believe educational inspection and how it impacts upon the wider inspection and scrutiny landscape, particularly childcare, is an extremely important matter which continues to be under-recognised at a national level in Scotland by a range of statutory stakeholders. In recent years there has been a significant increase in requirements placed on childcare providers by a range of statutory stakeholders to demonstrate their adherence to a range of frameworks and standards. This has included wider policy frameworks such as Getting it Right For Every Child (GIRFEC) and Building the Ambition which are firmly embedded in childminding practice, Curriculum for Excellence and the National Health & Care Standards, but it has also seen a range of updates and refreshes including Realising the Ambition and a range of specific standards or frameworks layered on to support the development and expansion of Early Learning & Childcare policy and improving outcomes for children.**<sup>vi, vii, viii, ix, x, xi</sup> **As predominantly sole workers, this has had a disproportionate effect on the childminding workforce and their practice. Collectively, this increase in bureaucracy, accompanied by the rapid scale of ELC nursery expansion, is understood to be the main factor which has led to a significant decline in the childminding workforce, threatening its future sustainability and, in turn, the availability of this unique, high-quality form of learning and childcare for children and families in Scotland.**

### **Background/context**

The Care Inspectorate has the responsibility to regulate, inspect and scrutinise all forms of childcare in Scotland including childminding. As such, childminding is a regulated profession which prior to the expansion of ELC policy to support the delivery of 1140 funded hours of ELC by 2020 for all three, four and eligible two-year olds, was already subject to inspection and scrutiny covering a wide range of detailed quality indicators. During this time childminding has consistently achieved higher ratings across all quality criteria, through independent inspection by the Care Inspectorate, than Daycare of Children's Services (local authority nurseries, private nurseries and other early learning and childcare settings)<sup>xii</sup>. In parallel, Education Scotland was charged with developing a quality framework to support the delivery of ELC and published

How Good Is Our Early Learning & Childcare (HGIOELC) in 2016\*. This provides a self-evaluation framework of quality indicators to measure improvement against in ELC settings.

SCMA is a professional membership organisation with approx. 3400 members (80+% of the childminding workforce in Scotland), we provide a professional voice for our members and the wider childminding workforce and are supportive of ongoing quality improvement, quality assurance, inspection and scrutiny. However, we also strongly believe that this should be proportionate and the statutory sector has a responsibility to minimise the level of bureaucracy for practitioners (particularly where harmful), working together where appropriate to achieve this aim.

SCMA recognised at an early stage that the expansion of ELC policy in support of the delivery of 1140 by 2020 was creating additional bureaucracy and also leading to much duplication. Prior to August 2020 and in the years leading up to this date local authorities have been continuing with their own local quality assurance systems; and in parallel at a national level the Scottish Government was developing a new National Standard with ongoing criteria that providers must meet to deliver funded hours and both the Care Inspectorate and Education Scotland have been developing and introducing their separate, more detailed inspection frameworks. SCMA engaged with the Scottish Government and others about this, as while larger childcare providers such as nurseries may have been able to sustain separate dual inspections (although some may struggle as well), we recognised this would put much more significant pressure on childminding where the effect would be more pronounced. For additional context, the majority of childminders are sole workers and unlike nurseries they do not have teams of staff (practitioners, managers, finance/admin and quality improvement officers) to support them. In simple terms during the day their sole focus is on practice delivery and everything else has to be done by them individually, unpaid, in their own time in the evenings or at weekends (cleaning their settings, undertaking professional learning, documenting quality assurance, keeping up-to-date with the latest guidance, administration, finance, liaising with parents, marketing etc).

