

# **The Early Years Foundation Stage (EYFS) Review**

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Report on the Evidence

March 2011

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# Introduction

This review of the Early Years Foundation Stage (EYFS) has gathered evidence from a wide range of people working in the early years sector, including academics, practitioners, representatives of professional organisations, local authorities, parents, carers and children. Evidence has also been collected from national and international research. Four research studies were commissioned especially for the review and they are listed at Annex A. Further information has been gathered from workshops and events with practitioners, with parents and carers, with other experts and on visits to schools and other early years settings. A summary of the people who participated in workshops and visits is at Annex 3 of the report setting out the review's recommendations. The review also collected over 3,300 responses to a call for evidence conducted in August and September 2010.

This document summarises the evidence examined by the review. It highlights the successes of the EYFS and identifies possible areas for improvement, and is structured as follows:

- **Chapter 1** gives an overview of the current early years sector and examines why early learning and care is important.
- **Chapter 2** reviews the evidence on whether there should continue to be minimum standards for all early years providers, and whether these standards should cover learning and development as well as welfare.
- **Chapter 3** looks at the evidence about how children learn, and how best to support their early development. It outlines the evidence on whether any changes should be made to the current six areas of learning and the educational programmes.
- **Chapter 4** examines the evidence on assessment arrangements, especially their effectiveness in providing support and information for practitioners, children, parents and carers.
- **Chapter 5** studies the effectiveness of the welfare requirements in enabling early years settings to provide environments in which children are safe, healthy and happy.

- Finally, **Chapter 6** looks at the current early years workforce and the impact of other organisations such as Ofsted and local authorities, as well as partnerships with parents and carers.

Taken together, these chapters describe the evidence to support Dame Clare Tickell's recommendations, published in the accompanying report, *The Early Years: Foundations for life, health and learning*.

# Chapter 1: The early years

## Why the early years are important

- 1.1 A child's experiences during their early years provide the essential foundations for life. Their development during this period influences their basic learning, educational attainment, economic participation and health.<sup>1</sup> Internationally there has been a 'revolutionary and unprecedented'<sup>2</sup> focus on the early years as an area of educational policy: 80% of three- to six-year-olds in rich countries are now in some form of early childhood education and care.<sup>3</sup>
- 1.2 Investment and interventions in the early years are generally more effective in improving outcomes than investments and interventions later in life.<sup>4</sup> The return on public investment in high quality early years education is substantial,<sup>5</sup> leading to decreased social problems, reduced inequality and increased productivity and GDP growth.<sup>6</sup>
- 1.3 The evidence shows that high quality early years interventions provide lasting and significant long-term effects on young children's development.<sup>7</sup> Specific international examples provide concrete examples of these effects. In the USA, children aged from birth to age 3 participating in the Early Head Start programme showed very positive and long-lasting effects in terms of better cognitive and language development.<sup>8</sup> In France, research shows that attending a pre-school had a lasting positive effect on achievement in primary education, particularly for children from disadvantaged backgrounds.<sup>9</sup> In Sweden, early childhood education and care has been linked to improvement in academic performance at the age of 13.<sup>10</sup>

## *Good quality care and support for early learning is key to later success and helps to overcome disadvantage*

- 1.4 In the UK, similar findings were produced by the Effective Provision of Pre-School Education (EPPE) Project. This research shows that attending a high quality pre-school setting has a positive impact on children's academic and social development, and that the benefits largely persist through to the end of Key Stage 2.<sup>11</sup> The EPPE Project also found that disadvantaged children in particular

benefit from good quality pre-school experiences, especially where they mix with children from different social backgrounds.<sup>12</sup> This applies to children from poorer socio-economic backgrounds, specific ethnic minority groups and those for whom English is an additional language. As a recent review of research has shown,<sup>13</sup> early years interventions can help to narrow the gap between disadvantaged children and other children in terms of cognitive, social and behavioural development.<sup>14</sup>

***We know what makes good quality early learning and care...***

- 1.5 Good quality settings are those that foster warm interactive relationships with children and have more qualified staff, especially those with a good proportion of trained teachers.<sup>15,16</sup> Settings achieving higher quality scores, and better progress for their children, are also those which view educational and social development as complementary and equal in importance.<sup>17</sup>

***...but parents and carers have the biggest influence on outcomes***

- 1.6 Although experience of high quality early years provision makes a difference to children's outcomes, young children are likely to spend more time at home than in early years settings. As a result parents and carers have the biggest influence on children's development from birth onwards.<sup>18</sup> Where parents and carers provide an engaging home learning environment, positive effects can be seen in their child's development.<sup>19</sup> The quality of the home learning environment is more important for a child's intellectual and social development than parental occupation, education or economic circumstances.<sup>20</sup>
- 1.7 Home learning encompasses everything that children do or experience with parents, carers or other family members that positively influences their learning, development and later achievement.<sup>21</sup> The amount of time and energy that parents and carers invest in home learning varies greatly from family to family. For example, evidence shows that parents with lower qualifications engage less frequently in some home learning activities, such as reading, than better educated parents.<sup>22</sup> Another example is the number of words experienced by a child by age 3: in the average professional family a child experiences around 45 million words, compared to 13 million in the average low-income family.<sup>23</sup> These differences in children's experiences of language at home impact directly on their subsequent development.
- 1.8 Where children do not enjoy a strong home learning environment, a good quality early years setting can compensate.<sup>24</sup> Such settings are characterised by skilled practitioners working with parents and carers, offering support to improve the

quality of home learning, and thus helping to improve children’s progress and their relationships with parents and carers.<sup>25</sup> The EYFS has played a role in these improvements, with some settings using it to engage with parents and carers – for example, by completing and getting feedback on learning journeys and journals.<sup>26</sup>

***The role of parents and carers as partners in early learning and care is also highlighted by some international approaches***

- 1.9 The importance of parental involvement and partnership in their child’s early learning and care is also reflected internationally. For example, in Finland parents are recognised as pedagogical partners and involved in their child’s development.<sup>27</sup> Parents have a valued role in making sure that services respond to their child’s interests and needs – an approach that parents greatly appreciate.<sup>28</sup> In New Zealand, family and community form an integral part of the early childhood curriculum, and parents expressed a high level of satisfaction with early years provision and with opportunities for participation in parent-led services.<sup>29</sup>

**A brief history of the EYFS**

***Background to the welfare requirements***

- 1.10 Historically, public interest in provision for young children focused on protection from harm, dating from the Infant Life Protection Act 1871 and the Prevention of Cruelty to Children Act 1889. This legislation gave little recognition to children’s learning and development, and their more general welfare. The first registration requirements for childminding and day nurseries were introduced after the Second World War,<sup>30</sup> and were extended to other categories of provider in the 1960s.<sup>31</sup> The Children Act 1989 gave children’s welfare increased prominence, although local authorities were already active, for example in promoting regulated childcare. The 1989 Act, for the first time, imposed a duty on local authorities to approve and register childminders, playgroups, nurseries and after-school care for children under the age of 8 years.
- 1.11 This commitment to promoting children’s welfare was strengthened in 2001, when responsibility for registering and regulating early learning and care in England passed to Ofsted, and National Standards for Day Care and Childminding were introduced for children under the age of 8. A baseline was thereby set for the quality of early years provision, with criteria describing how quality outcomes for children should be achieved.

### ***Background to the learning and development requirements***

- 1.12 The history of learning and development requirements is more recent. It is only in the past fifteen years that the learning and development aspects of the early years – already recognised through many local authorities’ investment in maintained nursery provision – have become a focus for investment and intervention.<sup>32</sup>
- 1.13 The national guidelines, *Desirable Outcomes for Children’s Learning on Entering Compulsory Education*,<sup>33</sup> introduced in 1996, responded to research showing that high quality early education leads to lasting cognitive and social benefits in children.<sup>34</sup> The guidelines placed early learning and development on the national policy agenda for the first time and introduced learning goals for children before entering compulsory education. These goals covered a range of key skills, from personal and social skills to early literacy and numeracy. The goals were revised in 2000 and relaunched as the Early Learning Goals in the statutory *Curriculum Guidance for the Foundation Stage* for children aged 3-5. A non-statutory framework, *Birth to three matters*, was published for children under the age of 3.

### ***Requirements for welfare and learning and development were combined in a single framework – the Early Years Foundation Stage (EYFS)***

- 1.14 Research shows that children make better all round progress in settings where care and education are integrated and where children’s educational and social development are considered equal.<sup>35</sup> Recognition of these links was an important part of the rationale for the introduction of the EYFS in 2008, which brought together requirements for learning and development with those for welfare.

### ***The EYFS was introduced to improve quality in early years provision, and help all children achieve their potential***

- 1.15 The EYFS was devised with the following aims:
- setting the standards for children’s learning, development and care;
  - improving quality and consistency in the early years sector;
  - laying a secure foundation for future learning through learning and development planned around the individual needs and interests of each child;
  - providing for equality of opportunity; and
  - creating the framework for partnership working.



1.16 The 2006 consultation on the original EYFS revealed overwhelming support for the new framework.<sup>36</sup> Responses to the consultation welcomed the proposals to bring together the existing standards and guidance, to improve quality across the sector, and to place the interests of individual children at the heart of the system – with a special focus on disadvantaged and vulnerable children.<sup>37</sup> The Regulatory Impact Assessment published at the time, determined that a single framework would reduce bureaucracy and help create a level playing field between maintained, voluntary and private sectors, ensuring equal provision for all children, regardless of the type of setting they attend.<sup>38</sup>

### **The current early years landscape**

1.17 There is a diverse range of provision within the early years sector. From nursery and reception classes in schools to the wide range of private and voluntary settings, including childminders, there are many options for parents and carers to choose from.

1.18 In 2009, there were 103,000 providers of early learning and care offering a total of 2,442,100 early learning and care places,<sup>39,40</sup> with 95% of 3- and 4-year-olds taking up the free entitlement offer.<sup>41</sup> Table 1 below shows the breakdown of the number of providers across the early years sector.

**Table 1: Breakdown of provision across the early years sector<sup>42</sup>**

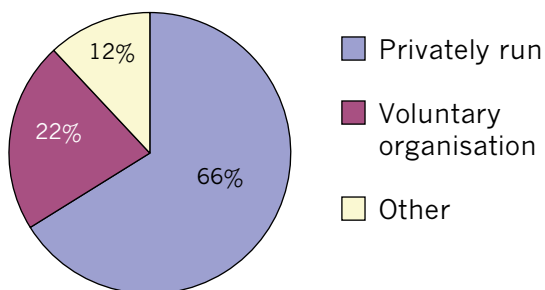
Full day care – including children’s centres	14,100
Sessional providers – including day care for less than four hours in any day, in non-domestic premises	7,800
After school clubs	7,900
Holiday clubs	6,400
Childminders	51,000
Nursery schools	450
Primary schools with nursery and reception classes	6,700
Primary schools with reception but no nursery classes	8,600

### ***Ownership of provision is diverse and covers the maintained, private and voluntary sectors***

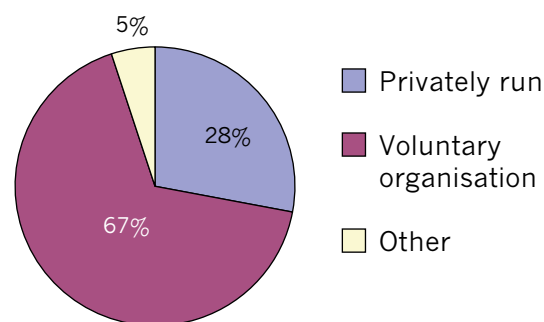
1.19 Figures 1 and 2 show the mix of ownership of provision across private and voluntary sectors for full day care provision and sessional care in 2009<sup>43</sup> – following a similar pattern to 2007 and 2008. Full day care is predominantly run by private organisations and sessional care is mainly run by voluntary organisations. Half of full day care provision on site in children’s centres in 2009 was run by a local authority, with a particular aim of meeting the needs of more disadvantaged

families in areas where private provision may not be viable.<sup>44</sup> This shows how early years provision is diverse and characterised by a range of owners, with often distinct objectives.

