



The impact of the Childcare Bill on disabled children

A briefing for Committee Stage of the Childcare Bill

Overview

Our organisations welcome the principle of supporting families with the costs of childcare. However, we know that existing childcare provision is not working well enough for disabled children and those with special educational needs (SEN). The Government has acknowledged the difficulties, and we therefore urge them to set out how they will guarantee that all parents benefit equally from the new entitlement.

We are supporting the following amendment at Committee Stage:

BARONESS TYLER OF ENFIELD, BARONESS PINNOCK

Page 1, line 20, at end insert—

“() In discharging their duty under subsection (1) and supporting local authorities to meet their duties under section 7 of the Childcare Act 2006 (duty to secure prescribed early years provision free of charge) the Secretary of State must ensure—

- (a) childcare providers are suitably qualified and trained to deliver high-quality care to disabled children and children with special educational needs;
- (b) childcare providers have facilities suitable for disabled children and children with special educational needs;
- (c) childcare providers are able to access additional funding to meet the needs of disabled children and children with special educational needs.”

The case for change

"Disabled children are being denied the same opportunities for positive educational and social development... Parents are denied the same opportunities to choose to return to work".

Parliamentary Inquiry into childcare for disabled children, 2014

"The Early Years Minister, Sam Gyimah, and I... are aware that families with disabled children too often experience challenges and financial pressures in getting the [childcare] services they need."

Edward Timpson, Minister of State for Children and Families, June 2015

Our organisations have warmly welcomed Lord Nash's commitment to equality in early years provision and his statement at Second Reading that the parents of disabled children "must have the same opportunities as other parents to access the new entitlement to 30 hours".

Nevertheless, there is overwhelming evidence that parents of disabled children are struggling to access their *current* entitlement to childcare:

- Only 21% of local authorities are now reporting that there is sufficient childcare for disabled children in their areaⁱ;
- Research commissioned by the Department for Education found that only 40% of parent carers believe that childcare providers in their area can cater for their child's disabilityⁱⁱ;
- 41% of respondents with three and four-year-olds to a survey conducted to support the Parliamentary inquiry were not able to access the full 15 hour entitlementⁱⁱⁱ.

The Government must address the fundamental challenges currently facing the families of disabled children if they are to have the same opportunities as other parents to access 30 hours free childcare. The inequality in access faced by parents of disabled children will increase if the Government does not take steps to support childcare providers to offer inclusive high quality, flexible places.

We believe the Government will be unable to fulfil its pledge to ensure equal access to the new entitlement unless it commits to addressing the systemic problems in accessing childcare currently faced by the parents of disabled children.

The current funding system does not take the additional costs of supporting disabled children into account

In evidence to the Parliamentary Inquiry into childcare for disabled children, providers repeatedly argued that a lack of additional funding was preventing them from developing inclusive childcare. Meeting the additional needs of disabled children has a cost implication. Local authorities are able to provide top-up funding to childcare providers from their 'high needs block' of funding or provide support services which provide expert advice. However, the Inquiry concluded that "the availability of additional funding is inconsistent and is not always adequate to enable a disabled child's participation in a setting"^{iv}.

If the Government is to secure equal access to the new childcare entitlement, we believe that the early years funding review announced by the Department for Education must consider the funding implications of creating equal access for disabled children to the childcare offer. This requires explicit consideration of whether additional funding needs to be provided to local authorities to allow them to support childcare providers.

We believe the government should commit to providing sufficient financial support to local authorities so that all childcare providers can offer places to disabled children. This includes, in particular, funding for:

- **SEN support services, for example area SENCos or early years advisory teachers;**
- **Support with any additional costs incurred by providers, including additional or specialist staff; and**
- **Support to make appropriate adaptation to facilities and to purchase equipment.**

The workforce is not suitably qualified and trained to deliver high-quality care to disabled children

The Parliamentary Inquiry into childcare for disabled children found a consensus across parent carers, local authorities and provider associations that the childcare workforce lacks sufficient knowledge of the skills required to include disabled children. It found that the lack of staff skill and confidence was often the reason for parents 'being subtly discouraged or simply turned away by a provider'^v.

Effective early years provision relies on staff with the skills and confidence to identify and respond to the needs of disabled children. The recent reforms to special educational needs and disability in the Children and

Families Act 2014 rely on a skilled workforce that is able to identify needs early and respond effectively. A number of reports have indicated how, where practitioners lack the skills or the confidence to respond appropriately, children's needs may be identified without effective action being taken. A disastrous cocktail of slow progress, lowered expectations and parental loss of confidence can follow. This can limit children's achievements and later difficulties can become overlaid on earlier ones.

The Nutbrown Review of early education and childcare qualifications identified concerns about how well practitioners are equipped to work with disabled children and emphasised the importance of workforce development in SEN and disability^{vi}. However, we believe the Government's response to the Nutbrown review significantly watered down the emphasis on SEN and disability. Government has made a significant investment in a range of tools to support professional development, for example the Early Language Development Programme. These need to be supplemented by more specialist and widely available programmes and a systematic approach to workforce development.

We believe the government should develop a workforce strategy, including:

- **Mechanisms to ensure that all early years providers have access to the training needed to offer high quality care to disabled children; and**
- **Strengthening the requirements in the Early Years Educator and Early Years Teacher qualifications to meet the needs of disabled children and those with SEN.**

For more information

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ⁱ Family and Childcare Trust (2015) *Access denied*

ⁱⁱ Department for Education (2014), *Childcare and early years survey of parents 2012-14*

ⁱⁱⁱ *Parliamentary Inquiry into childcare for disabled children* (2014)

^{iv} *Parliamentary Inquiry into childcare for disabled children* (2014)

^v *Parliamentary Inquiry into childcare for disabled children* (2014)

^{vi} Department for Education (2012) *Foundations for Quality: Final Report*