

Inspection of Early Learning and Childcare and School Age Childcare Services in Scotland: Consultation Analysis

March 2023

Inspection of Early Learning and Childcare and School Age Childcare Services in Scotland: Consultation Analysis

A report by Wellside Research Ltd.

Contents

Executive Summary	i
Introduction	1
Background.....	1
Respondent Profile	2
Methodology	3
Reporting Conventions and Research Caveats	4
Vision and Guiding Principles of Inspection	6
The Vision.....	6
Guiding Principles.....	12
Current Inspection and Scrutiny Landscape	19
A Shared Quality Framework	45
Additional Comments	66
Discussion.....	72
Cross-Cutting Themes.....	72
Limitations of the Data	73
Conclusion.....	73
Appendix A Respondent Profiles	75
Appendix B Event Profiles	76
Appendix C Draft Vision and Principles	77

Executive Summary

Introduction

Following recommendations in the [Muir Report \(2022\)](#), the Scottish Government undertook a public consultation to explore support for the creation of a shared quality framework for the inspection of Early Learning and Childcare (ELC) and School Age Childcare (SAC) services in Scotland. The consultation document suggested that a shared framework would support and strengthen an integrated approach to inspection, enabling the Care Inspectorate and His Majesty's Inspectorate of Education (HMIE) to work together, assessing the quality of settings at the same time, using the same framework, and aligning and quality assuring their findings.

The consultation ran for 16 weeks between July and October 2022, and asked 32 questions (including 13 closed and 19 open questions). Feedback was sought on the vision and guiding principles for the framework, the current inspection landscape, and proposals for a shared quality framework.

Various methods were available for people to provide input to the consultation. This included the submission of written responses, either via Citizen Space (the Scottish Government's online consultation portal), emails, or postal returns. The Scottish Government also conducted a series of online events that sought feedback to eight questions which were consistent with those asked in the consultation document.

In total, 254 responses were provided to the written consultation, while 11 events recorded comments provided by 380+ attendees. Feedback was received from a wide range of respondent types, including local authorities, trade unions, ELC and SAC representative and membership bodies, academic organisations, the inspectorates, and parents/carers, however, the largest proportion of responses came from practitioners and childcare providers themselves. Views were largely consistent, both between the different respondent groups and the different response formats.

The Vision and Guiding Principles

Both the draft vision and proposed guiding principles were well supported, with most of those who answered the questions indicating that they either fully or partially supported these (96% supported the vision and 95% supported the principles to some extent).

Respondents felt that the vision and principles would provide greater consistency, clarity, collaboration, a more supportive approach, and a streamlined and less bureaucratic system for inspections. They also felt that the principles were clear and consistent, and highlighted the importance of collaboration, listening, and the needs and rights of children.

Various details were perceived as missing, however. Respondents mainly wanted more information on 'how' the vision and principles might work in practice, as well

as information about the expected timeframe for implementation. Other more specific suggestions were also offered, including that the principles should include playwork, focus more on diversity and inclusion, and make links to other policies and legislation. Scepticism was also expressed over how achievable the vision and principles might be.

The Current Inspection Landscape

Around two in five respondents (who answered the question) had been inspected by both the Care Inspectorate and HMIE under separate visits (42%), while 21% had received joint visit inspections. Similarly, 40% had been inspected by the Care Inspectorate as a single agency inspection, while only 6% had been inspected by HMIE as a single agency inspection. Most of those who had been inspected by the Care Inspectorate noted they had last been inspected within the last five years (93%), whereas less than a third (31%) had been inspected by HMIE (where appropriate) in the same timescale.

Notwithstanding the disruption caused by COVID-19, 39% of respondents indicated that their experiences of inspections had been mainly positive, 28% said it had been neither positive nor negative, and 21% said it had been mainly negative.

The perceived benefits of the current inspection approach were linked mostly to positive experiences, and included instances where inspections/inspectors had:

- Been supportive and collaborative with practitioners/providers, including recognising strengths and good practice, had allowed for collegiate discussion with practitioners, built rapport with staff and had been 'hands-on' during sessions or with the children, considered the local context, and framed necessary changes in a positive way;
- Consulted with staff, the children and their families;
- Resulted in clear and simple guidance being provided; and
- Identified improvements and framed these in a positive and supported way.

While HMIE inspections were perhaps considered to be more supportive, the ongoing relationships that could be built up with Care Inspectorate inspectors was highly valued.

The inspectorates also detailed the benefits of their own frameworks, with both stressing that these had been designed following stakeholder consultation and that they supported both self-assessment and inspection.

Practitioners' experiences of inspections were, however, reported to be highly variable, and respondents outlined a wide range of challenges, issues and problems created by the current inspection approach. These included:

- A lack of consistency both between and within the inspectorates - it was said the requirements were confusing and open to interpretation, with inspectors often taking different approaches and having different views on issues; that providers had received conflicting advice and feedback; there were

differences in the knowledge and experience of individual inspectors; and that inspectors changed too often;

- The use of multiple frameworks - staff needed to be knowledgeable across a wide range of documents; the frameworks had different expectations, conflicting views/purposes, and contained overlap; this created confusion and duplication of effort for providers;
- Documents contained too much jargon;
- Too much paperwork, with the lack of pro-forma templates seen as particularly challenging for childminders;
- Created work for practitioners that often needed to be done outside of working hours;
- Inspections were based on a 'small snap-shot' rather than representing a true, longer-term picture of service provision;
- Inspections were highly stressful for providers and practitioners, often created fear and panic among staff, and impacted on the normal delivery of services;
- Inspections did not take account of local challenges, such as those generated by both COVID-19 and the expansion of the funded ELC hours, as well as the staffing issues created by both; and
- That inspections did not recognise differences between settings, e.g. ELC and SAC, nurseries and childminders, or funded and unfunded providers.

Only 13% of respondents agreed that the Care Inspectorate and HMIE currently cooperate with one another and coordinate inspection activity effectively. The main areas where respondents felt they were successful in this regard included the planning and conduct of joint inspections, and in relation to the timings of single inspections to ensure a sufficient gap between inspections of any one setting - although not all agreed that this was done successfully each time. However, a range of arguments were made to suggest that the two agencies did not currently work well together, including that the agencies had different and competing priorities and expectations, they lacked consistency in the quality indicators they considered, but also had blurred/overlapping roles. It was noted that they had different approaches and timescales for inspections, and respondents perceived there to be a lack of communication over inspection findings. Several also felt that the organisations had little respect for one other, and noted that a previous attempt to develop a shared framework had failed.

Most respondents (80% of those who answered the question) felt that more could be done to improve cooperation and coordination between the inspectorate bodies in the short and medium term. It was suggested that the inspectorates needed to work together to co-produce a coordinated and streamlined approach to ensure they would work from the same principles, inspection criteria, quality indicators/themes, guidance and paperwork. However, it was stressed that all themes and both inspectorates needed to be given equal weight, and that there needed to be a clear division of roles and responsibilities. It was argued that genuine and effective communication, coordination and partnership working was

needed - not 'tokenistic' efforts. In addition, it was felt that the disparity in pay and conditions between the inspectorates also needed to be recognised and addressed.

