

***Raising Standards - Improving
Outcomes***

Statutory Guidance

**Early Years Outcomes Duty
Childcare Act 2006**

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Statutory Guidance on the Childcare Act 2006 Early Years Outcomes Duty

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Part 1 Introduction

1.1 The purpose

1. The early years outcomes provisions in sections 1-4 of the Childcare Act 2006 (the Act) place a duty on English local authorities (LAs), working with their NHS and Jobcentre Plus (JCP) partners, to improve the five Every Child Matters (ECM) outcomes of all young children (0-5) in their area and reduce inequalities between them, through integrated early childhood services. The new duty comes into force on 1 April 2008. It provides a framework that ensures early years services are given the permanence and prominence they deserve, while leaving room for local initiative and innovation.

2. This guidance provides an overview of the existing and new duties that are key to how LAs and their partners work together to promote early childhood services and improve outcomes. LAs, supported by their partners, will need to review existing structures, accountabilities, processes, and performance management systems, to consider to what extent they already fulfil the new duties. They will need to identify where changes are required or desired, and implement change where it is needed to focus sharply on early years outcomes. LAs and their partners must have regard to this guidance, in practice this means that all partners and the LA are expected to follow the guidance unless they can provide good reasons for departing from it.

3. Senior managers and staff in LAs, Primary Care Trusts (PCTs), Strategic Health Authorities (SHAs), and JCP responsible for the planning, commissioning and delivery of early childhood services, must have regard to this guidance in carrying out their functions under the Act. This guidance may also be of help and interest to others involved in the design and delivery of services, for example, through Sure Start Children's Centres, and to other providers of early childhood services, schools and providers in the private, voluntary and independent (PVI) sectors.

1.2 Vision

4. The vision is for parents, from the time they know they are expecting a baby, to see a coherent pattern of accessible child health, early years provision¹ and family support services ahead of them, some free at the point of delivery. A good start in life is essential if children are to fulfil their potential. High quality early childhood services will result in better outcomes for young children, their families and society. The early years outcomes duty underpins this vision, making it a priority to –

- provide the best start for all children, promoting social mobility so that children are able to fulfil their potential regardless of their family income or background
- encourage and enable parental employment in order to reduce the negative outcomes that are so strongly associated with growing up in poverty
- reduce inequalities by focusing on children most at risk of poor outcomes because of deprivation and disadvantage
- deliver integrated early childhood services in ways that provide a seamless

¹ The Childcare Act removes the legal distinction between childcare and nursery education for young children aged 0-5. The term 'early years provision' means the provision of integrated early learning, development and care for a young child as set out in Section 18 of the Act.

experience for parents and children, that meet their individual needs, and that make a real difference to the life chances of all children

- ensure every child at age 5 is developing well and is a confident, capable learner, with most children achieving well in early reading, writing and problem solving.

5. In order to ensure that all children have the best possible start in life, we need high quality services integrated at the point of delivery. This requires an integrated approach at all levels, from strategic planning through to front line delivery of services which maximise access and benefits to users; the defining features of integration are -

- a perception by service users of coherent and comprehensive, seamless services
- a perception by staff in different agencies across a local partnership, of a shared purpose and common working practices, including the sharing of information
- a shared philosophy, vision and agreed principles of working with young children and their families.

6. A major aim of these new duties is to improve social mobility and reduce inequalities. But this must not be achieved by holding back high achievers or at the expense of improving outcomes for all children. The duties in the Act are deliberately framed to place the reduction of inequalities in the context of improvement for all; these twin aims are mutually reinforcing and must be pursued in tandem.

7. We will not be successful in raising standards if we fail to tackle child poverty which has far-reaching effects on all outcomes. Children who grow up in workless households are much more likely to be poor in adulthood but children who are lifted out of poverty are more likely to flourish, gaining a solid foundation for later life. Paid employment offers the most sustainable route out of poverty in the longer term, as well as providing immediate benefits for the physical and psychological well-being of the whole family. The need to tackle child poverty is fundamental and must be at the core of the common purpose and vision shared by all those involved in early childhood services. JCP, working in partnership with the LA, has the lead role in supporting parents to make the transition to work and, by so doing, to reducing child poverty and tackling low income.

1.3 A child's journey through the early years

8. Throughout the early years, all young children and their parents need high quality well-planned, integrated early childhood services which are focused on meeting their individual needs. There are focal points for engagement of universal services at various points in every child's journey from birth to primary school.

9. When parents are first aware that they are expecting a baby, they are most likely to turn to their GP and their local midwifery service for advice and support. Once their baby has arrived, their local health visitor will be the main source of support and advice as the young baby develops. These first universal NHS contacts with all families, as part of the Child Health Promotion Programme, are vital opportunities to give general information and advice, to identify young children with additional needs and to ensure

that early referrals can be made to any specialist services required, for example to treat post-natal depression or later on, to support speech and language development. The nearest Sure Start Children's Centres, which may already be the location for these NHS services, may also be a key site for other services such as help with parenting skills or family support, and advice about wider services.

10. Some parents who choose or need to work, particularly lone parents, may need formal childcare once their paid maternity leave has come to an end. Others will be planning to take up, or return to employment later on and may seek advice from JCP about how to access childcare, and support with childcare costs. The LA's Family Information Services² will be in a position to provide information about the full range of early years provision available locally, as well as advice and help in finding a provider who caters for the family's individual needs and information about tax credits.

11. Families with additional needs should be supported through swift and easy access to more specialist services ensuring parents are put in touch with all the services they require to support them and their young child as he or she develops. In particular, LAs and their partners have an important role to play in ensuring full take up of universal services, including maximising take up of the free entitlement for 3 and 4 year-olds, especially by low income families. All young children attending early years provision should enjoy a high quality delivery of the Early Years Foundation Stage (EYFS), supporting children to be competent learners from birth and developing and learning in a wide variety of ways.

1.4 What success looks like for young children

12. Every child should be supported to fulfil their potential according to their own efforts and abilities. Their experiences in the early years have a major impact on later life and are all important in giving young children a sound basis to enable them to take full advantage of later opportunities to learn and develop. Raising the standards and quality of early childhood services will improve the five ECM outcomes of each child and reduce inequalities between them. For individual children this will mean that they -

- feel secure in their home environment and safe at all times outside it
- are happy and begin to understand what it feels like to be healthy and the importance of things like eating and sleeping, that contribute to this
- enjoy playing and doing things with their parents that introduce them to new experiences
- enjoy learning through play, both at home and in early years settings providing integrated learning, development and care
- feel confident in their relationships with others
- have developed a robust sense of self-esteem so that they are competent learners

² Family Information Services, formerly Children's Information Service, offers advice and guidance to parents on a whole range of queries around childcare, safeguarding children and other aspects of parenting. Under the requirements of the Information Duty of the Childcare Act

- know that they will be actively listened to by adults on matters that affect them
- enjoy an acceptable level of economic well-being by overcoming poverty through helping parents into employment and giving young children the best start.

13. 'Young children' are defined in the Childcare Act 2006 as children in the period between birth and 31 August following their fifth birthday. This end point is designed to coincide as closely as possible with the end of the reception year, prior to the start of Year 1 in primary school and Key Stage 1. LA duties relate not only to the parents of these young children, but also to 'prospective parents' and so early childhood services need to provide support for families from the first point at which parents plan to have children.

1.5 What success looks like for parents

14. Where necessary, local early childhood services will need to be reshaped to make the involvement of parents a central element. This must include the specific engagement of fathers as they make a distinct contribution to children's development and have a distinctive place in a child's life. Services will need to develop effective ways of signalling to fathers that their participation and engagement is especially welcome. This is part of the wider policy on parental involvement being taken forward through local ECM change programmes, which seek ways to make local services more responsive and effective in meeting the needs of parents of all children and young people, all the way through from birth to age 19. These new duties will impact on parents in a number of ways; they can expect to be—

- contacted by and encouraged to take-up the services that can benefit them,
- knowledgeable and expert consumers of services, knowing what services exist, how to access them and where to turn for help
- able to exercise fully informed and confident choices about services, for example, over the childcare their family needs and the balance between work and family life
- actively helped to find early years provision that suits their needs through the LA duty under section 12 of the Act to provide advice and assistance to parents seeking childcare (the brokerage service)
- supported as learners in the workforce; able to choose, find, prepare or train for work
- able and encouraged to be actively involved in the planning and implementation of early childhood services
- benefiting from greater access and differentiated levels of early targeted support avoiding later, more intrusive interventions
- encouraged and supported as their children's first educators, understanding the quality of provision that their children are entitled to and able to be partners with

practitioners in early learning and development.

15. The term 'parent' is deliberately widely defined in section 2 of the Act, in order to capture all those with care of young children. Throughout this document references to 'parents' should be taken to include not only biological mothers and fathers, including absent fathers, but also foster carers and those with formal parental responsibility, for example, stepfathers who have been granted a parental responsibility or residence order; and all those who have informal responsibility for care of the child such as grandparents and other 'kinship' carers. 'Prospective parent' is also widely defined to include anyone who is planning to start a family, as well as pregnant women. Children in care will be represented by the LA, who in its role of 'corporate parent' has the responsibility to achieve good parenting, safeguarding, and promoting the education of the children in its care.

1.6 Funding

16. The LAs' role in delivering this agenda is supported by the Sure Start, Early Years and Childcare Grant. In addition, a number of initiatives are likely to play an important part in delivering this agenda, including: the universal free entitlement for all 3 and 4 year olds; extended schools funding from the Standards Fund; the childcare element of Working Tax Credits; Care to Learn funding available for teenage parents; the New Deal for Lone Parents; the New Deal for Partners, plus other discretionary funding from Jobcentre Plus; and health and social care funding. LAs and their partners should be pro-active and innovative in exploring funding options to deliver this agenda.