Recognising these issues, and the risks posed by separate, dual inspections, **an independent review of ELC had recommended in 2015 that –**

***“in future, either a joint education and care inspection or one inspection conducted by one single inspectorate body for ELC should be standard”<sup>xiii</sup>.***

In response to this the Scottish Government charged the Care Inspectorate and Education Scotland with developing a single shared inspection and to engage with a range of stakeholders in its development. This work was very slow and the Care Inspectorate and Education Scotland failed to reach agreement on a single shared inspection, issuing a statement in September 2019 noting that the development of a shared inspection would be deferred until after the expansion of ELC had been completely implemented and that they would instead continue to develop their own separate frameworks.<sup>xiv</sup> While we do not under-estimate the challenges involved, this was very disappointing and frustrating as we were aware from supporting childminders around Scotland of the adverse impact this was having on them. **It is now six years since a shared inspection was recommended and the Care Inspectorate and Education Scotland were charged with developing this by the Scottish Government. Consensus was not reached across the involved statutory stakeholders and a single, shared inspection has still not been achieved. During this period childminders have had to absorb the consequences of this – an evolving, detailed quality framework (and inspection) by the Care Inspectorate and a separate detailed learning framework by Education Scotland (with possible local authority inspection based on this) - alongside additional requirements of ELC expansion linked to the National Standard layered on at a national and local level, which we believe has contributed collectively to a significant reduction in our workforce.** And conversely, while it was hoped that this would increase quality across the wider early learning and childcare workforce there is a significant and increasing risk of premature skills loss from the childminding workforce due to the level of accompanying bureaucracy and duplication.

#### **The adverse impact on the childminding workforce, children and families.**

It had been known that the childminding workforce had been declining and that there had been an increase in those leaving the profession and a reduction in those entering our workforce. Since the Scottish Government's Blueprint for ELC was published in 2016, committing to expanding the entitlement of funded ELC to 1140 hours by August 2020, the Scottish Government has commissioned SCMA to undertake an annual, independent, audit of local authorities' progress in including childminders in ELC delivery<sup>xv</sup>. **In our ELC Audit 2019 we highlighted that the childminding workforce had declined by 14.5% in the last five years, that this had been an accelerating trend in parallel to ELC expansion and recommended the need for urgent research into this trend<sup>xvi, xvii</sup>.** The Scottish Government agreed to fund this workforce research and Ipsos/MORI were appointed to undertake this work under the direction of the Scottish Government, Care Inspectorate and SCMA. This work was postponed due to the pandemic, is currently underway and is due to report at the end of 2021.

Keen not to lose ground during the pandemic, SCMA also undertook a large-scale membership survey in spring 2020 which secured a high response from members (1470 responses/38% response level). This explored childminders' reasons for leaving the profession and, importantly, looked ahead and captured data on childminders' future workforce intentions. **This survey found that the level of paperwork and bureaucracy associated with current childminding practice was the main reason that both childminders had left the workforce (70%) and were considering doing so within the next five years (59%)<sup>xviii</sup>**. The survey also found that on top of the significant decline in our workforce within the last five years, 25% of childminders did not believe they will still be childminding in five years and a further 26% didn't know if they would. We believe this data to be deeply worrying and compelling, as when running this data together we have the makings of a workforce crisis. And while we need to account and adjust for the age profile of the childminding workforce (21% aged 55+), the results indicated a strong opportunity to positively influence this if we could reduce the pressure on the childminding workforce - only 25% said that nothing could be done to change their minds.

To complicate matters further, this does not yet show the full effect of ELC expansion and bureaucracy on childminders' workload. Only a small number of childminders (approximately 200 / 5%) had been involved in delivering funded hours at the time of conducting our ELC Audit 2019 and several barriers to increasing childminder involvement in funded hours had been identified.

It should also be noted that the the new Quality Framework launched by the Care Inspectorate to support ELC expansion will go beyond providers involved in funded hours delivery and apply to all childcare providers. **As such, the figures noted above may under-state the full impact as part of this additional work is still to hit the wider childminding workforce.**

SCMA used this powerful data constructively and shared this with a range of stakeholders. This was instrumental in our advocating the need for and securing a new Action Plan on Childminding from the Scottish Government<sup>xix, xx</sup>. Our survey findings were also used to inform the ongoing research into childminding workforce trends being undertaken by Ipsos/MORI. **However, these important pieces of work will not have impact without a joined-up approach between statutory stakeholders involved in inspection and scrutiny, a recognition of the issues and a commitment to change.**

SCMA has been leading nationally on engaging stakeholders on our workforce pressures (both the declining trends in our workforce and the excessive levels of paperwork and bureaucracy). These are not sustainable, will not have a quick fix and require a joined-up, strategic response. This is why we also published our new three-year strategy in May 2021, designed to promote recovery, strengthen childminding, support families and increase choice<sup>xxi</sup>. At its core is a dedicated work stream on Workforce, Learning & Quality aimed at creating a more sustainable workforce (including addressing the issues adversely affecting this), then supporting ongoing learning and upskilling to support quality improvement and assurance - while continuing to support ELC expansion and implementation amongst other areas.