Local authorities' roles in monitoring and supporting quality improvement in ELC and school age childcare provision (where appropriate), and how this aligned with the inspection functions carried out by the Care Inspectorate and HMIE received mixed responses. Some felt that the process was supportive, well aligned with inspection requirements, and particular elements were welcomed, such as having a named contact, a Quality Improvement Officer or Support Officer. Others, however, felt that their local authority requirements tended to align with one inspectorate more than the other, involved unrealistic timescales, and that the level of monitoring and support varied across the country. Some noted a lack of local authority involvement/visits and no local authority support for SAC or unfunded ELC settings. Most also felt that the local authority requirements added a third layer of regulation, scrutiny and inspection, and felt that this was overwhelming, and generated a large volume and duplication of documents and paperwork.

A Shared Quality Framework

Just over three quarters of respondents who answered the question (78%) supported a shared framework. It was hoped that this would ensure a more consistent approach; provide clarity around expectations, as well as clear criteria and focus for improvement actions; provide a streamlined and less bureaucratic system; and reduce the burden on providers. A few were concerned, however, that the proposals focused on self-evaluation rather than inspection, while others felt that existing frameworks could be updated rather than starting again (and potentially losing elements of the current inspection regime that did work well). Those who were against a shared framework argued that more tailored approaches were required for different settings, or that a shared framework would not remove the challenges associated with having two separate inspectorates involved.

Various perceived benefits of a shared framework were outlined, including that it would:

- Provide consistency and clarity;
- Provide a more streamlined and joined up process;
- Be easier for staff to use and support a more manageable workload;
- Be a more supportive and collaborative approach;
- Understand and promote the relationship between care and education;
- Better align ELC and school (enhancing transitions); and
- Provide an opportunity to develop sector specific guidance.

Again, however, a wide range of potential challenges, issues and problems were outlined, along with discussion of elements that would be needed to ensure success. These included:

- Communication and collaboration, both between the two inspectorates and with/between providers - although many felt that it may be difficult to get the two inspectorates to agree;
- That a streamlined framework, with accessible, jargon free documents which did not alienate any sector/type of practitioner was necessary;
- That it needed to include explicit links to other policies, e.g. [How Good is our School?](#), [National Standard](#), and [Realising the Ambition](#), among others;
- It needed to reflect all sectors/types of provider;
- Avoid the framework becoming too big or too generic, and avoid the needs of one inspectorate becoming dominant;
- Joint training between the inspectorates would be needed to ensure shared understanding and implementation, and time, resources, training and support would be needed for providers to embed the new framework;
- Resourcing issues existed for both inspectorates and providers which may impact or limit successful implementation;
- The timing of the change was considered to be problematic, following COVID-19, the extension of the funded ELC hours, and the implementation of the Care Inspectorate's Quality Framework; and
- That a shared framework would not be enough to tackle the problems (e.g. inconsistencies may persist), but rather, more radical restructuring may be required - i.e. the development of a single inspectorate to be responsible for the sector.

Despite these challenges and potential shortcomings, most did feel that the use of a shared framework would be an improvement over the current system.

Just under two thirds (63% of those who answered the question) felt that a shared framework would meet the needs of the sector to simplify the inspection landscape and reduce the inspection burden. It was argued that this would provide a clear vision and shared inspection language; remove conflicting messages; provide better clarity and transparency on expectations; allow for consistency of approach and a simplified landscape; reduce burdens of paperwork and staff preparation time; and remove feelings of being 'over-regulated'. Again, those who felt it would not meet the needs of the sector argued that it did not go far enough and that a single inspection body was needed, or that it was not possible/ appropriate to apply a single framework to all settings.

Just over two thirds (68% of those who answered the question) felt that the shared framework should apply to all ELC services, including funded and unfunded nursery and childminder provision for 0-5 year olds, and to childcare provision for children of school age (over 5 years old). It was felt this was necessary to provide the most collaborative and consistent approach to inspection, and to provide a consistent benchmark/standard for all services. It was suggested that having different frameworks would undermine the approach and could result in some sectors being considered as inferior. Caveats were provided, however, in that respondents thought the framework should be applied proportionately to different settings, and

that it would be important to avoid stifling innovation, competition or the unique nature of different types of providers. Those who were against applying the shared framework in this way again felt it was not possible/appropriate to apply a single framework to all settings, and/or were concerned about staff retention/the sustainability of some sectors if requirements increased as a result (particularly the SAC sector which is not currently subject to HMIE requirements).

Additional Comments

Most respondents supported the use of a shared framework, however, the preferred method of implementation varied. Some expressed a preference for a shared framework to be used by the two inspectorates, several preferred a shared framework which would be implemented via shared inspections only, while others advocated for the creation of a single inspection body to be responsible for the sector. The fact that consideration of the creation of a single inspectorate was not included within the consultation document was believed to be a missed opportunity by some, and it was suggested that the wider education reforms offered the opportunity to be more ambitious in this respect.

Another common concern which was discussed throughout the consultation was the potential impact of the proposals on the SAC sector, childminders and those not delivering funded ELC. It was felt that either the shared framework needed to fully reflect and be appropriate to these sectors, or that it was inappropriate to apply a shared framework in this way.

Other issues discussed by respondents either in response to the final question which invited 'other comments', or which were raised across the consultation, included:

- The need to respect and treat all practitioners as professionals;
- To promote equality, inclusion and diversity in inspections - including additional support needs (ASN), physical, sensory and/or learning disabilities, Gaelic medium, race/ethnicity and gender;
- That practitioners and local authorities needed to be involved in developing the shared framework to ensure it represents all settings and types of providers;
- Existing good practice needed to be retained; and
- Any changes needed to be mindful of the challenges faced by the sector which were created by the extension of the funded ELC hours, as well as COVID-19 and the ongoing recovery.

Conclusion

Overall, there was strong agreement that the current inspection framework needed to be reformed, with general support for the creation of a shared framework to bring about improvements. While respondents outlined potential challenges which may need to be overcome regarding implementation, or suggested that more needed to be done to reform the inspection landscape, it was felt that a shared framework

would be beneficial and an improvement on the current system. There was less agreement, however, in relation to the possible coverage of the shared framework. The content of any shared framework and the way this is applied in practice will be crucial to its success. It will need to be applicable to the range of different settings and service providers, while still being streamlined and manageable, and providing consistency. It was also felt that practitioners and other stakeholders needed to be involved in the drafting and development of any new framework to ensure that achieving best outcomes for children remains at the heart of inspections.

Introduction

Background

In June 2021, the Organisation for Economic Co-operation and Development (OECD) published an [independent review into Scotland's school curriculum](#). This outlined 12 recommendations, which the [Education Secretary announced](#) would be accepted in full, and resulted in a programme of educational reform. Professor Ken Muir CBE was appointed as [Independent Advisor on Education Reform](#), in order to provide independent and impartial advice around some of the proposed changes, with his report (and the supporting consultation and survey analysis reports) published in [March 2022](#).

One area highlighted for reform was the inspection requirements on the funded Early Learning and Childcare (ELC) sector. This sector is currently subject to inspections by both the Care Inspectorate and His Majesty's Inspectorate of Education (HMIE). The Care Inspectorate has powers to inspect all ELC (both funded and unfunded) and regulated school age childcare (SAC) settings. Meanwhile, HMIE has a role in inspecting settings that provide funded ELC. Therefore, the funded ELC sector is currently inspected under two separate frameworks:

- HMIE inspects services against its quality framework: '[How good is our early learning and childcare?](#)' (HGIOELC?)
- The Care Inspectorate inspects services against its '[Quality Framework for Day Care of Children, Childminding and School-Aged Childcare Services](#)' implemented on 1 June 2022.

