

Inspection of early learning and childcare and school age childcare services in Scotland

The Scottish Social Services Council is the regulator for the social work, social care and early years workforce in Scotland. Our work means the people of Scotland can count on social services being provided by a trusted, skilled and confident workforce.

We protect the public by registering social service workers, setting standards for their practice, conduct, training and education and by supporting their professional development. Where people fall below the standards of practice and conduct we can investigate and take action.

We:

- publish the national codes of practice for people working in social services and their employers
- register people working in social services and make sure they adhere to the SSSC Codes of Practice
- promote and regulate the learning and development of the social service workforce
- are the national lead for workforce development and planning for social services in Scotland
- are an ONS statistics provider.

Our response

Question 1.1: To what extent do you support, or not support, the Scottish government's overall proposed vision for the purpose and aim of inspection of ELC and school age childcare services?

- **Fully support**
- Partially support
- Don't support

Can you tell us why you think this?

The proposed vision articulates clearly the importance of high quality ELC and school age childcare, while ensuring that improvements take account of children's rights. The emphasis on a collaborative approach is welcomed.

Question 1.2: Do you think the proposed vision is missing anything or contains something that you think does not reflect the purpose and aim of inspection of ELC and school age childcare services?

- **Yes**
- No

If yes, can you tell us what this is?

As stated above, we welcome the emphasis on using a collaborative approach to the inspection of ELC and school age care services, however, we feel that the role of the regulator for practitioners should be included in this approach. The SSSC has 47,667 registrants on the parts of our register relating to early learning and childcare. These individuals are required to obtain the relevant qualifications for their respective register parts and must abide by the SSSC's Codes of Practice for Social Service Workers and Employers in carrying out their roles.

The SSSC regularly publishes data on the social work, social care and early years sectors in Scotland. This includes data specific to early learning and childcare, which we were asked to provide to support the expansion of early learning and childcare in 2020.

It is also our responsibility to approve and quality assure the BA and PDA programmes in childhood practice that managers/lead practitioners in day care of children services are required to obtain. We are also responsible for maintaining the national occupational standards that underpin the SVQ and HNC qualifications required of practitioners and support workers. Therefore, we feel the role of the workforce regulator should be made clear in the proposed vision.

The Draft Guiding Principles

Question 1.3: To what extent do you support, or not support, the Scottish government's draft guiding principles for inspection of ELC and school age childcare services?

- **Fully support**
- Partially support
- Don't support

Can you tell us why you think this?

The guiding principles appear to cover the majority of areas that would need to be covered to deliver the proposed vision.

Question 1.4: If you answered 'partially support', please can you tell us more about which principles you do and don't support?

Question 1.5: Do you think the draft guiding principles are missing anything?

- **Yes**
- No

If yes, please can you tell us what you think we have missed?

There is a role for the workforce regulator that could be articulated in the guiding principles, in particular in guiding principles 2, 3 and 5. In particular, these principles address the importance of having quality staff with the appropriate level of qualification to carry out their roles in ensuring better outcomes for children. The workforce regulator plays a central role in ensuring that registered workers meet the appropriate levels of qualification, training and conduct.

The Legislative Landscape

This section of the consultation focuses on the experiences of care services having gone through inspection. For this reason, we may not wish to respond to the majority of the questions in this section. However, questions 2.8, 2.9 and 2.10 may be ones on which we wish to comment.

Questions

Question 2.1: Some settings in Scotland currently receive inspections from both the Care Inspectorate and HMIE, visiting either separately or jointly.

If you are an ELC and/or school age childcare setting (including childminders, practitioners, teachers and staff working within those settings), from which organisations has your setting or service previously received inspections? (please tick all that apply)

- Only the Care Inspectorate (single agency inspection)
- Only HMIE (single agency inspection)
- Both the Care Inspectorate and HMIE (as separate visits)
- Both the Care Inspectorate and HMIE (as a joint visit)
- **Neither/ not applicable**

Question 2.2: If you are an ELC setting providing funded ELC (or a childminder, practitioner, teacher or staff member working within that setting), when did your setting or service last receive an inspection from HMIE?

- Within the last 2 years
- 2-5 years ago
- 5-10 years ago
- More than 10 years ago
- Never

Question 2.3: If you are an ELC and/or school age childcare setting (or a childminder, practitioner, teacher or staff member working within that setting), when did your setting or service last receive an inspection from the Care Inspectorate?

- Within the last 2 years
- 2-5 years ago
- 5-10 years ago
- More than 10 years ago
- Never

Question 2.4: Discounting periods of disruption over the COVID-19 pandemic, what is your experience of the current inspection approach?

