

# Consultation on a Revised Early Years Foundation Stage (EYFS)

## Consultation Response Form

The closing date for this consultation is: 30  
September 2011

Your comments must reach us by that date.

**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online response facility available on the Department for Education e-consultation website (<http://www.education.gov.uk/consultations>).**

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**Please tick if you want us to keep your response confidential.**

Reason for confidentiality:

Name

Organisation (if applicable) KIDS

Address: 49 Mecklenburgh Square, London WC1N 2NY

If your enquiry is related to the policy content of the consultation you can email: [revisedeyfs.consultation@education.gsi.gov.uk](mailto:revisedeyfs.consultation@education.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 0370 000 2288 e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk)

The consultation questions are in four sections, following the format of the revised draft EYFS framework. The four sections are:

1. The **introduction** to the EYFS, which describes its overall aims and principles.
2. The **learning and development** requirements. This section explains what all early years providers must do to support young children's learning and development. It includes the early learning goals, which describe the things that most children should be able to do at the end of the year in which they turn five.
3. The **assessment** arrangements, which explain how providers should observe, report and plan for children's progress.
4. The **safeguarding and welfare** requirements, which specify what providers must do to keep children safe and healthy in early years provision.

Please tick one category that best describes you as a respondent.

<input type="checkbox"/> Parent/Carer	<input type="checkbox"/> Maintained School	<input type="checkbox"/> Independent School
<input type="checkbox"/> Childminder	<input type="checkbox"/> Nursery	<input type="checkbox"/> Local Authority
<input type="checkbox"/> Early Years Sector Representative	<input type="checkbox"/> Play Sector	<input type="checkbox"/> Breakfast/Afterschool Club
<input type="checkbox"/> Pre-School/Playgroup	<input type="checkbox"/> SEN Provision	<input checked="" type="checkbox"/> Other

Please Specify:

KIDS is a national charity working across England to support disabled children, young people, their families and carers.

Our work covers:

- direct work with disabled children
- direct work with disabled young people
- support for parents of disabled children and young people
- support for siblings of disabled children and young carers
- training & guidance for professionals working inclusively with disabled children and young people.

## Introduction

**The introduction to the EYFS describes its overall aims and principles. The Government agrees with the Tickell Review findings, that the aims and principles should remain in place, but that the EYFS overall could be simplified and shortened.**

1 Is the introduction to the revised draft EYFS, and the explanation of its principles, clear? If not, what changes would you suggest?

Yes

No

Not Sure

Comments:

It is clear that the revised EYFS still focuses on the four key guiding principles endorsed by Early Years Professionals (albeit with slight changes in terminology) and that the proposals outlined in the consultation document recommend seven key learning areas and 17 early learning goals. As there are currently 69 learning goals for assessment this is most definitely a step in the right direction. Sadly however the consultation document appears to then represent a significant shift away from an emphasis on the unique child as a freely acting, self actualised individual into something more bound into a requirement for academic and social success.

The narrative still refers to the unique child and recognises that children develop at their own pace but then goes on to compartmentalise children's learning based solely on chronological markers. As advocates for the rights and freedoms of disabled children, this represents a retrograde step if children are only recognised as being successful in such a restrictive set of goals/parameters within a specific time period.

The use of the phrase 'school readiness' is unclear and unhelpful and open to interpretation by the varied settings that support children in the early years. The phrase seems to promote that all children should reach the same end goal (whatever this might be) at the end of the early years. However we believe that the early years should promote and support each individual child's development, which will vary from child to child. It also puts significant emphasis on the child being ready rather than the school being ready able and willing to respond to the individual needs of children at the start of their school career.

We are also concerned that there seems to be a move backwards in focusing on 'educational programmes' and 'adult led learning' rather than on play and children being nurtured to follow their own interests and motivations. It has taken considerable time, training and effort to move practitioners to a position where they recognise the importance of their role as enablers to children's learning rather than controllers and significant guidance will be necessary to ensure a balanced approach is maintained.

Children in the early years should be in playful fun environments where skilled practitioners enhance children's opportunities to learn through play creating dynamic learning environments that use the children's own interests as the starting point for all aspects of the EYFS.

The evidence to promote children's need (and right) to play, especially in the early years is well documented, and must be promoted more within this document. The inclusion of the statement 'purposeful play' in section 1.10 should be removed, as play does not always have or need a purpose. Play often comes from an intrinsic motivation from the child that should be nurtured and supported by practitioners.

KIDS is concerned that the new wording of the consultation document has reverted to a more disempowering 'medical model' of terminology regarding disabled children. This is in contrast to previous efforts to encompass a 'social model' way of thinking when referring to the requirements of disabled children. KIDS would welcome further thought in the terminology used within the final document that promotes social model terminology.

## **Section 1 - Learning and Development Requirements**

**This section of the EYFS explains what early years providers must do to support young children's learning and development.**

**The Tickell Review recommended some changes to the EYFS *areas of learning* and that these should be in two categories: three *prime* areas which reflect the essential foundations all children need if they are to develop further: and four *specific* areas in which the prime skills are applied. The revised draft EYFS also suggests the broad areas of focus for educational programmes in each area of learning.**

**The *early learning goals* describe what most children should be able to do by the end of the year in which they turn 5. The Government agrees with Dame Clare Tickell, that there are more goals than is necessary or useful in assessing children's progress in the current EYFS. Accordingly, the revised draft EYFS reduces the number of early learning goals from 69 to 17.**

**The Tickell Review also suggested that the learning and development requirements should not apply in full to settings where children spend limited time, outside school hours - for example, holiday and wraparound care. The revised draft EYFS suggests that where children attend more than one setting that providers should work together, with parents, to determine how they can most appropriately support that child.**

2 Do you agree with the proposals that there should be three *prime* areas of learning and development? The three *prime* areas are: personal, social and emotional development; physical development; and communication and language (paragraph 1.3).

