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Policy Framework

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1. Introduction

Intent

1.1 To provide direction (and supporting guidance where appropriate) to overseas Commands on:

- a. The minimum funded entitlement to Early Years (EY) provision for the 3-5 age group.
- b. The prioritisation criteria to be applied to determine eligibility to access non-funded places for the 0-3 age group.

It also provides direction on the governance for Early Years Foundation Stage (EYFS), the registration, regulation and inspection of settings and the training and development of the workforce¹. Resources to support the training of the workforce sit with SCE although there are currently differences in the approach taken to accredit the required EY qualifications. This is currently under review and will be updated in future iterations of this policy.

1.2 Effective EY enables and supports Serving parents, and working civilian personnel supporting the military overseas to achieve a better balance across work, training, leave and family life. Research shows that quality early learning gives young children the best start by improving their emotional and social development. Commanders are to comply with this policy in order to ensure that the provision of 0-5 childcare within their area of responsibility is appropriately registered² and complies with the minimum standards required in order to provide a safe and secure environment for children.

1.3 Where concerns exist regarding any element of compliance, a robust risk assessment should be undertaken and appropriate mitigation and improvement actions put in place with support from Service Children's Education (SCE), Directorate Children and Young People (DCYP) and the Commands as appropriate. If the likelihood is that the necessary improvements cannot be made, the Commanding Officer through consultation with the Early Years Operation Group (EYOG) and SCE should consider options to resolve concerns. In some circumstances (e.g. ongoing shortage of qualified staff, health and safety concerns, no managerial support) temporary or permanent closure of the setting must be considered and where possible alternative provision identified.

Background Context

1.4 This policy provides Commands with a framework and supporting guidance to assist in the decision making process, including the prioritisation of places and to provide contact points to help resolve individual issues, recognising that one size does not fit all and Commands will continue to apply local solutions with the support of SCE and the EYOG.

1.5 The policy takes account of the quasi Local Authority (LA) responsibilities and functions that are held at overseas Command level. In this capacity each Command currently performs both an EY commissioning and delivery function. Issues associated include the challenge to match resource to need, i.e. a sufficient number of childcare places for the assessed level of need in an area and also the management of expectations. Each Command is also required to identify and monitor any risks that may link to this and apply appropriate levels of mitigation.

1.6 This policy framework provides direction to overseas Commands on the minimum EY offer requirement to be provided. It also provides direction on eligibility criteria to be applied to inform

¹ Work is being undertaken by DCYP to look at the UK context of childcare provision in support of the Armed Forces but this will be separate to this policy.

² Where this is needed.

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the prioritisation of non-funded places in the 0-3 age group and includes direction and guidance on the difficult choices which may be required in terms of prioritising access to places and/or rationalising the numbers or location of settings. While neither of these courses of action would be welcomed they may need to be considered as a last resort mitigating action, in the short to medium term, to reduce high order risk such as that relating to the proportion of qualified practitioners and managers in the settings.³

1.7 This policy reflects current Government policy⁴ for England and will be subject to revision as this is updated.⁵ To support families with childcare in EY settings moving to/from overseas and/or from/to a devolved Government setting, DCYP Children's Education Advisory Service (CEAS) will provide guidance and information for parents. The Early Years Adviser will seek to develop and maintain an awareness of key differences between areas.

1.8 The 0-5 EYFS is an English policy framework⁶ and is enshrined by the Childcare Act 2006. The framework sets out the standards for learning, development and care for children from birth to five. The EYFS framework consists of statutory welfare, learning and development requirements and non-statutory practice guidance.

1.9 The requirements of the EYFS contained in legislation are:

- a. The **welfare requirements** – these are designed to safeguard children, and ensure the suitability of the childcare offered.
- b. The **learning and development requirements** – these set out a flexible framework for young children's learning and development, which places a strong emphasis on meeting children's individual needs and allows for them to learn and develop at different rates and in different ways.

1.10 The Childcare Act 2006 provides for the EYFS learning and development requirements and comprises three elements:

- a. Early learning goals.
- b. Educational programmes.
- c. Assessment arrangements.

1.11 All schools and early years' providers including childminders, registered with OfSTED, must adhere to the requirements set out in the framework in respect of training, qualifications, welfare, learning and developments.

1.12 There are six areas currently covered by the early learning goals and educational programmes, all of which are equally important and none of which can be delivered in isolation from the others. These include:

- a. Personal, social and emotional development.
- b. Communication, language and literacy.
- c. Problem-solving, reasoning and numeracy.

³ See also section 4 Governance, in particular the Early Years Operations Group and statutory requirements of EYFS

⁴ Early Years Foundation Stage Framework (2008) in England.

⁵ In particular the Government response to the Dame Tickell report as well as the DfE public consultation

⁶ as per footnote 5.

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- d. Knowledge and understanding of the world.
- e. Physical development.
- f. Creative development.

1.13 Assessment for the EYFS takes the form of the Early Years Foundation Stage Profile (EYFSP), which summarises each child's achievement in the above six areas of learning at the end of the EYFS.⁷

1.14 The EYFS is currently based around four guiding themes:

- a. **A unique child** – every child is a competent learner from birth.
- b. **Positive relationships** – children need loving and secure relationships to learn to be strong and independent.
- c. **Enabling environments** – the environment plays a key role in supporting and extending children's development.
- d. **Learning and development** – children develop and learn in different ways and at different rates.

⁷ This will be updated in line with the Government response to the findings of the Dame Tickell report and include an element on assessment.

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2. Legislation

2.1 LAs in England have a statutory obligation to ensure there are sufficient places available to deliver 15 hours per week, over a minimum 38 weeks of the year, of free early years provision to eligible children aged 3-5 whose parents wish to take up a place.

2.2 There is no statutory requirement in the UK to provide 0-2 early years provision⁸ for all children but there is a requirement placed on LAs in England to manage the market and to ensure, where possible, access is available in a range of settings, including childminders, to meet the needs of working parents across the 0-5 age group. It is expected that overseas Commands will apply this principal where possible within the resources available.