**And if more evidence was required, we did not repeat our ELC audit last year due to the pandemic, but re-introduced it this year and our ELC Audit 2021 has just been published<sup>xxii</sup>. While there has been some progress in including childminders in delivering funded hours this found that these numbers are still very low – only 4% of the childminding workforce delivering funded ELC hours to the Scottish Government's priority group of 'Eligible Two-Year-Olds' and 17% of our workforce delivering funded ELC hours to 'Three and Four-Year-Olds'. After five years of national and local implementation activity this cannot be considered a success and our workforce has continued to decline. Our audit reported that the childminding workforce has declined by 26.4% (1457 childminders) in the last five years (July 2016 – July 2021). Within our audit we have made a series of recommendations and advised that a step change in action is required to include more childminders in delivering funded ELC, to safeguard the childminding workforce, to maintain parental choice and also to support the delivery of future childcare policy commitments within the Programme for Government.**

#### **COVID-19: delays, multiple (unco-ordinated) stakeholder demands on childminders returning as we progress through recovery and the 'Perfect Storm'**

Recognising the unprecedented nature of the pandemic and the challenges presented, the Scottish Government removed the statutory duty on local authorities to deliver 1140 hours by 2020. Much inspection and quality improvement work was also paused during the pandemic. Physical inspections were largely not possible with virtual inspections prioritised by the completion of self-evaluation documentation.

As progress was made in suppressing the virus the Scottish Government reintroduced the statutory duty to deliver 1140,

but moved the deadline to August 2021. More recently, in June 2021 the Care Inspectorate has launched its new Quality Framework which it had started to consult on before the pandemic and had to pause<sup>xi</sup>. This has taken the form of a soft launch, piloting the Quality Framework's use with selected providers and has suggested further consultation, but details remain unclear regarding this and about when the Quality Framework will support inspection for all providers. In parallel, Education Scotland has continued with its separate scrutiny activities through HGIOELC. At a national and local level, activity related to ELC policy has been ramping up significantly. We continue to receive reports from childminders around the country that local authorities are confused about who is inspecting what and what frameworks should be used, with the added complexity of differing interpretation of Education Scotland's HGIOELC Framework by local authorities, with some staff unclear if this is just for nurseries or for all childcare providers including childminders.

We recognise that there had been a strong focus on quality improvement nationally and locally before the pandemic, and that some ground has been lost. This has been due to providers having to prioritise ensuring their practice has complied with ever-changing operating guidance (to ensure safety for children, families and providers) and also prioritising business survival (due to the sustained decrease in demand for childcare arising from parents being required to work from home). We also recognise that all stakeholders are keen to make up this ground. **However, what is not working is trying to do this all at one time. Childminders are increasingly reporting that they cannot sustain the increasing and multiple (unco-ordinated) demands on their time from Scottish Government, Care Inspectorate, Education Scotland and local authorities. This is layered on top of the workforce challenges highlighted earlier in this submission. The current situation feels chaotic and has created the 'Perfect Storm'.**

In recent months SCMA has become aware of a number of childminders in different local authority areas who have previously been involved in delivering funded hours ceasing to do so, due to the level of bureaucracy which they cannot sustain. As part of our ELC Audit 2021 we also undertook parallel snapshot surveys of childminders and parents to capture their experiences of funded ELC. Our childminders survey found that -

- 86.3% of childminders involved in delivering funded ELC, who responded, reported a significant increase/increase in paperwork;
- 93.3% of childminders not involved in delivering funded ELC believed it would result in a significant increase in paperwork; respondents also reported this as the main factor in deciding not to get involved in ELC);
- only 57.3% of childminders involved in delivering funded ELC would recommend doing so.