**Figure 1:**  
**Full day care provision**



**Figure 2:**  
**Sessional care provision**



***There have been fluctuations in the numbers of different types of provider***

1.20 Where figures are available, they show an increase in the overall number of providers since 2001, but decreases in some types of provider such as sessional carers and childminders. The number of sessional care providers has dropped by 44% since 2001, and the number of childminders by 12% since 2005.<sup>45</sup> There was very little change in the number of early years providers in maintained schools between 2003 (16,000) and 2009 (15,700).<sup>46</sup>

1.21 One possible explanation for the changes in numbers of sessional carers and childminders is that parents and carers are increasingly looking for childcare that covers longer hours, as shown by the 81% increase in the number of full day care providers since 2001.<sup>47</sup> In 2008, one in five providers of full day care (18%) said that they had swapped from offering sessional care, with most (70%) explaining that they did this because of parental demand for longer hours of childcare.<sup>48</sup>

***The overall performance of early years providers has improved since 2008...***

1.22 Since the introduction of the EYFS, outcomes for children and the quality of provision have improved.<sup>49</sup> There has been an increase from 56% to 68% in the proportion of early years and childcare providers judged good or outstanding by Ofsted.<sup>50</sup> This is accompanied by a decrease in the proportion of inadequate provision for early years and childcare providers to 3% in 2009/10 from 5% in 2008/09.<sup>51</sup> Ofsted evidence also highlights other factors behind these

improvements including external support and challenge for providers and an increased commitment to professional development and improvement.<sup>52</sup>

***...but costs have been rising at a high rate***

- 1.23 The cost of a nursery place for children aged 2 and over in England rose by 4.8% between 2010 and 2011, above the rate of inflation.<sup>53</sup> Average costs for 25 hours of childcare per week are £97, which is more than half the gross average part-time earnings of £154 per week.<sup>54</sup> Average yearly expenditure on 25 hours of nursery care per week, for a child under 2, is £5,028.<sup>55</sup>
- 1.24 Part of the cost to parents and carers is offset by various Government initiatives including the entitlement for all 3 and 4-year-olds to 15 hours a week of free high quality care, for 38 weeks a year, delivered flexibly to suit parents' or carers' needs. The 2010 Spending Review announced plans to create a new entitlement to free early education for all disadvantaged two-year-olds.<sup>56</sup>

***The early years workforce is growing....***

- 1.25 The *Childcare and early years providers survey* (DfE, 2010) shows that in 2009 there were:
- 322,700 paid staff in non school-based settings (up 41% since 2003);
  - 94,300 working in school-based early years provision (up 14% since 2003); and
  - 51,000 working childminders (down 12% since 2005).<sup>57</sup>

***...and is becoming better qualified***

- 1.26 The 2010 survey also shows that, across all providers and all staff types, 72% of the paid workforce was qualified to at least level 3, equivalent to at least one A-level. This is an increase from 66% in 2008. Thirteen per cent are qualified to at least level 6, equivalent to graduate/postgraduate level, up from 11% in 2008.<sup>58</sup>
- 1.27 However, qualification levels vary considerably across the sector. For example, 49% of childminders are qualified to at least level 3, and 3% at least level 6. In childcare settings 73% are qualified to at least level 3, and 7% at least level 6. However, the highest qualification levels can be seen for early years staff in nursery schools, and nursery and reception classes, with 79% qualified to at least level 3 and 40% to at least level 6.<sup>59</sup>

***...but pay levels vary across the sector***

1.28 Pay levels in the sector vary widely according to the type of provision and staff qualifications. However, in general, pay levels increased for all types of staff across all types of provider between 2008 and 2009. Staff in full day care settings earned on average £7.60 per hour, compared to £14.10 per hour on average for early years staff in primary school-based early years provision. Putting this into perspective, the national average hourly wage for UK employees in 2009 was £14.43.<sup>60</sup> Therefore staff in full day care settings are generally earning around half the national average hourly wage. Alongside this evidence, it should also be noted that there are significant numbers of unpaid volunteers in the childcare workforce – in 2009, there were around 40,700 unpaid staff.<sup>61</sup>

***Nearly all people who work in the early years are women***

1.29 The childcare and early years workforce is overwhelmingly female. In 2008, only between one and two per cent of staff were male.<sup>62</sup> Out of school providers are an exception to this, although numbers are still low: in 2008 seven per cent of staff in after school clubs and 14% of staff in holiday clubs were male.<sup>63</sup>

**Conclusion**

1.30 This chapter describes the range of provision covered by the EYFS and available to young children and their parents and carers, and explains why good quality provision is important for children. It also indicates some of the challenges facing the sector, in terms of the low pay and low qualifications of many working in the early years. Overall, this chapter introduces the wider context for the analysis which now follows.

# Chapter 2: A fair and flexible framework

## Introduction

- 2.1 The EYFS sets out the requirements that all early years providers have to meet. Several separate sets of guidance were brought together by the EYFS, which defines requirements relating to:
- learning and development – how children learn and develop and how this can be supported and measured (see Chapters 3 and 4); and
  - welfare – how to keep children safe from harm and make sure that they are in a suitable and safe environment (discussed in Chapter 5).
- 2.2 This chapter examines evidence on the impact of the mandatory nature of these two sets of requirements and whether they offer sufficient flexibility to accommodate the range of approaches that different providers want to take. Chapters 3 to 5 look at the content of the requirements in more detail.

## Regulation of welfare

### *Practitioners support the existing welfare requirements*

*“The welfare requirements should remain non-negotiable for all.”*

**Sure Start conference**

*“All the requirements are needed – although they need more clarity and some tweaks.”*

**National Day Nurseries Association (NDNA) event**

- 2.3 The welfare requirements in the EYFS are designed to set clear standards for a number of aspects of young children’s care. This includes protecting children from harm, employing suitable people, organising provision, ensuring that premises and equipment are safe and suitable, and maintaining the documentation needed to run a setting smoothly. The EYFS includes legal requirements with which all providers must comply, without exception, as well as statutory guidance to which providers should have regard – but may not need to observe in certain circumstances.

- 2.4 People working in the early years generally recognise the importance of these requirements, and research with practitioners shows that the existing welfare requirements are considered largely self-evident.<sup>64</sup> Ofsted's 2009/10 annual report shows that 97% of registered early years and childcare providers were judged to be at least satisfactory overall in meeting the requirements of the EYFS.<sup>65</sup>
- 2.5 Of over 2,000 respondents to the call for evidence question about which welfare requirements they think are essential, over 70% said that all the current welfare requirements are essential. In qualitative research undertaken by the Daycare Trust, parents stated that regulations enabled them to trust settings to protect and nurture their children.<sup>66</sup> This was echoed in workshop discussions conducted for the review, where participants emphasised that minimum welfare standards and regulations should continue to apply to all settings.<sup>67</sup> Formal research with practitioners reinforced the finding – they viewed the care and welfare arrangements as good practice and acceptable.<sup>68</sup>

***Yet nearly one in three settings are not meeting the welfare requirements in full...***

- 2.6 However, 28% of registered providers inspected in 2009/10 were required by Ofsted to take specific actions to meet the requirements in full. The most common actions related to safety and welfare, premises, equipment and record-keeping. This included ensuring that proper risk assessments are carried out and that policies and procedures are in place and shared with parents and carers.<sup>69</sup>

***...and there are some specific suggestions for improvements***

- 2.7 While the current welfare requirements were generally thought to be sensible, practitioners commented that these could, in places, be expressed more clearly.<sup>70</sup> Thirty three per cent of respondents to the question in the call for evidence on the welfare requirements agreed that some requirements could be simplified or removed. Paperwork, in particular, was highlighted as an area where greater clarity was needed. For example, the amount of time required to complete risk assessments is a cause of frustration for practitioners.<sup>71</sup> This is examined in detail in Chapter 5.

***Independent schools highlight the complexity of different sets of welfare regulations***

- 2.8 More specific concerns about the welfare requirements were raised by representatives of independent schools. While agreeing that regulation is necessary, they argue that they are already subject to stringent welfare regulation through the

Independent School Standards. They consider that the EYFS welfare requirements duplicate the Independent School Standards, and in some areas go further. For example, EYFS staff qualification conditions are regarded as anomalous for the independent sector where there are no other qualification requirements.

## **Regulation of learning and development**

### ***Evidence shows that providers can deliver the learning and development requirements***

2.9 Evidence from Ofsted inspections shows that all types of provider can, and do, deliver the learning and development requirements.<sup>72</sup> This is also highlighted by the increase in the number of registered providers in the early years and childcare sector judged to be good or outstanding since the introduction of the EYFS in 2008.<sup>73</sup>

### ***However, some people do not think all early years settings should have to meet the same requirements***

2.10 The call for evidence asked for views on the possibility of moving away from a single framework and having different or lighter touch requirements for some types of provider. Forty four per cent of respondents to this question said that they wanted all early years settings to meet the same requirements, while other respondents supported lighter touch requirements for certain types of provider. Many of these respondents argued that delivery of learning and development opportunities should be left to different providers and that having the same requirements for all providers limits parental choice. Specific concerns about the learning and development requirements were raised by a number of groups, including representatives of independent schools, childminders, parts of the playwork sector and secondary providers.

### ***Representatives of independent schools had a number of concerns***

2.11 Representatives of independent schools argue that the generally high quality of their provision could be maintained without the statutory requirements of the EYFS. Moreover, some see these requirements as impeding creativity and innovation, and failing to challenge or set high aspirations for brighter children. The Independent Schools Council suggest that some children arrive in reception, or earlier, ready for some age-appropriate structured teaching and already beginning to read.<sup>74</sup>

***Some childminders think the learning and development requirements are not right for them...***

*“As a childminder the parents of the children I look after chose me as they wanted a ‘home’ environment for their child. They did not want a blow by blow account of their developments/targets and milestones – after all I am not their teacher (and do not get paid a teacher’s wage).”*

**Childminder**

- 2.12 Some childminders also call for lighter touch or exemptions from learning and development requirements. Of respondents to the call for evidence question on lighter touch requirements for some types of provider, 29% thought that childminders should not have to deliver the learning and development requirements in full. Some childminders felt that supporting learning and development and assessment goes against their ethos and argued that parents and carers had made a deliberate choice of home-based provision to provide a homely atmosphere<sup>75</sup> and a ‘home from home’ environment.<sup>76</sup>
- 2.13 Comments in the call for evidence suggest that finding time to make regular recorded observations can be particularly difficult for childminders who have sole responsibility for close supervision of children in their care.<sup>77</sup> Informal feedback suggests that some of the recent falls in childminder numbers could be partly, but not solely, due to the perceived pressures of meeting the EYFS requirements.<sup>78</sup> That said, there is also evidence that some childminders spend far more time recording observations than is actually required by the EYFS.<sup>79</sup> Chapters 4 and 6 discuss this issue in more detail.

***...although this view is not shared by all childminders***

- 2.14 Some childminders feel that the EYFS validates their intuitive, skilled methods of supporting learning and development. They report that the EYFS has led them to make full use of the observations that they have always made routinely as an essential tool for planning interesting, developmental activities for children.<sup>80</sup> Research by the National Children’s Bureau shows that most childminders recognise the role of the EYFS in providing child-centred guidance, a common framework and a structure for assessment.<sup>81</sup>

***Parts of the play sector think the learning and development requirements are not appropriate for them***

- 2.15 Some playworkers perceive a conflict between the learning and development requirements and the philosophy of playwork, particularly in relation to observing



and assessing children. They have called for a more flexible approach to the regulation of out-of-school playwork provision.<sup>82</sup> Thirty seven per cent of playwork settings responding to a survey conducted by SkillsActive thought that they should be fully exempt from the EYFS. Thirty one per cent said that playwork settings should have to deliver the EYFS but could be excluded from some requirements, and 9% said they should deliver the EYFS in full.<sup>83</sup>

***There were also calls for ‘secondary providers’ to have lighter touch learning and development requirements***

*“There should be slightly different frameworks or expectations for the different providers as there is such a difference in the way they work, equipment and resources, setting and provision provided.”*

**Practitioner**

2.16 ‘Secondary provision’ is support for children during limited times of the day or specific parts of the year. Secondary providers offer services that wraparound other early years provision – for example nursery provision – as well as services during school holidays, meeting the specific work patterns of busy parents or carers. Of respondents to the call for evidence question asking which providers, if any, should have fewer learning and development requirements, 49% opted for secondary providers.