2.3 Existing Department for Education (DfE) Early Years Policy Guidance required LAs in England to carry out a Sufficiency Audit to take account of the resources that are currently available, and where possible, address the gap between provision and demand⁹. DCYP will provide guidance to overseas Commands on the process to be used to determine sufficiency overseas.

Expectation Management - Overseas Application and Interpretation of the Legislation

2.4 The ability to fully meet the EYFS legislative requirements as set out in the current national policy is severely constrained in the overseas environments. The challenges of geography, headcount restrictions, limited resources and the Germany drawdown will impact on the overseas Commands and expectations will need to be carefully managed.

The Requirement

2.5 **Subject to the availability of resources¹⁰ and the constraints of the overseas context, the policy endorses the requirement to deliver the 15 hours funded entitlement for 3 & 4 year olds. It also endorses a commitment to support the Commands in identifying ways to meet the wider demands for EYs provision through improving the access to and availability of places for the 0-3 offer and an Extended Day Care (EDC) offer for 0-5. Priority is to be given to:**

- a. Children with a single Service working parent.
- b. Children of dual Serving working parents.
- c. Children of deployed personnel.
- d. Children of bereaved/injured/long term sick personnel.
- e. Vulnerable children including looked after children.

Where a priority case arises which does not meet any of these criteria it will be reviewed on an individual basis by the Command, taking advice from the relevant partner agencies.

⁸ Except for disadvantaged 2 year olds who are entitled to 10 free hours a week. Disadvantage is defined by DfE as being in a deprived area.

⁹ The annual risk audit will provide an overview of supply and demand; however Overseas Commands are required to maintain a regular overview of supply and demand and to seek guidance from the EYOG where difficulties arise.

¹⁰ I.e. financially sustainable, sufficient numbers of appropriately qualified practitioners, suitable buildings.

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2.6 The current overseas context does not allow for a policy that can offer or guarantee full access to a 0-3 and/or EDC offer. The responsibility therefore lies with the overseas Commands, working in partnership with the relevant posting/manning authorities, to ensure that families with young children below 5 are fully aware of the 0-5 offer in their locality including the location and opening times of settings, the access and eligibility, and the priority on criteria that may be applied. DCYP will support the communication process through the information support and guidance role provided by the CEAS to families posted overseas and through working in partnership with the Families Federations to publicise the policy. DCYP will also support SCE and the overseas Commands through representation on the EYOG and through the provision of policy updates as and when national policy changes.

3. MoD EYFS Fundamentals

3.1 There is an enduring requirement to support quality EY provision across the 0-5 age range for children¹¹ living in MoD overseas locations in order to:

- a. To ensure that Service children get the best start in life.
- b. Meet the requirements laid down in the Childcare Act 2006, and other subsequent guidance, where applicable, appropriate and practicable.
- c. Implement the government response to Dame Tickell EYFS review, where appropriate, applicable and practicable.¹²
- d. Support the Defence Outputs in ensuring that Military Capability in overseas locations is maintained.
- e. Support the ethos of the Armed Forces Covenant¹³.
- f. Directly contribute to the outputs of the agreed Key Priorities of the MoD Children and Young People Plan¹⁴ and the supporting Command level priorities for children & young people living in their AORs.

3.2 This policy also recognises the English policy criteria of flexibility, accessibility, affordability, quality and practicality and will aim to meet these within the constraints currently in place.

4. Supporting Framework

Governance and Oversight

4.1 Overarching governance of registration, regulation and inspection, training of the workforce and delivery is vested in the MoD Children and Young People Trust Board (MoD CYPTB) and supported by the DCYP.

4.2 The Early Years Operations Group (EYOG) chaired by the Director of Education SCE, will provide the overseas Strategic Forum to monitor, support and recommend solutions to more urgent

¹¹ Children, in this policy, refer to those being of Service personnel, those of MOD personnel and those of contractors attached to MOD overseas locations who are entitled to access the funded provision.

¹² Evidence shows that early identification of need followed by appropriate support is the most effective approach to tackling disadvantage and helping children overcome specific obstacles to learning.

¹³ Armed Forces Covenant: Today and Tomorrow, 16/05/11 Children of members of the Armed forces should have the same standard of, and access to, education (including early years services) as any other UK citizen in the area they live. For personnel posted overseas, the MOD provides early years and educational facilities where the numbers support it, although the range of provision and choice may not be as great as in the UK.

¹⁴ MOD Children and Young People Plan 2010-2013, published by the MOD Children and Young People Trust Board, August 2010

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inconsistencies and risk. The terms of reference for the EYOG are at Annex A with the Members of this group at Annex B, and will be subject to regular review.

4.3 Overseas Commands with concerns about the EY offer in their area should initially voice these through their representative on the EYOG. The Chair of the EYOG will be a member of the overarching MoD CYPTB and will be required to provide regular reports to the Board on significant issues and risks impacting on the overseas EY offer. DCYP will include any high level risks relating to EYs 0-5 in its overarching risk register for children & young people and report this to the MoD CYPTB.

4.4 The Early Years Development Team (EYDT) that was established in Jan 11 will continue to lead on EY training and qualifications and continuous professional development (CPD) matters on behalf of the EYOG. Where it is unable to resolve issues and/or a more strategic overview and action is required the EYDT will refer matters to the EYOG.

4.5 Terms of reference for the EYDT are at Annex C with Members of the group at Annex D.

4.6 SCE will undertake the function of lead organisation.¹⁵

4.7 The detailed description of this function is subject to ongoing clarification, as set out in footnote 15, but will, as a minimum, include:

- a. Appointment and line management of the 0-5 EY's Strategy Manager (post to be agreed).
- b. Chairing of the EYOG.
- c. Consultation with SCE schools regarding their contribution to the 0-5 offer, including EDC.
- d. Advice and guidance to the 0-3 non-SCE providers in liaison and consultation with 0-3 staff currently employed by the Commands and/or AWS.
- e. Oversight and line management of 0-5 qualifications training offer.
- f. Management and letting of any new training provider contracts, (following transfer from HQ British Forces Germany (BFG)).