Yes                       No                       Partly  
 Not Sure

Comments:  
Looking at the overall development of a child within these three prime areas should encourage practitioners to focus on each child's individual skills and abilities

Focusing on these prime areas will also help skilled practitioners to creatively provide support for all children to learn and develop at their optimum level.

Children's specific individual requirements must be met by the setting for each child to be able to learn and develop.

Children's unique abilities, qualities and rate of development in different areas should be noted and valued on their own terms and at their own pace rather than placed in a fixed schedule.

3 Do you agree with the proposals that there should be four *specific* areas of learning and development? The four specific areas are literacy; mathematics; understanding the world; and expressive arts and design (paragraph 1.4).

Yes                       No                       Partly  
 Not Sure

Comments:

KIDS does not totally disagree with the proposal to have four specific areas of learning and development but feels that for out of school activities the focus is being taken away from the intrinsic value of play to focus on educational attainment.

The UN Convention on the rights of the child clearly endorses the important right of children to play and recent research by UNICEF highlights that children in this country are some of the unhappiest in Europe reducing their right to play to focus on academic achievement may contribute to the pressures we place on our children.

If we are to allow children space and time to play, the evaluation of Early Years registered play settings needs to be carefully considered including whether this evaluation will be child focused taking into account individual skill levels.

4 Paragraph 1.6 explains how learning in the prime and specific areas should be supported. Is this a clear explanation? If you ticked no, or not sure, please say how this could be clarified.

Yes

✓ No

Not Sure

Comments:

Although it is acknowledged in the four guiding themes that **Children develop and learn in different ways and at different rates** in 1.6 the balance shifts to focus on the three prime areas of development for the '*youngest children*', to the 4 specific areas for '*the older age range*' which is disappointing. If truly regarding each child as a unique child, the shift from the focus being upon the three prime areas should be *ability driven*, without reference to the age of the child.

Use of the phrases 'gives cause for concern' and 'reducing the *risk* that the child will struggle when starting Key Stage 1' could be interpreted as having *negative effects* upon the child and their parents focusing on a deficit model rather than on the child's achievements.

Children may need support in a given area and their requirements and needs should be *positively identified* and met to aid their learning and development. The setting should be supporting the child's progress in whatever way is necessary focusing on what they have achieved and building from each child's unique starting point.

Meeting the specific requirements and needs of a child is more important

than whether a child has an *impairment* or special educational need. **Having a diagnosis of being a disabled child should not be an automatic trigger to seeking support for a child.**

Well trained practitioners, within an inclusive and supportive early years setting, should be able to create a dynamic learning environment for all children recognising when to be involving specialist support, working closely with families to help them access relevant services for *any* child who they consider to need support in *any* area of learning and development at any particular time.

Additional support for many children may be a temporary requirement or need due to a number of reasons e.g. family circumstances, illness etc and not only required if the child has an impairment, condition, or a special educational need.

Expected 'levels of achievement ' (page 7 para 1.8) for children to reach at ages 2 and 3 could reinforce a focus on 'passing or failing' and away from a more productive and supportive analysis of the 'needs, interests and developmental stages of each child, enabling an active approach to guiding and supporting their development' (page 9 Dame Tickell's report March 2011).

KIDS would welcome greater emphasis on seeing the child as an individual who, with the correct support, and having their specific requirements met learns, develops and progresses in their own way, rather than being judged by their ability to reach certain developmental milestones at a certain chronological age.

## Early Learning Goals

We are proposing to reduce the number of early learning goals from 69 to 17. The 17 Goals are all covered by the 7 areas of learning and development (3 prime areas and 4 specific areas). Appendix 4 of the revised draft EYFS describes the detailed content of the goals, which practitioners and teachers would use to assess children's development and achievement.

For each of the 7 areas of learning and development listed below in 5 a) - g), please say whether you agree with the early learning goals which relate to them.

### A. Prime Areas of Learning and Development

5 a) **Personal, social and emotional development:** Self-confidence and self-awareness, Managing feelings and behaviour, Making relationships

Yes

No

Partly

Not Sure

Comments:

KIDS recognises the value of this area of development and the impact it has on the overall wellbeing of all children and the critical role it plays in underpinning all other areas of learning and development.

It will be important to take note of each individual child's starting point particularly for children with severe, complex and multiple impairments as their learning style often has an impact on measurable outcomes.

There is no mention of the role a Highscope approach could have in underpinning this area of learning and as research over many decades provides evidence of the positive outcomes for children is this something to be considered?.

5 b) **Physical Development:** Moving and handling, Health and self-care

Yes

No

Partly

Not Sure

Comments:

At a time when evidence shows that significantly fewer children have access to outside play and that we live in a risk adverse society the importance of this area of learning cannot be under estimated.

For all settings the emphasis on inclusion must be paramount with environments and activities developed to ensure all children have the opportunity to participate fully, how and when they choose to.

