

18 June 2021

Dear Sir/Madam

# Re: DE Consultation Pre-School Education: Review of the Statutory Admissions Criteria and Pre-School Education Session Times

CSSC welcomes the opportunity to comment on the Department of Education’s consultation on the potential options for revising the statutory admissions criteria for pre-school education. CSSC has consulted with controlled sector Nursery School Principals and the Principals of primary schools with nursery units to inform this response and notes that the Department of Education (DE) is also seeking views in relation to the potential for pre-school entitlement provision to be standardised for all pupils.

**Background to the proposed changes**

CSSC recognises that the roll out of Universal Credit necessitates a change to the current criterion which, established in law, requires that all pre-school education settings prioritise children from ‘socially disadvantaged circumstances’ in their admissions criteria. CSSC understands that the criterion was introduced in 1998 at a time when only 45% of children in their immediate pre-school year could access a funded place and access was therefore prioritised for those children considered to be most likely to benefit from a pre-school experience. CSSC notes that much has changed since 1998 and the consultation document correctly exemplifies how there is now almost universal access to pre-school education provision and the Department’s commitment to ensure that ‘all children, whose parents want it, can access a year of funded pre-school education in their immediate pre-school year’ has been met in each of the last eight years for at least 99.8% of children whose parents stayed with the admissions process to the end. In 2020/21 the respective figure was more than 99.9%.

CSSC has considered the advantages and disadvantages outlined in respect of the three options identified by DE and notes that in the short term, Option 3 is the Department’s emerging preferred option and that once pre-school education sessions are standardised Option 2 would be enacted.

**Option 1:** Retain the statutory criterion and amend the definition of ‘socially disadvantaged circumstances’ to mirror the relevant economic elements of the definition of free school meals entitlement.

**Option 2**: Remove the statutory criterion for ‘socially disadvantaged circumstances’ prescribed in legislation.

**Option 3**: Retain the statutory criterion and amend the definition of ‘socially disadvantaged circumstances’ to include all children with parents in receipt of Universal Credit and all its legacy benefits.

While it may be the case that there is now almost universal pre-school education provision CSSC notes that the duration of session times range from 2.5 hours to below 4.5 hours (part-time with no meal) and 4.5 hours or over (full-time with a meal). CSSC notes that this mixed pattern of provision operates across and within settings with some individual settings operating a mixed pattern of provision e.g. 2 part-time classes (am and pm) and one full-time class. This emphasises the lack of equity in terms of access to session times of equal length.

Children who attend full-time sessions are provided with a meal whereas this is not true for those who avail of a part-time place. It therefore follows that Option 1, which would mean amending the definition of ‘socially disadvantaged circumstances’ to mirror the relevant economic elements of the definition of free school meals entitlement, would not be workable and would, as noted, in the consultation document give the impression that the child is entitled to a free school meal when this is not actually true of a part-time placement.

**In the absence of standardised session times mixed views prevail**

CSSC found mixed views in relation to the three options for reviewing the current priority criterion. However, those who expressed reservations about DE’s preferred option due to the potential impact on their individual settings, inevitably concluded that until pre-school education session times are standardised across all settings DE’s preferred option to retain the statutory criterion and amend the definition of ‘socially disadvantaged circumstances’ must apply and is most suitable.

CSSC notes that once pre-school education sessions are standardised there would no longer be a need to retain statutory priority criterion and therefore DE would remove the statutory criterion for ‘socially disadvantaged circumstances.’ In the absence of standardised pre-school education session times CSSC finds that the views of controlled school principals differ according to their local context and the pattern of provision available at their setting.

**Common challenges in applying pre-school admissions criteria**

Principals of controlled primary schools with nursery units in areas of high deprivation noted concerns that their full-time places were often allocated to children who did not reside within the local community and who would therefore be unlikely to transition to P1. Principals spoke of how children in the local community with siblings in the school were therefore denied a place in the school within their community but also their nearest pre-school education provider.

Principals of controlled nursery schools operating in levels of high deprivation noted that DE’s preferred option would lead to prioritising a greater proportion of pupils from socially deprived areas and referenced the Effective Provision of Pre-School Education (EPPE) research (2004) which confirmed that ‘disadvantaged children were found to benefit significantly from good quality pre-school experiences, especially where they were with a mixture of children from different social backgrounds.’ Option 3 and the potential for some settings to be oversubscribed with children from ‘socially disadvantaged circumstances’ would mean that this beneficial mixture of children from different social backgrounds would not be achieved.