Over time it is expected that SCE will take ownership of the resource to support the delivery of the 0-3 and EDC (non-SCE) offer. Further work is required to determine timescales and to assess the impact in each of the Commands, where different arrangements apply. This section of the policy will be updated at the appropriate time.

Regulation and Inspection

4.8 The MoD works to the OfSTED framework for inspection, sitting below that is the MoD/OfSTED protocol¹⁶ which informs regulatory activity sets out minimum health and safety requirements, qualifications, quality assurance and managerial requirements. The protocol will be reviewed annually to take account of revised updated OfSTED guidance on regulatory activity.¹⁷

¹⁵ Through work carried out in partnership with GOC UKSC, AWS and the Families Federations it was identified and agreed that a single lead organisation for EY 0-5 across all overseas locations could result in a more effective approach to EYs. Further work is being undertaken to establish SCE as the named lead organisation and to fully define its responsibilities. Any policy implications arising from this will be reflected in published amendments to this policy

¹⁶ October 2012

¹⁷ Revised version at <http://www.OfSTED.gov.uk/resources/protocols-between-OfSTED-and-other-organisations-relation-childcare>

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The accredited organisations work to the schedule that is laid out in Statutory Instrument number 1417, which sits above the MoD/OfSTED protocol.

4.9 Director Children and Young People is the identified lead for signing this MoD/OfSTED protocol. DCYP will undertake a re-accreditation exercise every three years and will require an annual report from the regulatory bodies to evidence that they are meeting their requirements to act as a regulatory body and engaging in necessary training providing by OfSTED and/or SCE or other external training providers to maintain currency in their approach to regulation and inspection in line with the published EYFS framework.

4.10 The currently accredited organisations, which carry out unannounced inspections of settings, are Soldiers, Sailors, Airmen and Families Association - Forces Help (SSAFA FH) and the British Forces Early Years Services (BFEYS), contact details are at Annex E to this section. These organisations also have responsibility for registration and enforcement for both settings and childminders. These organisations will investigate any complaints making recommendations to the appropriate Command for redress. Both organisations are charged with carrying out the same actions as the OfSTED compliance, investigation and enforcement team.

4.11 DCYP will provide regular and timely policy updates to SCE and overseas Commands subject to update from OfSTED, Children's Workforce Development Council (CWDC) and DfE and/or changes to national policy.

Risk Assessment

4.12 DCYP have created an audit tool to assess levels of risk. Commands are required to identify all settings, and child minders within their Command area, and to audit all EYs provision on a termly basis against essential criteria which should include:

- a. Manager qualified to level 3 with at least 2 years experience of working in a setting.
- b. There must be a designated deputy who is able to take charge in the absence of the manager.
- c. 50% of all other staff must hold a full and relevant level 2 qualification (as defined by the CWDC).
- d. Numbers of staff requiring additional training to fulfil mandated requirements and meet approved CWDC EY requirements.
- e. Numbers of staff requiring refresher/updates to training.
- f. Numbers of staff in first-time training.
- g. Risk assessment in place.
- h. Fire certificate in place.
- i. Food safety certificate in place.
- j. First aid certificate holder(s) in place.
- k. Date of registration.
- l. Current inspection judgement (if applicable).

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- m. Key areas identified for improvement (following regulatory visit).
- n. Numbers of children currently on roll by age range.

4.13 A blank proforma for completion by settings is at Annex G. DCYP will provide a summary of the key concerns for consideration by the EYOG.

4.14 The information collected through the audit tool, is owned by the overseas Commands and must be updated at least termly, and provided to DCYP, with appropriate mitigating actions where required. SCE in consultation with the Commands and supported by DCYP are required to assess the audit information to determine where the highest risks exist and to apply the necessary mitigating actions. These may include rationalisation of settings (temporary/permanent), temporary/permanent transfer of staff between settings, temporary sessional closure to facilitate access of practitioners to mandated training and prioritisation of places.

4.15 Settings managers supported by the Garrison Childcare Managers(GCM) (in Germany), the 0-3 Childcare Co-ordinator (in Cyprus) and/or the appropriate contact point in ISODETs (where they exist) are required to identify emerging risks and initiate appropriate mitigating actions where possible. They are also required to notify the overseas Command named contact point where the level of risk cannot be mitigated. It is for each overseas Command to determine contact points and reporting lines.

4.16 It is the responsibility of the Command, in consultation with the Chair of the EYOG, to determine whether the totality of the risks in the round and/or an inadequate inspection judgement¹⁸ requires a temporary or permanent closure of the setting and/or a deployment of qualified staff from another setting. For non-funded 0-3 and/or EDC settings setting managers supported by their respective management chain are required to notify the operational chain of command of any emerging risks that cannot be mitigated. The operational chain of command should in turn notify SCE. SCE will work through the EYOG to identify and recommend solutions. Where the members of the EYOG consider that the totality of the risks identified, (including an inadequate inspection judgement), require temporary or permanent closure of the setting, SCE will notify the firm base chain of command and the relevant operational chain of command who in turn will be expected to comply with the temporary/permanent closure and to consider alternative provision.

4.17 As a minimum, setting managers, supported by the GCMs are required to undertake/update their risk analysis and set out their action plan to prioritise arrangements for new staff/unqualified staff requiring updated training, enrolled on and regularly attending qualification training courses. The risk analysis and action plan should be undertaken on a termly basis within 4 weeks of the start of each term, (or the start of Jan, Apr and Sept); this should form part of a settings self evaluation process that leads to their continuous improvement plan.

4.18 SCE will co-ordinate the work of the already established EYDT. The EYDT will support the identification of training needs, delivery of relevant training and/or signpost access to various programmes and tool kits to support the work of the Commands in their provision of EYFS.

Training, Qualifications and Development of the Workforce

4.19 SCE, as the defined lead organisation, supported through the endorsement of the partner members of the EYOG, will advise on options for delivery that can be provided within the resources available. The intent will be to support the vision that the EY foundation stage framework, as applied in the overseas context, is delivered by appropriately trained practitioners, support will be provided in inverse proportion to success.

