

**Statutory Guidance for Early Learning and Childcare (ELC)**

A summary of key points that you may wish to include in your consultation response

**PLAY**

I welcome the commitment that play, as outlined in ‘Building the Ambition’, will continue to be an essential and fundamental part of children’s learning and happiness (paragraph 24). This is an important part of learning which deserves wider recognition.

**RETAINER FEES**

I am concerned that the National Standard for ELC does not currently allow for the charging of retainer fees.

This is an established part of childminding business practice and if I am not able to charge such fees, in response to parent demand to keep spaces open, this could have a significant adverse effect on the viability of my business.

As such, I strongly support the inclusion of paragraph 61 within the Draft Statutory Guidance for ELC which will enable childminders to make optional service charges “such as the provision of localised cover arrangements required by parents and carers (for example acting as the emergency contact for a child, cover for shift patterns, holiday cover etc.) which requires the setting to retain a place in order to meet this demand during the hours that the child is receiving part of their funded ELC entitlement at another setting as part of a split placement”. I also welcome the recognition that such arrangements are out with the scope of ELC.

**LOCAL AUTHORITY REQUIREMENT TO PROMOTE ALL PARTNER PROVIDER SERVICES EQUITABLY**

While welcoming the additional requirement that local authorities should consider how they make parents and carers aware of their child’s entitlement, of the range of provision available, and how to access this (paragraph 91), I do not believe this goes far enough.

In line with the provider-neutral nature of ELC policy, I believe that the guidance should explicitly require all local authorities to clearly promote all partner providers (including childminders) in their area, equitably alongside their own local authority nursery provision.

**METHOD OF DELIVERY & LOCAL MODELS / ‘OFFERS’ FOR ELC**

In Section 51 (paragraphs 107-112) the guidance provides examples of the models which local authorities could offer. This includes term-time, full-time, half days and part days. I believe that some of the models being offered by local authorities to parents and providers can be too prescriptive and sometimes limited to particular times of the week.

This does not reflect the increasingly flexible nature of modern childminding services or the increasing demand from parents for flexibility. As such, I am concerned that some of these models being offered may disadvantage childminding services from operating competitively alongside nursery provision.

**FLEXIBILITY & PARENTAL DEMAND**

I strongly support the recognition that “flexibility should be driven by local demand from families regarding the nature, and type, of provision they require” (paragraph 124) and that “there will be an ongoing need to review and change models in response to demand from parents and carers within their area” (paragraph 130).

**REQUIREMENT TO PROVIDE BLENDED CARE**

I strongly support the recognition (in paragraph 131) that “a mixed model of provision can be beneficial for children and parents, and education authorities should accommodate split placements across different providers where this meets the needs of the child and parents or carers”.

Catering for blended models of childcare should be standardised across Scotland and local authorities should not be allowed to only offer single-provider models.

**RELATIVES & DELIVERY OF FUNDED HOURS**

I understand that currently childminders are not allowed to deliver childminding services (ELC or other) to their own children or their relatives’ children. This is enshrined in legislation [Public Services Reform Act 2010; Children (Scotland) Act 1995].

I believe there can be circumstances where this should be considered, i.e. in remote and rural areas where childcare provision is more limited and relatives may be involved in the paid care of children. I would ask the Scottish Government to consider how it can support such childminders and families in Scotland.

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