In addition, local authorities have a role to act as the guarantors of quality and are responsible for assessing and monitoring compliance with the [National Standard](#) for all funded ELC providers. In order to fulfil this role some undertake their own quality assurance visits.

Professor Muir's consultation work identified extensive criticism of the current system of inspection, where the ELC sector was perceived as being disproportionately subject to external accountability, more so than other parts of the education system, and where there was possible duplication of the roles between the inspectorates involved. He also suggested that there was strong support for a shared framework being developed in the ELC sector as a means of reducing confusion, bureaucracy and workload. As a result, the Muir report recommended that a new education inspectorate body be established (as a result of removing the inspection function from Education Scotland) which should re-engage with the Care Inspectorate to agree a shared inspection framework for early years provision.

The Scottish Government indicated a preference for the focus to be on Professor Muir's recommendation regarding the development of a shared framework, rather than pursuing the option to create a single inspection body for the ELC sector (as had been suggested by some previous consultation respondents). The Scottish Government argued that the development of shared inspection framework would

not require legislative or structural changes, could be implemented more quickly, and would retain the key expertise and vital functions that each body delivers.

In order to support the development of a shared framework for inspections for the ELC sector, the Scottish Government conducted a public consultation. This was developed in partnership with stakeholders, including the relevant inspectorates. The consultation asked a total of 32 questions, including 13 closed questions and 19 open questions. Feedback was sought on the vision and guiding principles for the framework, the current inspection landscape, and on proposals for a shared quality framework. The consultation ran for 16-weeks, from 11 July to 28 October 2022, and was open to anyone who wished to take part. A range of feedback methodologies was used, including inviting written submissions via Citizen Space (the Scottish Government's online consultation portal), emails and postal submissions, as well as online events which allowed attendees to provide written feedback on proposals during the sessions.

Respondent Profile

In total, 255 responses were received to the main written consultation. However, this included one duplicate response which was removed prior to analysis, meaning that 254 substantive responses were received in total. Of these, most were submitted via the Citizen Space portal (n=245), while nine respondents submitted non-standard responses via email. In most cases the non-standard responses focused on the consultation questions and so the data were merged with the main Citizen Space data for analysis purposes. Only two responses took a more general approach and so required to be analysed separately.

Of the 254 responses provided, 60% (n=152) were provided by individuals compared to 40% (n=102) from organisations. It should be noted, however, that a few organisational responses had been informed by surveys or other input from their members/staff. Indeed, one such response outlined survey findings from over 1,200 childminders. Therefore the total number of people who contributed to the consultation is significantly higher than outlined above.

Respondents were also asked to outline the sector they worked in or the nature of their interest in the topic. Categories were designed to be consistent between individuals and organisations, with comparative analysis carried out at the sector level as views tended to reflect respondents experiences in this respect rather than their individual/organisation status. The numbers in each category are outlined in Appendix A. Most responses came from providers and individuals (with both typologies having 103 respondents each and representing 41% each of the total number of responses). It should be noted, however, that the content of responses from individuals suggested this group also consisted largely of ELC providers.

Those responding on behalf of an ELC setting were asked if they provided funded ELC, with 36% (n=90) indicating that they did. They were also asked if they received inspections from both the Care Inspectorate and HMIE, with 32% (n=81) stating that they did.

Respondents were also asked if they were a parent of a child attending ELC or SAC. Nine percent (n=23) indicated that they had a child attending an ELC setting, while 15% (n=39) had a child attending SAC.

A series of online events (n=11) were also conducted by the Scottish Government, where feedback was sought largely via written comments provided via the chat facility and/or using specialist software (Mentimeter and Slido). Although 13 events were conducted in total, feedback was not gathered at two of these. In these cases, the host organisations used the event to inform their formal written response submitted via Citizen Space. As such, event data detailed in this report is restricted to the 11 events which resulted in feedback/comments being provided during the sessions. The events tended to follow a consistent format, with up to eight questions asked which related directly to those contained within the main consultation document. Appendix B provides details of the individual events.

Across the 11 events where feedback was provided during the session, over 380 people attended, however, the number of attendees was not recorded at one of the events, and only a rough indication could be provided for the others due to some attendees joining late and others leaving the discussion early. As such, not all attendees were necessarily present at the same time or contributed to all questions. The events ranged in size from roughly nine attendees, to roughly 83 attendees in any one event.

Methodology

The analysis of consultation responses and the reporting of the findings was carried out independently by Wellside Research Ltd, a research company contracted by the Scottish Government through a fair and transparent competitive tender process.

All responses were logged into a database and screened to identify any campaign, blank, duplicate or non-valid responses (i.e. where responses were not relevant to the current consultation). No duplicates or non-valid responses were identified and only one blank response was screened out. Feedback was then analysed, to be presented under the appropriate sections below.

Closed question responses were quantified and the number of respondents who selected each response option is reported below. Both the raw percentage and the valid percentage are shown (i.e. the percentage of people who responded to each option once the non-respondents had been removed).

Qualitative comments given at each question were read in their entirety and manually examined to identify the range of themes and issues discussed. Analysis was also conducted to identify any differences in views between respondent groups (i.e. between individuals and organisations, organisational sectors, roles, and the different educational stages represented). Recurring themes that emerged throughout the consultation were recorded, and verbatim quotes were extracted in some cases to illustrate findings. Only extracts where the respondent consented for their response to be published were used.

Reporting Conventions and Research Caveats

Findings are generally presented as they relate to each question in the consultation, although the reporting of some questions has been combined where the intent of the questions were similar and elicited significant overlap in responses. As well as providing an overall summary of the common views at each question, the report also highlights where views differed by respondent typology/sector.

It should be noted that many respondents preferred not to identify their sector, or reason for interest in the consultation (and indeed were not required to do so in the events). Therefore there was a large number of 'individuals' and unknown affiliations for those at the public events, thus complicating the sector based analysis. Based on the content of the responses however, this group appears to have been made up of practitioners, managers and owners from both the ELC and SAC sectors, parents, those working for the inspectorates, etc. It should be noted, however, that there was strong agreement between different sectors and views tended to be replicated across a wide range of respondent types. As such, the lack of sectoral attribution for some respondents did not negatively impact the findings.

Some respondents opted not to answer closed questions but did offer open-ended responses to the same question, meaning that there was not always a direct correlation between the number of people who supported/did not support a particular statement and the number of people who gave a qualifying comment. For fullness, all responses were included in the analysis, even where the closed component of the question had not been answered.

While respondents referred to both HMIE and Education Scotland interchangeably (and also occasionally to Scottish Government inspections), the term HMIE is used throughout this report for consistency and to avoid any confusion. Any references to Education Scotland within this report refer to the wider functions of the organisation, while all points related to the inspection function is attributed to HMIE.

Further, although references are made throughout to HMIE, which currently sits within Education Scotland, it is acknowledged that this organisational structure may change as a result of the educational reforms. As the future structure and naming conventions relevant to this are not yet known, any references in this report to HMIE's role in future inspections should be read as being equally applicable to any new organisation which replaces HMIE or any new organisational structure which will house HMIE going forward.