¹⁸ If a setting receives an inadequate inspection judgement advice would need to be sought from the accredited regulatory body regarding closure of the setting.

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4.20 Current national policy for adults looking after children sets out specific legal requirements. Practitioners must have appropriate qualifications, training, skills and knowledge. In registered settings all managers must hold a full and relevant level 3 qualification (as defined by the CWDC) and half of all other staff must hold a full and relevant level 2 qualification (as defined by the CWDC).

4.21 Due to the mobility and retention of staff, it is recognised that a proportion of the EY workforce recruited overseas are not qualified in respect of holding the required level 2/3 qualifications and/or do not hold an EY qualification not designated by CWDC as "full and relevant". Settings are required to ensure that newly appointed staff not holding the required minimum qualifications are enrolled on in-house training programmes within 3 months of starting work and enrolled on an accredited qualification programme as soon as possible. CWDC published a list of approved qualifications including those courses which required the individual to access additional/refresher training. Settings in England have until Sept 2012 to meet the full requirement.

4.22 Where proportions of qualified staff to level 2 are below the 50% threshold and based on guidance from OfSTED, the policy requires a plan in place to meet the qualification requirement within a 12 month period. This gap alongside the adult to child ratios and the availability of an up to date risk assessment and actions to address the risk. The level of concern is greater if the ratio of qualified staff was below the 50% coupled with below requirement ratios of adults to children and/or coupled with poor deployment of staff and/or poor quality delivery. Where the proportion of qualified staff is below 50% a plan will be required identifying action to be taken to reach the required level within a 12 month academic period.

4.23 In the context of a possible shortfall of qualified staff, there is a necessity for rigorous self evaluation. Various programmes and Tool Kits exist to support this work and guidance will be disseminated through the existing EYDT. These improvements will assist in reducing the immediate risks whilst at the same time, aspiring and working towards a fully qualified workforce.

4.24 This policy framework outlines the basic information on minimum levels of qualification that a practitioner should hold; for further information on training and development the Workforce Adviser or EY Strategy Manager should be approached.

4.25 Current provision to support practitioners working in non-SCE settings is provided by a team of TTDW using a qualifications training model accredited and supported by Chelmsford College under contract¹⁹. SCE settings use a different model of qualifications training which relies more on work based learning/assessment which is supported by assessors who are EYs staff within some of the schools settings. The different training models in use will be kept under review by SCE and the EYOG to determine their ongoing appropriateness and/or whether at a future date a single training model should be applied.

Choice and Flexibility

4.26 The current overseas 'artificial split' between 0-3 and 3-5 is organisational in nature and exists only because there are currently two different structures/systems of provision in terms of: funding; leadership and management of provision; delivery of qualifications training; and regulation/inspection, between non-SCE 0-5 settings in the overseas settings and the funded statutory 15 hours entitlement delivered in SCE school settings.

4.27 The existing provision in non SCE settings (including childminders) captures the whole 0-5 range with many children 3 yrs+ accessing childcare in AWS/parental funded settings in the

¹⁹ Contract expires in August 2012 work is underway to extend for a year.

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afternoon session and a small proportion attending all day where access to an SCE setting is not possible, or does not meet parental needs.

4.28 In line with LA arrangements in England, delivery will initially continue to be provided through a range of providers which could include SCE, AWS, parental funded and/or possibly a contracted provider subject to market interest. Terms and Conditions of Service (TACOS) for the different providers will be determined by the employing organisation. However it is anticipated that following a detailed review of resources, headcount and TACOS associated with the 0-3 or EDC offer, recommendations will be made to transfer greater responsibility for delivery of the non-funded offer to SCE.

4.29 It is intended to offer increased choice to parents on where they can access their free entitlement for 3-4 year olds and to increase flexibility in terms of when the entitlement could be taken. Current national EYFS policy requires the 15 hours entitlement to be taken over a minimum of three days. New guidance, under consultation²⁰, sets a minimum of two days, available 0700hrs to 1900hrs, 38 weeks per annum. Commands and families should be aware that this degree of flexibility will remain an aspiration and cannot be an expectation for families posted overseas. Families are required to take advice from the Command, SCE or CEAS re what degree of choice and flexibility is currently available in the overseas area to which they are posted.

4.30 EYOG is responsible for tasking members to assess demand, cost implications and criteria determining whether a choice should/can be supported (outside of SCE settings) as well as exploring the restrictions in funding the entitlement in host nation settings²¹ as is the case currently in ISODETs. Any safeguarding and quality assurance issues will also need to be considered; Dept for Work and Pensions is currently consulting on this issue and further advice will be included at a later date.

4.31 SCE is currently the only organisation providing access to the 15 hours funded entitlement. Following a review of the concerns raised by some parents and in the context of the aspirations of Project THESEUS,²² families will be offered greater choice regarding where they can access their 15 hours funded entitlement (3-4 years). Eligibility criteria to enable a those parents who wish to access the 15 hours funded entitlement in a non-SCE setting is supported through this policy and will be initiated where required, subject to agreement through the EYOG on eligibility criteria and subject to resources and availability of places and cannot be an expectation for families posted overseas.

4.32 In locations/settings where collectively SCE, AWS and/or locally organised childminders are unable to provide the capacity to meet the 15 hours free entitlement for 3-4 year olds and the 0-3 and EDC offer to support the needs of working parents, choice will be limited and a mixed economy will be required. An increasing number of SCE Schools are providing/developing models to deliver EDC and are making provision based on need/demand identified by parents through consultation and questionnaires. Some of this additional EDC capacity is provided solely by the SCE setting and in other examples it is delivered in partnership with AWS and/or other providers. In the short term, SCE will fund the current funding gap (charging/running costs of delivering EDC) to ensure a parity of charging arrangement for parents wherever they access their EDC, however, it is expected that charging will be levelled over the next three years to ensure the provision is fully funded.

Rising Fives

²⁰ DfE consultation paper for settings in England. Consultation period ends 30/09/11

²¹ Current policy requires the setting to be registered with the regulatory body.