Consideration must be given to how settings will be expected to measure this area of development for children with severe, complex impairments.

5 c) **Communication and Language:** Listening and attention, Understanding, Speaking

Yes

No

Partly

Not Sure

Comments:

The definitions are very clear but extremely limited taking little account of children with communication disorders or giving recognition to the rich diversity of communication systems used by disabled children.

Some children do not use verbal communication as their preferred method of communication but can effectively communicate their feelings, ideas and responses to a range of situations.

Reference to being able to 'speak' and to 'say', 'talk' could be replaced with more inclusive phrases which recognise the wide range of communication methods children may utilise.

## B. Specific Areas of Learning and Development

5 d) **Literacy:** Reading, Writing

Yes

No

Partly

Not Sure

Comments:

5 e) **Mathematics:** Numbers, Shape, space and measures

Yes

No

Partly

Not Sure

Comments:

5 f) **Understanding the World:** People and communities, the World, Technology

Yes

No

Partly

Not Sure

Comments:

5 g) **Expressive Arts and Design:** Exploring and using media and materials, Being imaginative

Yes

No

Partly

Not Sure

Comments:

5 h) Do you agree that the early learning goals define clearly enough what children should be able to do by the end of the school year in which they turn 5? If you ticked no, or not sure, please indicate which goal(s) you consider unclear and suggest how the goal(s) could be clarified.

Yes

No

Not Sure

Comments:

Defining early learning goals which children 'should be able to do' by a certain stage and age, does not reflect the overarching principles of the Statutory Framework which are stated on page 4.

There appears to be a significant tension between the values and principles of the EYFS and the mechanisms for evaluating or measuring children's achievements.

If each child is recognised as being 'unique', it is essential they are in a 'positive environment' in which their experiences 'are planned to reflect their needs' so that they are able to 'fulfil their potential and learn and develop well'.

The fourth principle 'children develop and learn in different ways and at different rates', is particularly important and is not supported by the seemingly rigid application of the early learning goals at a certain chronological age.

More reference is needed to children's specific needs being met for them to be able to 'demonstrate' an ability e.g. in order for some children to be able to cope with change in routine or the introduction of a new learning experience, they will need the practitioners to take into account their specific

requirements, perhaps making time to give a brief explanation to the child and then allow time for them to adjust.

There is no recognition of the starting points for each child and therefore limited opportunity to celebrate the significant achievements of many children assessed against such a rigid criteria. KIDS would welcome further thought on how this could be addressed and guidance included in the final EYFS.

The Government is keen to ensure that the EYFS helps ensure children's English language skills are sufficiently developed to allow them to take full advantage of Key Stage 1 and the opportunities that schools offer. It also recognises that bilingualism is an important asset conferring positive advantages for children's learning and development. The revised draft EYFS tries to strike a balance between supporting children's overall language development, and ensuring appropriate opportunities are provided for children to reach a good standard of English and be ready for school. It also seeks to ensure that the assessment requirements appropriately measure children's progress in English, taking due account of the needs of children who have not had the appropriate time or support to develop their English language skills.

6 Does paragraph 1.7 of the revised draft EYFS get the balance right?

Yes

No

Not Sure

Comments:

In addition to spoken English children may use a range of alternative communication systems e.g. makaton, sign-along, total communication, electronic communication aids and other assistive technologies. These are all legitimate forms of communication that need to be considered and should not be ignored within the documentation.

KIDS also feels that in addition to the range of systems highlighted above that this section should also take account of BSL as the "home language" of British people who are deaf.

There must also be recognition that settings may require support from other agencies or individuals who speak the child and family's home language and this support should extend to the child's home enabling parents and cares to become fully engaged in developing the child's linguistic skills.

7 The EYFS requires providers to support children through *planned, purposeful play*. The Tickell Review recommended that this requirement should be explained more clearly. Do you agree that paragraphs 1.10 and 1.11 of the revised draft EYFS clearly outline expectations of the approach practitioners should take to supporting children's learning?

Yes

No

Not Sure

Comments:

KIDS recognises that from a child's perspective all play is purposeful as it enables them to make sense of the world around them. It is frequently not planned by the provider or the child but evolves naturally. There has been much work done on creative play events, episodes and child led play initiatives that is being lost in this definition of play. KIDS would wish to see more emphasis placed on evaluating how well settings engage and respond to dynamic feedback from children attending settings.

There should be ample opportunity for children to play for play's sake as it is in greater danger of being eroded from the lives of many children- and especially disabled children.

It is essential that settings are supported to understand the necessity to effectively balance adult led and child led play particularly in relation to disabled children as their lives are more likely to be monitored and watched by adults, allowing little scope for them to be able to explore and investigate without adult intervention.

So many corrective therapies rely upon 'play' to develop certain aspects of a disabled child, physically and/or intellectually, which has the potential of instilling play into all other practitioners as a means to an end for disabled children.

Disabled children can also have limited opportunities to engage in free play due to attitudinal and physical restrictions and barriers to using play spaces or toys/equipment with their non-disabled peers.

Practitioners need to have a strong working knowledge of child development stages, together with training in developing play responses based upon individual need. This should always be based around the child's individual requirements, interests and preferences.

Training is needed for practitioners to be able to intelligently and creatively provide enough opportunities for all children to develop and learn in different ways in each of the characteristics of effective teaching and learning as identified within the EYFS.