This situation is of increasing concern and highlights the risks to national policy ambitions posed by bureaucracy.

Looking forward, we do not believe it credible to continue with this level of paperwork – it is neither appropriate nor sustainable for sole workers. Continuing to do so could indicate those generating and overseeing this are out of touch with and detached from the practicalities and realities of current practice. The experience of COVID, which should also inform learning, has also been that providers have been overloaded with a high volume of very detailed guidance and practice documents ranging from 40-140 pages. Without the intervention of SCMA and sectoral organisations supporting other childcare providers and providing the vital link between policy and practice to support implementation, many important measures would not have made it into practice. **As such, it is also important that organisations providing scrutiny are subject to scrutiny themselves to ensure that their requirements do not place excessive or unreasonable demands on providers which have an adverse effect on their abilities to support families.**

### **Why is this so important to children and families?**

All forms of childcare are not the same and the ongoing reduction in the childminding workforce, linked to ever-increasing levels of paperwork and bureaucracy, is already reducing parental choice for forms of childcare and will reduce this further if not addressed urgently.

Childminding –

- is a unique, nurturing and high-quality form of learning and childcare delivered in a home setting;
- consistently achieves higher ratings across all quality criteria, through independent inspection by the Care Inspectorate, than Daycare of Children's Services (local authority nurseries, private nurseries and other ELC settings)<sup>xii</sup>;
- has the lowest adult-to-child ratios by childcare provider, maximising and increasing opportunities for more one-to-one care<sup>xiii</sup>;
- enables children of different ages to learn and play together in small groups, enhancing communication skills, learning and development<sup>xiv</sup>;

- follows the same learning and quality frameworks, including Curriculum for Excellence and Getting it Right for Every Child (GIRFEC), as nurseries;
- incorporates a higher element of outdoor learning and play than most other forms of childcare;
- can be blended with other forms of childcare (i.e. nursery), so that children can experience the best of both forms of childcare;
- can be particularly beneficial for young children who may struggle to adapt or may get lost in a larger setting and also for children with Additional Support Needs (ASNs);
- is viewed by many families who use childminding as a wider form of family support (enabling siblings to be together; providing care before, during and after school; providing continuity of care from 0-12 years old and supporting children and families through the range of transitions within; in addition to providing emotional support to parents).

The Scottish Government had also engaged Ipsos/MORI to undertake a separate research project exploring parents' and childminders' perceptions of childminding on children's and families' outcomes to support ELC expansion, increase understanding about childminding and to increase parental choice. This was published in September published and reported further additionality which childminding can offer children and families beyond nursery provision<sup>xxv</sup>.

**Additional comment requested by Prof. Ken Muir on other developing policy areas which could create additional scrutiny for childminders**

In addition to duplicative scrutiny and quality assurance within ELC, much uncertainty remains in this area. This could very quickly have a much wider effect. At the time of writing –

- it is unclear what form of scrutiny and quality assurance **will replace the previous inspection function of Education Scotland** as a result of the independent expert group on Education Reform's ongoing review;
- the Scottish Government recently consulted on the creation of the new **National Care Service (NCS)** including potential qualification or training requirements, new standards, quality assurance and scrutiny. While ELC is not included within the scope of the NCS, SCMA's community childminders are involved in delivering children's social care which is within the scope of the NCS. For context, our Community Childminding services are an early intervention which supports vulnerable families who may be one step away from crisis and whatever is happening at a parental level (mental health, addiction, terminal illness, bereavement etc) is impacting on young children, this has been picked up by social workers or health visitors and families are referred to our services for family support delivered by specially trained childminders. Currently we deliver these services in four local authority areas, we have helped over 900 vulnerable families in recent years, demand for support has increased significantly due to the pandemic and we are working to develop these services further. So, while childminders would not be within the scope of the NCS for delivering ELC, we believe that the same childminders who may also practice as Community Childminders (as part of their service) could be within the scope of the NCS due to their provision of family support through local authority social care contracts with SCMA. **As such, it would be extremely important to clarify if these experienced childminders would be subjected to separate/additional scrutiny and required to follow separate/additional frameworks with related qualification requirements for ELC and Community Childminding. Given the workforce issues highlighted earlier and the adverse impact existing bureaucracy is having on the childminding workforce, we believe that further bureaucracy linked to the NCS would be too much for Community Childminders to absorb and that this would have a significant adverse effect on our ability to deliver these vital services to vulnerable children and families.** This is a point which we made in response to our consultation on the NCS<sup>xxvi</sup>. Also, it remains to be seen what the Scottish Government's response to the consultation on the NCS will be. Many within the children's sector and social care believe the inclusion of children's social care and exclusion of early learning and childcare and other children's services from the NCS is divisive and will create a range of difficulties and lead to a further devaluing and deprioritisation of childcare. As such, the position of the wider early learning and childcare in relation to the NCS could still change;
- the Scottish Government's Programme for Government 2021/22 also includes commitments to extend **ELC to one-year-olds** and to develop a **new system of wraparound school-aged childcare (SAC)**, both of which could require new systems of quality assurance and scrutiny to be developed to support public accountability<sup>xxvii</sup>.