Part 2 The Legislative Requirement

2.1 *The Legislative Requirement*

17. Section 1 of the Act places a duty on English LAs³ to reduce inequalities and improve the well-being of all young children in their area and gives the Secretary of State the power to set statutory early years targets. Section 1 also requires LAs to act in the manner which is best calculated to meet these targets. The Childcare Act defines “well-being” in terms of the five *Every Child Matters* outcomes which are -

- *being healthy* - physical, mental, emotional well-being - living a healthy lifestyle
- *staying safe* - protection from harm and neglect - growing up able to look after themselves
- *enjoying and achieving* - education, training and recreation - getting the most out of life and developing broad skills for adulthood
- *making a positive contribution* - to community and society - not engaging in anti-social behaviour
- *social and economic well-being* - overcoming socio-economic disadvantages to achieve full potential in life

18. This is a wide remit and it is clear that success will depend on LAs leading strategic, multi-agency partnerships across early childhood services. Section 4, therefore, requires the key local partners who are essential to success, to work in partnership with the LA. It places PCTs, SHAs and JCP partners, under reciprocal duties to work with LAs in making arrangements to improve outcomes and reduce inequalities and meet statutory early years targets.

19. Section 2 of the Act sets out that integrated early childhood services must include:

- early years provision
- relevant social services functions of the LA
- relevant health services
- Jobcentre Plus employment services
- the information service for parents and carers under s.12 of the Act

³ Defined as in section 106 of the Childcare Act 2006.

20. Section 3 of the Act then sets out the key aims and features of -

- how these services must be planned - pro-actively involving parents and other providers
- how they must be delivered - integrated to maximise access and benefits to users
- what must be achieved - identifying and actively encouraging those who could most benefit from services but who would otherwise be unlikely to use them.

21. Successful implementation of the duty and achievement of the statutory targets will require strong partnership working and co-operation to translate the strategic aims imaginatively into real change for young children and their families. It is the role of the LA Director of Children's Services (DCS) and Lead Member for Children's Services, to lead a strategic local partnership between LAs and PCTs, SHAs, JCPs, with parents, PVI providers, schools, early years settings and other key partners actively contributing to the partnership. Although statutory targets only apply to LAs, NHS and JCP partners have a valuable contribution to make to their achievement.

22. To meet these duties SHAs will want to ensure that PCTs are contributing to the partnership arrangements and that suitable processes are in place to enable them to do this. Similarly, JCP District Managers must ensure that there is appropriate representation, at a suitably senior level, to work with LAs and other partners on the strategic planning of integrated early childhood services.

23. In order to meet fully the outcomes duty explained in this statutory guidance, other duties under the Childcare Act such as the childcare assessment (section 11) and securing of sufficient childcare (section 6), the securing of the free entitlement to early years provision (section 7) and the duty in section 12 to provide information advice and assistance to parents (which is an early childhood service), also need to be met.

24. In many aspects these duties to some degree overlap with the structures and processes required to deliver other children's services, some of which are overarching, for example children's trusts arrangements, within which early childhood services need to be clearly visible. Key to success will be the DCS leading the strategic overview that recognises how all the duties fit together for early years and can be delivered effectively; building on what already works well and implementing imaginative solutions in ways that are ideally adapted to local circumstances.

25. The following sections explain these requirements in more detail and sets out the arrangements that LAs and statutory partners will need to ensure are in place in order to meet the early years outcomes duty.

Part 3 Your local partnership

3.1 Structures – develop your partnership

The legal requirement

Section 4 of the Act places LAs, PCTs, SHAs and JCP under reciprocal duties to work together in delivering integrated early childhood services to improve outcomes and reduce inequalities. Section 16 of the Act amended the Children Act 2004 so as to bring all the new LA duties in Part 1 of the Act within the remit of the DCS and Lead Member for Children's Services and thereby into children's trust arrangements and the scope for the Children and Young People's Plan (CYPP).

26. The early years outcomes duty confirms the vital role of LAs in leading strategic partnerships for early years. Under the leadership of the DCS and Lead Member, it is essential that the steps the partnership take to deliver the vision and fulfil the duties, are embedded within the wider strategic planning framework associated with the joint commissioning framework, the CYPP and Local Area Agreement (LAA).

27. LAs, PCTs, SHAs, JCPs and other service providers already have key roles and responsibilities in providing services that affect early childhood. In many areas they are already working very effectively in partnerships, for example, where Early Years Development and Childcare Partnerships⁴ have continued to operate after the introduction of children's trust arrangements. Partners working together on this shared agenda maximise their impact and make a positive contribution to the lives of young children, while enhancing the potential for each partner to achieve their own aims and objectives.

28. To meet the early years outcomes duty LAs, working with their NHS and JCP partners, should have in place arrangements to -

- ensure a strategic partnership, led by the DCS, under the auspices of the children's trust arrangements, leads delivery of the outcomes duty and own the early years input to the CYPP and the LAA
- collect, pool and analyse data and research from across the partnership to build up a single, shared, needs assessment that can inform planning, commissioning and delivery of services and aid better decision-making
- use the joint commissioning framework - involving parents and PVI providers - to reshape services, making the best use of existing provision where this is working well, and avoiding duplication
- listen to the voices of young children and take account of their views when planning and commissioning services

⁴ The Children Act 2004 repealed the legal requirement to have an EYDCP and produce a separate Early Years Development and Childcare Plan.

- maximise access through pro-active outreach to identify and encourage parents who would otherwise be unlikely to take up services, providing information and promoting the free entitlement to early learning
- actively drive continuous quality improvement, and to have in place robust mechanisms for on-going support and challenge to early years providers
- support parents, fathers as well as mothers, as partners in their child's early learning
- establish effective performance management systems with self-evaluation and review, across local partnerships and at provider level in Children's Centres, extended schools and other settings
- agree arrangements with partners for the appropriate management of any pooled budgets, ensuring value for money
- maximise the opportunities provided by Children's Centres and extended schools to deliver integrated services, using them as hubs of excellence in driving up standards and outcomes, particularly in areas of disadvantage.

29. SHAs and PCTs have a key role in ensuring that health services are available to meet the needs of their population, including those of children and families. PCTs have a responsibility for identifying and responding to local needs, in particular to prioritise services that reduce inequalities in health and well-being and improve access to health care in disadvantaged communities. PCTs and LAs should carry out a joint strategic needs assessment, which may involve local engagement, to identify local priorities and to feed into Local Strategic Partnership (LSP) discussions on local and target priorities for LAAs. These considerations should facilitate the broader partnership arrangements needed to meet the outcomes duty and inform thinking over how best to configure services; use budgets; and tackle inequalities. When making decisions on the services needed to deliver these priorities, PCTs will want to consider the significant contribution that health visitors and their teams can make across a wide range of child health priorities and in particular leading and delivering the Child Health Promotion Programme.

30. JCP District Managers or their nominated representatives need to work alongside other partners to plan local services that focus on delivering improved outcomes for young children. Their role includes the planning and delivery of services to tackle worklessness and reduce child poverty and, working with their Childcare Partnership Manager, they will need to consider how local delivery plans complement the framework of back-to-work support and how local partnerships can improve JCP performance.

31. LSPs bring together representatives of all the different sectors and have responsibility for developing and delivering the LAA, providing the forum for setting the overall strategic vision for a local area. Within this umbrella, the ECM arrangements provide the strategic setting for all children's services. Between them, they create a clear overarching framework of co-operation, built around the Sustainable Community Strategy and the CYPP. Working within these frameworks, the DCS must lead the children's trust to plan early childhood services, building on existing strengths and

making the best use of established early years arrangements. The partnership must ensure that there is a strong, coherent and clearly defined early years element to the CYPP and the Sustainable Community Strategy, which will in turn inform the negotiation of priorities and targets relating to children and young people within the LAA. This requires a shared vision and joint commissioning decisions, supported, where beneficial, by pooled resources.

Private and voluntary sector

The legal requirement

Section 3(4) requires LAs to take all reasonable steps to encourage and facilitate the involvement of the following people in the making and implementation of arrangements to deliver integrated early childhood services to improve outcomes and reduce inequalities:

- early years providers in their areas, including those in the private and voluntary sectors, and
- other persons engaged in activities which may improve the well-being of young children in their area.

32. Section 3(4) of the Act requires LAs to actively encourage and facilitate the involvement of all early years providers (including PVI providers) and anyone in the local area engaged in activities making a positive contribution to young children's outcomes, for example, third sector providers and voluntary organisations, social enterprises and community organisations.

33. The PVI sector provides a significant proportion of all full daycare, particularly for younger children therefore it is vital that LAs work with them to ensure that local partnerships make the most effective use of existing resources in the LA area. It is also important to promote a shared understanding of the planning priorities for any new provision that is needed. The duty in section 3 to work with PVI providers complements the duty in section 8(3) of the Act which restricts LAs from providing childcare where there are alternative and appropriate providers available in the area.

34. LAs should already be working with PVI providers to assess the local childcare market and fulfil the childcare sufficiency duty⁵. In accordance with Children's Centre planning guidance they should also be fully involving PVI providers in planning and developing Children's Centres – both as potential providers of early years provision within the centre, and as organisations who may want to take on responsibility for management of the centre overall. The arrangements should include opportunities for parents and providers to be involved in monitoring and reviewing service provision to ensure that services continue to meet local needs.