**Regulation of welfare together with learning and development**

***Many are in favour of keeping welfare and learning and development together in a single framework***

*“I think that one of the main strengths of the EYFS is having both the welfare requirements and learning and development requirements within the same framework.”*

**Early Years Sector Representative**

2.17 The call for evidence asked whether welfare and learning and development should continue to be joined together in a single framework. Of respondents to this question, 82% strongly or partly agreed that the framework should cover learning and development as well as welfare. Feedback suggests that the single framework promotes consistency and continuity for children and enhances the professional status of early years practitioners. Workshop discussions showed that participants thought it would be impractical and potentially divisive if the single framework did not continue to apply to all providers.<sup>84</sup>

## Opting out of regulation

### *The exemptions process is slow and burdensome, with stringent conditions*

*“There have been few exemptions from the learning and development requirements granted to providers regulated by Ofsted. This may suggest that most providers can deliver the Early Years Foundation Stage but may also suggest that the exemptions are difficult to understand and apply for.”*

**Ofsted**

- 2.18 Providers can apply to opt out of the learning and development requirements under certain circumstances. These cover situations where, for business reasons, they are temporarily unable to deliver them in full, or where their established principles of learning and development cannot be reconciled with the EYFS. Currently if a setting does not have well established and documented principles for the learning and development of young children, they are not able to apply successfully for an exemption from the EYFS. Concerns have been expressed about what constitutes an established principle and to what extent this needs to be documented. If a provider wishes to seek an exemption on these grounds, a majority of parents and carers must also agree that an exemption is required. This route has been used by very few early years providers – around 40 exemption applications have been received, and nearly all were from Steiner schools.
- 2.19 The exemptions process has attracted a lot of criticism from providers who have gone through the process, and others wanting to apply. Some have been discouraged by the level of bureaucracy involved, especially the requirement to consult with local authorities and parents and carers. Further issues have been raised about the complexity of the application forms and the time taken for a decision.

### *Steiner schools have applied for exemptions from only specific goals which conflict with their principles of learning and development*

- 2.20 Steiner representatives confirm that they can deliver most of the EYFS, apart from the specific goals which are difficult to reconcile with Steiner principles – for example, the teaching of reading and writing for children before the age of 7.<sup>85</sup> Montessori representatives also agree with the principles of the EYFS but have expressed concerns about translating the EYFS to their planning and curriculum and how their particular approaches to meeting requirements are understood by moderators and Ofsted.<sup>86</sup>

***Parents and carers can ask for their child to be exempted from the learning and development requirements of the EYFS***

2.21 A parent or carer may apply to a provider for an exemption for their child, where they consider that the learning and development requirements, or some element of them, are in conflict with their religious or philosophical convictions. Providers must then seek the views of their local authority on granting the exemption, and should take account of the local authority's views in reaching a decision. Ofsted inspectors also check that exemptions have been properly granted. General feedback suggests that parents, carers and some childminders are not really aware of the exemptions process. There is no firm information about the numbers of parents or carers who have applied, as it would be an arrangement between the provider and parent, and information is not held centrally.

**Conclusion**

2.22 The evidence shows widespread support for a single framework covering welfare and learning and development, and for promoting continuity and quality across the diverse early years sector. However, opinion is more divided about the possibility of providers opting-out of the learning and development requirements. Views from specific parts of the sector, including independent schools, childminders, the playwork sector and secondary providers, are in favour of exemptions or lighter touch learning and development requirements.

2.23 The next chapter reviews the evidence about the learning and development requirements, especially their effectiveness in responding to how children learn and develop, and how well the requirements support practitioners to make the most of their skills.

# Chapter 3: Enjoying, learning and developing

## Introduction

- 3.1 The EYFS sets the standards for children’s learning and development from birth to age 5. The requirements are organised in six areas of 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.
- 3.2 The EYFS does not require practitioners to use particular approaches to support young children’s learning and development. The EYFS only requires that the areas of learning must be delivered through planned, purposeful play, with a balance of adult-led and child-initiated activities. It emphasises that each child should be supported to progress at their own pace, and that every child is a unique, competent learner.
- 3.3 In practice, this means that skilled practitioners should, like parents and carers, look for opportunities to participate in children’s activities and to guide children’s learning. For example, if a practitioner sees that a child likes playing with water, then they might help the child to build a water chute, and talk with them about how the water runs to the ground. Another child might like playing with mud, and so a practitioner might assist them to draw patterns in the mud using a stick – helping to develop their motor control, and their understanding that objects can be used to make marks.

- 3.4 The learning and development requirements in the EYFS comprise three elements:
- the early learning goals, which identify the knowledge, skills and understanding which young children should have acquired by the end of the academic year in which they reach age 5;
  - the educational programmes, which set out the matters, skills and processes which young children should be supported to learn; and
  - the assessment arrangements used to ascertain the achievements of young children.
- 3.5 Chapter 2 examines whether all providers should have to deliver the learning and development requirements. This chapter looks at the specific content of the current learning and development requirements, reviewing the evidence on whether that content provides children with the best foundation for future learning. It also looks at how the learning and development requirements are being delivered in practice. The assessment arrangements are discussed in Chapter 4.

## How children learn

### *The evidence is clear that young children learn best through interaction and play*

*“Not enough credibility is given to how important it is for children to play and explore in order for them to develop communication, speaking and listening and social and emotional skills.”*

**Local authority representative**

- 3.6 Research shows that, from birth, children’s learning results from their interaction with people and their environment.<sup>87</sup> Children need a natural flow of affectionate, stimulating talk, to describe what is happening around them, to describe things that they can see, and to think about other people. This is critical for children’s language and cognition, their general capacity to engage with new people and new situations, and their ability to learn new skills.<sup>88</sup>
- 3.7 Children’s learning also depends on play and exploration. Longitudinal studies show how play enables children to develop flexibility of thought, and to build confidence to explore new possibilities.<sup>89</sup> Research also found that through play, children learn to see problems from different viewpoints,<sup>90</sup> helping them to develop a generally positive and creative attitude to learning.<sup>91</sup>

***The approach of supporting learning through play, with a balance of adult-led and child-initiated activities, has been broadly welcomed***

*“The focus for children in any early years setting should always be to play, explore and have fun. For practitioners they need to be able to focus on supporting the children to encourage learning and development in a relaxed fun way.”*

**Childminder**

- 3.8 The EYFS requires all areas of learning to be delivered through planned, purposeful play, with a balance of adult-led and child-initiated activities. To make the most of the learning possibilities offered by play, children need a balance between activities which they initiate and which can then be guided by adults, and activities which are directed by adults. Professionals should therefore adopt a flexible, fluid approach to teaching, based on the level of development of each child.<sup>92</sup> Research also confirms that the quality of teaching is a key factor in a child’s learning in the early years. High quality teaching entails high levels of interaction, warmth, trust, creativity and sensitivity.<sup>93</sup> Practitioners and children work together to clarify an idea, solve a problem, express opinions and develop narratives.<sup>94</sup>
- 3.9 Responses to the review suggest that practitioners across most settings welcome the role of play in the EYFS, and the balance between adult-guided or directed and child-initiated activities. This was supported by research which found that all practitioner groups welcome the play-based and child-initiated nature of the EYFS, and view it as a validation of established early years principles.<sup>95</sup> Support for the role of play, creativity and exploration was confirmed by the review team’s visits to schools, and by responses from a number of organisations.<sup>96</sup> Parents and carers of children under 5 also agree with this approach, and of those surveyed by the National Children’s Bureau, nearly all (97.5%) agreed that young children learnt best through play.<sup>97</sup>
- 3.10 Research with children shows how play features in their learning.<sup>98</sup> Children enjoy learning, helping to plan their own play, playing with other people of all ages, and playing with a variety of objects through a range of imaginative themes. There is also evidence that children appreciate being involved in more routine domestic and social activities, such as food preparation, and that they are often keen to explore freely indoors and out – choosing from a range of accessible resources. The same research also gives a general idea of the variety of experiences from setting to setting, and the scope for some settings to develop further – for example, by

enabling more activities which are led by children, and which reflect their interests and needs.<sup>99</sup>

- 3.11 A play-based approach to early learning is also evident in other countries – for example, the High/Scope curriculum developed from the US Head Start project,<sup>100</sup> and the *Te Whaariki* curriculum in New Zealand.<sup>101</sup> The former emphasises that children learn best from activities that they themselves plan, carry out, and review.<sup>102</sup> Meanwhile, the *Te Whaariki* curriculum recognises the importance of spontaneous play and the value of play as meaningful learning.<sup>103</sup>

***Teachers should adopt flexible approaches to suit children’s needs and interests***

- 3.12 There is considerable debate about the right age to begin more overtly instructional approaches to learning, for example to develop reading and writing skills. Young children begin their introduction to literacy when they first become aware of words and letters, through sharing books and mark-making.<sup>104</sup> Skilled practitioners are able to adopt a flexible approach to deciding activities according to the development of each child, and this is supported by the evidence about what works best. Teachers should make individual judgements about children’s readiness for more overt instruction, based on each child’s development, identifying children who need further help with oral language and concentration skills. Some specific studies suggest that forms of overt instruction in language and reading, including systematic phonics for example, can be effective in some settings for some children younger than five.<sup>105</sup> There is also evidence to show that if children are to develop reading skills, they continue to need a balanced range of experiences which support their social and emotional needs.<sup>106,107</sup>

***There is widespread support for the role of outdoor activities in supporting children’s development***

*“If we are looking to help children achieve economic wellbeing then we need to be giving children more opportunities to be outside.”*

**Nursery practitioner**

*“As for my child’s health, I LOVE the fact that outdoor play has taken on such a major role in the new reception life.”*

**Parent**

- 3.13 The EYFS emphasises the importance of regular access to outdoor space for all children. For many practitioners, outdoor learning validates their existing daily

routines and practices. For others, this is relatively new and has helped transform their understanding of the learning potential of outdoor spaces. This is endorsed by recent research which shows that outdoor experiences can promote social and emotional development, as well as healthy physical development, and can support the varied learning styles of different children.<sup>108</sup> Children describe their enjoyment of the outdoors, particularly when they have opportunities to access it freely and to play with a range of resources and other people.<sup>109</sup> Some settings particularly promote outdoor learning as a characteristic feature of healthy early years, partly influenced by the Nordic tradition of ‘forest schools’.<sup>110</sup>

- 3.14 Call for evidence responses show that most practitioners agree with the focus on outdoor learning, and support the positive impact that it can have on children’s development. They highlighted the particular role of outdoor learning for boys’ development, and there was a general feeling that access to outdoor space enabled child-initiated learning.<sup>111</sup> Eighty seven per cent of parents and carers in a survey carried out by the National Children’s Bureau reported that their child was encouraged to play outdoors in their early years setting.<sup>112</sup>
- 3.15 Some practitioners would like to see outdoor space in all settings.<sup>113,114</sup> Others acknowledge that access to outdoor space makes significant demands of some practitioners – for example childminders. This is particularly evident in inner-cities, where children are less likely to have access to outdoor space at home.<sup>115</sup>

## **What children should learn**

### ***The EYFS was designed to help all children to fulfil their potential***

*“The early years should be about readiness for life in general.”*

**Participant at Sure Start conference**

- 3.16 Children’s experiences in the early years have a major impact on their future life chances.<sup>116</sup> The essential skills and qualities for enjoying life are indistinguishable from those needed for progress through school – including skills in managing their own behaviour and responding to others.<sup>117,118</sup>



***The areas of learning are popular, but many recognise that certain areas are more fundamental than others***

*“Without good foundations and experience of personal social and emotional skills children will fail to thrive in all the other five areas of learning and there are many theories and research to prove this.”*

**Pre-school/Playgroup practitioner**

- 3.17 One question explored by the review was whether the learning and development requirements in the EYFS capture the essential skills and qualities a child needs to develop in order to succeed in life. Responses to the call for evidence, and other sources, suggest that the areas of learning represent the appropriate structure and content for children’s early learning. For the call for evidence question on the areas of learning, 82% responded that the areas provide an effective structure for young children’s learning. This was reinforced by research with practitioners, who felt that the areas of learning ensured a comprehensive and appropriate curriculum for young children.<sup>119</sup> Of respondents to the call for evidence question on the most important skills, knowledge, attitudes and dispositions that children need to develop from birth to five years, 71% responded that all of the current areas of learning are important. Respondents also identified the two areas of learning they considered the most important: personal, social and emotional development and communication, language and literacy.
- 3.18 However, some practitioners regard the six areas of learning as overly complicated, and some regard the areas of creative development, and knowledge and understanding of the world, as somewhat ambiguously defined and wide-ranging.<sup>120</sup> Some respondents think that the area on communication, language and literacy does not fully address the needs of children with English as an additional language, particularly when it comes to assessment.<sup>121</sup> In addition, some people report that settings need to be more aware of how to adapt the areas of learning to children’s development, in particular for children with severe learning disabilities.<sup>122</sup>
- 3.19 Academic literature about brain development provides further support for the particular importance of personal, social and emotional development, and communication and language. Children begin to recognise sounds, and associate them with objects and ideas, within six months of birth; the brain is hard-wired to translate sounds into language. But the brain, and the sensory and perceptual systems, also need input from the social world, in the form of positive and warm interaction with adults.<sup>123,124</sup> Indeed, research suggests that a child deprived of

experiences and interactions with their environment could suffer abnormal brain development.<sup>125</sup> Moreover, the informal development of language and cognitive skills from the first months is recognised as a characteristic of children who perform well in later learning, and this can help offset any existing disadvantage.<sup>126</sup> As children approach the later stages of the early years, informal learning through talk remains essential.<sup>127</sup> There is also evidence that good quality childcare provision has a positive effect on children's language development.<sup>128</sup>

***Parents and carers are clear about which areas of learning and development they consider most important in the early years***

3.20 In an online survey conducted by the National Children's Bureau, more than seven in ten (73%) parents and carers of young children reported that they were aware of the six areas of learning defined by the EYFS.<sup>129</sup> Of respondents to the call for evidence question on the most important things schools or settings should do to support a child's learning and development, 81% said personal, social and emotional development and 68% communication, language and literacy. Over half (52%) considered it important for children to explore opportunities for creativity, risk-taking, confidence-building and cognitive skills. Fewer respondents prioritised reading and writing (15%), or problem solving, reasoning and numeracy (11%).