In our engagement with controlled schools the view was expressed that the non-statutory nature of pre-school education poses the risk that pre-school education is not valued by parents and it was noted that this then led to sporadic attendance and that working parents who could have availed of the place and would commit to their child attending were disadvantaged. CSSC notes that widening the definition of ‘socially disadvantaged circumstances’ to include all children with parents in receipt of Universal Credit or one of its legacy benefits will to some extent address this concern and include those from working families in receipt of benefits.

Poor attendance at pre-school age is not within the remit of the Education Authority’s Educational Welfare Service with the result being that poor patterns of attendance at pre-school can persist into the child’s primary school education. The view was expressed that making pre-school education compulsory would potentially place a greater value on this crucial stage of education.

**Potential challenges of implementing an amended definition of ‘socially disadvantaged circumstances’**

With Option 3 increasing the number of children eligible to be prioritised in the admissions process from 16% to greater than 33%, in some areas this would, as is noted in the consultation document, necessitate settings applying additional criteria to determine which socially disadvantaged children should be prioritised. Some controlled schools referred to the administrative burden posed by having to verify families’ evidence of priority criterion and expressed the view that the verification of such documentation would be better managed by the Education Authority especially in light of the move to online applications for pre-school admissions. Controlled schools also referred to a lack of clarity in relation to what entitlements demonstrate ‘socially disadvantaged circumstances’ and called for more guidance and support in assessing the entitlement of families under this criterion.

During consultation, questions were raised about the length of the interim period between implementing Option 3, which would retain the statutory criterion and enhance the current definition and implementing Option 2, which would remove the statutory criterion. Recognising the significance and complexity of standardising pre-school education session times, controlled schools were not optimistic that Option 2 would be implemented in the foreseeable future.

**Supporting children from ‘socially disadvantaged circumstances’ to reach their potential**

CSSC is of the view that DE’s preferred option for the short-term represents the most appropriate approach. CSSC notes that there is a direct correlation between social disadvantage and educational underachievement. The Expert Panel on Educational Underachievement’s Final Report and Action Plan – A Fair Start (May 2021), cites research from the Sutton Trust (2014) which found that children from disadvantaged backgrounds are developmentally nine months behind children from wealthier backgrounds by age three. This extends to become a 19 month gap in school readiness between the most and least advantaged four and five year olds.’ Controlled schools referred to the EPPE project conclusion that ‘pre-school provision provides an effective means of reducing social exclusion and may help to break cycles of disadvantage.’ The EPPE project found that the beneficial effects of pre-school remained evident throughout Key Stage 1,’ and crucially that pre-school education provision offers ‘disadvantaged children in particular a better start to primary school.’ Without standardised pre-school education session times it is therefore crucial that children from socially disadvantaged circumstances continue to be prioritised in availing of full-time pre-school education sessions which enables the child to avail of a free school meal.

**Standardising pre-school education** **session times**

CSSC notes that this consultation also seeks the views of consultees on the proposal to standardise the length of pre-school education sessions. While controlled schools referred to the educational and social benefits of standardising all pre-school education session times, nursery school principals and the principals of primary schools with nursery units also highlighted significant challenges to achieving this. Controlled schools were concerned that the issue of standardisation was included in this consultation and noted that the overarching title ‘Review of Statutory Admissions Criteria’, made no reference to the fact that standardisation would feature. CSSC found that controlled school principals felt aggrieved that an issue considered so crucial to the early years sector was ‘tagged on’ to a consultation on admissions criteria.

CSSC sought clarification from DE and informed controlled schools of DE assurances that the standardisation of the pre-school day would not be taken forward without significant consultation. DE considered the inclusion of standardisation in this consultation necessary as concerns raised about the criterion are often made in relation to the length of the pre-school day. Working parents highlight their inability to access longer sessions whereas others are of the view that children from socially disadvantaged circumstances are more in need of longer session times. CSSC made those who contributed to our engagement exercise aware of this noting that this consultation presented an opportunity to inform the direction of travel in preparation for a more substantive consultation and would contribute to DE’s understanding of the associated opportunities and risks involved in standardising pre-school education session times. The following articulates views of the controlled sector on this issue, expressed during three engagement sessions and during conversations with individual controlled school principals.

It is understood that the standardisation of pre-school education session times is being considered in the context of the development of a new Childcare Strategy. Taking account of how this operates in England and Wales, (with parents able to avail of 30 hours of free childcare per week made up of a minimum of 10 hours early education and a minimum of 20 hours childcare), schools emphasised that careful consideration would need to be given to how this, or something similar, would apply in the Northern Ireland context.