- Mainly positive
- Neither positive or negative
- Mainly negative
- **I have not experienced this**

Question 2.5: Discounting periods of disruption over the COVID-19 pandemic, what do you consider are the benefits of the current inspection approach? Do you have examples of positive experiences to share?

The SSSC does not have a view on this.

Question 2.6: Discounting periods of disruption over COVID-19 pandemic, what do you consider are the challenges of the current inspection approach? Do you have examples of challenging experiences to share?

The SSSC does not have a view on this.

Question 2.7: Under the Public Services Reform (Scotland) Act 2010, HMIE and the Care Inspectorate are under a duty to 'cooperate and coordinate' their inspection activity.

To what extent do you agree or disagree that the two inspectorate bodies cooperate with one another and coordinate inspection activity effectively?

- Strongly disagree
- Disagree
- **Neutral**
- Agree
- Strongly agree
- Don't know

Can you tell us why you think this?

The SSSC has no view on this.

Question 2.8: Do you think any change is required to the current duty to 'cooperate and coordinate' inspection activity to provide opportunities to improve cooperation and coordination between the inspectorate bodies in the short and medium term?

- Yes, more could be done
- No, more could not be done

If you answered 'Yes', what more could be done?

The SSSC does not have a view on this.

Question 2.9: What are your views on how local authorities carry out their role in monitoring and supporting quality improvement in ELC and school age childcare provision (where appropriate), and how this aligns with the inspection functions carried out by the Care Inspectorate and HMIE?

The SSSC does not have a view on this.

Question 2.10: Please provide any further comments on how you think the current inspection approach could be improved.

The SSSC agrees with the proposals.

A shared quality framework

The Scottish government proposes the following:

- One shared quality framework to apply to all ELC providers
- The shared quality framework would be a self-evaluation tool
- The shared quality framework would align with and replace the quality frameworks presently used by the Care Inspectorate and Education Scotland
- The quality framework will be developed collaboratively with Care Inspectorate, HMIE, sector representatives, practitioners, teachers, staff and children
- The shared quality framework will include elements relating to care, play, nurture, wellbeing, education, development and learning – making clear which elements are relevant to each type of setting
- The shared quality framework will be used to inspect all ELC services currently inspected by the Care Inspectorate and HMIE.

Questions

Question 3.1: Do you support the proposal to develop a shared quality framework between HMIE and the Care Inspectorate?

- **Yes**
- No
- Unsure

Can you tell us why you think this?

The SSSC supports this proposal. There is a key role for the SSSC in the development of this framework. Across the social work and social care sectors, regulation of the workforce and regulation of services are underpinned by the same Health and Social Care Standards and Codes of Practice which means that the SSSC and the Care Inspectorate, as regulators, can work closely and collaboratively to address issues and support improvement.

Question 3.2: What do you consider are the benefits to implementation of a shared quality framework?

The current system allows Education Scotland to inspect services providing funded ELC, with the Care Inspectorate responsible for the inspection of all ELC services. This can be confusing for the services within the sector as they are subject to inspection by two bodies which apply different scrutiny models and standards. We would support a move to using a shared quality framework for the inspection of ELC services. This would simplify matters for ELC services and would allow for more streamlined partnership working.

Question 3.3: What do you consider are the challenges to implementation of a shared quality framework?

The SSSC does not have a view on this.

Question 3.4: Do you think that the development of a shared quality framework will meet the needs of the sector to simplify the inspection landscape and reduce the inspection burden?

- Yes
- No
- **Unsure**

Why do you think this?

The SSSC believes that a shared quality framework would meet the needs of the sector in relation to simplifying the inspection landscape. However, we are unsure whether this alone will be sufficient to reduce the inspection burden.

Question 3.5: Do you think that the shared framework should apply to all ELC services, including funded and unfunded nursery and childminder provision for 0-5 year olds, and to childcare provision for children of school age (over 5 years old)?

- **Yes**

- No
- Unsure

Why do you think this?

The SSSC believes that the shared quality framework should apply to all funded or non-Funded ELC services. Our register does not distinguish between workers in funded and non-funded ELC settings, therefore we believe it would be appropriate for the shared quality framework to apply to all ELC settings, regardless of funding.

We believe that consideration should be given as to how the shared quality framework can be applied to school age children as out of school care workers are required to register with the SSSC. We would welcome the opportunity to work with Scottish Government and other partners on this matter.

Additional comments

Question 4.1: Do you have any additional comments in relation to improving inspection of ELC and school age childcare services in Scotland?

The SSSC has no additional comment to make.

Scottish Social Services Council

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