8 a) Paragraphs 1.14 - 1.15 explain the learning and development requirements for settings where children spend a limited amount of time, outside school hours - for example, holiday and wraparound care. Do you think these paragraphs contain appropriate requirements for wraparound and holiday providers? Please explain.

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Sure
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Comments:

Within this section the emphasis is placed on settings using their judgment to take into account what support a child is getting elsewhere and how learning is complimented across all settings. It would be in the child's interests if it was a *requirement* for all settings which the child attends to communicate and share information with each other to some degree.

Open communication channels are not always sufficient and providers may not always be proactive in contacting each other and sharing important information about the child.

8 b) Are the requirements explained clearly?

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Sure
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Comments:

## Section 2 - The Assessment Arrangements

**There are two types of assessment in the EYFS. The first is formative assessment which practitioners should use on an ongoing basis to**

identify children's needs and plan activities to meet them and support children's future progress. Careful observation is particularly important. Many people who responded to the Tickell Review were in favour of continuing to require this type of assessment, although some people expressed concerns about the paperwork that was associated with it. It appears that paperwork may often be a response to *perceived* pressures, or reflect practitioners' own training needs, rather than the requirements of the EYFS. The revised draft EYFS retains the requirement that practitioners undertake on-going formative assessment but aims to make clear that the paperwork associated with assessment should be limited.

9 Paragraph 2.2 aims to discourage practitioners from completing excessive levels of paperwork. Do you think these paragraphs would achieve this aim? Please explain.

Yes

No

✓ Not Sure

Comments:

Formative assessments of the child which record a child's 'key achievements' and in which areas a child *needs some more support*, as opposed to recording 'concerns' would be part of a positive plan to support a child's development and learning.

The first formative assessment would be most beneficial if it took place *before* the child started to attend the main provider. This would ensure that their specific needs were met as soon as they started attending and they were able to settle into their environment as soon as possible. It would also ensure that their learning and development needs were met and they would progress more rapidly.

Emphasis on the involvement of all who are involved with the child is welcomed.

The recognition that recording does not require an excessive amount of paperwork is welcomed, however some guidance on this and what is acceptable would be useful.

Regular updates to the parents should be provided in a range of different ways to ensure it can be fully understood and supported in the home.

10 Do you have any further comments on paperwork associated with the formative assessment of children's learning and development?

Yes

No

Not sure

Comments:

A range of methods, including photographs, films, children's own comments and examples of their work should be used to record a child's achievements and areas in which they need more support. This diverse approach to evidencing where a child is on their learning journey should be actively encouraged as this will more accurately represent their levels of learning and development than a tick box approach.

Practitioners should have access to training and guidance should be provided on this with Ofsted and Early Years providers agreeing on appropriate methodologies.

**The second type of assessment is summative assessment, in which practitioners step back and record what children can do across all of the areas of learning, to review their progress at a given point in time. This includes an assessment of children's achievements, and the extent to which progress is as expected, against benchmark standards. It is useful for parents as well as early years practitioners in understanding a child's level of development, and in supporting their future learning and development.**

**Currently, the only summative assessment required by the EYFS is at the end of the year in which children turn 5. It is called the EYFS Profile. A significant number of people have raised concerns about the EYFS Profile in its current form. Some respondents to the Tickell Review felt that it was not challenging enough for more able children but was too challenging for some other children - including children born in June, July and August, who will be the youngest in their school year. Many early years practitioners also highlighted that the EYFS Profile is not always used by Year 1 teachers (teaching pupils aged 5-6 years), owing to the lack of connection between the content of the EYFS Profile and the National Curriculum.**

**It is proposed that:**

**a. the EYFS Profile is slimmed down to reflect the proposed (reduced) 17 early learning goals;**

**b. 'emerging' and 'exceeding' bands are included in the assessment measures, to help identify clearly where children are working towards or have gone beyond the goal. This aims to provide clear information on children's progress for parents and to help Year 1 teachers to support very young children, gifted and talented children or children with additional needs;**

**c. the wording of the goals is amended to fit more clearly with the goals of the National Curriculum (and the wording of the National Curriculum will be considered in relation to appropriate continuity with the EYFS).**

11 Do you think the revised draft EYFS Profile would provide an improved vehicle for capturing the essential information about a child's development at the point at the end of the EYFS? Please explain.

Yes

No

✓ Partly

Not Sure

Comments:

Measuring children against goals and bands of achievement can diminish the amount of progress some children are making if they do not slot into the descriptions which have been provided.

Practitioners should be encouraged to positively describe each child's level of development individually. By doing this for each child they would automatically be supporting ALL children, whether they are very young, gifted, talented or disabled children.

Some children should not be 'labelled' as having 'additional needs' as all children's specific requirements and needs will vary and should be being met in all the settings they attend.

Using the Early Support materials would enable practitioners to improve summative assessments and provide them at more frequent intervals celebrating a disabled child's progress.

12 Do you agree with the content of the 'emerging' and 'exceeding' bands?  
Please explain.

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Partly
<input type="checkbox"/> Not Sure		

Comments:

As previously stated KIDS does have some concerns with the subjective nature of these descriptions and the possibility that consistency across settings and localities will be difficult to manage.

13 Do you agree that the terms 'emerging', 'expected' and 'exceeding' appropriately describe levels of progress? Please explain.