⁵ Securing sufficient childcare: Guidance for local authorities Childcare Act 2006, DCFS, July 2007

Voice of young children

The legal requirement

Section 3(5) requires LAs, in discharging their duties under section 3, to have regard to such information about the views of young children as is available to them and appears relevant to the discharge of those duties.

35. For services to be successful and have a positive impact on young children's lives, the voices of young children themselves need to be listened to and actively taken into account. They too need to be recognised as partners in the planning and commissioning of services. The Government has a long-standing commitment to providing more opportunities for children and young people to get involved in the planning and delivery of services that affect them and this is reflected in the requirement in the Act. Whenever LAs undertake consultation on early childhood services, they should consider how to include the views of young children.

36. There are obvious practical difficulties in engaging this age group in meaningful consultation about strategic issues such as where Children's Centres should be located. However projects and materials developed by the voluntary sector have shown how children under five can be consulted very effectively about their own experiences of services, through for example the use of painting, music, cameras and story telling. For further information and resources see Annex A.

37. When undertaking consultations with young children LAs need to consider the role and involvement of both mothers and fathers as they have a unique position of trust and understanding with their children. While care is needed to ensure parents do not dominate the interaction, they can add real value in supporting some consultations with young children by helping to explain questions and understand their child's responses, offering valuable insights into children's views and opinions.

38. Undertaking consultations with young children as the primary users of early years services, can inform not only front-line practitioners and managers of their immediate needs but also reveal barriers to development which can inform more strategic planning to improve outcomes and opportunities for all young children. LAs are able to draw on existing research and they do not necessarily have to undertake new surveys, but they are encouraged to do so where it could be of particular help, for example, to inform the design and layout of new premises; to make the best use of facilities in settings; or to help practitioners on best practice in meeting the needs of young children from different cultural groups.

3.2 Key early childhood services

The legal requirement

Section 2 defines the core early childhood services which must be included in the arrangements for partnership working so that these services are planned and delivered in integrated ways that fulfil the requirements set out in section 3.

Section 2 - core early childhood services:

- early years provision - integrated early learning and childcare
- social services - functions relating to young children, parents or prospective parents, e.g. parenting classes, family support
- relevant health services relating to young children, parents or prospective parents, e.g. midwifery, health visitors, speech and language therapists
- Jobcentre Plus employment services provided to help parents or prospective parents into work
- the Family Information Services - information, advice and assistance for parents, prospective parents and carers, provided by LAs under the extended duty in section 12 of the Act

Section 3 - key delivery aims:

- services must be planned in ways that proactively involve parents and other providers
- delivery must be integrated to maximise access and benefits to users
- services must identify and actively encourage those who could most benefit from services but who would otherwise be unlikely to use them

39. This list is the statutory minimum of services that must be covered by the arrangements. It does not preclude other services being included according to local priorities. LAs and their partners should consider who else to involve. For example, local NHS Acute Trusts, especially where they provide services in the community through health centres, clinics or in people's homes; or the Learning and Skills Councils to co-ordinate the commissioning of training to raise the qualifications of the early years workforce.

40. Early childhood services should be a key part of local regeneration and employment strategies and the partnership should exploit links to other local initiatives, and ensure the impact on early years is taken into account and opportunities fully utilised, particularly in co-ordinated efforts aimed at tackling child poverty.

41. LAs also need to consider how to forge strong effective links within the LA, working across internal organisational boundaries, for example, it will be important to join up with services for children in care and children in need, to maximise opportunities to ensure that outcomes are improved for these vulnerable groups, for whom the LA already has key responsibilities and targets. LAs may also want to make links with education for older children and adult education, particularly vocational training to prepare for work; in some areas close working with the housing department, or with public transport planning, could also be vital.

42. Children's Centres are at the heart of the ECM programme and will play a central role, particularly in reducing inequalities in outcomes for those in areas of high disadvantage through delivering integrated services. Many Children's Centres are on school sites and all primary schools are due to offer a core set of extended services. Primary schools themselves are clearly key to the achievement of LA statutory early years targets since the majority of children attend maintained schools by the end of reception year, when achievement at age 5 is assessed. LAs will need to consider how to include schools in partnership working in ways that most effectively promote improvements in outcomes and help extended schools draw in other services and play their full role in delivering the full ECM agenda.

43. Local partners will need to have in place a strong operational framework to support the local strategy, including formal structures for working together and delivering integrated services, agreed ambitious targets for raised standards, agreed action plans to support target achievement, and processes for managing performance and dealing with poor performance. We expect local strategies to focus on the areas which are key to success - support for parents, maximum outreach and access, high quality services - but local partnerships will identify ways of delivering these priorities that are appropriate to local circumstances and reflect the need to tackle local issues. This will involve targeting people and resources across the partnership on where they are most needed and will have the greatest impact.

3.3 Joint Commissioning

The legal requirement

Section 4(4) provides that LAs and their NHS and JCP partners may, for the purposes of making arrangements to work together to fulfil the LAs duty to improve the well-being of young children and reduce inequalities between them –

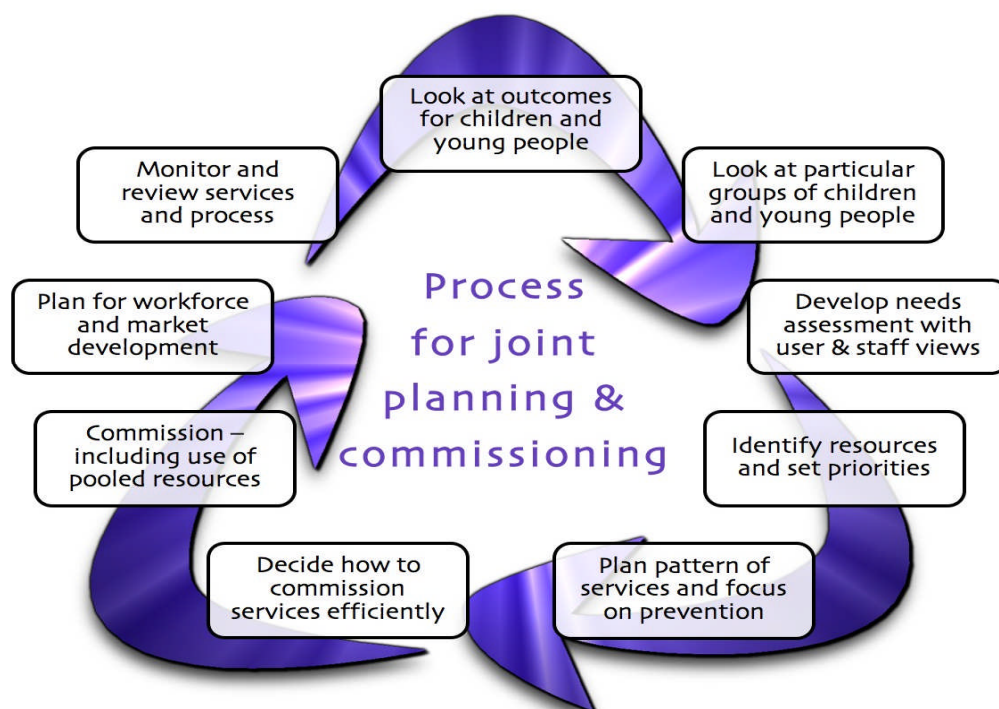
- Provide staff, goods, services, accommodation or other resources;
- Establish and maintain a pooled fund (as defined in section 4(5))

44. Local partners should work together on evidence-based joint commissioning of services across the partnership. The Joint Planning and Commissioning Framework for Children, Young People and Maternity Services⁶ is key guidance to using joint

⁶ Joint Planning and Commissioning Framework for Children, Young People and Maternity Services, DH,

commissioning as a tool to build services around the needs of children and young people, to deliver improved outcomes for them in the most efficient and effective ways. LAs should be using this framework to create a unified system for the provision of children’s services, within which there must be a clearly defined early years element. The Framework suggests a nine-step procedure for commissioning children’s services, as shown in figure 1.

Figure 1 – The Joint Planning and Commissioning Framework for Children, Young People and Maternity Services



45. Local partners should also have regard to The Commissioning Framework for Health and Well-being⁷. This framework supports commissioners of health and social care services and local government more broadly, to achieve a strategic reorientation towards promoting health and well-being, investing early to avoid future ill health costs. It highlights the need to empower people and communities to take responsibility for their own health needs, through the provision of personalised, integrated services and good partnership working. At the heart of the framework is the requirement for PCTs and LAs to complete a strategic needs assessment which can support the delivery of better health and well-being outcomes.

46. The successful integration of services can be advanced through co-location of services with opportunities exploited to draw services together in prime sites that are easily accessible and well-used by families. Children’s Centres should be a key access point for parents to early childhood services and through them parents should be able to find information on all local services for young children and families. While Children’s Centres and extended schools are key delivery agents to fulfil the duties, partners may

decide to exploit opportunities other than co-location where appropriate.

47. To support delivery of integrated early childhood services, sections 4(4) and 4(5) enable LAs and their statutory PCT, SHA and JCP partners to provide staff, accommodation, other resources and establish pooled funding. These provisions mirror those already in place for children's trusts to facilitate and remove obstacles to joint working, and LAs and their partners will need to consider how pooled funding and resources can be used to best effect. To successfully improve outcomes and well-being for young children and to reduce inequalities, all partners will need to cooperate and contribute. Such planning will need to take account of the wider strategic context for children's services as a whole, such as opportunities to work with LSPs to exploit the Neighbourhood Renewal Fund (NRF), which is of particular relevance to reducing inequalities.