**Potential risks of standardising pre-school education** **session times**

**Teachers Pay and Conditions of Service**

Controlled schools felt that there were too many unknowns, and with no indication of what proportion of a potential 30 hours entitlement would be in education, there are a number of associated risks. If the childcare element was to be delivered on school sites then this would have implications for accommodation and staff contracts. Controlled schools referred to DE Circular 1987/26 Teachers Pay and Conditions of Service, and noted that full-time provision combined with an, as yet undefined, childcare element, could potentially breach teachers’ contractual obligation of 25 hours contact time per week.

It was also highlighted that accommodating the childcare element would add to the workload of a Principal and change the nature of the role with Principals managing not only the children’s education but also childcare provision and potentially additional staffing. Controlled principals emphasised that their role was to provide high quality education for pre-school age children, not to provide free childcare and that careful consideration would need to be given to how the childcare component of the Childcare Strategy is facilitated. The sector was keen to emphasise that such changes would have to be subject to substantive consultation and be reflected in Teachers Pay and Conditions of Service.

**Resource implications – accommodation**

Controlled schools which operate multiple part-time classes, some of which have four part-time classes per day, queried what would happen to the number of places available if pre-school education session times were standardised. To continue to offer the same number of places would necessitate additional accommodation and also require additional staffing.

Furthermore, reducing the number of places would in some cases have a detrimental impact

on available places in a local area and again impact on staffing levels. In a setting operating four part-time classes per day additional accommodation would be required to facilitate full-time provision. Currently many controlled nursery schools are comprised of two classroom bases.

**Valuing current pre-school education provision**

Some controlled nursery schools expressed concern that standardisation of pre-school education session times to full-time hours could lead to an effort to absorb stand-alone nursery provision into nearby primary schools and cautioned against this highlighting the outstanding provision recognised by ETI. They also emphasised the effective arrangements in place for transition from their settings to local primary schools. Nursery schools need to be reassured that their high quality provision will not be impacted detrimentally should standardisation of the pre-school day be realised.

**Opportunities associated with standardised pre-school education session times**

The Department’s framework for early years, Learning to Learn (2013), included an action to ‘over time standardise patterns of attendance as part of the Pre-School Education Programme.’ Concerns were expressed by controlled schools that this could lead to standardising all settings to part-time provision and schools emphasised that pre-school education session times should be standardised upwards rather than downwards and that all pre-school age children should have access to full-time provision. CSSC notes that these views were also expressed to the Expert Panel on Educational Underachievement and one of the proposed actions in the report is that DE should standardise the length of the pre-school education day to at least 4.5 hours, including access to free school meals for eligible children, thereby improving equality of provision. Nursery School Principals were of the view that standardising pre-school education session times is also an opportunity to consider the curriculum.

**Enhanced emotional health and wellbeing/Enhanced educational outcomes**

Consultation with controlled schools noted the benefits that would ensue from facilitating access to full-time pre-school education provision for all. Contributors to CSSC’s consultation exercise referred to the emotional health and wellbeing benefits of full-time provision as well as its educational benefits. Controlled school principals noted that full-time provision would allow for the enhancement of children’s personal development and mutual understanding skills and facilitating lunchtime would be an opportunity to further develop children’s socialisation and independence skills. While the EPPE project found that full-time attendance led to no better gains for children than part-time provision, the Expert Panel on Educational Underachievement In Northern Ireland (May 2021), reported that, ‘other more recent evidence has found that full–day pre-school children had higher scores than part-day children on literacy, language, maths, socio-emotional development and physical health, had increased school readiness skills and reduced absences.’

CSSC understands that DE intends to refresh the Learning to Learn policy framework and notes that this work is currently on hold to enable DE to take account of developments which are being progressed in other related policy areas including, the Executive Childcare Strategy, the recommendations of the Expert Panel on Educational Underachievement and the Bill to redefine the school starting age. A refresh of the Learning to Learn policy framework alongside consideration of the potential to standardise pre-school education session times presents an opportunity to address a number of other important issues which were raised by controlled schools during the consultation exercise.