***Many practitioners would like to see the early learning goals (ELGs) simplified***

*"There are currently too many ELGs, and it's difficult to generalise about children's development."*

**Maintained school practitioner**

*"There are far too many goals and yes, there is duplication!"*

**Childminder practitioner**

3.21 Research with practitioners suggests that there are currently too many early learning goals.<sup>130</sup> Many find it difficult to work with 117 scale points<sup>131</sup> and consider the goals over-elaborate, with unnecessary overlap and ambiguity, leading to inconsistencies when undertaking assessment. However, practitioners also have concerns that simplifying the goals would risk undermining the rigour of the framework.<sup>132</sup>

3.22 Statistics show that in 2010, 56% of 5-year-olds achieved 'a good level of development'. This represents an Early Years Foundation Stage Profile (EYFSP) score of 78 points or more with at least 6 points in the communication, language

and literacy and personal, social and emotional development scales.<sup>133</sup> However, some practitioners feel that certain goals in communication, language and literacy and problem solving, reasoning and numeracy, are pitched too high and that these tend to be pursued at the expense of personal, social and emotional development.<sup>134</sup> There are concerns that these stretching goals label children as ‘behind’ too early, especially boys, bilingual children, and disadvantaged children. These concerns have been echoed by academics and early years professionals.<sup>135,136,137</sup>

- 3.23 The most common concern about the ELGs related to the writing goals, with many practitioners considering the requirements for writing and rhyme inappropriate for most children in the age group.<sup>138</sup> Some later-developing children, for example summer-born children, do not achieve the writing goals by Year 1 and, on average, perform at a lower level than older children in their year group.<sup>139</sup> This causes concern that they are unfairly viewed as falling behind. EYFS Profile scores for 2009 show that the writing goals are generally more challenging than other goals. This is particularly true for boys, with 62% able to hold a pencil and use it to write letters by the end of the EYFS, compared to 79% of girls.<sup>140</sup>

## Supporting all children to progress

### *Some practitioners said the EYFS requirements help to identify children needing extra support*

*“If the EYFS observation and assessment and key worker systems are being used properly any special needs could be picked up quite early anyway.”*

**Parent**

- 3.24 Research suggests that most practitioners consider the areas of learning to be sufficiently flexible to identify and meet the needs of individual children, focusing on areas which children particularly enjoy or where they excel. Practitioners appreciate the continuity between different stages of development, allowing activities to be tailored for individuals – for example, children with learning difficulties or children who are gifted and talented.<sup>141</sup>
- 3.25 Longitudinal research has shown that the gap between high achievers and low achievers in the educational system starts to appear at 22 months of age, and that this gap is particularly significant between children from high and low socio-economic backgrounds.<sup>142</sup> However, the gap in achievement between the lowest 20% of children and the rest, reduced steadily between 2006 and 2009.<sup>143</sup> The

average score for the lowest 20% increased over that period, while the median score for all children remained static.

***However, there are some concerns about supporting children whose first language is not English***

- 3.26 A number of respondents called for better support for children whose first language is not English. Practitioners in inner-urban areas are especially concerned about how to provide tailored support within the context of a multi-ethnic setting.<sup>144</sup> Other respondents proposed that wraparound providers should not be asked to support children in English, allowing scope for certain providers to offer a specialist service for parents and carers wanting their children to develop a second language as well as English. This issue is also apparent in other countries. For example, in Norway early years provision actively supports immigrant children to use their mother language and, at the same time, promotes their Norwegian language skills.<sup>145</sup>

**Helping children progress to Key Stage 1**

***Some feel a tension between the early years approach and Key Stage 1***

*“The flexibility offered within the EYFS needs to underpin Key Stage 1 as this will provide children with integrated, broad and balanced learning experiences relevant to their stage of development, rather than those more formal approaches appropriate to learners in Key Stage 2.”*

**Early Childhood Forum**

- 3.27 Teachers and practitioners highlight that changes between different approaches to learning, and different learning environments, can be difficult for children. This leads to particular challenges for teachers when supporting children to make the transition from pre-school settings to reception class and then into Key Stage 1.<sup>146</sup>
- 3.28 Informal feedback suggests that some primary school heads struggle with perceived tensions between the EYFS and the drive for strong reading and writing skills by the end of Key Stage 1. They also felt that the EYFS approach to assessment, particularly in reception class, constrained the pedagogy they could use to support learning and development. They felt that to meet Key Stage 1 targets, more overtly educational approaches need to be introduced in reception class – seen to conflict with the requirement in the EYFS to support children through play.<sup>147</sup>
- 3.29 The evidence is clear that although the relationship between the EYFS and Key Stage 1 is not straightforward, statistics suggest a strong relationship between

children’s achievement in the EYFS Profile and their attainment in Key Stage 1.<sup>148</sup> Children with high scores in the EYFS are very likely to achieve high scores in Key Stage 1.<sup>149</sup> The relationship between the EYFS and Key Stage 1 is discussed further below.

***Transition into school-based provision can present difficulties for children***

*“There is a lack of consistency of approach, for example some children join.....having enjoyed one-to-one support at pre-school then become one of thirty children with three adults. This makes the transition extra stressful for the most needy children.”*

**Primary school teacher**

- 3.30 The effects on children of the transition to reception class, and then to Key Stage 1, is a major point of concern, as shown by responses to the call for evidence, and by the review team’s visits to settings. Practitioners observe that children can find the transitions challenging and that some children are especially vulnerable to the impact of stricter routines, less open environments, and more ‘formal’ pedagogy.<sup>150</sup> Another facet of the challenge of transition is the reduced access to open and outdoor spaces which some children experience when entering school, and the particular difficulty this poses for children with more active and physical learning styles.<sup>151</sup>
- 3.31 The challenge posed by transition into school-based provision is also apparent in international approaches, with research to suggest that a fluid approach with continuity of learning across early years and subsequent school settings eases some of the difficulties.<sup>152</sup> Examples of countries which have started to introduce elements of early years provision in primary schools – in terms of classroom environments and adapted methods – include Canada, Denmark, Finland, Norway, Sweden and the United States.<sup>153</sup>

**Conclusion**

- 3.32 The evidence presented in this chapter suggests that there is strong support for the structured play-based approach of the EYFS, and that the framework is achieving its aim of setting the standards for learning and development in the early years. Most people agree with the areas of learning overall, and view the areas of personal, social and emotional development, and communication, language and literacy, as particularly important. However, it is less clear that the EYFS is entirely effective in supporting children and teachers with the transition from early years provision to more formal education in Year 1. And many practitioners report that

there are more early learning goals than is necessary to keep track of children's progress and plan their next steps.

- 3.33 The next chapter looks at how children's learning and development is supported through assessment, and how the EYFS enables practitioners to develop a picture of children's overall progress and to share it with others – especially parents and carers.

# Chapter 4: Assessing children's progress

## Introduction

- 4.1 Assessment is a term that many find difficult, especially in the early years. It can seem to conjure-up images of pointless tick-boxing, inflexibility, and impersonal scrutiny. At its worst, it is seen as children failing to measure up to where they should be, or being expected to do things before they are ready. For some, assessment is a hard and restrictive term to apply to young children, for others, the meaning of assessment is simply unclear.
- 4.2 Most of the assessment in the early years is based around a model which begins with '*Look, listen and note*'. Its title encapsulates the approach people should take to recognise what children can do and identify next steps in their development. The EYFS says that practitioners should:
- make systematic observations and assessments of each child's achievements, interests and learning styles;
  - use these...to identify learning priorities and plan relevant and motivating learning experiences for each child; and
  - match their observations to the expectations of the early learning goals.
- 4.3 In practice this should mean paying attention to what children enjoy and how they respond to different things, then using this knowledge to provide an enjoyable and stimulating environment that helps to extend children's development and learning. This type of assessment is known as formative, or observational assessment, and it is something that parents, carers and practitioners do every day. Recognising this, the EYFS asks that practitioners speak to parents and carers to tap into their knowledge of their child's development, and use this when planning learning activities and environments.
- 4.4 The EYFS also asks practitioners, parents and carers to use their knowledge about children's achievements to create a summary of their development at the end of the academic year in which they turn five years old. This summary is a report called the EYFS Profile (EYFSP). The main purpose of this report is to share

information with Year 1 teachers so they can plan their lessons to meet all children's needs. The report should also be shared, if requested, with parents and carers, alongside a written summary of their child's progress produced in the final term of the reception year.

- 4.5 This chapter begins by looking at practitioners' experiences of formative assessment in the early years, and whether this is helping all children to make the progress of which they are capable. It then looks separately at the evidence on how effectively the EYFS Profile report is equipping teachers, parents and carers to support a child's next steps.

## Using observation to support children's development

### *There was clear support for the principle of formative assessment*

*"Practitioners do now understand the importance of the observation, assessment and planning cycle. This is an approach that works well."*

**Local authority representative**

- 4.6 Seventy three per cent of people responding to the call for evidence question on formative assessment commented that they liked or approved of the EYFS approach. Practitioners viewed observational assessment as an integral part of their daily routine, and felt enthusiastic about what could be learnt from watching children closely, particularly with children from birth to age 3.<sup>154</sup> The role of formative assessment in providing a supporting and stimulating environment for every child is also recognised in academic literature on child development,<sup>155</sup> and by international approaches. In Sweden, children's learning and development is monitored, documented and analysed and used as basis for the continuous planning of activities.<sup>156</sup> In Finland, evaluations are used to check children's progress and carried out on a continuous basis with regular feedback to parents and carers.<sup>157</sup>
- 4.7 Informal feedback suggests that early years practitioners recognise this way of supporting children's development as something that they've always done – either consciously or unconsciously. They think that the EYFS has helped to provide a structure for assessment, and agree that assessing children should be at the heart of any approach to supporting all young children in their learning and development.<sup>158</sup>



***There was also agreement that, in general, this approach is helping children to progress...***

*“In particular, people felt that formative assessment was enabling early interventions for children falling behind – in my experience this is the best framework I have worked with and I know exactly what stage my key children are at by using the formative assessment.”*

**Practitioner**

- 4.8 Practitioners agree that the requirement to observe and assess children’s interests and activities has helped them support children to progress. Practitioners also agree that observation enables them to recognise children’s specific needs and, at an early stage, identify children who may have some developmental delays or difficulties.<sup>159</sup>

***...and information should be shared at appropriate moments with parents and carers***

*“Like many other parents I love the learning journeys.”*

**Parent**

- 4.9 Of respondents to the call for evidence question on when schools and early years settings should talk to parents and carers about their child’s development, 53% said that information should be gathered informally, when appropriate. Twenty nine per cent thought that it should be given every term. In response to the question on what this information should cover, ‘interests’ was most popular amongst all respondents (70%), followed by ‘achievements’ (69%), and ‘learning style’ (54%).<sup>160</sup> Many practitioners described how parental access to records of observations on their child’s development and achievements has strengthened parents’ and carers’ involvement in a setting.<sup>161</sup>

***There was clear reliance on guidance to support formative assessment***

*“The development matters/stages of development [guidance] are well designed and well structured to help children learn and develop as unique individuals.”*

**Maintained school practitioner**

- 4.10 The EYFS is supported by guidance, *Development Matters*,<sup>162</sup> which describes children’s stages of development from birth to age 5. It isn’t compulsory for practitioners to use this guidance, but it is well embedded in practice, with some referring to it as their “bible”,<sup>163</sup> particularly pre-school practitioners. Practitioners describe the *Development Matters* statements as helping them to interpret their observations of children’s development.<sup>164</sup> They feel the detail in the *Development*

*Matters* statements helps them to map a child's next stage of development, and to identify children who are falling behind – allowing extra support to be brought in quickly.