3.4 *Knowing your area - your local population and demand*

48. Effective commissioning which is strongly evidence-based to ensure services are appropriately targeted and utilised by young children and families will require data from many sources to be considered and analysed. Local partnerships should pool available data and research so they are able to identify gaps in provision and duplication of services. This will enable them to reassess local service delivery across the partnership to ensure services are of high quality and meeting the needs of all families, with a particular focus on those who do not currently use them. To do this the local partnership will need to:

- consult with parents, fathers as well as mothers, to find out what they really want, understand who uses services and who doesn't and why. LAs will want to consider how to integrate this work with the childcare sufficiency assessment required under section 11 of the Act.⁸
- match Early Years Foundation Stage Profile (EYFSP) results to other child-level data in particular to inform gap-narrowing by identifying those at risk of falling in to the lowest achieving 20% of children, as this the basis of the statutory target.
- identify excluded families and work with local communities to encourage them to take up the services that can help and benefit them, ensuring those who most need services receive them.
- effectively use information held through records of enquiries to the Family Information Services.
- establish an agreed process between JCP and the LA to facilitate the sharing of data on the childcare needs of JCP customers to build up a comprehensive picture of local families and the demand for childcare services.
- use customer satisfaction feedback and surveys that are drawn together to build a clear picture, in order to identify common trends across the partnership.

⁸ Guidance on completing that assessment can be found in the publication *Childcare Sufficiency Assessments: Guidance for Local Authorities* (Feb 2007)

- work with third sector and community organisations who may be particularly helpful in gathering and assessing information about why families don't use services, as their independence from the state system means that they are often felt to be more approachable.

Data Protection

49. Data sharing is necessary for analysis to inform strategic planning as well as to identify individuals who need further support. Common obstacles to effective data sharing are confusion and lack of confidence about what is lawful and a desire to protect the professional/client relationship. It is recommended that LAs and their partners consider establishing agreements or protocols setting out how information will be appropriately gathered, exchanged and securely stored and for what purposes it will be used, so that all partners have the degree of assurance necessary to promote the constructive exchange and analysis of early years data - from strategic analysis of anonymised data, to the controlled sharing of sensitive personal details necessary to co-ordinate the services needed by individual children and families.

50. The decision to share, or not to share, sensitive and confidential information (i.e. which is not already lawfully in the public domain or readily available from another public source) about a child should always be based on professional judgement, supported by the cross-Government *Information Sharing: Practitioners' Guide* (April 2006) and informed by training. Information that is not confidential may generally be shared where that is necessary for the legitimate purposes of preventative work. The introduction of ContactPoint under s.12 of the Children Act 2004 will provide a quick way for practitioners to find out who else is working with a child or young person, making it easier to deliver more co-ordinated support. But the personal information it will hold about individuals will be limited. Strategic agreements and protocols can be very helpful in clarifying what is lawful and promoting trust by making roles and responsibilities clear across the partnership.

51. As well as developing shared agreements, LAs and their partners may want to review the current status and use of Fair Process Notices which should be issued whenever information is gathered from families which is likely to be passed to others, and forms of consent to share information where these are required as families give information to practitioners as they access services, or as they respond to surveys.

3.6 Setting statutory early years targets

The legal requirement

Section 1(3) provides a power for the Secretary of State to set targets, in accordance with regulations, for –

- The improvement of the well-being of young children in a LA area;
- The reduction of inequalities between young children in a LA area.

Section 1(4) requires LAs, in exercising their functions, to act in the manner that is best calculated to secure that any targets set are met.

52. The overall success of the LA in meeting the outcomes duty will be measured through the statutory early years targets based on EYFSP results. The Secretary of State will agree realistic but stretching targets for each LA, both to improve standards overall and to narrow the gap between the lowest achievers and the rest. Statutory early years targets are set annually through negotiations between LAs and the National Strategies in the same way as statutory targets for education performance⁹. Although these targets only apply to LAs, NHS and JCP partners have a valuable contribution to make in working together in a co-ordinated way to enhance the LA's action plan. While there are no statutory powers to set targets at the level of schools or other settings, LAs will need to consider the contribution they expect individual schools and settings to make to improving EYFSP results and will need to involve them in planning how to do this. They will need to take full account of EYFSP results in performance management arrangements for Children's Centres, particularly those that include early years provision.

53. The EYFSP is based on practitioners' observations of children's development and achievements and is designed to approach early development and learning in a holistic way. It comprises thirteen scales across six broad areas of early development and learning - personal, social and emotional development; communication, language and literacy; problem solving, reasoning and numeracy; knowledge and understanding of the world; physical development and creative development. The breadth of scope of the profile means that levels of well-being across all five ECM outcomes are likely to have an affect on standards and will show themselves in the levels of profile results achieved. The EYFSP is the best existing measure appropriate for this young age group and provides a good proxy measure of improvement across the five ECM outcomes.

54. LAAs are an important vehicle for delivering improved ECM outcomes and the objectives outlined in CYPPs. *Strong and Prosperous Communities* the Local Government White Paper (Oct 2006) outlined a performance framework for local government, parts of which was given legislative basis by the Local Government and

⁹ Regulations(S.I. 2007/1415) (made under section 1(3) setting out the process for target-setting came into effect on 5 June 2007

Public Involvement in Health Act¹⁰. Under this framework statutory LAAs will include ‘up to 35’ targets, drawn from the National Indicator Set (NIS)¹¹, which LAs and their partners will agree with central Government. Sixteen statutory early years and education performance targets also drawn from indicators in the NIS, although agreed under separate legal provisions, will be part of this framework. The statutory early years and education performance targets will continue to be negotiated by the National Strategies but it is extremely important that the process for agreeing them is aligned closely with LAA negotiations and vice versa.

55. When agreeing the levels of early years targets, all stakeholders will need to take into account the priorities for the local area and negotiations around levels for other targets, both statutory education targets and those in the LAA. The ‘up to 35’ targets and the 16 statutory early years and education targets form a single suite of targets which will enable key partners – central Government, local authorities and their partners, including schools – to deliver on shared priorities in a way which meets the particular needs and concerns of local people. As such, the 16 statutory targets should be presented alongside the ‘up to 35’ and any locally agreed targets in the LAA.

3.6 Monitoring and measuring success

56. LAs should establish rigorous systems for monitoring to ensure services are being provided effectively. The partnership will need to:

- establish ways of continuous evaluation and quick feedback to identify where action plans and implementation need to be updated and adjusted, so that service delivery can be responsive to change
- analyse performance data in order to provide differentiated levels of support and challenge to services and settings to ensure resources are used in ways that maximise impact
- exploit existing performance indicators and measures, in particular from individual extended schools, Children’s Centres and other settings.

57. In addition partnerships should draw on a range of sources of information to monitor progress and success from any additional performance indicators the LA and partners choose to set in line with locally identified priorities, such as -

- relevant information from other local or national data sources, including area health profiles and census data
- Ofsted inspection reports of individual early years and childcare settings, including those on Children’s Centres
- reports from Primary School Improvement Partners and link advisers in relation to nursery classes in maintained primary schools
- Information from child health mapping.

¹⁰Received Royal Assent on 30 Oct

¹¹ *The New Performance Framework for Local Authorities and Local Authority Partnerships: Single Set of National Indicators* published on 11 October 2007 as part of the Chancellor's Comprehensive Spending Review announcement on Tuesday 9 October 2007

58. LAs and their partners will want to consider the wider application of their chosen indicators to integrated settings across the partnership other than Children's Centres and extended schools. LAs and their partners also need to be able to effectively measure the extent to which integrated delivery is being implemented by front-line staff. This should be evidenced by real changes in how parents and children experience services through user satisfaction, reductions in complaints and gains in service reach with increasing numbers of people contacting and using services.

3.7 Performance management systems

59. Partnership arrangements need to have clear lines of accountability and should exploit existing performance management and commissioning mechanisms to ensure early years activities are appropriately represented in management systems across the partnership. Where necessary, these systems should be appropriately adapted to take account of integrated ways of working, and reshaped service delivery and be based on self-evaluation at each level.

60. LAs need to lead the partnership in managing the service performance improvement cycle. It is important that local performance management arrangements fit within the existing national framework of performance monitoring and support for quality improvement. The performance of each LA in meeting the outcomes duty and achieving their statutory targets is key to the progress made at a national level and in contributing to delivery of the Government's national Public Service Agreement targets¹² for achievement and gap-narrowing at age 5, as measured by EYFSP results.