A thematic analysis approach was taken for all qualitative data submitted, rather than attempting to quantify and attribute open-ended data to codes. As such, no fixed number of responses is provided in relation to the themes and issues discussed, however, an indication of the strength of feelings expressed is generally provided.

As the questions posed at the events were largely consistent with those in the main Citizen Space consultation document, the analysis of both elements has been combined in the following chapters (where relevant). Where there were differences in views, or where issues were more prevalent in the event comments, this has

been identified in the narrative. Again, however, there was substantial consistency in views and experiences expressed across all response methods.

It should be noted that respondents were able to participate in the consultation in multiple ways, i.e. submitting a written response and attending and commenting via an event, or attending more than one event, and indeed, there was some limited evidence of the former. For example, a small number of the comments submitted at individual events were very similar in nature and wording to submissions via the Citizen Space portal. In addition, it is not possible to know whether other respondents may have changed their views between attending an event and submitting a citizen space response (or vice versa). To ensure completeness of the analysis, all input has been considered and included here, but this potential duplication or updating of views should be borne in mind when considering the results.

Finally, the findings here reflect only the views of those who chose to respond to this consultation. It should be noted that respondents to a consultation are a self-selecting group. The findings should not, therefore, be considered as representative of the views of the wider population.

Vision and Guiding Principles of Inspection

The consultation document and events set out the draft vision and guiding principles for the inspection of all ELC and school age childcare services (both are provided at Appendix C for reference). Feedback was sought on both these elements, including the extent of support for the draft versions, and any suggestions on elements that may be missing or how these could be improved.

The Vision

Q1.1 To what extent do you support, or not support, the Scottish Government's overall proposed vision for the purpose and aim of inspection of ELC and school age childcare services? Can you tell us why you think this?

Event Q1. Can you tell us your views on the proposed vision for inspection of ELC and school aged childcare services?

Q1.1 To what extent do you support, or not support, the Scottish Government's overall proposed vision for the purpose and aim of inspection of ELC and school age childcare services?

	Number of respondents	Percentage of respondents	Valid % ¹
Fully Support	145	57%	59%
Partially Support	89	35%	37%
Don't Support	10	4%	4%
No Response	10	4%	-

Base: 254

Over half of the respondents to the main written consultation (and who answered the question) fully supported the proposed vision for the purpose and aim of inspection of ELC and school age childcare services (n=145, 59%), with around a third indicating partial support (n=89, 37%). Only a few respondents (n=10, 4%) stated that they did not support the proposed vision.

The main perceived benefits were largely consistent between those who responded to the main written consultation and those who provided comments at the events. It was felt that the vision offered greater consistency, clarity and reduced bureaucracy for practitioners:

¹ Valid % is the percentage of people who responded to each option once the non-respondents had been removed.

“ELC staff have so many different standards and evaluation tools at the moment that streamlining this and having clear goals would be welcomed by all.” (Individual)

Respondents also commented on improving collaboration between inspectors and stakeholders, including children and families, and some (notably at the events) suggested that the vision would improve support to managers and practitioners alike. A few also suggested the process would be less “scary” and reduce scrutiny (although this was refuted by other respondents, as noted below).

Similarly, those who attended the public and other events (except arguably the event for trade unions) were overall very supportive of the vision because it offered greater collaboration between organisations (such as HMIE and the Care Inspectorate, local authorities, providers (across the childcare, ELC and SAC sectors), and children and families/carers) and was seen as more supportive of management and staff within the various stakeholder organisations.

The vast majority of respondents and event attendees who commented further on the vision, whilst being fully or partially supportive of it, also gave numerous caveats to that support. Similarly, those who did not support the vision, or who gave no answer to the quantitative question, suggested its limitations and gaps. The negative, or more problematic aspects of the vision related primarily to elements that respondents felt had not been thought through adequately in the consultation, as discussed below.

Two Systems, One Framework

The main issue for many respondents (across all response formats) was the lack of credibility afforded to joining two organisations together for inspection purposes whilst still retaining their other distinct functions. In support of the Muir Report, many respondents argued for one system, one framework, which they took to mean a single body, and despite the consultation document not consulting on it, that notion of one body nevertheless dominated responses:

“The vision is fine. The notion underpinning this consultation that we carry on with two inspection bodies in the interests of quick progress, is not. Efforts to develop a workable joint inspection framework have been discussed for at least a decade with little progress being made... Work is underway to decouple the education inspectorate from Education Scotland. This will most likely require legislation which would need to be laid soon to drive that work forward on schedule. This is an opportunity to properly simplify the inspection landscape for ELC rather than tinker around the edges in ways that create time-consuming change rather than reduce burdens on the sector.” (Trade Union)

“We are disappointed that the proposals outlined in the consultation document do not go further. Local Government would have liked to see the establishment of a single body responsible for the inspection of ELC included within the scope of the consultation. It is our belief

that establishing a single inspection body would be the most effective way to overcome the burdens, bureaucracy, and pressures that many in the sector experience under the current system. Creating a shared inspection framework may be a helpful vehicle for making some improvements, but even with this, the ability to resolve current challenges will be limited while the dual-system approach is retained.” (Sector representative body/membership organisation)

Many respondents and event attendees, whether or not they supported the proposed vision, commented that attempts were also being made to bring together (whilst remaining separate entities) two distinct types of setting, i.e. SAC (or out-of-school clubs (OSC)) and ELC settings. They were seen as very different in that the former were independent and play based and the latter were statutory and educational. It was argued that there needed to be a focus on the different role of play in learning, but some were concerned that combining the sectors for the purposes of inspection may dilute their distinctive principles and objectives:

“Out of school care must be recognised as its own provider and stop being grouped with ELC. We are not learning environments, we are play based, we often don't have our own spaces and must share with schools so I'm unsure how you can make judgements. School age children and children under 5 are very different, out of school care is fast paced and often just a place for children to completely relax and play, we are not here to teach children.” (Individual)

Inconsistencies of Approach

Again, irrespective of whether the vision was supported or not, many respondents and event attendees commented on inconsistencies within and between the various organisations and systems involved. In particular, HMIE and the Care Inspectorate were singled out as being very different, legally, culturally and professionally. It was noted that HMIE and the Care Inspectorate gave inconsistent messaging, that inspectors in both organisations gave inconsistent inspection feedback (and it was alleged by one respondent that council settings were less rigorously scrutinised than private settings), and that the Care Inspectorate was more scrutinising/less supportive than HMIE:

“All staff currently fear inspections rather than looking at it as a support as it is heavily based around scrutiny; on past experiences, the outcome of inspections can be based around inspectors' personal/professional opinions which can cause confusions between settings; [and] further to the previous point, inspections can be dependent on the inspector. Inspections can [bring] high levels of scrutiny and we can feel a lower level of support.” (Private or independent or third sector ELC or SAC provider)

A Potential Lack of Collaboration

Respondents felt that collaboration was crucial between HMIE and the Care Inspectorate, and between inspectors and stakeholders (and that collaboration was dependent on a certain level of empowerment and less of a focus on ‘scrutiny’):

“...there is no evidence that Education Scotland [HMIE] and the Care Inspectorate are going to work together to create a streamlined approach. The whole point of review is surely to create a better function - not simply tinkering with an approach that is not working, and is, because of the duplication and over inspection, incredibly expensive. One inspection body is adequate.” (Individual)

“[M]embers felt overwhelmingly that it is highly unlikely that two differing inspection bodies working under one framework would make any difference to the way things are at present for joint inspections.” (Sector representative body/membership organisation)

Inclusion

It was also stressed (across both the written responses and event comments) that children’s rights should be seen as being paramount in the process. Others also highlighted the need to promote diversity and inclusion, particularly in relation to ethnicity, gender, for those with additional support needs (ASN), and between Gaelic Medium Education (GME) and English Medium Education (EME).