### ***However, some disagreed with the age bands used in Development Matters***

4.11 The *Development Matters* statements are broken down into age bands, designed to be wide enough to recognise the fact that different children develop at different paces – for example, some children begin to walk when they are around one year old, others don't walk until they are nearer two. However, some practitioners disagree with the use of age-phases,<sup>165</sup> and others think the age bands could be broken down into much smaller steps to help them to recognise the progress of children with developmental delays. They have suggested that for some children with additional needs, progress from one band to another might be missed, for example during pre-school.<sup>166</sup>

### ***While others felt that the statements were not always used appropriately...***

*“The EYFS Development Matters section is not always helpful to practitioners as many think it is a check list and because the age bands are so wide it is not specific enough for less experienced practitioners to use as a guide.”*

**Local authority representative**

4.12 Of those who were critical of the *Development Matters* statements, some were concerned that practitioners are too reliant on them, using them as a check-list without fully understanding the content of the statements.<sup>167</sup> Comments made in the call for evidence also suggest that the use of pictures alongside the statements can stigmatise children who are slower developers.<sup>168</sup>

### ***...and some play providers perceive a conflict between formative assessment and playwork principles***

4.13 The National Occupational Standards for Playwork define the purpose of observation for playwork settings in terms of understanding children's play behaviours and then providing an appropriate adult response. The standards are clear that observations should not be for the purpose of monitoring children's development, or planning activities, and observations may or may not be recorded.<sup>169</sup> The question of whether playwork settings should have to meet the requirements of the EYFS is discussed in detail in Chapter 2.

## The impact of observations on practitioners' time

### *The EYFS does not prescribe how observations should be recorded*

4.14 One of the principles behind the design of the EYFS was to give freedom to individual practitioners and settings to decide what they should record to support each child's learning and development. Therefore, the EYFS does not say anything about what type of paperwork should be completed, apart from the EYFS Profile report at the end of the EYFS.

### *Despite this, some practitioners find formative assessment burdensome*

*"I do wonder sometimes how the childminders have enough time to write down all their observations when they are supposed to be looking after the children. I'd rather they spent time with my child rather than on bureaucracy."*

**Parent**

*"I made the difficult decision to leave as I found the paperwork was taking over my life! I found that some elements of the EYFS curriculum were good, however, the constant need for the teacher (or other educational provider) to prove what they were doing and continual target setting and assessments of the children's progress just took far too much time away from the important stuff."*

**Former primary school teacher**

4.15 Workshop discussions highlighted practitioners' support for formative assessment but suggested that the recording of information still presents problems.<sup>170</sup> Of respondents to the call for evidence question on formative assessment, 30% disliked what they see as the paperwork requirements, but were not necessarily opposed to formative assessment as an approach. Separate research shows that some parents and carers perceive the paperwork relating to the EYFS as excessive – especially for childminders.<sup>171</sup>

4.16 This perception of burden was highlighted as a particular issue in practitioner discussion groups. For example, some childminders reported that they find the recording of assessments difficult, reporting instances of colleagues who had given up childminding because of the documentation requirements.<sup>172</sup> However, some childminders who had begun to keep records of observations following the introduction of the EYFS found it a very rewarding, though demanding, process.<sup>173</sup>

***Some argued that excessive paperwork was generated by low skills and confidence...***

4.17 Where some practitioners felt they had to document every activity, more experienced practitioners explained that they had the next steps in their heads and didn't always need to write them down.<sup>174</sup> In particular, practitioners who have been trained in observation and have always used this method, rarely commented on the time taken for recording and writing – this had always been part of their practice.<sup>175</sup> Some recommended more high quality training to help practitioners use observation appropriately, focusing on children as individuals and involving parents and carers.<sup>176</sup>

***...and demands for paperwork often came from sources other than the EYFS***

4.18 Practitioners commented that they often recorded large numbers of observations because they felt they would fail their inspection if they didn't keep detailed notes – despite the absence of such a requirement in the EYFS. Local authorities were also frequently mentioned in relation to paperwork, and it was clear that some large nursery chains have set their own requirements for paperwork.<sup>177</sup> These tensions between different parts of the early years system are analysed in more detail in Chapter 6.

**Taking an overview of children's development**

4.19 As discussed, the EYFS Profile provides a summary of each child's development and learning achievements at the end of the EYFS when most children are 5 years old. It is a tool that provides parents and carers with a useful summary of a child's progress, and Year 1 teachers with a snapshot of each child's abilities and interests. The EYFS Profile is only intended for children moving into Year 1, and not for younger children.

***Some people like the EYFS Profile as it is***

4.20 Twenty eight per cent of respondents to the question on the EYFS Profile say they like it as it is. Specific benefits of a common profile report were highlighted including assessing all children in terms of common areas of learning, and the increased opportunities to identify and address any emerging problems or difficulties at an early age.<sup>178</sup>

### ***Others felt that the EYFS Profile should be slimmed down***

- 4.21 However, of respondents to the call for evidence question on the EYFS Profile, 32% thought it should be slimmed down, while 15% thought it should be abolished completely, and 14% that it should be non-statutory.<sup>179</sup>
- 4.22 The EYFS Profile is based around the six areas of learning,<sup>180</sup> which are broken down into 13 assessment scales – each of which has nine points that a child could achieve. This gives a total of 117 scale points to assess each child against at the end of the EYFS. There is general recognition that 117 scale points are far more than most practitioners are able to work with.<sup>181,182</sup> The sheer number of the scale points, and the wide range of things they cover, makes it hard to collect useful evidence.<sup>183</sup> In addition, for many, completing the Profile report is a very time-consuming task.<sup>184</sup>

### ***Comments suggest that Year 1 teachers don't always use this summary information...***

- 4.23 Workshop discussions and practitioners' views suggested that the profile isn't always used by Year 1 teachers.<sup>185</sup> Many think that there is too much information for teachers to use, and that it fails to draw out the most important things that teachers want to know. Many also consider it unrealistic to expect a teacher to read 30 EYFS Profile reports, each reporting on 13 different scales with 9 possible points.<sup>186</sup>
- 4.24 In looking to understand why the Profile is not always used by Year 1 teachers, one possibility is that some teachers have incomplete knowledge or understanding of the Profile and the EYFS in general,<sup>187</sup> and that some of the difficulties could be overcome if Key Stage 1 teachers had a better understanding of the EYFS.<sup>188</sup> It is also possible that some Year 1 teachers prefer to make their own decisions about children's capabilities.<sup>189</sup> One infant and nursery school stressed that dialogue was an important part of their assessment process; they felt strongly that practitioners should discuss their observations with teachers throughout the transition to Key Stage 1.<sup>190</sup>

### ***...and it is sometimes difficult to connect the EYFS Profile and the National Curriculum***

- 4.25 Some people highlighted the lack of continuity between the EYFS Profile and the National Curriculum. There is a sense that it is difficult for Year 1 teachers to connect Profile points to the National Curriculum content. Of respondents to the call for evidence question on the EYFS Profile, 13% expressed the view that there

was no interface between the EYFS and the National Curriculum, and called for the EYFS to be extended to the end of Year 1. There was support, in particular among reception teachers, for the idea that the EYFS should flow into the National Curriculum, so that assessments in the early years and in Year 1 referred to similar content and criteria.<sup>191</sup>

***Some questioned the quality of the observations that inform the EYFS Profile report...***

4.26 Informal feedback suggests that assessments can be based on value judgements that are not consistent between settings – despite cross-school moderation. This weakens trust in the EYFS Profile information. Some headteachers had particular concerns that the assessment process was highly subjective, and that there were wide variations in assessment between different practitioner groups.<sup>192</sup>

***...and some parents and carers weren't aware of the EYFS Profile report***

4.27 In a survey of parents and carers, less than half (42%) said they knew they should be given an assessment of their child's development at the end of the EYFS, and only 36% had actually received it from their setting.<sup>193</sup>

**Using summaries of assessment to support children's progress**

*“Every term we do a summative statement for both parent and practitioner to gain an overview of the child's development. Before the child leaves the setting a more informed overview is also developed. We feel this works well and should continue this way for our unique individual setting. Parents and carers have commented that this is a clear and personal learning journey.”*

**Nursery practitioner**

***Assessment can help when supporting children to cope with change***

4.28 Children can experience many changes in the early years, including moves between different settings. While the EYFS Profile is the only compulsory summary of assessment in the early years, some practitioners would like more information-sharing between settings, recognising how challenging these transitions can be for children.<sup>194</sup> Fifty eight per cent of respondents to the call for evidence said that there should be a summative report to support transition.

4.29 Of respondents' views on the timing of assessment to support transition, 35% said it was needed at all transition points, for example between settings, from setting to school, and from nursery to reception. Other transition points were also identified and 19% of respondents chose transfer to school – for example, nursery/pre-school

to reception year. Eighteen per cent said a summative assessment must take place before any transition. This would enable practitioners to prepare for a child's individual needs and put in place any additional provision before a child moves.

***Some practitioners use their own form of summative assessment at different ages***

*“We not only believe that this supports high quality transfer of assessment information during the transition to Year 1, but also within year, during transition from pre-school to a year and in the earlier stages of the EYFS. This includes any transition within or between settings including childminders.”*

**Local authority representative**

- 4.30 Some respondents suggested a simple transition document for every child containing a brief summary of their development in each area of learning, with an overall picture of the child. Of respondents to the call for evidence question on using a summative assessment to inform parents and carers, 6% reported that they use a ‘learning journey’ or ‘learning profile’ – and specific examples were given to show how this can be used flexibly across all settings.<sup>195</sup>

***Although practitioners are still concerned this isn't being used as intended***

- 4.31 Research with practitioners showed that reports for children moving from nursery to reception class were not always used by reception teachers. There were similar accounts of reports not being used at other transition points – for example, on leaving private nurseries and moving to maintained provision.<sup>196</sup>

***Parents and carers welcomed a more informal approach to assessment...***

- 4.32 Over two-thirds of surveyed parents and carers said that they liked having regular updates about their child's progress and enjoyment.<sup>197</sup> Generally speaking, parents and carers would like any assessment to focus on their child's interests and achievements. They also like to know who their child is playing with, enabling them to build on these friendships at home.<sup>198</sup>

***...and there were clear views on what this should cover***

- 4.33 Over 2,100 people replied to the call for evidence question on what a summative assessment should cover. Eight two per cent thought this should cover personal, social and emotional development, and 80% communication, speaking and listening skills. Two in five (40%) thought this should cover physical development, and one in five (20%) thought this should cover reading and writing. Twenty four

per cent of respondents thought that any summative assessment should cover all of the current six areas of learning as these were all of equal importance.<sup>199</sup>

***It was felt that exchanging information on a child's progress improves partnerships between parents, carers and providers***

*“I see my son's ‘learning diary’ every term, and I do love seeing how he has developed in different areas – especially when he seems so behind in a lot of his development. It must be a lot of extra work for the carers to fill those books in/take the photos for all the children in their care although they don't complain”.*

**Parent of a 3-year-old with autism**

4.34 The call for evidence asked a question about the role of early years practitioners in working with parents and carers to improve children's learning and development at home. Nearly nine in ten (89%) respondents agreed either partly or strongly that they should play such a role. The role of parents and carers in children's early development and learning is emphasised throughout the EYFS. We know that many practitioners encourage parental contributions towards learning records, and use record-keeping methods such as learning journeys, diaries and photographs, to share information with parents and carers about their child's learning. Practitioners feel that giving parents and carers open access to their child's records has helped to strengthen partnership working with parents and carers.<sup>200</sup> Research into children's experiences of the EYFS suggests that children are more interested where records are accessible to them, for example with photos and drawings. The research also found that more can be done to involve and engage children in planning activities and gathering information for assessment purposes.<sup>201</sup>

**Conclusion**

4.35 The evidence explored in this chapter shows that there is strong support for formative assessment. It is considered an important part of daily practice, enabling practitioners to identify children's needs and support their progress. There is more of a debate about summative assessment, especially its use at transition points to help practitioners plan for children's progress. There have also been more general criticisms of the assessment requirements, with concerns from certain parts of the sector that assessment is too burdensome and gets in the way of practitioners' ability to work closely with children.