**Review of staff to child ratios**

Controlled schools were of the view that in standardising pre-school education session times consideration should be given to reviewing staff to child ratios. Some statutory providers of pre-school education are challenged to deliver the pre-school curriculum to high numbers of penultimate age children presenting with toileting issues and attachment related difficulties that could be more effectively managed with the support of additional staffing. Statutory providers of pre-school education referred to the more favourable staff to child ratios in private and voluntary settings which offer funded pre-school education places. While the ratio of staff to children in statutory provision is 1:13, private and voluntary providers have a ratio of 1:8. The Learning to Learn framework notes that the Pre-School Education Programme should be focused on children in their pre-school year. CSSC notes the Expert Panel on Educational Underachievement’s recommendation that ‘funded provision for younger children should be separate to that for children of pre-school age and the associated action that DE should review staff to child ratios across all pre-school education settings. CSSC welcomes the panel’s recommendation that DE legislate to redefine pre-school age and focus attention on age appropriate pre-school education.

**Resourcing enhanced support for children with special educational needs**

Controlled schools considered that standardising pre-school education session times to full-time hours presented an opportunity to consider appropriate staffing levels which would allow settings to further enhance support for children presenting with special educational needs and were keen for these views to inform this consultation response. Principals highlighted that frequently while they will have initiated and progressed support for a child in accordance with the Code of Practice, it is often the case that the child does not receive the additional support needed (which results from the issuing of a Statement) until they are in P1 or even later. CSSC has heard, how, unable to delay this vital additional support for the child, controlled schools have funded external support and additional classroom assistant hours at significant cost to the school budget.

CSSC offered comment on the Education Authority’s proposed framework for children in the early years with SEN (2018) and expressed support for the proposal that the Early Years Inclusion Service (EYIS) would recruit Early Years Practitioners to support pre-school

education settings. CSSC has engaged with the Education Authority’s EYIS and believes that settings supporting high numbers of children presenting with additional needs would benefit from this additional resource. CSSC understands that the deployment of Early Years Practitioners will require a significant resource and recommends that DE considers this requirement in the context of the Education Authority’s report on the proposed framework for children in the early years with SEN.

CSSC endorses the Expert Panel on Educational Underachievement’s recommendation that the Education Authority should expand and enhance their Early Years SEN Inclusion Service to ensure that pre-school settings have access to expertise to enable them to support children with additional needs/SEN in their pre-school education.

CSSC also welcomes the DE/EA SEND Programme Board’s prioritisation of early identification and intervention as one of its SEND development projects.

**Investing in the early years workforce**

In further considering the potential opportunities presented by standardisation of pre-school education session times and the forthcoming refresh of the Learning to Learn policy framework, controlled schools referred to the very real need to consider more opportunities to access training and resources to support practice in pre-school education. The Action Plan in A Fair Start (2021) supports this need and prioritises investment in Early Years noting the Expert Panel’s conviction of, ‘the need for greater recognition of the Early Years workforce across all sectors, reflecting the importance of adequate training, relevant qualifications and an appropriate pay structure.’

Controlled school principals strongly agree that a greater value needs to be placed on the professionalism of the early years workforce and that the importance of early years education should be promoted especially to parents who, some felt, did not value the educational importance of this stage of their child’s development.

CSSC agrees that the emphasis in A Fair Start (2021) on adequate training is an important recommendation and one that needs to be effectively resourced. Various studies have emphasised the positive and lasting effects of high quality pre-school education provision on children’s intellectual and social behavioural development. The EPPE project found that settings that have staff with higher qualifications have higher quality scores and their children make more progress. The project emphasised that ensuring staff have both curriculum knowledge as well as knowledge and understanding of child development can be achieved through improving the child development content of both initial and continuing professional development courses.

The findings of the EPPE project are confirmed in other studies focused on the early years. Research carried out by the University of Colorado at Boulder (2008) was also highlighted by controlled schools, which in looking into pre-school education and its lasting effects recommended that ‘teachers in pre-school programs….should be involved in a continuous improvement process for teaching and learning’ and that ‘increasing public investment in effective pre-school education programs for all children can produce substantial educational, social and economic benefits.’ The economic benefits of early intervention are cited in A Fair Start (2021) with reference to the Early Intervention Foundation’s 2018 report which found that the cost to the public purse of late intervention in Northern Ireland equates to £536 million per year.

**Ensuring high quality provision for all children**

Controlled schools noted the potential to not only standardise pre-school education session times but to also standardise qualifications as a means of ensuring that every child is able to avail of the same high quality pre-school education. In ensuring that all statutory pre-school providers are able to provide a high quality education it is essential that practitioners inform the development of initial and continued professional development and are also able to inform the support that is provided by pupil support services.