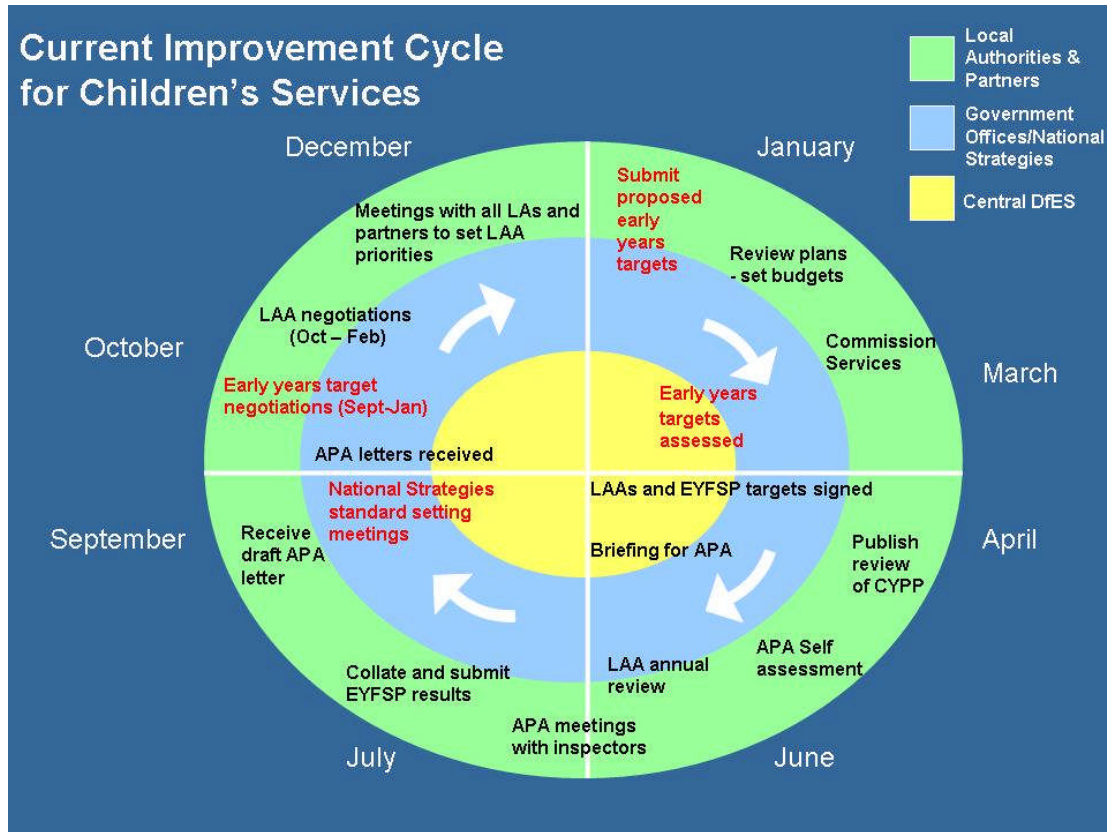
61. The Education and Inspections Act 2006¹³ provides that the functions conferred on authorities under Part 1 of the Childcare Act 2006 are within the scope of inspection by Ofsted and fall under the existing arrangements for assessing and inspecting children's services. New arrangements, the comprehensive area assessment, will be introduced in 2009-10. Section 15 of the Childcare Act then also provides for the existing range of Secretary of State intervention powers to apply, if necessary, for poor performance.

62. LAs are already well-used to self-evaluation as used in Ofsted's Annual Performance Assessments (APA). The diagram below (Figure 2) shows how the annual round of early years target-setting negotiations led by the National Strategies fits with the current APA process and Government Office led LAA negotiations within the ECM improvement cycle.

¹² PSA Delivery Agreement 10: Raise the educational achievement of all children and young people' PSA Delivery Agreement 11: Narrow the gap in educational achievement between children from low income and disadvantaged backgrounds and their peers: Published October 07 - http://www.hm-treasury.gov.uk/pbr_csr/psa/pbr_csr07_psaindex.cfm

¹³ Section 14 of the Childcare Act 2006 has been superseded by Schedule 14 to the Education and Inspections Act 2006

Figure 2 - Improvement cycle with early years target-setting



63. SHAs are responsible for ensuring that PCTs are participating in partnership arrangements and actively working towards meeting their requirements under the Childcare Act and other legislation. SHAs should support PCTs in meeting the outcomes duty, hold them to account and challenge poor performance where appropriate against progress made in meeting local priorities. With JCP, regional and district managers should use established performance management mechanisms to allocate responsibilities to meet and assess the effectiveness of meeting the outcomes duty and the impact it is having on customers.

Part 4 Planning early childhood service provision

The legal requirement

Section 3(2) of the Act requires local authorities to make arrangements to secure that early childhood services in their area are provided in an integrated manner which is calculated to –

- facilitate access to those services, and
- maximise the benefit of those services to parent, prospective parents and young children.

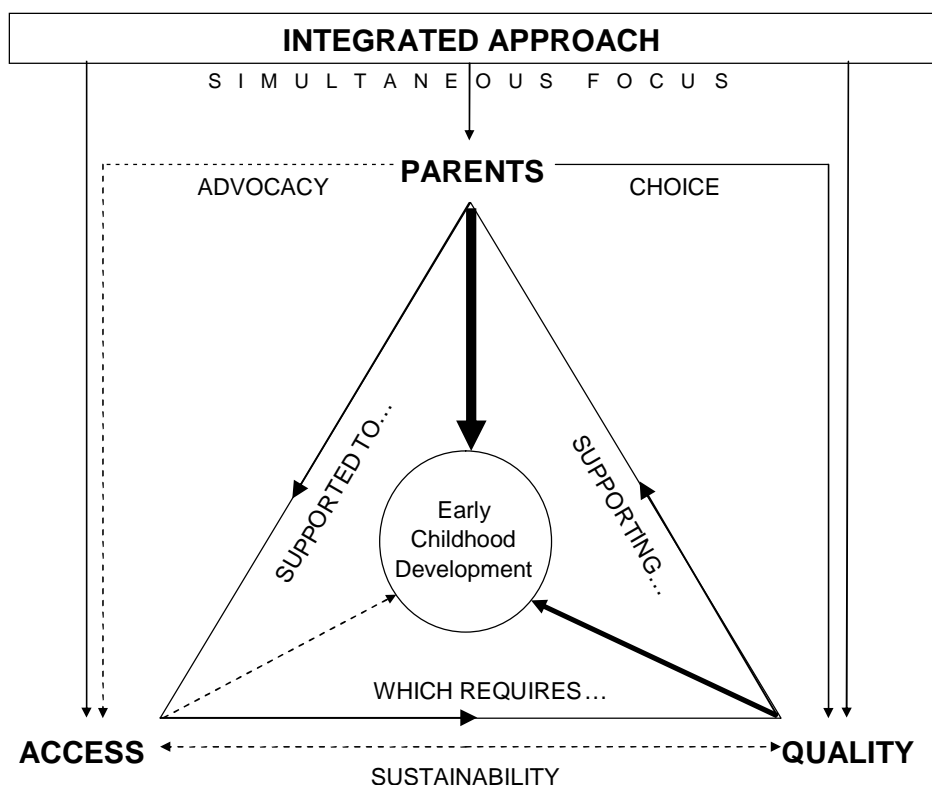
4.1 Planning services

64. Research analysis tells us that the areas which are key to success in the early years are -

- supporting parents
- maximising access
- raising the quality of services

65. LAs should use the analysis of data and research to reshape early childhood service delivery to ensure progress and improvement is made in all three of these vital areas. There is a dynamic relationship between engaging with parents, mothers and fathers, increasing access to services and ensuring the quality of those services which needs to be reflected in service delivery – an integrated approach to improving young children’s outcomes will focus on all the factors that affect early childhood development, and use monitoring and feedback to ensure that delivery is adjusted as required to reflect the changing relationship between these elements. Figure 3 below illustrates this key relationship;

Figure 3



4.2 Supporting parents

The legal requirement

Under section 3(3) of the Act, a LA must take steps –

- to identify parents or prospective parents in the authority's area who would otherwise be unlikely to take advantage of early childhood services that may be of benefit to them and their young children, and
- to encourage those parents or prospective parents to take advantage of those services.

66. Parents, mothers and fathers, are a crucial influence on what their children experience and achieve – research shows that the home learning environment is the biggest single influence on early childhood development, and *Every Parent Matters* (March 2007) sets out the importance of supporting parents to take an active role

throughout their children's lives. Parents also play a key role in helping to promote access to early years services through word of mouth, and driving up the quality of services through their exercise of choice as consumers in the market. The outcomes duty will impact on parents in a number of ways, the areas key to success are –

- giving parents the choice to work
- supporting parents, especially as partners in early learning
- actively involving parents in service planning, commissioning, design and delivery.

Giving parents the choice to work

67. Children who grow up in poverty are more likely to experience a range of poor outcomes. They do less well at school; are more likely to have poor health; and are more likely to be involved in crime. As they grow into adulthood they are less likely to go on to tertiary education; more likely to be unemployed and more likely to be poor themselves. The most sustainable route out of poverty for children is for their parents to work. For the majority of poor children this means that their mother needs to work, either because they live in lone parent families or because their father's earning power is insufficient on its own lift the family out of poverty. Moreover, long term receipt of welfare benefits often leads to poor health and work has many advantages for parents besides providing greater income. People who work feel valued, suffer less social exclusion and provide good role models for their children.

68. Childcare is an important enabler for parents (especially lone parents) seeking to move into work. Evidence, both from the United Kingdom and abroad, shows that formal childcare, particularly for children over age 2 can have a positive impact on children's outcomes and it is important that parents are helped to understand the benefits of childcare, including parents who are unable to work.

69. While JCP is the organisation which delivers employment-related services to parents they need the help of everyone working with disadvantaged parents if the aspiration to end child poverty is to be achieved. Children's Centres should give consistent messages about the adverse effects that living in poverty can have on both parents and children and should emphasise the importance of work as the surest route out of poverty. All staff working in or through Children's Centres need to understand the importance of employment, and must be prepared to challenge parents and help them by signposting parents to appropriate services.

70. The active involvement of JCP in the planning and delivery of integrated early childhood services, in particular early years provision (and childcare for older children) is therefore essential. JCP have a contextual indicator to highlight the number of people whose need for childcare may be a potential barrier to employment and this should inform closer co-operation with LAs, particularly helping with the childcare sufficiency duty. Childcare Partnership Managers will be key in advising on ways in which JCP can exploit opportunities to promote this mutual agenda, in particular, through working with Children's Centres.