<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Partly
<input type="checkbox"/> Not Sure		

Comments:

Guidance will be required to support practitioners to assess children's skill level accurately, the terms emerging and exceeding are far easier to understand than "expected" it may be more helpful to say that children have "achieved" their developmental milestones rather than classifying them as "expected".

These terms will only be of use if evidence based learning examples are given as part of the final document along with an assessment of "next steps". Space should also be made available for children to reflect on where they feel they have achieved, where they feel they could have improved and what they would like to do next. All of this will help move the process away from an unhelpful tick box exercise.

To ensure each setting is assessing accurately extensive training and written guidance will be essential along with some form of moderation process. The cost of this will be substantial and KIDS wonders if funding will be made available for this across all settings?

KIDS is concerned that these categorisations do not take into account children's starting points and that disabled children will be seen to have failed rather than having made significant progress relevant to their individual learning goals. It also feels that this is where a tension begins to emerge between the emphasis on the unique child and an assessment process that merely measures children against the performance of their peer group.

14 The revised draft EYFS asks practitioners to supplement the Profile and give Year 1 teachers a short commentary on each child's skills and abilities in relation to the three characteristics of effective learning (paragraph 2.7). Do you agree this is helpful? Please explain.

Yes

No

Not Sure

Comments:

When a child's specific requirements and needs are being met, they should be able to have fun whilst they are learning and developing.

**There should be scope for free play for play's sake.**

The balance of adult and child led activities should be sensitively judged by a skilled practitioner and by the child's developmental level not necessarily according to their stage in reaching the reception class. (1.10)

The emphasis upon observation of the interests and choices a child makes, to plan for their learning and development, within a framework, should be used to allow practitioners to appreciate that children's development may not follow predictable patterns through progressive stages, but may be completely individual and unpredictable.

Well trained staff will plan for inclusion appropriately by knowing that some disabled children may need support to play, whilst still ensuring that they have equality in their freedom of choice.

A definition for play is needed so that it is seen as a basic building block for children's learning and development, within the framework.

Play needs more recognition and to be sanctioned in its own right, highlighting play being of value for its own sake, for fun, and not exclusively as a way for children to learn and develop in particular identified areas.

A definition of and explanation of play would help practitioners to be confident in applying the Playwork Principles and they can relate to the implementation of the EYFS.

15 Do you have any further comments on the proposed revised draft EYFS Profile?

Yes

No

Not Sure

Comments:

**Early years settings have a duty to collect EYFS Profile data and provide it annually to their local authorities. Local authorities need to provide this annually to the Government. These duties will remain.**

**The Government has also considered the difficulties which can be experienced by children if they need additional support and their needs are not identified at an early stage. For many children, identifying their needs at age 5 is not soon enough to help them catch up to be successful learners in school. In response to this, building on Dame Clare Tickell's advice, we propose that a summary of children's development is provided to parents when their child is aged between 24 - 36 months. This must cover the prime areas of learning. Its purpose is to identify where children may need some additional support and to help practitioners work with parents and others to provide that tailored support. It is for practitioners to decide what the summary might include beyond the above requirements, reflecting the development needs of each individual child, and to decide on the format for the report.**

**For the longer term the Government is exploring the feasibility of a single integrated review at around age 2 (as recommended by Dame Clare Tickell), in which health and early years providers jointly assess children's progress, and work together, and with parents, to plan tailored support as appropriate. This would build on and strengthen the progress review we propose to introduce for September 2012 (as outlined above) to help ensure all children reach a good level of development at age 5 and are ready and able to learn in school.**

16 Do you agree there should be a requirement for providers to give parents a written summary of their child's development in the prime areas when their child is 24 - 36 months (paragraphs 2.3-2.4)? Please explain.

Yes

No

Not Sure

Comments:

Partnership with parents is a critical part of any provider's responsibility when working in an early years environment. Parents and carers need to be encouraged to participate fully in their child's learning journey and recognise the importance of incorporating a child's home experience into any setting supporting a pre-school child.

Although KIDS believes that a written summary of child's development in the prime areas at specific times may be useful it must not replace ongoing and frequent dialogue throughout the child's attendance at a setting. Opportunities for informal feedback must remain an essential part of a practitioners responsibility and include feedback from parents as the main educators of their child.

All families must be given the opportunity to identify their preferred methods of communication e.g. for some families a written report may be intimidating and unhelpful but a verbally recorded report on a disk or video link may be warmly received.

Written summaries could be accompanied by photographic and filmed evidence of an individual child's developmental level and their specific requirements and may be a better way to share information about a child with their parents and others with whom information is to be shared. Meetings with parents should also occur alongside written reports to ensure that no assumptions are being made about parents' literacy, and to build a stronger relationship with parents generally.

17 Do you have any further comments on the 24 - 36 months summary of development?

Yes

No

Not Sure

Comments:

Focusing upon the three prime areas of development at specific chronological stages can be helpful in order to achieve early identification and response to areas where a child may need a plan to support their future learning and development.

However a child's development should be regarded as a continual process and it would be encouraging to see the continued emphasis and focus of attention on a 'targeted plan' being provided to support a child's learning and development to enable their *optimum progress* for the *child's sake* not just for their preparation for entry into school.

Early identification of a child's support needs are crucial in helping a child to reach their potential in all areas of learning and development. A child's 'healthy development' or 'good level of development' as described in 2.3, may still be achieved if a child is being fully and suitably supported, even if their development is not following the stages and ages as described in a developmental chart.

