

Report to: Schools Forum

Date: 19th October 2012

Report of: Director of Children's Services

Report No:

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Report Title: **Proposed Quality Measures for Providers of Free Early Education Places for 3 & 4 year olds**

**Confidential /
Non Confidential:**
(delete as approp)

(Non-Confidential) This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

Purpose:

To agree the quality measures to be implemented for providers for Free Early Education places.

Recommendations:

It is recommended that:

- The Forum agree the quality measures to be implemented for providers of free early education places.

Decision:

Background Doc(s):

(for use on Exec Rep)

Signed:

Leader / Executive Member

Monitoring Officer

Date:

Summary:

To inform the Schools Forum of the changes to the Code of Practice for the free entitlement for 3 and 4 year olds in relation to quality and to agree the quality measures to be put in place.

Key Issues:

1 Background

The Government has introduced a new code of practice for the provision of the 3 and 4 year old free education places from September 2012. Under this code the funding for the free entitlement for 3 and 4 year olds must only be paid to settings that have an Ofsted rating of good or better, unless the setting can evidence a commitment to improving the quality of their provision by meeting at least one of the following additional eligibility criteria:

- active participation in a quality improvement programme that the local authority considers appropriate;
- active participation in a peer-to-peer support network (including childminding networks) that the local authority considers appropriate;
- assessed as sufficiently high quality through a local authority quality assessment system;
- a level of workforce qualifications that indicate higher quality provision (for example, all staff having or actively working towards a level 3 qualification, or having a graduate leader

The Authority must, therefore, develop a mechanism to implement this requirement.

The full guidance on quality in the code can be seen at Appendix A.

2 Proposal

The Early Years Consultation Group and the Early Year sub-group of the forum have considered what should be implemented to meet these additional requirements and have recommended the following:

Additional eligibility criteria for providers of the free entitlement:

An **expectation** that **all** providers will:

- Actively engage in self evaluation and improvement planning to improve the quality of provision and outcomes for children in the EYFS
- Actively participate in peer to peer support networks, including primary school clusters and early years area forums

Additional requirement that satisfactory providers (or settings that require improvement) will:

- Demonstrate their commitment to improving the quality of provision through participation in Bolton's Reflecting on Quality (RoQ) quality improvement framework. This will include an external assessment/verification of quality (*or other LA approved externally validated early years quality assurance programme such as NDNA, NCMA*)
- Link with a good or outstanding, graduate led setting for peer to peer support.

3 Proposed costs/time scales

The code came into effect from September 2012 so the process needs to be in place as soon as is practical. It is therefore proposed:

- To be implemented from January 2013;
- RoQ registration and LA mentoring support will be provided free of charge for a 6 month period;
- At the end of the first 6 months (or earlier if requested by the setting) the setting will pay £200 for external verification of quality;

- If the setting can demonstrate improved quality they will remain eligible to provide free early education places for 3&4 year olds (subject to annual monitoring by the LA);
- If the setting cannot demonstrate sufficient quality improvement either:
 - Funding will be withdrawn with effect from the beginning of the following term (at least 3 months notice will be given to parents)
 - Continued support will be provided and paid for by the setting for a further 6 months and the setting will continue to be funded until the end of the 6 month period. If quality does not improve during this time then funding will be withdrawn with effect from the beginning of the following term (as above)

For settings where EYFS provision is judged to be inadequate and the LA is not satisfied that the setting is likely to improve at re-inspection or within an agreed timescale, funding will be withdrawn as soon as is practicably possible.

4 Recommendation

The Forum agree the quality measures to be implemented for providers of free early education places.

Appendix A – Extract from Code of Practice for 3 and 4 year old free education

Section A3: Quality (DfE Statutory Guidance 2012)

Outcome:

All children are able to take up their entitlement to free early education in a high quality setting. Evidence shows that higher quality provision has greater developmental benefits for children particularly for the youngest children. The biggest single indicator of high quality provision is the qualification levels of staff in a setting.

To secure and improve quality:

Local authorities **are required** by legislation to:

3.1 Improve the well-being of young children in their area and reduce inequalities between young children in their area.

3.2 Deliver the free entitlement through early years providers who deliver the full Early Years Foundation Stage (EYFS) and are registered with Ofsted or are schools which are exempt from registration with Ofsted.

3.3 Provide information, advice and training to childcare providers.

Local authorities **should**:

3.4 Not refuse free entitlement funding to providers who have not yet been inspected by Ofsted¹, where the local authority is satisfied that the provision is of sufficient quality.

3.5 Not fund providers rated 'inadequate' Ofsted unless the local authority is satisfied that the setting is likely to improve significantly at re-inspection or within an agreed timescale.²

3.6 Secure alternative provision, as soon as is practicable, for children who are already receiving their free entitlement at a provider when it is rated 'inadequate' by Ofsted, and where the local authority is not satisfied that the setting is likely to improve at re-inspection or within an agreed timescale.

3.7 Only fund providers rated 'satisfactory' if they also can evidence a commitment to improving the quality of their provision by meeting at least one of the following additional eligibility criteria:

- active participation in a quality improvement programme that the local authority considers appropriate;
- active participation in a peer-to-peer support network (including childminding networks) that the local authority considers appropriate;
- assessed as sufficiently high quality through a local authority quality assessment system;
- a level of workforce qualifications that indicate higher quality provision (for example, all staff having or actively working towards a level 3 qualification, or having a graduate leader)

3.8 Consider whether to require providers rated 'satisfactory' to meet more than one of the additional eligibility criteria in para 3.7, in order to raise the quality of provision in the area or if there is sufficient high quality provision already available.

3.9 Consider whether to require providers rated good to meet one or more of the above additional eligibility criteria in para 3.7 to promote further quality improvement in their area.

3.10 Fund providers rated 'good' or 'outstanding' by Ofsted to deliver free early education places for three and four year olds, unless the local authority has reason to believe that the quality of provision has deteriorated significantly since their last Ofsted inspection, or the provider has ceased to meet any eligibility criterion (as set out in para 3.9) that the local authority required it to meet)

3.11 Ensure that providers are aware of the quality criteria they have to meet in order to deliver free places to three and four year olds.

3.12 Withdraw funding as soon as is practicable from providers who are not demonstrating the sufficient quality improvement required to deliver the free entitlement.

1 Or an independent inspection body approved by the Secretary of State

2 Ofsted has recently consulted on a proposal to replace its inspection rating 'inadequate' with 'requires significant improvement or enforcement' and 'satisfactory' with 'requires significant improvement'. If this change is made to the inspection judgements, the new equivalent judgements will apply.