Parents as first educators

71. Parental involvement in children's early development, health and well-being is vital. Evidence shows that the home learning environment has the most significant impact on a child's development and achievement later in life, and that the home background also crucially effects health outcomes, for instance parental obesity is the single biggest factor determining childhood obesity. There is also evidence that good parenting is not determined by social class or ethnic background and, importantly, that it can be learned. High quality early years settings promote parental involvement, both mothers and fathers, and the EYFS emphasises the importance of involving parents and gives further guidance for practitioners on how to do this well.

72. Parents often find it difficult to know how best to encourage their child once they start attending formal early years provision, and may worry about conflict with the methods of professional practitioners. LAs will need to consider how best to support parents in improving their parenting skills and as first educators, seeking to create the conditions within which parents feel confident about engaging effectively with their children's learning and development - with particular attention paid to parents, who currently lack the motivation, skills or awareness to do so.

73. LAs should provide opportunities to explain how parents can support their baby's development, joining with them in learning through play; and to explain the benefits of the free offer of formal early years provision in the development of young children; how parents can be involved with early years practitioners taking their child through EYFS, creating a high quality home learning environment, and how they can continue to support their child right through school. Schools and reception class teachers, as well as Children's Centres and other settings, should work with parents and actively encourage them as partners in learning.

74. To do this, LAs will need to develop a joined-up approach to parenting support services that takes account of the views of mothers and fathers, and disadvantaged groups such as travelling families and black and minority families, ideally through a parenting support strategy that informs the CYPP. Many parents, particularly new parents and teenage parents, find the advice and support of parenting groups very helpful and many good quality groups are already provided by health visitors, midwifery teams and social services. The strategy should also:

- build on the relationships that health professionals are able to establish with families during the first years of children's lives. Through the delivery of the Child Health Promotion Programme, health services play a vital role in pregnancy and the first years of life, with health professionals as the universal and first point of contact with all parents from early pregnancy, at a point where parents are open to change. This provides unique opportunities to establish trusting relationships with families, influencing parenting practices and promoting healthy lifestyles;
- enable working with voluntary organisations like Homestart, and discussion with all stakeholders to establish an understanding of the role each partner can play in providing support for parents;
- be based on strong links with support services for adults particularly in relation to

parents of young children who themselves have problems with physical disability, mental health, substance misuse or domestic violence issues.

Involving parents in service development and delivery

75. Under section 3, LAs are required to take all reasonable steps to encourage and facilitate the active involvement of parents and there are many potential benefits for all if they do so. It can help to --

- grow stronger communities
- identify and understand parents needs
- confirm which services parents like and why
- allow parents a voice as advocates for young children
- encourage volunteers with skills that can help in service design and delivery
- pay dividends for individual parents by providing stepping stones to develop the skills and confidence needed for employment
- encourage parental involvement in their child's development
- help to identify excluded groups, for example travelling families, black and minority families.

76. Many parents already make a vital contribution to the formal governance of both Children's Centres and extended schools. But there are many parents who will not feel able to participate in formal arrangements. All parents should have every chance to get involved, have their say and secure what is best for their children and LAs should seek to create the conditions within which parents feel confident about participating in services. This could be through less formal parents forums and focus groups, as well as drop-in consultation events and surveys. The availability of early years provision and co-location of services in Children's Centres and on school sites, may themselves be important in enabling parents to take the time to participate.

77. The active involvement of fathers in the development of services is vital, from consultation through to involvement in service design. LAs and their partners need to seek innovative and imaginative ways of engaging them. They need to consider activities that are specifically designed with fathers in mind to secure and sustain a good level of engagement with them, for example outdoor activities such as allotment projects or providing baby massage for fathers. It is particularly important to encourage fathers in their role as first educators and support them in understanding how they can help their child learn through play and joint activities.

4.3 Maximising access

78. In parallel with engaging parents through early years services to help them to become more effective parents, LAs should work to maximise access to early years services. LAs need to consider the hours that services are open to parents, especially access for lone working mothers and fathers, to ensure that services are as accessible to parents as possible. Maximising access will directly support the LA's parenting strategy, and will also provide a means of driving up the quality of early years provision by making parents more informed consumers of early education and childcare services.

Outreach – early intervention and prevention

79. LAs need to maximise access for all parents, whilst providing targeted support to improve access for those parents who are otherwise unlikely to use early years services. LAs and their partners need to consider how if appropriate they can tackle any perception of stigma attached to the use of services. Identifying families who may not be aware that particular services are available or what they are entitled to, or who are reluctant to make use of services, is vital, as children from these families are most at risk of poorer outcomes.

80. Under section 3(3) the LA has a duty to identify and actively encourage parents and prospective parents to take advantage of services that could benefit them, where they would otherwise be unlikely to take them up. This is complemented by the duty in section 12(6) for the LA to operate a Family Information Service (which are part of integrated early childhood services) to be run in ways that facilitate access to the service by all those who may benefit from it, in particular those who might otherwise have difficulty taking advantage of it.

81. The LAs, with the assistance of their relevant partners as appropriate should therefore–

- create systems to identify target groups, supported by good analysis of data, existing research and local surveys
- design evidence-based strategies to contact vulnerable groups and deliver services in ways which best meets their needs - working with local community groups
- increase awareness among front line staff of the 'bigger picture' and the need for each of them to give information and refer public to other services
- give greater consideration of how services cater for disabled children and parents.

82. All LAs should be implementing the *Common Assessment Framework* – a standard approach to conducting an assessment of the needs of a child or young person, and deciding how they should be met. The CAF has been developed for use by all people working with children and young people and will support better communications between services. It provides a common structure to record information about a child in a holistic way, and ensure needs are not overlooked because they fall outside the remit of the assessing agency. It also enables

practitioners to share information, with consent, to work together in partnership more effectively and improve the quality of inter-agency referrals.

83. Dedicated outreach workers play a vital role in reaching the most isolated families, and will be the first step towards giving parents the confidence to access services. 'Outreach', needs to become a core philosophy and way of working for all early childhood practitioners, so that no opportunity is missed to identify and encourage excluded families. LAs and their partners should plan a co-ordinated approach that maximises the coverage of all those involved in providing outreach, using dedicated staff to focus on the hardest to reach and avoiding duplication with universal services such as child health promotion services provided by health visitors. This may mean a health visitor providing information about childcare or JCP advisers providing information about the free entitlement and Children's Centres offering outreach services, which will be a key building block. It will be vital to plan how to build on the universal contacts made by midwives, health visitors, schools and others, and make use of voluntary organisations like Homestart and community representatives.

84. Linking up with voluntary organisations like Homestart can also pay dividends where contact with the 'statutory' public sector is itself an obstacle to engagement. Community representatives may be able to successfully overcome obstacles to engaging and reaching out to families at risk of poor outcomes, particularly where there are cultural barriers. Take up of the free entitlement for 3 and 4 year olds by low income families is, at present, below that of higher income families. Promoting full take-up of the free entitlement by low income families is vital to narrowing the achievement gap that currently exists between the well-off and the disadvantaged. LAs should ensure that sufficient childcare is available which offers the early years free entitlement, including sufficient 'stand-alone' places for parents who want to take up only the free entitlement, and sufficient accessible places for low income families.¹⁴

85. Approximately 75 per cent of parents say there are times in their lives when they would like more advice and support in their parenting role and information about services available for children. Section 12 of the Act sets out the expanded duty to provide parents with information about services which now includes the duty to provide additional advice and assistance to parents looking for childcare. In order to improve outcomes for young children in their area, LAs will need to ensure that parents can identify, find and want to use early childhood services, and understand how play based early learning can benefit their children. This is particularly important for children who are at risk of poor outcomes.

86. Meeting parents' needs as early and as effectively as possible, is vital for improving child outcomes. The aim should be to provide support to parents at the earliest opportunity and to prevent problems from reaching crisis point. This should also cover foster parents and other carers of children in care, about support services and the entitlement to free early education.

87. Disabled children and their parents (and disabled parents) should be able to fully access early years services. In meeting the childcare sufficiency duty under section 6 of the Act, LAs are required to have regard to the needs of parents for childcare which is suitable for disabled children (LAs should refer to the separate guidance issued under section 6 of the Act). Adopting the CAF and principles and approach of the Early

¹⁴ A Code of Practice on the Provision of Free Nursery Education Places for Three and Four-Year-Olds, DfES, Feb 2006

Support Programme, including training, 'key worker' schemes, and information and guidance for parents, will provide better co-ordination and delivery of services for disabled children, leading to higher standards and improved outcomes.

88. The Disability Discrimination Act 1995 applies to all early years services, and to fulfil the duties to improve outcomes and secure sufficient childcare, LAs will need to encourage providers to make premises accessible (or provide grants for doing so), and may also need to offer specific financial support to the parents of disabled children who may face higher than average costs for childcare provision. Section 12 also places a duty on LAs to provide assistance to families to access childcare (providing 'brokerage') for those that may find it difficult, or be reluctant to take advantage of childcare. This is particularly important for families of disabled children because providers and practitioners are inclined to overestimate the difficulties of caring for a disabled child and are often reluctant to accept them without fully exploring the practicalities involved.

4.4 Quality Improvement

89. As the basis for both improving access to early years services for families, and engaging effectively with parents, LAs must work to improve the quality of early education and childcare services. Increasing access is not enough by itself to improve outcomes for young children – evidence shows that low quality early learning has no more impact on children's development than no early learning at all in the longer term – and high quality provision is also required both to engage effectively with parents, and where possible, to improve the quality of the learning environment at home. Together with improved access to services, high quality provision is also the best basis for reducing inequalities between young children, as the characteristics of high quality early education for all children are in many cases the same as those that enable a focus on the needs of every individual child.