For childcare providers following one system of quality assurance, including guidance, frameworks and standards (i.e. nurseries following ELC guidance or SAC providers following SAC guidance) this is less of an issue, **but many childminders operate a mixed business model which may involve elements of private arrangements, funded ELC placements, SAC (before and/or after school) placements and community childminding**

**placements. As such childminders, as sole workers, could potentially find themselves subject to multiple forms of scrutiny and quality assurance from separate policy areas.** Childminders are already being disproportionately affected and finding their workloads unsustainable due to bureaucracy. This must not increase further.

**As such, there is an urgent need to review the wider scrutiny landscape BEFORE creating any additional scrutiny through Education Reform, the National Care Service and the development of the Programme for Government's commitments to extend ELC to one year-olds and to develop a new system of wraparound school aged childcare (SAC). These are very significant policy developments and areas in their own right and all of which have the potential to adversely impact further on childminders' workloads.**

Additional data:

- the additional (latest) data requested on the decline in the childminding workforce has been included on page 4;
- the additional data requested from our survey of childminders, linked to our ELC Audit 2021, and the findings on bureaucracy has been included on page 5.

## CONCLUSION

Recognising how unsustainable childminders workloads were becoming as a result of the new Quality Framework being launched at the same time as ELC was coming back in and local authorities embarked on a range of quality assurance activity to support it, SCMA took the initiative and made a detailed written submission to the Expert Group on Education Reform on 1 September 2021. We recognised that our submission went beyond the scope of the initial consultation which was focussed on the Expert Group's Terms of Reference. However, we believed it imperative to draw the Expert Group's attention to this issue at the earliest opportunity given the severity of the situation for childminding. We shared our submission at a senior level with officials in the Scottish Government and Care Inspectorate and urged them to recognise the issues and work with us in addressing them. We also shared our submission with a range of organisations across our sector.

Following our taking the initiative on this, a number of other organisations (both with some childminder members and organisations representing other forms of childcare provider) have shared their concerns and SCMA has continued to work to ensure this item has gotten further up the national agenda. Since then this subject has become the main focus of discussion within the Monitoring Group for the Scottish Government's Action Plan on Childminding, which we further informed by convening a focus group of SCMA's Scottish Executive Board Members, and has also become one of the main items of discussion in a number of other national meetings. Clearly, this is an issue which is affecting a range of childcare providers, but the issues are much more pronounced within childminding due to the majority of childminders being sole workers and being expected to meet the same standards as nurseries and other much larger childcare providers with teams of staff. We welcome the recognition of a range of statutory stakeholders that this situation needs to change and much discussion is underway around how we can reduce duplication and workload. However, much work remains to be done.