Terminology that could be perceived as negative e.g. '*concern*' about a child's 'developmental delay, special educational needs, or disability' could be replaced by positive statements about the 'activities and strategies' which the practitioner will use to *enable the child to develop their abilities*. These strategies could also include training for staff or the involvement of health care professionals or other specialists.

The child may need support for a number of reasons including a number of temporary situations which are happening in their life and which are having an impact on their learning and development and may not be due to an educational special need, or medically diagnosed impairment or condition. The emphasis should be upon meeting the specific requirements and needs of the child.

Written summaries could be accompanied by photographic and filmed evidence of an individual child's developmental level and their specific requirements and may be a better way to share information about a child with their parents and others with whom information is to be shared. Meetings with parents should also occur alongside written reports to ensure that no assumptions are being made about parents' literacy, and to build a stronger relationship with parents generally.

Synchronisation of the summary of a child's development in the prime areas with the 2 year review carried out by health visitors would be advantageous as a clear overall summary of all aspects of a child's development would be carried out and a comprehensive support plan could be better co-ordinated with joint working made easier.

There are existing mechanisms in place through the CAF and Team Around the Child meetings that could support the assessment process and help

achieve the aspiration for single assessment and review outlined in the Green Paper.

By reverting to the historic practice of assessing children at the age of two any areas of development that require additional support can be addressed in an appropriate and timely manner.

**The Tickell Review recommended that the EYFS should be clearer about how children with special educational needs should be assessed.**

18 Do you think that paragraph 2.10 of the revised draft EYFS is clear in relation to the assessment of children with special educational needs?

Yes

No

Not Sure

Comments:

The information is very clear.

However the narrow focus on the Profile form which appears to encourage a very brief 'tick box' summary of a child's 'level' of development will not convey a detailed picture of a child's development.

2.3 suggests a 'short commentary on each child's skills and abilities in relation to the three key characteristics of effective learning' would 'give Year 1 teachers helpful background and context when considering each child's stage of development and learning needs' (Page 13 +14 Draft for consultation).

It would be more encouraging to see a greater emphasis being given to comprehensive coverage of a child's developmental levels in ALL areas requiring a full written commentary for all prime and specific areas.

An extra column in the EYFS profile form headed 'examples' or 'evidence' would also give scope for the practitioner to be able to convey the breadth and range of the child's abilities and support needs in a particular area, and to include photographs and films if it is felt this will convey information about a child in a more useful way.

In addition to a written profile a sound transitional service should be implemented allowing for reception staff to visit a setting on more than one occasion and for pre-school staff to support a child within the school setting until school staff are familiar with a child's individual requirements.

19 Do you have any further comments on the assessment of children with special educational needs?

Yes

No

Not Sure

Comments:

Assessment of all children should be the same. If children are to be treated as children who are unique individuals and not categorised into types according their ethnicity, impairment or gender, then a single universal assessment process should be used which addresses all areas of their development.

Some disabled children have very short attention spans and prefer short bursts of unplanned play, some disabled children's likes and dislikes change on a daily basis. Practitioners must use their skills to develop children's play and learning using their interest as the catalyst for increasing the breadth of children's play experiences.

Children need to be offered a wide range of opportunities throughout these early years, according to their stage of development in *each* area – the use of appropriate observation methods to develop play based activities that are focused around the individual children's preferences and requirements highlight the advantages of the unique child approach when working with disabled children, helping practitioners plan for individuals.

The practitioner should be able to utilise a wide range of methods to record and assess each children's achievements and abilities in order to reflect and describe them to the parent, carer or to another practitioner accurately.

Children, whether disabled or non-disabled, i.e. with or without an impairment or condition, with special educational needs or not, should be assessed by the same universal process.

Whether a child has a medical diagnosis or not should not be the determinant of whether they are treated in one way or another.

Thorough assessment processes based upon each child's individual development will ensure the best provision for all children.

Highlighting the need for individual goals with individual learning plans is very important for all children. However having so many age specific goals attempts to fit children into a 'one model fits all' theory with regards to child development which is not accurate. All children are unique individuals and will develop specific skills at different rates and this should not be seen as something negative.

There is merit and importance in positively emphasising what a child *can* do, as opposed to negatively measuring their deficiencies against a set of age-related developmental criteria.

Any structure should be flexible with room to positively demonstrate a child's individuality.

An open mind and willingness by the practitioner to learn and use a wide range of methods is important when observing and recording some disabled children's play.

Some children may communicate their feelings, emotions and thoughts using a variety of non-verbal methods so 'listening' may be required in a broader sense. Practitioners should observe very carefully as play experiences can be diverse and sometimes require the practitioner to have skill, patience, understanding and knowledge of the child to appreciate the fun and value of the experience for that individual child. This may not always be initially evident but may be important to the individual child and therefore will be crucial for the future planning of their play experiences.

All practitioners to be highly trained in a wide variety of practical and theoretical training – with continuous professional development enabling

them to develop the skills and confidence to assess disabled children as a matter of course, and not as a needs-led approach.

Skills developed would include the use of appropriate child development training and the ability to accurately and sensitively observe and record a wide range of children playing, learning and socialising in their individual ways.

There needs to be mention of joint working with other professionals and parents, and also how the SENCO role fits within the assessment and support of disabled children.