90. Delivery of the core Section 1 duty to improve children's outcomes and reduce inequalities, and the Section 13 duty to provide information and training to providers, both depend on improving the quality of provision. LAs, working with their partners, should:

- set up and implement a quality improvement cycle for early years provision, based on strong engagement of the PVI sector and building on local quality assurance arrangements, as part of their wider planning and commissioning cycle
- build up the systems and people used to improve the quality of early years provision so that they are on a par with those used to drive school improvement – this is likely to involve bringing early years quality improvement within the management structures for school improvement.

91. There remains a challenge to improve the quality of early years services to a level which will help every child learn and develop to their full potential. It requires a high quality workforce, delivering high quality practice, which leads to high quality outcomes for children and parents. But currently only approximately three quarters of staff in full daycare settings, and a third of childminders, have a Level 3 qualification; and very few staff in full daycare settings are graduates.

92. High quality provision requires more graduates leading practice in settings, and as a minimum expectation that all staff are qualified to at least Level 3. It requires high standards of professional practice, based on warm, responsive relationships between staff and children, clear educational goals and effective learning strategies. It also requires a rigorous focus on monitoring every child's progress and effective collaboration between early years services and schools to support transition. Underpinning all of these things, the sector needs to develop a universal ethos of continuous quality improvement – working beyond quality assurance and meeting minimum standards, and pushing the quality of professional practice higher.

93. Engaging the PVI sector, who represent over 80% of early years providers, is absolutely essential – particularly as the qualification levels of staff are generally lower than in the maintained sector. Developing the childcare market in line with the sufficiency duty requires working with the PVI sector, supported by specific Government childcare funding to achieve sufficient childcare while seeking to improve quality as mutually reinforcing aims.

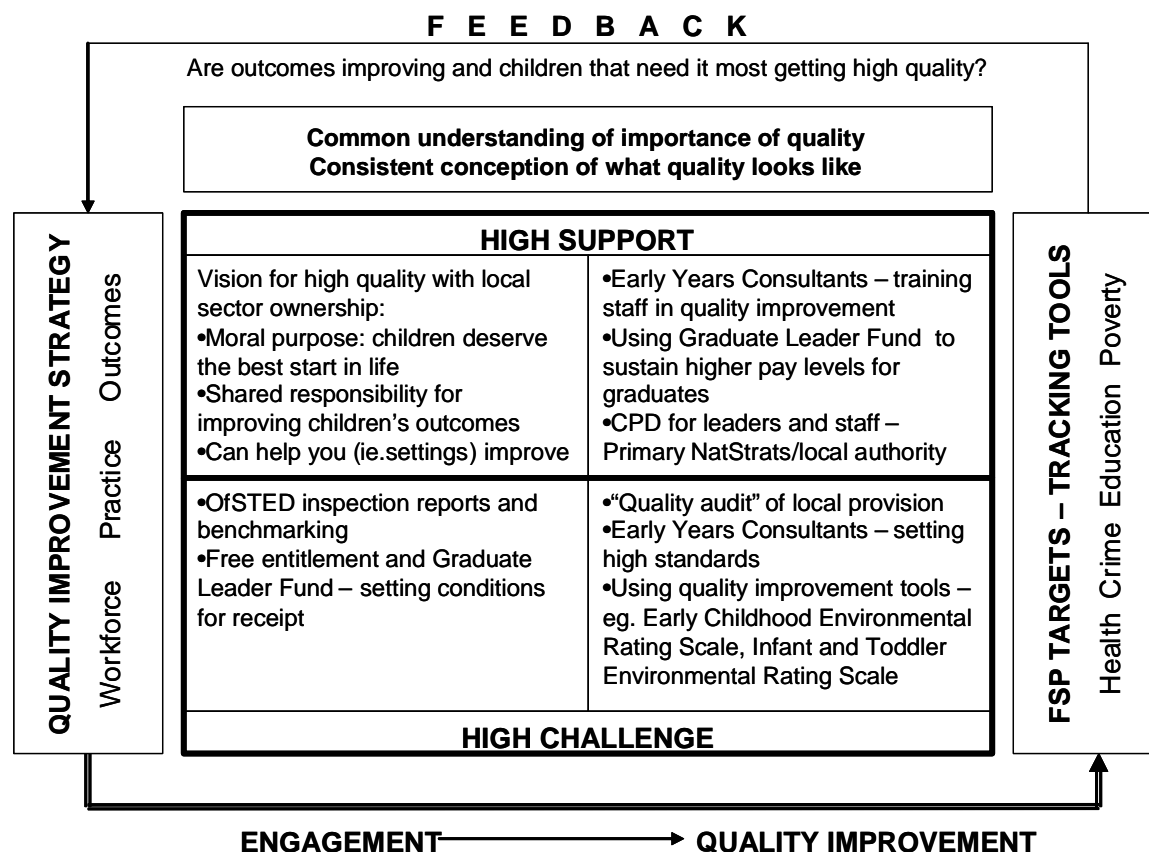
94. Each LA's quality improvement cycle for early years services should:

- start with strategies for engaging with the PVI sector and demonstrating the importance of high quality, as the basis for then working with PVI providers to improve quality
- set as their aim the improvement of standards and the development of an embedded ethos of continuous quality improvement across early years services, based on provider self-assessment, benchmarking, monitoring performance and measuring success, reflection by settings, and agreeing action for improvement – and as part of this, seeking ongoing feedback from parents about the extent to which quality is improving
- support effective delivery of the EYFS in every setting, focusing on constant, careful monitoring of every individual child's progress in learning and development
- set out the LA's role in improving qualifications, developing leadership, improving the quality of professional practice, and improving outcomes for young children, drawing on the range of policy and support already in place – for example, the programmes of Continuing Professional Development provided by the National Strategies
- use the Graduate Leader Fund as a key mechanism to increase the number of graduates leading practice in early years services, focusing on the increases in pay necessary to sustain graduate leadership in PVI providers
- conduct regular strategic assessment of whether services are high quality and still relevant, providing for specific needs of local communities, tackling obstacles to access and achievement.

95. The role of National Quality Improvement Network is to help LAs to drive quality improvement in early years services. The Network have produced a set of Quality

Improvement Principles which all LAs should take account of when designing and implementing their quality improvement cycle, and the Network also provides – through its regional forum – a way for LAs to compare quality improvement systems and processes, and therefore to maximise consistency and share best practice. The Government will be considering what further steps can be taken to support LAs in improving the quality of early years provision. A potential way of structuring the QI cycle is set out in Figure 4 below:

Figure 4



96. LAs need to review and strengthen the structures and deployment of people that provide support and challenge on quality to early years services to ensure they are meeting their statutory duties and early Years targets. The National Strategies will be providing training to boost the capacity of Early Years Advisory Teachers to act as Early Years Consultants (EYCs), with a specific focus on working with PVI settings. National Strategies will issue a specification of the skills that EYCs will require in due course, but it will be vital that LAs deploy EYCs effectively as the core delivery agents for quality improvement. In working with early education and childcare settings, they will need to recognise the characteristics of high quality early learning and work to improve them – see figure 5 below:

Figure 5



97. Employers must also be confident that those working with children are suitable to do so. The Independent Safeguarding Authority scheme will provide employers with a more effective and streamlined vetting service for potential employees. Employers must ensure that staff working with children are trained in safeguarding, and are able to identify and act on any concerns about a child's welfare. Some children will be at risk of significant harm and consequently very poor outcomes. The LA has a duty to safeguard and promote the welfare of these children. The Local Safeguarding Children Board (LSCB) is the key statutory mechanism for agreeing how the relevant organisations in each local area will co-operate to safeguard and promote the welfare of children in that locality, and for ensuring the effectiveness of what they do. LSCB duties include increasing understanding of safeguarding issues in the professional and wider community; ensuring safe recruitment practices are in place for those working with children; and ensuring that children and adults know who to contact if they have concerns about a child's welfare. Early years providers will need to be alert to these issues and follow the appropriate guidance¹⁵.

¹⁵ Guidance on LSCBs covering their role and operation can be found at <http://www.everychildmatters.gov.uk/lscb/>

Part 5 Conclusion

5.1 Conclusion

98. The purpose of this guidance is to outline a framework for local service provision that will make a real difference to the lives of young children and their families by making clear the new statutory duties and the Government's expectations of what LAs and their partners must achieve. It is the people working in local area partnerships and those working in services, schools and settings with direct contact with young children and their parents, who are in the best position to know what is needed in their communities. The provisions of the Act set out the minimum statutory requirements but the detail of how these are fulfilled will vary from LA to LA. The guidance therefore sets out to strike the right balance between central direction and local autonomy.

99. Each partnership will need to reflect the specific requirements of their local population and the particular challenges of their local circumstances by developing evidence-based practice that supports achievement of raised standards and real improvements in outcomes and reduced inequalities. This will be demonstrated by the DCS and Lead Members leading robust partnership arrangements that include parents and PVI providers, and that result in clearly defined early years elements in CYPPs and LAAs, with the achievement of ambitious statutory early years targets.

5.2 Further advice and support

There is a range of regionally based support available to local partnerships -

National Strategies (NS) provide advice, support and challenge to LAs to work effectively to drive improvements through negotiating realistic and ambitious statutory early years targets, supported by effectively targeted and implemented action plans, which reflect national priorities and policies. NS also develop guidance and tools to support delivery of the EYFS for LAs work with schools, settings and practitioners and parents, and for head teachers, setting managers and their staff working directly with young children and their parents.