Controlled nursery schools and nursery units are innovative in their approaches and are sourcing and resourcing their own training. Specific expertise has been developed within staff teams to equip staff to better meet the individual needs of children who present with increasingly complex profiles. A number of controlled schools have availed of the Solihull training to ensure that staff are able to work with emotional and behavioural difficulties in the early years and staff have developed an understanding of trauma, attachment and brain development. A number of schools have also availed of Elklan training, a whole school speech and language development programme.

CSSC notes that some controlled nursery schools and units are educating significant numbers of newcomer children whose families may not have the language skills necessary to support their children’s education. Pre-school education can make a significant contribution to supporting these children and the EPPE project found that ‘specialised support in pre-school especially for language and pre-reading skills can benefit children from disadvantaged backgrounds and those for whom English was an additional language.’ Relevant support and training for teachers to allow them to meet the needs of all children is crucial to ensuring that all children are able to realise their true potential.

CSSC would emphasise that ensuring that age and stage appropriate provision is delivered by an appropriately skilled workforce is key to ensuring the best start for our children. The Expert Panel on Educational Underachievement acknowledges the contribution of the Getting Ready suite of programmes to children’s learning and development and CSSC endorses the recommendation that DE and the Department of Health build on the learning from the Sure Start developmental programme for 2-3 year olds with access to support from appropriate health professions.

**Conclusion**

**Supporting schools to apply enhanced criteria and deliver high quality pre-school education for all children**

CSSC is aware that there is significant research which emphasises the benefits of pre-school education for children from disadvantaged circumstances and that the EPPE project notes that the effect of attending pre-school (versus not) on developmental progress is greater than the effect of social disadvantage. The research emphasises that high quality pre-school attendance improves all children’s development. CSSC agrees with the DE’s preferred option in terms of reviewing the admissions criteria for pre-school education and is of the view that until all pre-school education session times are standardised there can be no true equity of access and in the interim DE’s preferred option is most suitable. It will be important, however, that nursery schools and nursery units are supported to manage the additional administrative burden that settings will face with families having to provide additional evidence in support of their claim for priority.

DE has confirmed in the consultation document that the preferred option will increase the number of children eligible under the criterion and in areas of high deprivation some settings may well be oversubscribed with applications which meet this criterion. DE has also acknowledged that this could limit the benefits of pre-school education to children from socially disadvantaged circumstances as research indicates that disadvantaged children benefit especially when they are with a mixture of children from different social backgrounds. CSSC is therefore of the view that consideration should be given to engaging with such settings and establishing what support is required to ensure that high quality provision is not negatively impacted.

Controlled school principals strongly emphasised that standardising pre-school education session times is a significant issue which presents a number of opportunities and challenges. CSSC has articulated a number of these risks and opportunities in its response on behalf of the sector and would emphasise the importance of engaging with stakeholders in a more substantive consultation once the direction of travel becomes clearer.

CSSC views the publication of A Fair Start, the Final Report and Action Plan of the Expert Panel on Educational Underachievement (May 2021) as a clear statement of the significant contribution that high quality pre-school education has on the overall development and life chances of our children and believes that the evidence gathered and the recommendations made in the report should inform DE’s work in supporting the early years education workforce to support every child’s learning and personal development. Continued and sustained engagement with practitioners is key to informing the content of relevant training and the development of advice and guidance which allows staff to support all children to reach their full potential.

The potential standardisation of pre-school education session times presents a number of risks and opportunities which CSSC has endeavoured to articulate in this response. CSSC is reassured that there will be a more substantive consultation on this issue, an issue which has implications for staffing, accommodation and the quality of education provided for our children. Controlled principals during this consultation exercise emphasised the need for a greater value to be placed on pre-school education and for DE to demonstrate commitment to pre-school education and promoting its value. A Fair Start echoes these views and calls for an investment in Early Years, articulating a detailed action plan to achieve this goal. CSSC would add that the prominence given to emotional health and well-being in the report is an area to which high quality pre-school education can contribute. Research confirms that high quality pre-school education has an impact beyond the pre-school year and impacts positively on our children’s personal development as well as their educational outcomes. It is therefore crucial that pre-school education workforce is appropriately supported to effectively meet the needs of all children and is given the opportunity to inform development work which has the potential to impact on provision.

CSSC is happy to discuss this response.

Yours faithfully

![Shane McCurdy signature
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Shane McCurdy

Interim Chief Executive