²² Project THESEUS sets out Germany's aspiration to allow flexibility in taking the 15 hours free entitlement and that policy direction across all overseas commands would allow for a consistent and safe approach to provision. A periodic parental needs analysis should be undertaken to inform stakeholders of the financial implications and eligibility criteria to meet the aspirations of Project THESEUS.

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4.33 In response to recommendations from the Rose Review, the admissions code has been revised to require admissions authorities to make a full-time reception place available for all children from the September after their 4th birthday from September 2011. However, parents will retain the right to defer their child's entry to school until the term after their 5th birthday and these children will continue to be able to access their free entitlement in other early years settings instead, up until compulsory school age,²³ where resources and places are available, this policy will be applied in SCE settings overseas.

5. Settings

SCE Settings

5.1 Compulsory school age is defined in Section 8 of the Education Act 1996 with the effect that a child reaches compulsory school age at the beginning of the school term following their child's 5th birthday. In SCE settings this may mean that a child is admitted to full-time education before reaching compulsory school age.

5.2 In areas where SCE schools are not available, or there is no availability in a setting, or through parental choice, then this could also mean that a 5 year old will still be accessing the free entitlement until the beginning of the term following their 5th birthday.

5.3 The regulations prescribe that children become eligible for free EY provision on the dates set out below:²⁴

A child born in the period:	Will become eligible for a free place:
1 Apr to 31 Aug	1 st Sept following child's 3 rd birthday (Autumn* school term).
1 Sept to 31 Dec	1 st Jan following child's 3 rd birthday (Spring* school term).
1 Jan to 31 Mar	1 st Apr following child's 3 rd birthday (Summer* school term).

* based on a 3 term school year

Non-SCE settings

5.4 See section on Isolated Detachments Nursery Allowances, paragraph 5.10.

Childminders

5.5 Childminders offer a flexible service and can care for children of mixed age groups in a home environment. All registered childminders who care for children aged birth to five years must have a full understanding of the requirements of EYFS. Childminders must be registered with BFEYS, BFG, or SSAFA FH (Rest of World). The MoD has established a fast track system with OfSTED for the re-registering of childminders both in England and in overseas locations.

5.6 Overseas Commands are responsible for the recruitment of childminders, where practicable and possible a Childminding Co-ordinator is in place in order to recruit and support Childminders through the registration process and there after encourage continuous development. It is an overseas Command decision as to whether childminders are supported with 'set up grants.'

²³ "Code of Practice for Local Authorities on Delivery of Free Early Years Provision for 3 & 4 year olds", September 2010.

²⁴ Source: "Code of Practice for Local Authorities on Delivery of Free Early Years Provision for 3 & 4 year olds" DfE, Sept 2010

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<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

5.7 Childminders must complete 'Local Authority Approved Childminder Training', Paediatric First Aid Training, it is recommended that Safeguarding Tier One training is also completed (due to be compulsory in September 2012). All childminders must have a Criminal Records Bureau (CRB) check. A Garrison business licence is also required.

5.8 Training materials are available from the EYDT; where there are sufficient spaces available on EYFS courses childminders may attend however the priority will be for practitioners in the settings to attend. Training for Childminders is delivered at a local level with support from the EYDT. Where a Childminding Coordinator is in place the role should be to ensure childminding support networks are established.

5.9 Childminders are inspected within 7 months of registration and thereafter every 2 years, unless the setting is inadequate and then it is within 3 months. Inspection Reports are made available for parents and the Command²⁵. The MoD has established a fast track system with OfSTED on the re-registering of childminders both in England and in overseas locations. More detail is at Annex 2 to the MoD/OfSTED protocol document.

Isolated Detachments Nursery Allowance

5.10 In overseas areas where there is no SCE EYFS or nursery provision but where there is a suitable alternative nursery provider, a nursery allowance is payable to entitled personnel. The criteria for entitlement to the nursery allowance are in accordance with the entitlement to free education set out in JSP 342 Chapter 13 paragraph 1312. JSP 342, which is currently being revised to align appropriately with the EYFS policy.

5.11 It is recognised that the alternative local providers of nursery education in ISODET areas may not meet all requirements for EYs settings as described in DfE guidance for England. Parents seeking nursery ISODET provision are advised to ask providers some key questions as suggested on the checklist at Annex G. Parents will have other individual questions and are advised to satisfy themselves that the EYs setting is appropriate for their child.

5.12 There is no eligibility for the nursery education allowance in areas within reasonable travelling distance of publicly funded nursery education provision in SCE schools or Foundation Stage 1 (FS1) settings. This policy does not define what reasonable travelling distance should be, due to the individual nature of overseas settings, but Commands must take account of distance, travelling time, time young child are in the vehicle, public transport availability and individual family circumstances in interpreting this statement.

5.13 Eligibility to nursery education allowance ceases:

- a. When a child reaches UK statutory school age.
- b. On the admission of a child to a SCE school or FS1 setting.
- c. On the admission of a child to a full time place in a non-SCE school overseas, when refund of school fees are applicable.
- d. From the date of return to the UK.
- e. When entitlement to pay and allowances ceases.

ISODET Nursery Allowance Claims

²⁵ Inspection reports in BFG are published on BFGnet

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<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

5.14 Claims for the refund of nursery education fees will be a capped rate average of settings in these locations unless there is an exceptional situation such that a child requires a specific type of support which would limit the choice of potential settings; these cases would need to be referred to SCE Resources Team on a case by case basis. The average for the local Allowance cap should be formulated using those settings only which are deemed to be appropriate for British children, and, where it is available, English-language provision should be used exclusively for the calculation.

5.15 Where the actual fees charged are higher than this ceiling, the sending unit has the discretion to supplement the allowance from the sending unit's budget, but families posted overseas and requesting an EY's provision above the capped rate should not assume that the difference will be met unless exceptional circumstances prevail and the Command has confirmed it will meet the costs differential.