# Chapter 5: Safe, happy, healthy children

## Introduction

5.1 The EYFS welfare requirements are comprehensive and detailed, specifying what providers must do by law, and describing further areas in statutory guidance which all providers must have regard to. Chapter 2 sets out the evidence on the support from practitioners for the welfare requirements overall, identifying that children's safety and wellbeing in early years settings is a priority for parents, carers, practitioners and others working in the early years sector. This chapter looks at the specific requirements that providers are required to met, which fall under five broad areas:

- safeguard and promote children's welfare;
- ensure that adults looking after children are suitable to do so;
- ensure that premises, environment and equipment are suitable;
- organise systems so that every child receives an enjoyable experience that is tailored to their individual needs; and
- maintain the records, policies and procedures required for the safe and efficient management of settings, and to meet the needs of children.

## Safeguarding and promoting children's welfare

*Practitioners are very focused on the importance of protecting children's welfare...*

*"I think safeguarding is essential."*

**Nursery practitioner**

5.2 The EYFS sets requirements for the level of knowledge practitioners should have about protecting children's welfare: all practitioners should have an up-to-date understanding of safeguarding and be able to implement their setting's safeguarding policies and procedures effectively. In particular, the EYFS requires that practitioners should be able to respond to any significant changes in children's

behaviour, deterioration in their wellbeing, signs of possible abuse or neglect, and comments by children which might give cause for concern.

- 5.3 Practitioners feel that the EYFS is clear on the actions that they must take in response to allegations of abuse or neglect. This clarity has been welcomed and the introduction of robust procedures for safeguarding children was felt to be essential.<sup>202</sup> Practitioners say that they are now far more aware of safeguarding issues, and far more likely to act on signs rather than wait for someone else to act.<sup>203</sup> This is reinforced by a survey of its members undertaken by the National Day Nurseries Association (NDNA) which shows that 88% of practitioners feel either confident or very confident that staff would be able to spot signs of abuse.<sup>204</sup>

***...and call for evidence responses showed what people consider important in protecting children***

- 5.4 In responses to the call for evidence question on the three most important considerations for keeping children safe, 64% of respondents selected safe and secure premises and equipment, with 56% opting for staff with early years qualifications, training, skills and knowledge. Thirty six per cent highlighted the importance of safe recruitment, and 25% identified staff knowing local safeguarding procedures as one of the key priorities in relation to keeping children safe.

***Most practitioners were aware of guidance on safeguarding***

- 5.5 Ninety six per cent of respondents to a survey on safeguarding children carried out by the Pre-school Learning Alliance (PLA) were aware of guidance on safeguarding in early years settings.<sup>205</sup> However, practitioners made a suggestion for further clarity which was to bring together safeguarding guidance into one document specifically tailored to the early years.<sup>206</sup> There was also a call for further clarification and guidance on the reporting of incidents and the support available to frontline staff.<sup>207</sup>

***Training focuses mainly on recognising the signs of abuse...***

- 5.6 Fifty nine per cent of respondents to the PLA survey said they had recently attended local authority training on child protection.<sup>208</sup> While the content for these courses included how to refer a child and how to recognise abuse, preventing abuse inside settings was not specifically covered, aside from safe recruitment training. Workshop discussions revealed that training did not generally explain how to spot signs of malpractice by colleagues.<sup>209</sup>

5.7 These findings are reinforced in the NDNA survey of its members. Respondents said that the courses they had recently attended covered recognising and reporting abuse, with 75% saying that it also covered policy or report writing.<sup>210</sup> Again, respondents did not mention that their training covered preventing abuse inside settings.

***...and not all staff participate in the training***

5.8 The EYFS requires the lead practitioner with responsibility for safeguarding to complete child protection training. The statutory guidance states that all staff should have an up-to-date understanding of safeguarding children but that individual settings can decide how to achieve this. In practice, the NDNA survey shows that most respondents have attended child protection courses, but they call for this training to be provided more frequently.<sup>211</sup>

5.9 This child protection training was frequently mentioned by practitioners as something that they welcomed and felt was important.<sup>212</sup> Practitioners liked the training offered by local authorities, but felt that it was hard to access spaces for all staff<sup>213</sup> and that the depth and quality of training varied widely.<sup>214</sup> There was also a view that local authorities could do more to publicise the training on offer.<sup>215</sup>

5.10 Setting managers felt under pressure to cascade training, even though they were not child protection experts. They felt that external training would be much more effective to embed the knowledge and understanding their staff need to safeguard children, combined with effective staff supervision and support.<sup>216</sup>

***Some childminders find it difficult to access training***

5.11 It was reported that childminders are unable to access certain training opportunities, including those provided by local authorities, and are often only able to attend twilight or weekend sessions.<sup>217</sup> Childminders reported how they found networks helpful, for example to deliver one-to-one training, but there were access difficulties and issues around the quality and availability of network co-ordinators.<sup>218</sup>

***Practitioners were clear how to refer children...***

5.12 Practitioners generally were clear about how to refer children when there were grounds for concern. In practice, they do this through a variety of different routes, including a mixture of formal and informal means, for example directly to social services or via the local authority early years team.<sup>219</sup>

***...but were not always clear where to go for advice and support***

- 5.13 Practitioners reported that if they had an initial worry about a child but did not consider it significant enough to refer to social services, then they were not always sure where to go for advice and support. The NDNA survey found a mixed response when practitioners were asked about who they would contact in the case of a child protection incident. Fifty one per cent of respondents said they would contact their Local Safeguarding Children’s Board, while 28% would call their local authority safeguarding team.<sup>220</sup>
- 5.14 Feedback from practitioners suggests a need for greater clarity and information on how to access the safeguarding system.<sup>221</sup> For example, several practitioners recommend that each local authority specify a named individual to contact if practitioners need to make a referral or talk through an initial worry.<sup>222</sup> They also valued updated information from local authorities, for each member of staff in a setting, detailing who to contact if they were worried about a child.<sup>223</sup> Chapter 6 discusses in more detail the role of early years staff in working with other agencies.

***Supervision has different meanings to different practitioners***

- 5.15 One of the potential routes for practitioners who work in a group setting to discuss concerns about children can be via the supervisory practices in the setting. However, the EYFS does not specifically mention supervision, beyond statutory guidance on regular staff appraisals and informal feedback suggests that the term supervision has different meanings to practitioners working in different contexts. For example, some practitioners take it to refer to discussions about their continuing professional development. For others it is a way to raise concerns and receive support to deal with difficult or challenging situations. It can also mean the practice of observing staff caring for children. *Working together to safeguard children* says that for supervision to work it should be offered regularly<sup>224</sup> and that practitioners need a common understanding of what to expect.

***There have been calls for guidance on the use of mobile phones***

*“There should be a policy on mobile phones only being allowed for senior staff.”*

**Early years practitioner**

- 5.16 Currently, the EYFS does not include any guidelines on the use of mobile phones within settings. Following a number of high profile child protection incidents in early years settings which have involved the use of mobile phones, some practitioners have called for guidelines to address the safeguarding implications of mobile phone use in settings.<sup>225</sup> This call was echoed in the Serious Case Review

into Little Ted’s nursery in Plymouth. The review identified the dangers of inappropriate usage of mobile phones within day care settings but recognised that stopping staff carrying mobile phones will not necessarily prevent abuse taking place.<sup>226</sup>

***Some practitioners consider risk assessments burdensome...***

*“The documentation can be scaled down. Do we need such lengthy risk assessments?”*

**Nursery practitioner**

*“Risk assessments should be simplified without the need to prove it is done daily by ticking boxes, common sense has been removed in some parts.”*

**Parent**

5.17 The EYFS sets out requirements for risk assessments in relation to outings, and in checking the safety and suitability of indoor or outdoor spaces and equipment, furniture and toys. It is clear from the call for evidence and the review workshops that practitioners recognise the importance of risk and health and safety issues. Only 6% of respondents to the call for evidence question on whether the welfare requirements are overly burdensome identified risk assessments as an area to simplify or remove.

5.18 That said, practitioners expressed considerable concern, from childminders in particular, that the requirements for risk assessments are excessive<sup>227</sup> and imply a lack of trust in their experience, expertise and common-sense.<sup>228</sup> For example, childminders question the need to conduct a risk assessment before every outing with a child, finding this impractical and not grounded in common sense.<sup>229</sup> There is also confusion over the definition of an outing, with some practitioners reporting that their understanding is that a new risk assessment is needed every time that an outing takes place.<sup>230</sup>

5.19 Evidence suggests that settings interpret differently the requirements on risk assessment, resulting in a range of approaches and varying levels of associated paperwork.<sup>231</sup> The EYFS does not currently specify the exact form or method for undertaking risk assessments and there is variation in terms of requirements, for example across different local authorities and perceptions of inconsistent interpretation from Ofsted.<sup>232</sup>

***...but some parents and carers welcomed risk assessment***

5.20 As mentioned earlier in this report, ensuring that settings are safe is one of the key priorities for parents and carers, and some have said that they find it reassuring to

see risk assessments. However, no strong views were reported about what information should be recorded, as long as the carer or setting could demonstrate that they have properly considered children's safety.<sup>233</sup>

### ***Healthy food was considered important...***

*“I think the health benefits of children sitting down and eating the same, healthy, home-cooked meal together (instead of dismal, separate reheated pots of whatever...) are significant, and it seems a shame that excessive regulation should end up undermining this.”*

**Parent**

- 5.21 There is a growing body of evidence on the importance of healthy eating in the early years, for growth, development and achievement.<sup>234,235,236</sup> The EYFS specifies that where children are provided with meals, snacks and drinks, these must be healthy, balanced and nutritious. People responsible for the preparation and handling of food must be competent to do so, and fresh drinking water must be available at all times. The EYFS also requires providers to be aware of their responsibilities under food hygiene legislation.
- 5.22 Of responses to the call for evidence question on the three most important things for creating a safe, healthy environment, 27% of respondents opted for the provision of healthy meals and drinks. The social role of food and drink in children's development has also been widely recognised.<sup>237</sup> Evidence suggests that children can benefit from, and enjoy, the opportunity to sit down with others at meal time,<sup>238</sup> and the preparation of food is a useful learning activity. Children can also appreciate the freedom to help themselves to snacks and drinks.

### ***...but recognition of healthy nutrition is not always translated into practice***

- 5.23 While there is no nationally representative data available on the quality and nutritional content of food and drink provided by early years settings, the Advisory Panel on Food and Nutrition in Early Years highlighted concerns about current food provision in early years settings.<sup>239</sup> They found that while settings generally appreciate the importance of healthy food, this is not always translated into practice; a number of settings consistently fail to provide food and drink that meets the nutritional requirements of under 5s.<sup>240</sup>

***Some practitioners would like to see nutritional guidelines...***

5.24 In the call for evidence question on requirements for supporting children’s health, 37% of respondents stated that they felt nutritional guidelines were needed. A further 15% said they would welcome suggestions and more information on nutrition, while 26% said that they did not think any change is needed. This range of views was reflected in research, with some practitioners familiar with healthy eating, and others feeling that nutritional guidance would support a focus on health.<sup>241</sup>

***...but some see food hygiene requirements as constraining practice***

5.25 There were mixed reports from parents, carers and settings about food hygiene requirements, and the impact on children’s experiences. Some settings did not serve food, as practitioners did not have the relevant food hygiene qualifications and these were perceived as difficult to obtain. This was seen as a barrier limiting children’s involvement in food preparation and hence their possible learning opportunities.<sup>242</sup>

5.26 Childminders have also raised specific concerns about the requirements for kitchen procedures, regarding them too stringent and finding that they can no longer cook meals for children in their care. In these cases, the quality of care offered to children and parents and carers was seen to suffer as a result of the statutory requirements.<sup>243, 244</sup>

**Suitable people**

***Practitioners, parents and carers are clear about the importance of safe recruitment...***

*“I want to know that the staff caring for my child are properly vetted and are suitable to be working with my child.”*

**Parent**

5.27 The EYFS has clear and detailed guidance on safe recruitment. Providers must have effective systems in place to ensure that practitioners likely to have regular contact with children are suitable to do so. They are also required to have regard to statutory guidance, which requires providers to make recruitment decisions using evidence from key sources including criminal records bureau (CRB) disclosures, references, full employment history, qualifications and interview performance.