Q1.2 Do you think the proposed vision is missing anything or contains something that you think does not reflect the purpose and aim of inspection of ELC and school age childcare services? If yes, can you tell us what that is?

Q1.2 Do you think the proposed vision is missing anything or contains something that you think does not reflect the purpose and aim of inspection of ELC and school age childcare services?

	Number of respondents	Percentage of respondents	Valid %
Yes	105	41%	44%
No	134	53%	56%
No Response	15	6%	

Base: 254

Slightly less than half of the respondents to the main written consultation (who answered the question) indicated that they thought the proposed vision was missing something or contained something which they felt did not reflect the purpose and aim of inspection of ELC and school age childcare services (n=104, 44%).

Of those who provided qualifying comments, many highlighted aspects of the vision that they felt were missing - primarily related to 'how' any new/shared framework might work. As well as suggesting that a single regulatory or 'shared scrutiny' body should have been in scope for this consultation, other comments on what was missing are outlined below.

Inspection

Whilst some commented that inspection was insufficient to identify and implement improvements, HMIE noted that the consultation did not address the benefits of having one inspection framework for ELC (and advocated the need to maintain clear links between ELC and school inspection requirements), and went on to stress the importance of inspection per se:

“Overall, there should be a greater emphasis on the role of inspection in system leadership. Inspection should in itself be an effective intervention that supports improvement, professional learning and capacity building. The structure and culture of the inspectorate must be agile and responsive while having the ability to re-adjust priorities and processes as the context demands.”
(Inspectorate Body)

However, another respondent suggested that the proposed vision perpetuated a “top-down model of inspection” which had been discouraged in previous reports:

“[W]e would question the approach to reform which is being adopted. The narrow focus does not appear to respond to the criticisms levelled in the OECD and Muir reports by teachers, Early Years practitioners and professional associations about inspection and scrutiny processes more widely.” (Trade Union)

Reflecting Differences

A few respondents commented that the wide range of sectors and service providers needed to be reflected in the vision, and also consulted regarding the development of any new framework - not least because the context of any provision was important (home-from-home versus nursery provision versus those using shared premises, for example). It was also suggested that children and their families needed to be reflected and included in any further consultation activities:

“Whilst quality expectations for settings must be clear, consistent, evidence-based and proportionate, ensuring that the context of the service is taken into account service providers need to be reassured that standards are applied with equity across sectors; local authority, funded private and voluntary services and childminders.” (Local Authority)

“OSC are often delivered from premises that are not purpose made and are in places such as gym halls, church hall or community centres, this proves to be difficult to display children’s art work, outcomes, planning or evaluation. Being downgraded for an

environment that you have no control over is where we are let down and this is not taken into account... OSC are treated like baby sitters.” (Private or independent or third sector ELC or SAC provider)

It was also suggested that the vision needed to articulate the difference between different sectors, better reflect and take account of playwork, make links to the [Getting it Right for Every Child \(GIRFEC\) principles](#), and ensure the voice of the child is included.

Funding and Training

Several respondents in both Q1.1 and Q1.2 commented on the lack of a focus on funding and staffing in the consultation document, for example the unequal staffing hours and pay, and the implications of these for increased funding where necessary:

“Support for PVI [private, voluntary and independent] practitioners in terms of remunerations must be equal to Council colleagues. They are doing the job contracted by the government, for the government and paid for by the government but being paid only 70% of their council counterparts.” (Private or independent or third sector ELC or SAC provider)

“As a Head Teacher in a Local Authority School with ELC provision it has become clear through discussion with private partner providers that there is a complete lack of parity in the service they can offer. Under funding means they struggle to maintain staffing and especially quality staffing. This impacts on children and families and is seen during transitions by my own staff. These private providers need more financial support if they are being inspected under the same expectations as local authority ELCs. It is very unfair.”
(Individual)

A few also noted that training for practitioners in play work and increased training and skills for inspectors were also necessary, but what type of training and how it should be funded were unstipulated in the consultation.

Event Responses

While attendees at the events were not specifically asked Q1.2, several mentioned aspects that were missing from the vision. These included:

- The need for greater teacher engagement in the process;
- The need to address regulation now rather than at a later date; and
- Greater emphasis on how to ensure consistency of inspectors in the proposed new regime.

Guiding Principles

Respondents were asked to comment on the draft guiding principles across three questions (Q1.3-Q1.5). For ease of reference, the guiding principles are outlined in Appendix C.

Responses to questions Q1.3, Q1.4 and Q1.5 tended to overlap and repeat those provided at Q1.1 and Q1.2. Indeed, the vision and the guiding principles were seen as inseparable, and where there were advantages and disadvantages about one, there were also similar benefits and concerns about the other. There was also considerable overlap in the issues discussed at each of the three questions related to the principles, and in order to avoid repetition and over-emphasising these, the information below combines the responses under relevant themes rather than dealing with each question in turn.

Q1.3 To what extent do you support, or not support, the Scottish Government's draft guiding principles for inspection of ELC and school age childcare services? Can you tell us why you think this?

Q1.4 If you answered 'partially support', please can you tell us more about which principles you do and don't support?

Q1.5 Do you think the draft guiding principles are missing anything? If yes, please can you tell us what you think we have missed?

Event Q2. Can you tell us your views on the principles for inspection of ELC and school aged childcare services?

Q1.3 To what extent do you support, or not support, the Scottish Government's draft guiding principles for inspection of ELC and school age childcare services?

	Number of respondents	Percentage of respondents	Valid %
Fully Support	142	56%	58%
Partially Support	91	36%	37%
Don't Support	13	5%	5%
No Response	8	3%	

Base: 254

Q1.5 Do you think the draft guiding principles are missing anything?

	Number of respondents	Percentage of respondents	Valid %
Yes	84	33%	37%
No	143	56%	63%
No Response	27	11%	

Base: 254

Consistent with views on the proposed vision, over half of the respondents to the main written consultation (and who answered the question) fully supported the draft guiding principles (n=58%). Just over a third indicated partial support (n=91, 37%), while a few did not support these (n=13, 5%). Meanwhile, just over a third (n=84, 37%) of all respondents suggested that they felt one or more aspect was missing from the draft guiding principles.

It should be noted that many respondents had already provided information on the principles in response to earlier questions, however, these earlier comments have been included under the relevant topics below, where possible.