5.16 Payment will be made to the claimant's bank account on receipt at HQ SCE of SCE Form 7.1 – Claim for Refund of Fees for Nursery Education other than in a SCE School or Foundation Stage Setting, together with proof of payment of nursery education fees. Claims will usually be paid termly in arrears. In exceptional cases, claims may be paid half-termly, if authorised by the claimant's Commanding Officer, on grounds of hardship. Claims and enquiries regarding the ISODET nursery allowance should be addressed to:

Business Support Unit (ISODETs)
HQ SCE
BFPO 40

Civil Telephone: 0049 2161 472 3807
Military Telephone: 94872 3807
Civil Fax: 0049 2161 472 4804
Military Fax: 94872 4804

Website: www.mod.uk/sce

E-mail address: info@scschools.com

5.17 From 1 Apr 12, ISODET Nursery Allowance rates will no longer be capped by HQ SCE, and the full cost of UK-equivalent entitlement will be funded. A 'value-for-money' judgement, may, however, be made as regards which settings are used, details of which will be released in a DIN entitled "Regulations Governing the Payment of ISODET Nursery Allowance" to be released in December 2011.

6. Armed Forces Childcare Voucher Scheme (AFCVS)²⁶

6.1 The AFCVS is a salary sacrifice scheme. Salary sacrifice is a voluntary reduction in cash salary in order to receive the value of that reduction as a non-cash benefit of a type allowed by HM Revenue & Customs (HMRC). The total value of cash and vouchers is the same as the pre-sacrifice salary but the employee benefits because they pay Income Tax and NIC only on the reduced salary; the childcare vouchers are exempt Income Tax and NIC.

6.2 The AFCVS is currently run by Sodexo Motivation Solutions, on behalf of MoD. Details of the scheme and how to benefit from it are at: www.MoDchildcare.co.uk

6.3 The amount by which the individual's salary is reduced, is paid by SPVA to the scheme provider in return for childcare vouchers issue. The vouchers can be either paper vouchers or

²⁶ For full details see DIN 2010DIN01-219

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electronic accounts. For the former, the vouchers are issued to the employee, who uses them to pay for all or part of the cost of childcare provided by a regulated (registered or approved) childcare provider. Where electronic vouchers are used the employee arranges for the scheme provider to pay the childcare provider directly, usually by BACS transfer.

6.4 The vouchers can be used to pay all or part of the cost of qualifying childcare as defined in "HMRC EIM22030 - Benefits: exemptions: childcare and childcare vouchers: rules from 6 April 2005: meaning of "care" and "qualifying childcare"". This can be read in full at: <http://www.hmrc.gov.uk/manuals/eimanual/EIM22030.htm>

6.5 Childcare providers that accept childcare vouchers must be regulated (registered or approved) through a recognised registration or approval body. In England this is managed by the Department for Education through OfSTED²⁷. The recognised registration bodies overseas are SSAFA and BFEYS contact details for whom are at Annex E to JSP 819.

7. Children with Special Educational Needs (SEN) and Additional Educational Needs (AEN)

7.1 MoD recognises that the early identification of and support for Children with Special and/or Additional Educational Needs such as children requiring targeted support/or for English as an Additional Language (EAL), is crucial to providing EY teachers and practitioners and parents with appropriate information and guidance to support their child.

7.2 In order to promote early intervention SCE will continue to work alongside other partner agencies to the provide specialist advice and support (for example CPD resources) to all SCE and non-SCE EY settings, wherever possible.

7.3 One principle of early intervention is to always work in partnership with parents. MoD recognises that any support to meet the specific needs of children in any Early Years setting will always involve direct advice and guidance to parents. As part of this early intervention children with SEN or AEN must be registered with CEAS to help ensure smooth transition to, and within, overseas Commands.

7.4 On request the Command Primary Health provider will contribute to the assessment of children with identified/developmental concerns. Following assessment, advice will be provided regarding the level of support and care required by the child, from a health perspective, and the degree and likelihood that the individual child's needs can be met within Command.

²⁷ There are similar regulatory bodies for Scotland, Wales and Northern Ireland and overseas by the MOD accredited organisations.

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8. Definitions

Parent is defined as anyone with parental responsibility for the child, including designated carers.

Domestic premises means any premises which are wholly or mainly used as a private dwelling.

Care in relation to children, includes any activity supervised by a responsible person.

Day Care means care provided at any time (day or night) for children under the age of 8 on premises other than domestic premises, where the period (or total of periods) in any day during which children are looked after on the premises exceeds two hours. For the purpose of regulation, day care providers are divided into five types:

- a. **Full Day Care.** Facilities that provide day care for children under 8 for a continuous period of 4 hours or more in any day in premises which are not domestic premises. Examples are Day Nurseries and Children's Centres and some family Centres.
- b. **Sessional Care.** Facilities where children under 8 attend day care for no more than five sessions a week, each session being less than a continuous period of 4 hours in any day. Where two sessions are offered in any one-day, there is a break between sessions with no children in the care of the provider. This is intended to cover provision which offers children part-time care and the opportunity to engage in activities with their peer group e.g. playgroups.
- c. **Crèches.** Facilities that provide occasional care for children under 8 and are provided on particular premises on more than five days a year. They need to be registered where they run for more than two hours a day, even where individual children attend for shorter periods. Some are in permanent premises and care for children while parents are engaged in particular activities, e.g. shopping or sport. Others are established on a temporary basis to care for children while their parents are involved in time-limited activities, e.g. a conference or exhibition.
- d. **Out of School Care.** Facilities that provide day care for children under 8, which operate before school, after school, or during the school holidays. The total care provided is for more than two hours in any day and for more than five days a year. A main purpose of the provision is to look after children in the absence of their parents. This form of care can include children from three years old and children over 8 may use it. Examples are summer camps, holiday play schemes, breakfast clubs, after school clubs. Open access schemes are included. These may be permanent or short-term schemes and generally cater for older children, however, children aged five to seven may attend. The main purpose of the provision is to provide supervised play opportunities for children in a safe environment in the absence of their parents.
- e. **Extended Day Care.** Non-funded EYs provision provided in addition to the funded 15 hour entitlement.

Day Care Provision is a collective term used in this document for groups defined above.