Together for Children is the consortium appointed to support LAs to plan, develop and implement their Sure Start Children's Centre strategies. This includes support to develop the effective multi-agency working essential to underpin the Sure Start Children's Centre approach. Their website also includes case studies of good practice www.childrens-centres.org

Government Offices (GOs) represent a range of central Government Departments in each of 9 GO regions, linking with other regional bodies and local communities. This programme places them in a position to make links between the wide variety of Government policies that might impact on children, young people and their families. GOs play a leading role in supporting regional and local partners to introduce the changes outlined in *Every Child Matters* and in managing a range of programmes and budgets at a sub-regional level, for example, education, public health, planning, transport and housing and communities teams.

The Care Services Improvement Partnership (CSIP) is part of the Care Services Directorate at the Department of Health. CSIP supports changes in services and in the well-being of people with mental health problems, people with learning disabilities, people with physical disabilities, older people with health and social care needs, children and families with health and social care needs and people in the criminal justice system with health and social care needs.

Childcare Partnership Managers - Jobcentre Plus has a Childcare Partnership Manager in each of its Districts. Their role is to improve the fit of childcare provision to meet the needs of unemployed parents by acting as a focal point for resolution of childcare issues in their locality. They work with Local Authorities and other childcare partnerships to foster the growth of local childcare provision and give information about formal childcare to advisers, parents and employers.

FURTHER INFORMATION AND RESOURCES

Policy Background

.Every Child Matters: Change for Children - www.everychildmatters.gov.uk/

Childcare Act 2006 – <http://www.opsi.gov.uk/acts/acts2006/20060021.htm>

Education and Inspections Act 2006 -
<http://www.opsi.gov.uk/acts/acts2006/20060040.htm>

Disability Discrimination Act 2005 - <http://www.opsi.gov.uk/acts/acts2005/20050013.htm>

Children Act 2004 - <http://www.opsi.gov.uk/acts/acts2004/20040031.htm>

School Standards and Framework Act 1998 -
<http://www.opsi.gov.uk/acts/acts1998/19980031.htm>

Children Act 1989 –
http://www.opsi.gov.uk/acts/acts1989/Ukpga_19890041_en_1.htm

Ten Year Strategy - <http://www.everychildmatters.gov.uk/resources-and-practice/search/IG00058/>

Needs Assessments –
www.everychildmatters.gov.uk/strategy/planningandcommissioning/needsassessment

Children's and Young People's Plans -
<http://www.everychildmatters.gov.uk/strategy/planningandcommissioning/cypp/>

Code of Practice on the Provision of Free Nursery Education Places -
<http://www.surestart.gov.uk/publications/index.cfm?document=1747>

Sure Start Children's Centres –
<http://www.surestart.gov.uk/improvingquality/guidance/practiceguidance/>

Extended schools –
<http://www.teachernet.gov.uk/wholeschool/extendedschools/>

The National Framework for Children, Young People and Maternity Services -
http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/Browsable/DH_4094329

Childcare Sufficiency Assessments *guidance or the Securing Sufficient Childcare guidance* - <http://www.surestart.gov.uk/improvingquality/guidance/childcaresufficiency/>

Planning and Commissioning

Overarching guidance on joint planning and commissioning of children and young people's and maternity services is available at www.everychildmatters.gov.uk/strategy/planningandcommissioning

Commissioning for Health and Wellbeing - http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_072604

The NHS in England: operating framework for 2007-08 – http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_063267

Guidance for local authorities and local PVI organisations as they work together to deliver Sure Start Children's Centres and services in their communities - www.childrenscentres.org

The contestability checklist in Annex A of the Sure Start Children's Centres Planning and Performance Management Guidance, November 2006 provides further advice for LAs on involving the PVI in planning and commissioning of services - <http://www.surestart.gov.uk/surestartservices/settings/surestartchildrenscentres/planningguidance/>

Consulting with young children – <http://www.childrenssociety.org.uk>, <http://www.mencap.org.uk>, <http://www.coram.org.uk> [http, www.ncb.org.uk/Page.asp](http://www.ncb.org.uk/Page.asp)

Participation, co-operation and inter-agency working

Statutory guidance on the duties placed on LAs and other key partners to co-operate in order to improve the wellbeing of children and young people – <http://www.everychildmatters.gov.uk/resources-and-practice/search/IG00012/>

“Working with Voluntary and Community Organisations to Deliver Change for Children and Young People” and “Engaging the Voluntary and Community Sectors in ” are available from www.everychildmatters.gov.uk/strategy/voluntaryandcommunity

Building a Culture of Participation
www.everychildmatters.gov.uk/participation/buildingaculture

Reaching Out: An Action Plan on Social Exclusion
www.cabinetoffice.gov.uk/social_exclusion_task_force/publications/reaching_out/

Inclusion

“Every child is unique: Childminding disabled children” is available from - www.ncma.org.uk

Early Support Programme - <http://www.earlysupport.org.uk/>

Children in Care

Statutory guidance on the duty on LAs to promote the educational achievement of looked after children under section 52 of the Children Act 2004

www.everychildmatters.gov.uk/socialcare/lookedafterchildren/educationalachievement

Childcare Act 2006
Early Years Outcomes Duty
Sections 1 - 4

PART 1

GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

Improvement of young children's well-being

1 General duties of local authority in relation to well-being of young children

- (1) An English local authority must—
- (a) improve the well-being of young children in their area, and
 - (b) reduce inequalities between young children in their area in relation to the matters mentioned in subsection (2).
- (2) In this Act “well-being”, in relation to children, means their well-being so far as relating to—
- (a) physical and mental health and emotional well-being;
 - (b) protection from harm and neglect;
 - (c) education, training and recreation;
 - (d) the contribution made by them to society;
 - (e) social and economic well-being.
- (3) The Secretary of State may, in accordance with regulations, set targets for—
- (a) the improvement of the well-being of young children in the area of an English local authority;
 - (b) the reduction of inequalities between young children in the area of an English local authority in relation to the matters mentioned in subsection (2).
- (4) In exercising their functions, an English local authority must act in the manner that is best calculated to secure that any targets set under subsection (3) (so far as relating to the area of the local authority) are met.
- (5) In performing their duties under this section, an English local authority must have regard to any guidance given from time to time by the Secretary of State.

2 Meaning of “early childhood services” for purposes of section 3

- (1) In section 3 “early childhood services”, in relation to an English local authority, means—
- (a) early years provision;
 - (b) the social services functions of the local authority, so far as relating to young children, parents or prospective parents;
 - (c) health services relating to young children, parents or prospective parents;

(d) the provision, under arrangements made under section 2 of the Employment and Training Act 1973 (c. 50), of assistance to parents or prospective parents;

(e) the service provided by the local authority under section 12 (duty to provide information and assistance) so far as relating to parents or prospective parents.

(2) In this section—

“parent” means a parent of a young child, and includes any individual who—

- (a) has parental responsibility for a young child, or
- (b) has care of a young child;

“prospective parent” means a pregnant woman or any other person who is likely to become, or is planning to become, a parent;

“social services functions”, in relation to a local authority, has the same meaning as in the Local Authority Social Services Act 1970 (c. 42).

3 Specific duties of local authority in relation to early childhood services

(1) For the purpose of their general duty under section 1(1), an English local authority have the further duties imposed by subsections (2) and (3).

(2) The authority must make arrangements to secure that early childhood services in their area are provided in an integrated manner which is calculated to—

- (a) facilitate access to those services, and
- (b) maximise the benefit of those services to parents, prospective parents and young children.

(3) The authority must take steps—

- (a) to identify parents or prospective parents in the authority’s area who would otherwise be unlikely to take advantage of early childhood services that may be of benefit to them and their young children, and
- (b) to encourage those parents or prospective parents to take advantage of those services.

(4) An English local authority must take all reasonable steps to encourage and facilitate the involvement in the making and implementation of arrangements under this section of—

- (a) parents and prospective parents in their area,
- (b) early years providers in their area, including those in the private and voluntary sectors, and
- (c) other persons engaged in activities which may improve the well-being of young children in their area.

(5) In discharging their duties under this section, an English local authority must have regard to such information about the views of young children as is available to the local authority and appears to them to be relevant to the discharge of those duties.

(6) In discharging their duties under this section, an English local authority must have regard to any guidance given from time to time by the Secretary of State.

(7) In this section—
“early years provider” has the same meaning as in Part 3;
“parent” and “prospective parent” have the same meaning as in section 2.

4 Duty of local authority and relevant partners to work together

(1) For the purposes of this section each of the following is a relevant partner of an English local authority—

- (a) a Strategic Health Authority or Primary Care Trust for an area any part of which falls within the area of the local authority;
- (b) the Secretary of State, in relation to his functions under section 2 of the Employment and Training Act 1973 (c. 50).

(2) An English local authority must make arrangements to work with each of the authority’s relevant partners in the performance by the authority of their duties under sections 1 and 3.

(3) Each of the relevant partners of an English local authority must work with the authority and with the other relevant partners in the making of the arrangements.

(4) An English local authority and each of their relevant partners may for the purposes of arrangements under this section—
(a) provide staff, goods, services, accommodation or other resources;
(b) establish and maintain a pooled fund.

(5) For the purposes of subsection (4) a pooled fund is a fund—
(a) which is made up of contributions by the authority and the relevant partner or partners concerned, and
(b) out of which payments may be made towards expenditure incurred in the discharge of functions of the authority and functions of the relevant partner or partners.

(6) An English local authority and each of their relevant partners falling within subsection (1)(a) must, in exercising their functions under this section, have regard to any guidance given from time to time by the Secretary of State.