General Comments on the Principles

Across the events, the most common feedback was that the principles were clear and consistent, followed by the importance of collaboration, listening, and the needs and rights of children. The avoidance of bureaucracy and duplication was also cited as important, helped in part by streamlining the inspection process. Practitioners and more than a quarter of attendees at the Care Inspectorate event also suggested that the principles reflected their own current aspirations, expectations and practices. However, the Care Inspectorate tempered its organisational level support by suggesting that the actions and values could be clearer and more distinct (they also outlined principle specific suggestions):

“It is clear [the values of the Care Inspectorate] align with the draft guiding principles. While we support the intention of the draft guiding principles, they slightly conflate actions and principles, and may benefit from being more values-based, concise and distinct from actions to ensure clarity and shared understanding.” (Inspectorate Body)

As well as being easily understood, the principles were also generally welcomed by respondents who provided written responses, in part because they would streamline and clarify the inspection process, and become a “catalyst for change”:

“I fully support the draft guiding principles and believe this will be more beneficial to services, inspectors and families and captures what the inspection process should embody. It is a positive move to include so many [and] to include support as I think this can often be

forgotten when inspections are taking place. Collaborating and listening are essential components to an inspection process and certainly leads to those involved feeling part of this and valued.” (Individual)

“As this sector is disproportionately subject to external scrutiny, to a much greater extent than other parts of the education system, it is hoped that if this approach were to be successful, it could perhaps be a true catalyst for change in ELC.” (Sector representative body/membership organisation)

Whilst there was concern from several quarters about how these principles would be implemented, and in what timeframe, the general consensus was that the principles were necessary to improve the learning and care outcomes for children.

Consistency and Clarity

Across all response formats, the principles were seen as both being clear and consistent, and offering clarity and consistency in operation, especially with regard to maintaining a high-quality service for children and a constructive support network for professionals. However, some voiced concern about how consistency and clarity could be achieved while retaining two inspectorates, albeit one inspection framework. Some questioned how, for example, Principle 3 could be enabled given the current lack of consistency and clarity in both processes and outcomes within and between the inspectorates, and indeed between ELC and SAC systems:

“[T]he crucial point is that the inspection system and process must be designed and delivered in a way that can uphold and reflect these principles. Retaining the dual-body approach to inspection means that the ability of the system to do this successfully is limited... there will always be the risk of inconsistency when some ELC settings are subject to two separate inspection bodies, which can give different grades to a single setting.” (Sector representative body/membership organisation)

Two organisations also cautioned against the creation of too much consistency - or ‘uniformity’ rather than ‘consistency’. They were concerned that this could lead to an unwelcomed ‘one-size-fits-all’ mentality and not provide the flexibility required to reflect the differences between settings and types of providers:

“[T]his should be guarded against. Further explanation of consistency would be beneficial to make it clear that consistency in improving outcomes can vary depending on the uniqueness of each setting”. (Local Authority)

“Consistency is not the same as uniformity. [There] should be appreciation for different types or settings and different contexts so that there is not an expectation of the same shape fits all.” (Local Authority)

When asked if anything was missing from the principles, and in respect of Principles 2 and 3, several respondents argued for the need to ‘eradicate’ inspector bias, which was felt to currently drive a lack of clarity and inconsistency:

“Clarity for providers is essential to understand and deliver a high-quality service for children and families. It would be nice to see the bias of inspectors’ own personal likes and opinions eradicated from the inspection process. Consistency across sectors is essential, recognising partners as partners and not second class provision.”
(Private or independent or third sector ELC or SAC provider)

It was also stressed that greater clarity was needed around the roles, remits and responsibilities of each inspectorate (and the local authority as the “guarantor of quality”), and that the principles should stress the impartiality of the inspectorates and inspection results:

“I cannot see how Care Inspectorate and Education Scotland [HMIE] can come up with a better approach or a shared framework until they/we are clear about what each inspectorate is supposed to do. No point in having the two inspectorates if they do the same thing.”
(Individual)

Collaboration and Support

Inter-agency collaboration and stakeholder support were seen as crucial (across all response formats) to the principles and practice of inspection, not least given the seemingly competing demands of numerous scrutiny bodies in the recent past.

Inspection was rarely viewed by practitioners as being ‘supportive’, despite this being considered as a key element in successful inspections. However, it was noted that the draft principles currently did not include any provision for this, and so it was recommended that a principle which necessitated inspection being supportive of staff should be added. In terms of ELC provision, respondents cited PVI providers and childminders as needing more support, as well as needing to support the wellbeing and full potential of practitioners.

In terms of supporting children, the different sectors, and ensuring a joined up approach across the different and relevant policy frameworks, several suggested that links needed to be made to GIRFEC, the [UN Convention on the Rights of the Child \(UNCRC\)](#), [Realising the Ambition](#), the [National Care Standards](#), the [National Improvement Framework](#), and [Out to Play](#). Suggestions were also made to further strengthen the focus on children. These included re-wording Principle 1 to include “**all**” children; that children’s rights should be respected “**and upheld**”; that the focus on children’s rights should be placed at the top of the list of principles; and that children should be at the heart of the principles, service provision and inspections:

“[T]here should be a clear principle in writing that ensures every child from every background especially those from deprived areas has the

opportunity to share their views during an inspection freely without any pressure from staff.” (Individual)

“...we consider there should be a stronger focus on having learners at the heart of inspection. We propose children’s experiences, their learning needs and entitlements are prioritised as well as focusing on outcomes and impact.” (Inspectorate Body)

Again, a few respondents noted the need to incorporate greater support for diversity and inclusion, and for particular categories of provider and children within the principles. This included greater consideration of childminders; children with ASN; families as well as children; gender, race and inequalities; Gaelic Medium Education (GME)/English Medium Education (EME) provision; and better support for the workforce (covering the broad spectrum of early years staff).

Further, it was stressed that a greater emphasis should be placed on the involvement of children and families within the inspection process. Principle 6, it was suggested, should include the words: ‘to influence and drive change’ at the end. Several respondents also noted that Principle 6 should include listening to settings and staff, as well as to children and families. This principle depended, in their view, on inspectors primarily encouraging the user voice:

“If inspectorates want to genuinely consult with parents/carers and respect and accept their views and opinions that would be fantastic. The move to not putting parents’ comments in CI [Care inspectorate] reports currently suggests that this is not currently the approach.”
(Local Authority)

Achievability

One of the most common criticisms of the principles as they relate to the vision was that, whilst laudable, they were perhaps unrealistic and unachievable:

“Again the principles sound good on paper however current experience of the bureaucracy and duplication that providers currently face casts a doubt on whether or not this will be achievable. These principles are years from being achievable/implemented.” (Individual)

Indeed, some were sceptical as to the effectiveness of the principles in solving current problems.

One of the recurring concerns about the principles (across all response formats), as well as about the vision itself, was the fact that ELC and SAC/OSC have very different aims and objectives and so it was difficult/inappropriate to try to combine these. In addition, attendees at the Scottish Out of School Care Network (SOSCN) event highlighted the fact that OSC had less of a focus in the vision and principles compared with ELC and that they would have liked a greater focus on OSC and play. Some respondents also suggested that these principles (under a different guise) have been aspired to for years but have yet to be realised (OSC was seen as a case in point, having never truly been integrated to date).