A **Childminder** is registered to look after one or more children under the age of 8 to whom they are not related on domestic premises for reward and for a total of more than two hours in any one day. The following are **not** classified as childminders for registration purposes, when looking after a child. Any person who:

- Is the parent or relative of a child;

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- Has parental responsibility for a child; s a local authority foster parent in relation to a child;
- Is a foster parent with whom a child has been placed by a voluntary organisation;
- Is a person who fosters the child privately;
- Is a nanny looking after the child in the child's home;
- Looks after a child for less than two hours in a day;
- Looks after a child for the parents wholly or mainly in the parent's home (e.g. baby sitters).

Tri Service Accredited Organisation refers to the organisations that have been accredited by the Secretary of State for the purpose of regulating day care and childminders in MoD establishments overseas. BFEYS has responsibility for the UKSC area (including Naples, Italy and Turkey) and SSAFA FH has responsibility for the rest of the world.

9. Relevant papers

DfE produced "Practice Guidance for Early Years Foundation Stage" May 2008

OfSTED produced "Using the early years evaluation schedule" July 2010

DfE produced "Statutory Framework for the Early Years Foundation Stage" May 2008

DfE produced "Code of Practice for Local Authorities on Delivery of Free Early Years Provision for 3 & 4 year olds" September 2010

MoD produced "Armed Forces Covenant: Today and Tomorrow" May 2011

JSP 834 – Safeguarding Children

The Tax Credit (New Category of Child Care Provider) Regulations 2002

Guide to Registration on the Early Years Register – OfSTED June 2010

Guide to Registration on the Childcare Register – OfSTED June 2010

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For the latest information about education for service children's please visit:
<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

**Annex A to JSP 819
EYFS Framework Policy
Mar 12**

Terms of Reference for Early Years Operation Group (EYOG)

1. Ratified at first meeting of EYOG.

Purpose

2. The intent of the operational group is to:
 - a. Advise, support and challenge the structures and organisations that are involved in the provision of EYs 0-5, to ensure the effective implementation of the MoD EYFS policy.
 - b. Ensure the implementation of the EYs Action Plan and Improvement Strategy as directed by the MoD Children and Young People's Trust Board and DCYP.
 - c. Ensure as integrated approach to provision, training and development.
 - d. Support the accredited Overseas Regulatory Teams to ensure all children are supported and protected and that they feel safe.
 - e. Develop a unified and proactive strategy to mitigate the potentially adverse affects of mobility and deployment.
 - f. Reduce inequalities and improve outcomes for all young children.
 - g. Secure sufficient childcare overseas to meet the funded 15 hours entitlement (3-5 years) and to meet the needs of working parents with children 0-5.
 - h. Maintain an overview of key risks at the local/Command level, to provide advice on and apply appropriate mitigating actions, to inform DCYP where new and/or significant risks are/arise.
 - i. Through the Chair, to provide a regular update to AG/CYPTB on progress against the actions set out in the EYs Improvement Plan.
 - j. Maintain an overview of national Government Legislation and guidance and to identify those areas where gaps exist.

Outputs

3. The work of the EYOG is expected to focus on:
 - a. Monitoring provision overseas and reporting to the MoD CYPTB on a bi-annual basis.
 - b. Developing the EYFS curriculum to ensure consistency and continuity for children and their parents and carers in the overseas context.
 - c. A common assessment framework for the children of Service families.
 - d. Practical guidance on multi-agency working.
 - e. An integrated training and development programme for the workforce.

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<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

- f. Management and mitigation of risk.
- g. Facilitating and shaping local childcare markets which are responsive to local needs and provide sufficient high-quality, accessible and sustainable childcare
- h. Ensuring the priorities in the CYP Plan relating to EYs are delivered.

Reporting

- 4. The EYOG will report to the MoD CYPTB and Overseas Command level CYPB.

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<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

**Annex B to JSP 819
EYFS Framework Policy
Mar 12**

Membership of Early Years Operations Group (EYOG)

Director of Education (Chair)
AWS – PWSO
Com JETS (Cyprus)
Head of Early Years
Assistant Director Early Years SSAFA FH
Director British Forces Early Years Service (BFEYS)
BFG AWS SCM
Workforce Strategy Manager
BFGHS Rep
BFWSW Rep
AFF Rep
DCYP Head of Commissioning

Frequency of meetings: Meetings will be held quarterly but more frequently if required by the work strands.

This document has been archived 23 August 2016.

For the latest information about education for service children's please visit:
<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

**Annex C to JSP 819
EYFS Framework Policy
Mar 12**

Terms of Reference of Early Years Development Team (EYDT)

Purpose:

1. The intent of the development team is to:
 1. Ensure all staff are trained and qualified to enable 0-5 settings to implement the MoD Delivering the Early Years Foundation Stage in Overseas Commands Policy Framework, meet national statutory expectations and inspection requirements.
 2. Enable 'best practice' and the national view to be shared across all setting staff throughout BFG and ROW.
 3. Identify and recommend resources and funding for high quality training and development needs, especially with regard to future rationalisation of settings.
 4. Carry out audit of the 0-5 workforce in order to identify risks linked to training needs and practicable solutions.
 5. Ensure future training provides value for money and meets the needs of all 0-5 children's workforce. Recommend models of training provision, including requirements for a designated management structure and the development of tutor trainers within BFG.
 6. To ensure a strategic response and possible solutions is taken to identifying risks arising from the EY policy audit each term.
 7. Respond to direction from the EYOG to address risks and issues and report feedback.

Outputs:

2. The work the EYDT is expected to focus on:
 1. Overseeing the delivery of full and relevant early years' qualifications, that are verified by the Children's Workforce Development Council (CWDC).
 2. The audits of overseas provision each term, establish current issues and report key findings to the EYOG.
 3. Facilitating continuous professional development by developing and publishing short courses to provide an understanding of good practice and promote skills and knowledge in core competences. Provide mentoring/coaching based on identified training needs.
 4. Monitor and evaluate/quality assure the overall effectiveness of settings in terms of outcomes, provision and leadership and management using a universal scheme e.g. ECERS/EYQISP or one that has been devised at operational level.
 5. Monitoring the requirement for, and delivery of, training for Childminders which in UK would be regarded as Local Authority responsibility.