### Section 3 - Safeguarding and Welfare Requirements

**This section explains the requirements that all early years providers must meet, in relation to children's safety and welfare. In the main, the current welfare requirements were supported in responses to the Tickell Review. The revised draft EYFS aims to simplify and clarify existing requirements. It also provides additional guidance on child protection.**

20 Do you agree that the safeguarding and welfare requirements are set out clearly and cover the right areas? Please explain.

Yes

No

Not Sure

Comments:

The requirements are set out clearly however KIDS does not feel that there is sufficient focus on the safeguarding risk to disabled children as it is higher than for non-disabled children

Safeguarding and welfare training for all practitioners should include the reasons, causes and consequences of disabled children being more vulnerable than non-disabled children to abuse.

Training should also be provided to all staff so they are more able to enable all children to disclose abuse they have experienced, including the extra difficulties some children may experience when wanting to disclose abuse, especially if they have communication or physical impairments and their needs are not being met within the setting.

21 The requirements for staff training on safeguarding now include examples of inappropriate staff behaviour which are warning signs for the possibility of child abuse (paragraph 3.9). Do you think this will better equip staff to take action to protect children where necessary? Please explain.

Yes

No

Not Sure

Comments:

Emphasis on how to respond to the signs and clear reporting procedures to report concerns are particularly important when it involves colleagues.

Guidance for settings to include in staff training should be readily available supporting practitioners to understand their responsibilities in relation to safeguarding children.

22 Do you think that the requirement for staff supervision (paragraph 3.19) would help leaders and managers support their staff and keep children safe from harm? Please explain.

Yes

No

Not Sure

Comments:

In addition to the guidance given in the EYFS it would be advantageous to highlight safeguarding as a fixed item on the supervision agenda for all staff working with children.

Greater accessibility to advanced child protection training for Managers and leaders would increase the skill levels required to enable them to keep children safe from harm and support staff teams to meet this requirement.

23 The current EYFS sets a lower age limit of 17 for people looking after children unsupervised whilst the General Childcare Register (GCR) for those looking after older children sets a minimum age of 18. We think that it is important that our youngest children should be looked after by responsible adults. We therefore propose that only those over the age of 18 should be counted in ratios for both the EYFS and the General Childcare Register. Do you agree that we should raise the age limit in the EYFS?

Yes

No

Not Sure

Comments:

KIDS agrees on the grounds of uniformity and consistency with the increase in age limit although we recognise that age does not necessarily reflect maturity.

24 Childminders have previously been allowed six months to complete their training after registration. This means that they can look after children without having been trained in the EYFS. Do you agree that childminders should be trained to understand fully the requirements of the EYFS before they can register and look after children? Please explain.

Yes

No

Not Sure

Comments:

It is more important for childminders to be trained **before** they start as they do not have the advantage of working alongside other colleagues on a daily basis and are therefore less open to scrutiny.

25 a) Paragraphs 3.54 and 3.64 explain the requirements for risk assessments by settings. Do you think the explanation is clear? Please explain.

Yes

No

Not Sure

Comments:

Although there is adequate mention of the importance of risk assessment none of it reflects on the importance of practitioners undertaking individual risk assessments for specific children in relation to the internal and external physical environment, resources including staff and any equipment used by the setting.

This generic approach to risk assessment fails to focus practitioner's attention on their responsibility to protect all children in their care and creates the potential for a blanket approach to risk assessment leaving some children inadequately protected. To ensure all children are safe this needs to be clarified and specified within the EYFS.

Well trained and competent staff who *know* the children well will be the best way to minimise risk.

Children's safety when on outings should be comprehensively considered. General and specific risks need to be assessed and measures to minimise the risks recorded each time an outing is planned. Each risk assessment needs to include the assessments of the individual children who are included in the outing.

The assessment, policies and procedures regarding actions to take if an emergency should take place, involving any of the children who attend the setting, should be read and understood by all staff.

There is significant evidence that children's development is being restricted by society's aversion to risk it is essential that the use of risk benefit assessments should be promoted to take into account the benefits of children experiencing some risks. It will also be important to take into account the findings of the Health and Safety Council consultation in relation to the benefits to children and young people being exposed to managed risk.

25 b) Do you think this would help providers keep children safe without completing unnecessary paperwork? Please explain.

Yes

No

Not Sure

Comments:

26 Do you have any further comments on the safeguarding and welfare requirements?

Yes

No

Not Sure

Comments:

Risk assessments for individual children should always be considered as outings are being planned, with ample time allowed, so that their inclusion is assured – children’s specific requirements and needs should be met so they can fully enjoy and benefit from the experience.

3.43 – 3.49

There should be inclusion within this section about supporting children with personal care requirements and all staff being trained and skilled to fulfil this role, along with having clear policies and procedures in place to protect both children and adults.

3.53- reference to outdoor and indoor spaces being ‘fit for purpose’ should be clarified, as the meaning of this is not clear. We would like to see specific advice about accessibility of environments.

3.58- the exemption should be removed and the wording revised as ‘there is no such thing as poor weather, only poor clothing’. Poor weather is used as an unacceptable excuse for not allowing children to access outdoor play, yet children can learn so much about the world by playing and exploring the elements.

3.60- facilities must allow for dignity of the children to be maintained.