The potential disruption to current systems, policies and practices was noted by several respondents, not least the anticipated upheaval of moving from the current system to two bodies/one framework, and then potentially moving to a new single regulatory body at a later date:

“If there is a move to change the inspection framework, [it] will create burdens on all ELC settings as they adapt to the change. If there is then a further move to a single inspection body, potentially when the new HMIE is established, this will create another change point which risks presenting the system with two significant additional administrative burdens in relatively quick succession.” (Trade Union)

Another significant criticism was that the inspection process, currently operationalised under a dual and somewhat overlapping system, went against the ethos of the principles, thus potentially making them unworkable. Principles 2, 4 and 5, in particular, were considered to be unrealistic due to inspection anomalies, while Principle 8 was singled out as being counterproductive whilst there were still two inspectorates creating both duplication and bureaucracy:

“Members said that when joint inspections happen anxiety was raised within the setting because of the inconsistency between inspectors. Collaboration between settings, inspectors and local authorities would improve this as there would be more clarity around what is expected in the inspection process.” (Sector representative body/membership organisation)

“I don't think a joint framework with additional oversight from local authorities is going to achieve Principle 8: Be efficient, avoiding duplication and eliminating unnecessary bureaucracy for providers.” (Childminder)

One respondent, who did not support the vision or the principles, argued that a shared inspection would be unrealistic, whilst another argued that a new model of inspection was required:

“The new model should be based on principles of collegiality, respect, professional trust and empowerment, and add value to teaching and learning in the setting. It should not lead to increased levels of workload or anxiety for the staff and children involved in the process.” (Trade Union)

It was noted by several respondents that the potential disruption to current systems would be resource intensive in furthering the principles, despite resources being crucial to the success of the principles. Several asked how the vision and its principles would be funded and over what timescale.

Other Suggestions

A range of other, specific comments were made, either in relation to particular principles, or relative to the principles or framework more generally, including:

- That there was a role for the workforce regulator (i.e. the Scottish Social Services Council (SSSC)) to support and guide Principles 2, 3 and 5 and to maintain compliance with regulatory standards/requirements;
- The vision, principles or framework needed to take account of inspections being proportionate and responsive to the assessment of risk;
- Provide a greater focus on the outcome of inspections, and explicitly reference the identification and promotion of good practice;
- Provide clarity in relation to the quality indicators and how these will be proportionate, and designed to fit with the legislative element of the Care Inspectorate and the external scrutiny drivers of HMIE.

Finally, a few did suggest that, while there were no issues with the vision and principles, their success would depend on how they were implemented in practice by the inspectors, and whether consistency could be provided.

Current Inspection and Scrutiny Landscape

This section of the consultation document set out the current inspection and scrutiny landscape for the ELC and school age childcare sectors. It highlighted the roles, responsibilities, powers and legislative landscape of both the Care Inspectorate and HMIE in this regard. The role of local authorities as the primary guarantors of quality within the funded ELC sector was also outlined.

Feedback was sought across both the main consultation document and the events about any inspection approaches and activity which have been helpful and supportive in driving improvement across these sectors, and what has been less helpful to date. Respondents were also asked to consider where further improvements could be made to the current system.

Q2.1 Some settings in Scotland currently receive inspections from both the Care Inspectorate and HMIE, visiting either separately or jointly. If you are an ELC and/or school age childcare setting (including childminders, practitioners, teachers and staff working within those settings), from which organisations has your setting or service previously received inspections?

Q2.1 Which organisations has your setting or service previously received inspections?

	Number of respondents	Percentage of respondents	Valid %
Only the Care Inspectorate (single agency inspection)	92	36%	40%
Only HMIE (single agency inspection)	14	6%	6%
Both the Care Inspectorate and HMIE (as separate visits)	96	38%	42%
Both the Care Inspectorate and HMIE (as a joint visit)	49	19%	21%
Neither/not applicable	48	19%	21%
No Response	25	10%	

Base: 254 (Note: it was possible to give multiple responses at this question)

Of those respondents (to the main written consultation) who answered the question, over a third had either been inspected by the Care Inspectorate as a single agency inspection (n=92, 40%), or by both the Care Inspectorate and HMIE under separate visits (n=96, 42%). Under a quarter had received joint visit inspections from the Care Inspectorate and HMIE (n=49, 21%), and only a few indicated that they had been inspected by HMIE as a single agency inspection (n=14, 6%). Under a quarter

(n=48, 21%) stated that they had either not been subject to any inspections, or that this was not applicable.

It should be noted however, that many of those who indicated they had ‘neither’ been inspected, or that this was ‘not applicable’ were respondents from local authorities, sector representative body/membership organisation, and other organisation types who would not be subject to inspections by either the Care Inspectorate or HMIE. This question would have benefited from offering separate response categories for ‘neither’ or not inspected, and ‘not applicable’ to allow disaggregation between those setting/staff who are perhaps newer and had not received an inspection, and those respondents where this was not ever applicable.

Q2.2 If you are an ELC setting providing funded ELC (or a childminder, practitioner, teacher or staff member working within that setting), when did your setting or service last receive an inspection from HMIE?

Q2.3 If you are an ELC and/or school age childcare setting (or a childminder, practitioner, teacher or staff member working within that setting), when did your setting or service last receive an inspection from the Care Inspectorate?

Q2.2 and **Q2.3** When did your setting or service last receive an inspection from HMIE and the Care Inspectorate?

	Q2.2 Last HMIE Inspection			Q2.3 Last Care Inspectorate Inspection		
	Number of respondents	Percentage of respondents	Valid %	Number of respondents	Percentage of respondents	Valid %
Within the last 2 years	9	4%	5%	66	26%	36%
2-5 years ago	44	17%	26%	106	42%	57%
5-10 years ago	49	19%	28%	8	3%	4%
More than 10 years ago	26	10%	15%	1	0%	1%
Never	45	18%	26%	4	2%	2%
Not Answered	81	32%		69	27%	

Base: 254

Respondents were more likely to have been inspected more recently by the Care Inspectorate compared to HMIE, with most respondents (n=172, 93%) having been inspected by the Care Inspectorate within the last five years, compared to just

under a third (n=53, 31%) who had been inspected by HMIE in the same time period.

Of the respondents who indicated when they last received an inspection from HMIE, just over a quarter stated this was '5-10 years ago' (n=49, 28%), '2-5 years ago' (n=44, 26%), or had 'never' been inspected by them (n=45, 26%). A further 15% (n=26) said it have been 'more than 10 years ago', while only 5% (n=9) had been inspected 'within the last 2 years'.

Of those who indicated when they were last inspected by the Care Inspectorate, over half said this had been '2-5 years ago' (n=106, 57%), and a further third had been inspected 'within the last two years' (n=66, 36%). Just 4% (n=8) had been inspected '5-10 years ago', 1% (n=1) said they had been inspected 'more than 10 years ago', and 2% (n=4) said they had 'never' been inspected by the Care Inspectorate.

Q2.4 Discounting periods of disruption over the COVID-19 pandemic, what is your experience of the current inspection approach?

Q2.4 Discounting periods of disruption over the COVID-19 pandemic, what is your experience of the current inspection approach?

	Number of respondents	Percentage of respondents	Valid %
Mainly Positive	79	31%	39%
Neither positive or negative	56	22%	28%
Mainly negative	42	17%	21%
I have not experienced this	24	9%	12%
Not Answered	53	21%	

Base: 254

Respondents' experiences of the current inspection process were largely mixed, with 39% reporting mainly positive experiences, 28% indicating they had been neither positive or negative, and 21% stating they had mainly negative experiences. The remaining 12% (who answered the question) had not directly experienced the inspection process.

Q2.5 Discounting periods of disruption over the COVID-19 pandemic, what do you consider are the benefits of the current inspection approach? Do you have examples of positive experiences to share?

Event Q3. What are the benefits of the current approach to inspection?