***...but there has been criticism about over-reliance on CRB checks***

5.28 There has been some criticism about the CRB process and whether it is proportional to risk. For practitioners, the bureaucracy associated with CRB checks needs to be simplified and the requirements on renewal clarified.<sup>245</sup> Others think that there is over-reliance on CRB checks to ensure that people are safe to work in early years settings.<sup>246</sup> Conversely, some local authorities are concerned that the requirement to undertake CRB checks has led to a reduction in the number of volunteers.<sup>247</sup>

***There were mixed views on adult to child ratios and qualification requirements...***

*“Differentiating 30 ways is almost impossible.”*

**Practitioner**

*“They do need two people, they are small children. If someone does wet themselves, there’s not an awful lot you can do on your own.”*

**Practitioner**

5.29 The ratio requirements set out the minimum number of staff that should be present at any time for a given number of children. Parents and carers think that adult to child ratios should be maintained even for short term care.<sup>248</sup> The ratio requirements vary according to the age of the children being cared for, and the qualifications of the people leading practice. The highest ratios allowed for in the EYFS are in reception classes, which are subject to infant class size legislation. This says that there should be one teacher present for every 30 children. However, reception class teachers in particular commented on the difficulty of effectively supporting, observing, and assessing individual children with a 1 to 30 ratio where there was a lack of other adults present.<sup>249</sup>

5.30 Of respondents to the call for evidence question on implementing ratio and qualification requirements, 44% reported that they had experienced no problems. However, 23% found the ratios confusing, 17% had issues implementing the ratios in reception classes and 11% considered the 1 to 13 ratio too high.<sup>250</sup> Some respondents said that they would like the ratio requirements lowered, and applied across all types of setting.<sup>251</sup>

5.31 Among primary headteachers, there was a range of views on ratios. Some say that classes are led by teachers who are supported by classroom assistants, in effect bringing ratios below one staff member to 30 pupils. Others think that larger class



sizes help children develop independence. Some headteachers called for greater clarity on the ratios in reception classes, highlighting the different ratios that apply to private nurseries and to schools, and explaining the impact this could have on a child moving from low ratios in a private nursery to a higher ratio in a school.<sup>252</sup>

- 5.32 However, research suggests that there can be no general formula for calculating ideal ratios in settings, only that particular choices should be made and situated within particular contexts.<sup>253</sup> This is reflected in international evidence highlighting differences in adult to child ratios across a range of countries.<sup>254</sup> That said, there is also international evidence to show the benefits in terms of cognitive and linguistic results when ratios are lower.<sup>255</sup> For example, the Tennessee STAR research project highlighted the long term benefits of smaller class sizes for children under the age of six.<sup>256</sup>

### ***...and some confusion about how to maintain the ratios***

- 5.33 Of the 23% of respondents who said they found the ratios confusing and difficult to maintain, specific examples were given about the lack of clarity around ratios at break times and when children are in different physical areas of a setting. In separate research, the low number of adults to children was identified as a significant constraint in some reception classes, with reports that this made it difficult to supervise safely children both outdoors and in.<sup>257</sup>
- 5.34 Settings which cater for a broader age range, not just children from birth to age 5, reported difficulties with maintaining the adult to child ratios. These settings felt that the need to structure provision to meet the EYFS requirements for younger children ended up taking time away from the older children.<sup>258</sup>

## **Suitable premises, environment and equipment**

### ***Secure environments were not generally discussed by practitioners from a safeguarding perspective***

*“What matters most to me is that my child is kept in a safely secure environment, that he cannot wander off, and that unwanted adults/animals etc cannot gain access to him.”*

**Parent**

- 5.35 The EYFS is very clear about what settings should do to ensure secure environments, although few providers responding to the review mentioned this specifically in relation to child protection practice. Informal feedback from stakeholders who regularly visit settings confirm that secure environments are a high priority, with signing-in policies where appropriate.

As mentioned, 64% of call for evidence respondents identified safe and secure premises and equipment as the most important consideration in protecting children's safety.

***There was strong support for the importance of outdoor space***

*“It’s been great actually, we are doing more inside, outside, you know, you are taking it outside, whereas staff before would just have the outside equipment, but now the classroom is going outside.”*

**Practitioner**

*“Brilliant for disadvantaged children from poor backgrounds.”*

**Nursery nurse**

5.36 One of the EYFS welfare requirements relates to access to outdoor space. This is discussed in full in Chapter 3, but all practitioner groups responded positively to the inclusion of outdoor learning in the EYFS.

**Organisation**

***There were mixed views on the organisation requirements...***

5.37 The organisation requirements are designed to help providers organise and plan appropriate activities tailored to every child's needs. The role of a key person falls under this section of the EYFS. Seventy two per cent of respondents to the call for evidence question on the welfare requirements thought that all of the EYFS welfare requirements were essential, including those for organisation. However, of those specifying which requirements they thought were important, less than 3% of respondents picked organisation. Counterbalancing this, when asked which requirements should be removed, only 1% of respondents mentioned organisation.<sup>259</sup>

***...but there was clear support for the principle of a key person***

*“One of the positives of the key person role is they really get to know the family and the extended family, if they have any concerns I think they’re able to flag them up early.”*

**Practitioner**

5.38 Within the organisation section of the EYFS there is a requirement for each child to be assigned a key person. The intention of this role is that the key person should help a child to become familiar with the provision, and should be someone with whom both the child and their parents and carers can develop a close relationship. The importance of the key person was emphasised at a number of different

consultation events throughout the review.<sup>260</sup> Ninety one per cent of surveyed parents and carers reported that their child has a key person and 69% of parents and carers went on to say that they receive regular communication from their child's key person.<sup>261</sup>

- 5.39 Practitioners recognise the valuable support provided by a key person or key worker<sup>262</sup> and the academic evidence on attachment theory supports the rationale for retaining the key person requirement in the EYFS. This recognises the importance of the emotional warmth and security that young children need from an assigned care-giver at this age.<sup>263</sup> Anecdotally, practitioners, parents and carers have commented that the key person approach better equips them to support the needs of children with special educational needs or disabilities. Research undertaken by Sheffield Hallam University found that where children spend time with fewer adults in settings, the relationships seem firmer and more closely linked to children's learning.<sup>264</sup> However, some – particularly reception teachers – feel that staffing, rotas and qualifications sometimes make the key person requirement difficult to implement.<sup>265</sup>

## Documentation

### *There were few comments about the requirements for data collection and storage*

- 5.40 The EYFS requires providers to record certain data about children. In the call for evidence and the workshops held with practitioners there were few comments about data collection. Some providers have informally asked for further clarification about how long they should keep data on individual children.

## Conclusion

- 5.41 The evidence presented in this chapter shows that there continues to be strong support for the current welfare requirements overall. However, there are calls for some requirements to be strengthened and clarified, particularly in relation to safeguarding children, and adult to child ratios. Practitioners would also like to see child protection guidance and training that is specific to the early years and more readily available for all early years practitioners.
- 5.42 Support for the role of the key person remains strong, as does support for the principle of access to outdoor space – albeit with concerns that this is not practical for all settings. Some practitioners have also called for a reduction in the paperwork associated with risk assessments, and for more workable guidance on food hygiene and nutrition.

# Chapter 6: The early years system

## Introduction

- 6.1 This report has examined views from a wide range of parents, carers, practitioners, local authorities and representatives of professional organisations. Each of these groups has a specific role to play, and a specific experience and perception of the EYFS. For example, a nursery practitioner is working to provide the best possible early learning and care for the children in their setting, while an Ofsted inspector focuses on whether the nursery practitioner is meeting the EYFS requirements. Responses to the review show that, across the sector, people are committed to fulfilling their individual roles and responsibilities.
- 6.2 However, call for evidence responses also raise questions about the relationships between different parts of the sector – and how the actions of one group may impact on others. Previous chapters have presented evidence that practitioners are sometimes caught in the middle of conflicting requirements – for example, requirements from Ofsted and local authorities. This chapter looks at how different groups and organisations work together to deliver the EYFS. In particular, it examines the roles of Ofsted, local authorities and the workforce. It also analyses whether the EYFS has achieved its aims in encouraging partnership working between parents, carers and professionals, and improving the quality of the early years workforce.

## Inspection and regulation

### *Ofsted reports are used by parents and carers to determine choice of provider*

- 6.3 The importance of Ofsted's role is highlighted by parents and carers who use inspection reports as a way of determining the quality of their childcare setting. Of respondents to the call for evidence question on what information they used to choose early years provision, 32% of parents and carers said they would look at Ofsted reports. Workshop discussions with parents confirmed that they relied on Ofsted reports to provide information on the quality of early years provision.<sup>266</sup>

***However, there were perceived discrepancies in Ofsted’s paperwork requirements...***

*“All inspectors seem to work to a different book and this needs bringing into line.”*

**Childminder**

*“Ofsted (or the inspection bodies) need to have clearer guidelines that they all go by as at the moment your inspection totally depends on the inspector’s point of view, what one likes another could hate, and we have experienced this a lot.”*

**Parent**

- 6.4 A common theme in responses to the call for evidence was a perception that Ofsted’s requirements should be made clearer and more consistent. Parts of the sector also feel that Ofsted inspectors sometimes focus on documentation rather than looking at children’s experiences in the provision being inspected.<sup>267</sup>
- 6.5 This problem partly arises from different interpretations of requirements. As set out in Chapter 4, the EYFS does not include requirements on documentation for learning and development beyond the EYFS Profile – yet many practitioners believe it essential to document numerous children’s activities. It is unclear what drives these different interpretations. Many practitioners will say they produce this paperwork in order to meet the needs of inspection – yet Ofsted guidance does not mention requirements for detailed paperwork. Childminders in particular call for clearer guidance for providers, inspectors and local authorities.<sup>268</sup>

***...and some practitioners questioned inspectors’ knowledge of the early years sector***

*“Ofsted inspectors need to understand the different demands of early years in school settings compared with those of Years 1-6.”*

**Maintained school practitioner**

- 6.6 Workshop discussions conveyed a perception that some Ofsted inspectors do not fully understand the nature of the early years settings they are inspecting,<sup>269</sup> and that this weakens practitioners’ confidence in Ofsted’s ability to make fair and balanced judgements. The call for evidence provided similar views – for example, some playwork settings said that they did not think Ofsted inspectors take a suitably flexible approach to inspection.<sup>270</sup> Although it is not possible to say clearly what is driving these perceptions, there is informal evidence that this dissatisfaction is having a negative impact on confidence in inspection.

## Local authorities

### *Local authorities also play an important role in the EYFS...*

- 6.7 By providing training to settings, and by moderating EYFS Profile judgements, local authorities play a key role in helping early years settings to deliver the EYFS. There is evidence showing that local authority support has added value to the implementation of the EYFS<sup>271</sup> – for example, 89% of practitioners felt that the support received from their local authority had helped improve their knowledge and skills.<sup>272</sup> In addition, most childminders participating in research by the National Children’s Bureau said their local authority was a key source of information and advice on the EYFS.<sup>273</sup>

### *...but there were similar concerns about local authorities’ paperwork requirements*

*“One of the main issues is not with the document itself (although it is very prescriptive) but with local authority misinterpretation of it. A culture has developed where there is an expectation of excessive note taking and observation. Local authorities have made moderation an inspection exercise.”*

### **Maintained school practitioner**

- 6.8 Some respondents feel that local authorities are creating additional burdens for settings by being overly prescriptive.<sup>274</sup> In workshop discussions, practitioners described the approach of local authorities as overly bureaucratic,<sup>275</sup> with unnecessary paperwork<sup>276</sup> and a lack of consistency, causing difficulties for providers.<sup>277</sup> This was also emphasised by primary head teachers who indicated that local authority approaches to information gathering and moderation exercises can vary greatly between local authorities, and between individual advisers.<sup>278</sup> To improve this situation, practitioners call for further clarification of the kinds of observations, assessments, and other documentation, required in order to deliver effectively the EYFS.<sup>279</sup>

***...and some associate paperwork with local authorities' different accountability systems***

*“Anecdotally we are aware that some local authorities are advising childminders to do far more than is required by Ofsted in terms of recording, to help ensure the authority can demonstrate it is meeting its duty to provide sufficient quality childcare.”*

**Early years professional organisation**

- 6.9 Informal feedback suggests that local authority requirements for paperwork could be driven by their aim to provide effective early years services in their areas. In some cases local authorities have introduced their own accountability systems for individual schools and settings to improve their EYFS Profile results. For example, some local authorities have implemented a mandatory assessment at age 3 or 4 which can be used to track progress of young children through the early years. The removal of local authority targets from September 2011 onwards should help to reduce such burdens.