3.69- inclusion requirements should be noted- this could include any specific communication requirements, access requirements etc etc

## Inspection Arrangements

**Ofsted inspection assesses how well providers meet the standards of the EYFS and Ofsted publishes inspection reports on its website.**

**If providers breach any of the welfare requirements Ofsted can issue a Welfare Requirements Notice. If providers do not comply with the Welfare Requirements Notice by the date specified, then Ofsted can cancel the provider's registration and prosecute as they judge appropriate.**

**There are some breaches of requirements which can lead to immediate prosecution without a Welfare Notice first being issued. These are detailed at (paragraph 3.79 and 3.80) of the draft EYFS. The Government is considering whether the system for handling breaches of requirements could be simplified and would welcome views on whether any of these requirements could be appropriately dealt with through Welfare Notices rather than under caution/through prosecution.**

27 Do you think that we should remove the automatic offence from any of the welfare requirements? If so please specify which ones need not carry an automatic offence. Please explain.

Yes

No

Not Sure

Comments:

28 The Government would also welcome views whether Ofsted's powers are sufficient in the area of learning and development. Should the Government introduce a system similar to Welfare Notices for breaches of the learning and development requirements?

Yes

No

Not Sure

Comments:

### General

29 Overall, do you think that the revised draft EYFS is clear and easy to navigate? Please explain.

Yes

No

Not Sure

Comments:

30 Do you think the Government should make any further revisions to the EYFS, to simplify and shorten it further? Please explain

Yes

No

Not Sure

Comments:

31 Do you think that the revised draft EYFS would support effective partnership working with parents and carers, enhancing their involvement in children's' learning and development? Please explain.

Yes

No

Not Sure

Comments:

It is imperative to recognise the value of involving parents in early support and in partnership with other professionals who are working with their child in order to form a cohesive and consistent approach to benefit the welfare, learning and development of the child.

The involvement of parents and carers in their child's learning and development should be a continuous process, not only confined to receiving or being involved with more formal assessments at specified or set times.

The involvement of a key person (1.12) for each child within a setting and their role in engaging with parents and carers will be crucial to ensure effective working with parents and carers.

Some parents and carers will feel disengaged; a proactive approach will need to be used to make sure that practitioners are effectively working with them. It is important for practitioners to understand that disabled children and their families are often excluded and are therefore amongst the most disadvantaged in the community.

Disabled children and their families are more likely to live in poverty, to be bullied, to be separated from their communities by segregated education, to live in single parent families, to be unable to secure paid work, have higher

daily living costs and to be excluded, or encounter barriers to accessing local mainstream leisure and play facilities, both indoor and outdoor.

Parents of disabled children often have a large number of extra demands upon them. Practitioners should be aware of the extra demands and issues families of disabled children can experience, which may include financial, childcare and time constraints and restrictions.

Parents and carers of disabled children may find it hard to make time to work with practitioners and settings for a number of reasons. Practitioners will need to build a working relationship with each parent involving mutual respect, confidence, support, understanding and flexibility.

32 Please use this space for any other comments on the proposals.

Comments:

**Highly trained staff - 1.13**

All practitioners in all settings should receive training about inclusion which allows them to welcome disabled children. Such training is essential so that staff can feel comfortable and confident and that families of disabled children are not made to feel that they are burdensome in any way.

This training should include areas such as making sure policies and paperwork are inclusive, attitudes and approaches are inclusive, and the individual disabled child's need and right to play is recognised and responded to.

Settings may also need to undertake additional training on specific requirements for an individual child. Parents, families and other professionals will be partners in making sure a disabled child can be included with confidence.

Practitioners who think more inclusively are those which see the child as an individual making progress in their own way, rather than needing to focus on chronological development and progress, the Statutory guidance needs to emphasise and support practitioners to do this in a more practical way e.g. by development of the Profile forms to allow for a wider, more diverse explanation of achievements and abilities.

All practitioners need to have a comprehensive knowledge of child development and to think in a creative way to enable each child to enjoy and benefit from all the opportunities available whether they are disabled or not. All practitioners should be highly trained in a wide variety of practical and theoretical training – with continuous professional development enabling them to develop the skills and confidence to assess disabled children as a matter of course, and not as a needs-led approach. Skills developed would include the use of appropriate child development training and the ability to accurately and sensitively observe and record a wide range of children

playing, learning and socialising in their individual ways.

Staff should be trained and confident in providing equality of opportunity for all children in their setting as this is fundamental for the process of inclusive practice, valuing children as children first and foremost and respecting their right to be able to participate in play of their choosing.

Sometimes the learning development goals can be seen as more important for disabled children, however the importance of play for its own sake and providing opportunities for socialisation should not be sidelined for any children.

Embedding 'Challenging Disablism' training for all staff could be a central part to achieving their awareness of the inequalities that face disabled people that are embedded in our society, and to support the process of counteracting them within their settings and the community in which they are based.

Promoting equality and inclusion by making it a central part of all activities within the setting, from greeting the child on arrival and departure, through to policy making and assessing good quality provision is essential.

33 Please let us have your views on responding to this consultation (e.g. the number and type of questions, was it easy to find, understand, complete etc.)

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply X**

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Co-ordinator, tel: 01928 438060 / email: [carole.edge@education.gsi.gov.uk](mailto:carole.edge@education.gsi.gov.uk)

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 30 September 2011

Send by post to: CYPFD Team, Department for Education, Area 1C, Castle View House, East Lane, Runcorn, Cheshire WA7 2GJ.

Send by e-mail to: [revisedeyfs.consultation@education.gsi.gov.uk](mailto:revisedeyfs.consultation@education.gsi.gov.uk)