This document has been archived 23 August 2016.

For the latest information about education for service children's please visit:
<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

Reporting:

3. The EYDT report to the EYOG.

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For the latest information about education for service children's please visit:
<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

**Annex D to JSP 819
EYFS Framework Policy
Mar 12**

Membership of Early Years Development Team (EYDT)

SCE EYFS 3-5 Advisor
SCE Workforce Development Manager
Senior Early Years Manager (To be decided)
Childcare Training Manager (Temp cover until Feb 12)
EYDT Consultant (Germany/Cyprus/ROW)
EYFS Strategy Manager 0-5
Lead IA EYFS (Occasional advisory role)
Director of British Force Early Years Service (BFEYS) (Occasional advisory role)
Early Years Co-ordinator BFC

Frequency of meetings: Meetings will be held quarterly but more frequently if required by the work strands

This document has been archived 23 August 2016.

For the latest information about education for service children's please visit:
<https://www.gov.uk/government/publications/the-education-of-service-children-jsp-342>

**Annex E to JSP819
EYFS Framework Policy
Mar 12**

Contact Details for Accredited Organisations

For all enquiries for overseas Commands in Western Europe:

British Forces Early Years Service

Director BFEYS
GSG G1
BFPO 140

Tel: 0049 2161 472 4644
Email: GSG-G1-BFEYS-Dir@MoD.uk

For all enquiries for overseas Commands other than Western Europe:

SSAFA Forces Help

Assistant Director of Social Work
SSAFA Forces Help
19 Queen Elizabeth St
London
SE1 2LP

Tel: 0207 463 9229
Email: Deborah.t@ssafa.org.uk
British Forces Early Years Service:

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**Annex F to JSP 819
EYFS Framework Policy
Mar 12**

Settings Audit Tool Proforma²⁸

Proforma to be completed by individual Early Years settings (birth to 31st August following their 5th birthday) and returned to the lead officer in the Command area responsible.

Country	
Location	
Command area responsible.	
Funding approach (see note 1).	
Name of setting.	
Date of registration.	
Last regulatory body inspection date.	
Last regulatory body inspection rating.	
Key areas of improvement (see note 2).	
Max no. of children setting registered for.	
No. of children currently on role (From January 2012).	
Number and age of children on the waiting list.	
Number and age of children waiting for a full-time placement.	
No. of children aged 0 – 2	
No. of children aged 2 – 3	
No. of children aged 3 – 4	

²⁸ Annex F to JSP 819 is likely to be reviewed and updated at least annually.

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No. of children aged 4+	
Number of weeks the setting is open.	
Type of EYFS provision (see note 3).	
Opening hours of the setting (see note 4).	
Type of sessions offered (see note 5).	
Manager name.	
Manager qualification level.	
Deputy Manager name.	
Deputy Manager qualification level.	
Total number of FTE staff employed (see note 6).	
Total number of staff that have completed induction training in compliance with statutory welfare requirements.	
Total number of working hours of full-time practitioners.	
Total number of working hours of part-time practitioners.	
Number of staff including Manager/Deputy Manager holding level 3 qualification in Early Years practice.	
Number of staff including Deputy Manager holding level 2 qualification in Early Years practice.	
Number of staff including Deputy Manager in training to achieve recognised level 3 qualification in Early Years practice.	
Number of staff in training to achieve recognised level 3 qualification in Early Years practice.	
Number of staff in training to achieve recognised level 2 qualification in Early Years practice.	
Number of staff working directly with children aged 0 – 2 and are qualified to do so.	
Number of staff not attending training to achieve	

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a recognised qualification in Early Years practice.	
Are staff Suitability Checks complete and the register maintained.	
Number of staff who have received appropriate Safeguarding training (see note 7).	
Fire certificate in place and date of expiry.	
Food Safety certificate in place and date of expiry.	
Number of Paediatric First Aid certificate holder(s) in place (see note 8).	
Do staff regularly analyse and record the accident reports?	
Do staff regularly analyse and record the incident reports?	
Date of last Risk Assessment review.	
Date of previous Workplace Inspection (see note 9).	
Staff recruitment and retention (see note 10).	

Notes:

1. Fully funded statutory entitlement; part subsidised by Command; fully self-funding through parental payments, other.
2. List those areas for improvement identified at the last regulatory inspection.
3. Type of EYFS provision: e.g. Morning Nursery, Full Day Nursery, FS1 and Extended School (EDC).
4. Opening days and hours: e.g. Mon – Tue 0900 – 1500, Wed 0900 – 1300, Thu – Fri 0900 – 1200.
5. Type of sessions offered: e.g. Breakfast/Breakfast and Morning/Morning/Morning and Lunch/Lunch/Lunch and Afternoon.
6. Full Time Equivalent staff.
7. Level 2 Safeguarding Training: designated person responsible for safeguarding children, Level 1 safeguarding Training: all practitioners and members of staff.
8. List the members of staff and the date their certificate expires.

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9. In accordance with JSP375 Volume 2 Leaflet 21.
10. Identify potential staff issues, e.g. recruitment and numbers of expected postings, numbers of known/expected maternity leave.

This document has been archived 23 August 2016.

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**Annex G to JSP 819
EYFS Framework Policy
Mar 12**

Parental Checklist for Nursery ISOSETS provision

- i. What are the ratio of adults to children at different age groups?
- ii. Are all staff holding an Early Years training qualification?
- iii. How is a child's progress assessed?
- iv. Is there a secure outside play area?
- v. Does the setting have a health and safety policy, fire certificate and food hygiene certificate?
- vi. Does at least one member of staff hold a first aid certificate?
- vii. Is there a Safeguarding Children Policy and staff training in place?
- viii. Does the setting practice safe recruitment procedures e.g. CRB and Suitable Persons?
- ix. Is there a Risk Assessment Policy in place and who manages the implementation/review?
- x. What is the curriculum/ethos of the setting?