**Local partnerships**

***There were mixed responses about partnerships with parents and carers***

*“The EYFS has significantly improved the practice within my setting. With a framework that is clear yet adaptable to suit individual children we find that working in partnership with parents is easily achieved.”*

**Pre-school/ Playgroup practitioner**

- 6.10 Practitioners have welcomed the way that the EYFS promotes working in close partnership with parents and carers. Where parents and carers are active partners with input in planning and assessment, there are clear benefits.<sup>280</sup> Research shows the importance of early and positive engagement with parents and carers<sup>281</sup> and the need for parents and carers to feel that they are active participants in their child's development.<sup>282</sup> Since the introduction of the EYFS, engagement with parents and carers has been very successful in some settings, but not all.<sup>283</sup> Call for evidence responses suggest that parents and carers would like to be more involved in their child's development – and often find that their attempts to access more support and information could be made easier by better signposting.<sup>284</sup> Research conducted by the Family and Parenting Institute with parents and carers suggests that there is also significant scope to improve staff awareness of the importance of engaging with parents and carers, raising their awareness of how to support their child at home.<sup>285</sup>

***Partnerships between early years and health are important but not always straightforward***

*“More input from health professionals is needed in this framework.”*

**Local authority representative**

- 6.11 Call for evidence responses emphasised that early years practitioners should link-up with health professionals, particularly health visitors, speech therapists and occupational therapists.<sup>286</sup> Workshop discussions identified the partnership between health and early years as particularly crucial given that a child’s development from birth to age 5 is currently monitored by both systems. Call for evidence responses suggested that further alignment of services and areas of expertise across health and early years would be beneficial, particularly around key transition points in children’s development.

***There was evidence of problems joining up with other children’s services...***

*“The framework for partnership working is a difficult objective to achieve when some of our children are part of three or four different settings.”*

**Maintained school practitioner**

*“Partnership working is a good idea in theory but in practice this does not happen as yet. Whether it is due to overwork or professional reluctance I am not sure.”*

**Pre-school/ playgroup practitioner**

- 6.12 Evaluation research found that children’s centres can be effective in building links across professional boundaries, although there are obstacles in some instances.<sup>287</sup> Children’s centres can act as local hubs for relevant agencies, encouraging health, social work and education professionals to work more closely together with children and their families.
- 6.13 This role is not limited to children’s centres – all early years practitioners should be working with other professionals to provide holistic support for particular children.<sup>288</sup> Responses highlight that barriers to partnership working include low confidence among practitioners when approaching other agencies,<sup>289</sup> time constraints, and the need for clearly identified roles, input and expectations of different providers.<sup>290</sup> Informal feedback suggests that some of these obstacles to partnership working can lead to early years staff feeling that their contribution is not fully recognised, reinforcing feelings of low status for some practitioners.



***... and the need for closer partnerships when children transfer from one type of provision to another***

6.14 Call for evidence responses show that partnership working can be particularly difficult at transition points where integrated working is often needed. Early years provision can be fragmented where children attend more than one setting, and research shows that this creates different levels of local provision – with children handed from one provider to another as they progress through their pre-school years.<sup>291</sup> For example, when a child moves from private settings into nursery or reception and when a child moves from reception into Year 1. Difficulties are particularly evident between childminders and other children’s services, with some childminders reporting that nurseries will not share the necessary information with them<sup>292</sup> – making it hard to link their support for children’s learning and development with the support offered by the nursery.

***Practitioners don’t always find it easy to access the necessary support for children with additional needs***

*“Identifying special educational needs is not the issue as many early years professionals have lots of experience. It is getting the help needed that is the issue.”*

**Childminder**

6.15 Practitioners highlight the benefits of collaboration in identifying and meeting the needs of children requiring particular help. However, call for evidence responses identified problems in practitioners’ awareness of what support is available and how to access and link-up to additional support, especially for children with complex needs. For example, informal feedback suggests that area special educational needs coordinators are not always used effectively to help settings access specialist services. Responses also identify the need for multi-agency working to support vulnerable children and their families – as demonstrated by the Early Support programme.

## Workforce quality and capability

### *There is evidence to show that people are taking up jobs in the early years with low or no qualifications*

*“I deal with many [early years practitioners] in my role and am frequently disappointed by their lack of training and understanding of child development as well as their ability to communicate effectively.”*

**Academic**

- 6.16 The evidence examined in Chapter 1 shows that while outcomes for children are improving, there remain significant differences in qualification levels across the sector. For example, only 7% of staff in full day care settings are qualified to at least level 6, compared to 40% in nursery schools, and nursery and reception classes attached to primary schools.<sup>293</sup> This disparity in qualifications carries into pay levels with playgroup leaders receiving less than primary and nursery school teachers.<sup>294</sup> Part of this problem may be explained by informal feedback which suggests that the early years is being promoted as a career option for people with fewer qualifications, thereby reducing the calibre of new recruits to the sector.

### *However, parents and carers want staff with appropriate qualifications and knowledge...*

*“What is most important is that children are cared for by genuinely caring, ‘expert’, knowledgeable staff who have all received adequate skills and training.”*

**Parent**

- 6.17 In response to the call for evidence question on the three most important things needed in early years settings to protect a child’s safety and support their health, 56% of respondents selected employing people with early years qualifications, training, skills and knowledge.

### *...and in some parts of the sector qualifications are being promoted and uptake is increasing*

- 6.18 In recent years there has been an increase in the uptake of qualifications. In most childcare providers, and early years providers in maintained schools, the proportion of staff with at least a level 3 qualification has increased continually since 2003.<sup>295</sup> Also, more early years staff are applying for accredited courses, rather than just basic training.<sup>296</sup>
- 6.19 Those attending courses and gaining new qualifications were positive about their experiences. Practitioners reported that courses enable them to reflect on, and

improve, their professional practice, despite the difficulties of often combining work and study at the same time.<sup>297</sup>

***Some settings find it difficult to meet the qualification requirements...***

*“Qualifications can be seen as excluding effective and passionate people who wish to care and help children. However, ensuring that staff have a level 3 is important to providing quality care and learning for children.”*

**Practitioner**

- 6.20 Practitioners have mixed views about the qualification requirements. Individual responses to the call for evidence state that qualifications are necessary to support the needs of children and raise standards.<sup>298</sup> However, some practitioners voiced concerns that a narrow focus on qualifications neglects the wider skills and experience that make an excellent practitioner.<sup>299</sup>
- 6.21 In addition, some types of play provider highlighted specific difficulties, particularly holiday play schemes which rely heavily on temporary staff. SkillsActive advise that recruiting staff with the required qualifications is impractical for many providers employing staff for short periods – such as holiday play schemes – and this becomes more complex when settings cater for children from a range of ages older and younger than five.<sup>300</sup>

***...and the lack of parity between early years professional status and qualified teacher status was highlighted***

- 6.22 The early years professional (EYP) status was introduced in 2007 to increase the number of graduates working in the sector. Since then, 6,944 people have obtained EYP status and a further 3,638 are in training.<sup>301</sup> Positive results can be seen in reports that EYPs have enhanced the quality of provision in settings.<sup>302</sup> Early findings from the evaluation of the Graduate Leader Fund show that settings employing an EYP made significant improvements in quality for children aged 2½ to 5 years, compared with settings which did not change their leadership status.<sup>303</sup> However, the introduction of the EYP status has led some to argue that there should be more parity between EYPs and qualified teachers, particularly in terms of status, pay and freedom to lead practice.<sup>304</sup>

***Responses highlighted inconsistent access to training***

*“There remain issues with the access and quality of training, the lack of career progression and career structure for early years staff.”*

**Representative of professional organisation**

- 6.23 Workshop discussions with early years academics and professionals highlighted that training for those working with children should be a priority and that, as a result of training practitioners’ awareness of the EYFS requirements is high.<sup>305</sup> Local authority training, was well received by many practitioners but some, particularly childminders, were more likely to express a degree of dissatisfaction with its quality and usefulness.<sup>306,307</sup>
- 6.24 Particular concerns were raised about inconsistent access to training. For example, evidence shows that the best qualified practitioners were often best placed to access training, and that staff with lower qualifications struggled to access training in their own time and without pay.<sup>308</sup> In particular, childminders reported that it was difficult to access support from local authorities – for example, by not being offered training at a time convenient to them, or by being excluded from childminding networks if they live in certain wards within a local authority.<sup>309</sup>

***It was suggested that the content and quality of some early years training courses need improving...***

*“A more thorough regime [for training] is needed. It needs to be more academic where candidates actually learn some theory on child development and have to complete a longer training time in settings.”*

**Practitioner**

- 6.25 Respondents to the call for evidence also raised concerns about the quality of early years training and emphasised the difference in quality between different training providers. Examples were provided of practitioners having to train staff themselves because they considered the quality of training provision so poor.<sup>310</sup> In particular, it was highlighted that training courses sometimes deliver inconsistent messages and can contribute to a sense of confusion about the requirements of the EYFS.<sup>311</sup>
- 6.26 There was a demand for training at a higher level, with more content on the EYFS and child development and for training to be more child centred.<sup>312</sup> Workshop discussions highlighted that staff need to be equipped to take a critical and analytical approach to delivering the EYFS,<sup>313</sup> and this depends on the quality of

training and its consistency.<sup>314</sup> Suggested improvements to training included wider sharing of good practice, and promoting awareness of the EYFS to all teachers.<sup>315</sup>

***...and some practitioners call for tailored training to help meet individual children's needs***

*“Early identification is a must. The difference to a child’s learning can be greatly affected if a child is not identified until they reach school age. Again training is the key.”*

**Local authority representative**

- 6.27 Workshop discussions emphasised that practitioners need suitable training to provide them with the necessary skills and expertise to support children’s individual needs. This should give them confidence to identify any early warning signs and knowledge of how to access advice and services as required.<sup>316</sup> However, practitioners explained that this kind of training is not always readily available.
- 6.28 Call for evidence responses highlight the role of providers, special educational needs coordinators, local authorities and those organising training, to work together to ensure that early years practitioners develop the relevant knowledge, experience and expertise. Responses also indicate that appropriate training enables practitioners to assess and support the inclusion, participation and development of individual children, especially those with significant complex additional needs.

## **Conclusion**

- 6.29 This chapter looks at the system that delivers the EYFS. The different elements of this system – practitioners, parents and carers, professional organisations, local authorities, health, early years and other children’s services, and inspectors – combine and interact to influence the quality and effectiveness of early years provision.
- 6.30 Throughout this report we discuss evidence of successful interactions, and instances where providers and practitioners are caught between conflicting demands. Recommendations for improvements to the EYFS, including ways to articulate more clearly the different roles and requirements, are presented in the accompanying report: *The Early Years: Foundations for life, health and learning*.

# Annex A

The review is grounded in a wide-range of evidence, reflecting the views and experiences of practitioners, academics, local authorities, representatives of professional organisations, parents, carers and children. Over 3,300 responses were collected in the call for evidence during August and September 2010, and these were examined alongside a range of research sources summarised below. Four research projects were commissioned specifically for this review, and a brief description of these projects now follows.

1) An academic review<sup>317</sup> of the literature on child development, covering sources published after 2000. This date was chosen to allow the researchers to update the material which became the evidence base for the development of the EYFS. The literature review consulted over 350 international sources of knowledge about the cognitive, social, and emotional processes which constitute children's development and brain growth to age five. The researchers also consulted developmental psychologists and early childhood experts to ensure the key sources were identified and evaluated appropriately.

2) A qualitative study of practitioners' views and experiences of the EYFS<sup>318</sup> undertaken in six regions of England. Practitioners were offered the opportunity to talk freely to independent researchers about experiences of applying the EYFS in their daily work with children and families. The first phase consisted of focus group discussions with seven different practitioner groups in each region. The second phase, undertaken after the preliminary analysis of transcripts, consisted of individual interviews with 42 practitioners. Over 190 practitioners contributed their views to the study.

3) An online survey of parents and carers was commissioned by the Early Childhood Unit, based at the National Children's Bureau.<sup>319</sup> Two hundred and eighty-four users of the Netmums website responded to the survey with their views on different aspects of the EYFS.

4) An exploratory study<sup>320</sup> of young children's views, feelings and experiences of the EYFS. This innovative project was conducted by a team of researchers from Sheffield Hallam University, using activities devised specifically to encourage children to talk about their experiences in early years settings. For example, children were prompted to

describe what they liked doing, who they liked being with, and anything they were happy or unhappy about in the setting. The researchers then considered how this information relates to the principles and themes of the EYFS and how this might help to develop an understanding of the effects of the EYFS on children. Fifteen settings in four local authorities were included in the sample, including a variety of providers from the maintained and private or voluntary sectors. A total of 146 children took part in the research.

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