**Considering these issues collectively, we believe it essential that lessons are learned and the Expert Group does not repeat the mistakes of the past by moving the educational inspection function from Education Scotland into a replacement educational entity without considering the wider impact of this on childminders, other providers and families and ensuring a single, proportionate shared inspection is delivered upon which recognises within it the distinct nature of childminding. In parallel, we also need to reduce duplicative quality assurance at a national and local level and avoid adding to this through further policy agendas.. We are very supportive of ELC policy and in particular its intent to close the attainment gap, and also of other policies and frameworks aimed at improving children's outcomes. We want ELC to succeed and be remembered for its transformative provision of funded childcare and not remembered as a policy which destabilised the childminding and wider workforce.<sup>xvii, xxviii, xxix</sup> Something has to change if we wish to avoid this. As should be clear from the foregoing, SCMA is committed to constructively tackling the issues which are impacting negatively on childminders and, in turn, children and families. We are solutions-focussed and remain committed to participating in a multi-stakeholder response which would maintain quality assurance, but with lighter touch, joined-up and more proportionate requirements on childminders.**

Graeme McAlister  
Chief Executive

25 November 2021

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- <sup>i</sup> Play Strategy for Scotland, Scottish Government, June 2013
- <sup>ii</sup> Progress Review of Scotland's Play Strategy: Play in a COVID-19 Context, Play Scotland, 2021
- <sup>iii</sup> Out to Play: creating outdoor play experiences for children: practical guidance, Scottish Government, February 2020
- <sup>iv</sup> Early learning and childcare - Out to Play: childminding settings - guidance - section 9, Scottish Government, March 2021
- <sup>v</sup> National Health & Social Care Standards, Scottish Government, 2016
- <sup>vi</sup> Getting it Right for Every Child, Scottish Government, 2006 (to be refreshed 2021)
- <sup>vii</sup> Building the Ambition, Education Scotland, 2014
- <sup>viii</sup> Realising the Ambition, Education Scotland, 2020
- <sup>ix</sup> National Standard for Early Learning & Childcare, Scottish Government, 2018 (updated 2021)
- <sup>x</sup> How Good Is Our Early Learning & Childcare, Education Scotland, February 2016
- <sup>xi</sup> Quality Framework for Daycare of Children, Childminding and School Aged Childcare, Care Inspectorate, June 2021
- <sup>xii</sup> Early Learning & Childcare Statistics, Care Inspectorate
- <sup>xiii</sup> Independent Review of Scotland's Early Learning and Out of School Care Workforces, Scottish Government, 1 June 2015
- <sup>xiv</sup> Update on the Shared Inspection Framework, Care Inspectorate and Education Scotland, 11 September 2019
- <sup>xv</sup> A Blueprint for 2020: Expansion of Early Learning & Childcare in Scotland, Scottish Government, October 2016
- <sup>xvi</sup> Early Learning & Childcare Statistics, 2019, Care Inspectorate, January 2021
- <sup>xvii</sup> SCMA Early Learning & Childcare Audit 2019, SCMA, October 2019
- <sup>xviii</sup> #TellSCMA: Childminding & You Survey 2020, SCMA, May 2020 (unpublished)
- <sup>xix</sup> Childminding on the Edge: SCMA Response to Scottish Government Consultation on 'Action Plan: A Vibrant Childminding Sector in Scotland', September 2020.
- <sup>xx</sup> Our Commitment to Childminding in Scotland, Scottish Government, January 2021
- <sup>xxi</sup> Changing the Narrative: Strengthening Childminding, Supporting Families & Increasing Choice, SCMA, May 2021
- <sup>xxii</sup> SCMA Early Learning & Childcare Audit 2021, SCMA, November 2021
- <sup>xxiii</sup> National Care Standards, Scottish Government
- <sup>xxiv</sup> A Review of the Research on Childminding: Understanding Children's Experiences in Home-Based Childcare Settings, Ang et al, Early Childhood Educ J (2017)
- <sup>xxv</sup> Perceptions of the impact of childminding services on child, parent and family outcomes, Scottish Government, September 2021
- <sup>xxvi</sup> SCMA Response to Scottish Government Consultation: National Care Service, 29 October 2021
- <sup>xxvii</sup> A Fairer, Greener Scotland: Programme for Government 2021-22, Scottish Government, September 2021
- <sup>xxviii</sup> National Day Nurseries Association 18/19 Workforce Survey Scotland, NDNA, August 2019
- <sup>xxix</sup> Implications of Labour Markets for the Social Care Workforce, Ekosgen, Scottish Government, 2019



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