While this question was combined within the consultation document, the online Citizen Space questionnaire split this into two separate questions. The first focused on the perceived benefits of the current inspection approach (i.e. the first of the questions above), and while the second outlined this again, it also asked about examples of positive experiences. Given the overlap in how these questions were presented, and that some respondents provided their full response at just one of these questions rather than splitting their answers, all data gathered by these two questions are considered below. Event attendees were also asked to comment on this question and, again, responses are included within the following discussion.

It should also be noted that, in some instances respondents outlined what they perceived the benefits of inspections were more generally, either instead of or as well as the positive elements of the current inspection approaches. Respondents also largely spoke about inspections generally and did not specify which inspectorate their comments referred to. However, even where inspectorate specific comments were provided, the issues were often consistent between the two bodies.

Inspectorates' Views

Both HMIE and the Care Inspectorate discussed their current frameworks/ inspection models, with both noting that these had been developed following significant stakeholder consultation, and that they could be used for self-assessment and inspections.

The Care Inspectorate argued (across both its formal written response and the comments provided by event attendees), that key benefits of its framework were that it covered all age ranges of children, from babies through to school aged childcare, and that it provided consistency between settings and across the sector (and in particular that it covered both funded and non-funded ELC settings):

“The Care Inspectorate’s quality framework sets out what we expect to see in high quality care and learning provision. This also supports settings to improve experiences for children where improvements are needed. Having one set of quality standards and expectations for all ELC settings, whether or not they provide funded ELC, supports the Scottish Government’s aspiration for all of our children to access high quality ELC, no matter what setting they attend.”
(Inspectorate Body)

Other benefits that the Care Inspectorate identified of its approach included:

- Its inspections were regular and unannounced, thus providing public assurance;
- Its additional responsibilities for scrutiny, for example, registration, complaints and enforcement activity, provided a national overview of the themes and trends across the ELC landscape;
- Significant levels of data gathering from services, providers, other professionals and members of the public enable inspections and other

activities to be intelligence informed, responsive, targeted, proportionate and risk based;

- Developing a wider relationship with providers can support improvements, with Inspectors being available to services outwith inspections for advice and support;
- Providing practice notes, regular provider updates, social media campaigns, dissemination of information;
- Offering improvement support to settings not performing well, both at the time of inspection and outwith, and undertaking follow-up inspections to monitor/report on progress; and
- All stakeholders are involved, including families and the children using a service.

Care Inspectorate event attendees also felt there were benefits to the current joint inspection arrangements, which allowed learning for all involved. However, several also felt that this created challenges and additional burdens on the sector, with a few suggesting that the benefits may not outweigh the issues created.

HMIE also described the strengths and benefits of its inspection model in its written submission. It was noted that “HM Inspectors inspect the quality of education in ELC through the holistic and seamless provision of nurture, care and development of social, emotional, physical and cognitive skills, abilities and wellbeing” (Inspectorate Body). HMIE also felt that their national perspective, continued evaluation over time and 3-18 education focus helped to determine what was working well in the system, areas which showed improvement and areas where further development was needed. It was also stressed that inspection evidence can provide valuable information for parents to help them evaluate the quality of services when making choices.

HMIE indicated that the strengths or benefits of its inspection model were that it focused on both improvement and independent quality assurance, identifying strengths and areas for improvement, while also considering and explaining the context. The focus on quality outcomes for children and seeking to build capacity for providers to self-evaluate while also delivering external inspections, supported by a common language and set of criteria for evaluation, was also considered beneficial. HMIE suggested that its approach required settings to take responsibility for the quality and continuous improvement of the education they provide, and suggested that it had become internationally recognised:

“The aim of our work is to create a quality culture within which the complementary roles of external inspection and internal self-evaluation are both recognised and valued. This approach to accountability and improvement in education, the ‘Scottish model’, has become recognised internationally.” (Inspectorate Body)

Other benefits of the HMIE system, as advocated by HMIE themselves, included:

- The indicators incorporate safeguarding, child protection and health and wellbeing;
- It represents good practice and set out levels of performance in education to which settings can aspire;
- Inspections seek to support and challenge settings in ways which minimise intrusion, maximise impact for children, encourage ownership at setting level, inform stakeholders and drive improvement both locally and nationally;
- Provides practitioners and providers with affirmation of the quality of their work;
- Supports the exchange of learning ideas and benchmarking, based on wide knowledge of practice across settings;
- That inspections were proportional, minimising the opportunity costs by concentrating on the most important impacts on children and on the settings capacity to keep improving;
- Capacity building by providing extended engagement and support to settings with the greatest need;
- Increased provision for discussion between inspector and practitioners to share good practice;
- Takes a user-centred and collaborative approach by involving practitioners from the relevant sectors which provides valuable insights and learning to inspections; and
- Feedback is sought from the headteacher/head of establishment after the inspection.

Practitioners' and Other Respondents' Views

Many respondents, including practitioners and individuals, as well as a range of event attendees preferred inspections which took a supportive and collaborative approach. In particular, respondents spoke positively about inspections where the inspector had:

- Highlighted the service providers strengths and validated good practice;
- Had taken a supportive and collaborative approach throughout the inspection process, including getting to know and building a rapport with staff and the children, and understanding their needs;
- Encouraged collegiate discussion and two-way dialogue;
- Supported the sharing of good practice;
- Considered the local context;
- Framed necessary changes in a positive way; and
- Had been more 'hands-on' during visits (e.g. getting to know the staff, getting involved with the session/children, etc. compared to those who simply observed or focused on paperwork):

“The Care Inspectors who visited our setting were highly supportive and realistic. They made staff feel at ease while undergoing their investigations. I felt they listened to us and when I have phoned them for advice, they have been most supportive.” (Local authority ELC or SAC provider)

“Time was allocated so that we could have a good discussion with an HMI[E] and an Associate assessor from a local authority. We were able to explore our processes for monitoring and tracking children’s progress. We found this really helpful as it was an area we needed to develop. They were able to share their knowledge and point us to support material. This motivated us and enabled us to develop a system that is now working really well.” (Individual)

It was felt that more recent inspections had been more supportive where they had been less focused on paperwork, and more time was spent on observing/participating in sessions. Similarly, some considered that inspections conducted since COVID-19 had been an improvement on those pre-COVID-19. It was widely felt (across all respondent groups) that these were more supportive and took local circumstances into account to a greater degree. HMIE COVID-19 ‘Recovery Visits’ and online approaches used by the inspectorates during the pandemic were also said by several to have been very positive and helpful experiences:

“...reports from members who participated in the voluntary Recovery visits, led by Education Scotland [HMIE] were more positive. It is noteworthy that the focus during these visits was on collegiate dialogue to assist self-reflection and inform next steps, with reports produced solely for that purpose and, crucially, no grades or scoring system was adopted. This would appear to have been a much more collaborative, engaging and meaningful process for those involved and much could be learned from this approach in the current context.” (Trade Union)

Similarly, Local Authorities appreciated those inspections which had been collaborative and inclusive between the relevant inspectorate, the service provider, and local authority officers:

“Local authority officers have found it helpful being involved in dialogue with both Care Inspectorate and HMIE during inspection processes and have been invited to participate in feedback meetings. This has provided [the] opportunity to share local authority quality assurances processes and support [the] establishment to identify next steps and action planning where appropriate.” (Local Authority)

Across all response formats, there was a slight sense that some found the HMIE approach to be more supportive, collaborative, and helpful compared to the Care Inspectorate approach. However, several respondents who noted having had more recent Care Inspectorate inspections also reported that these had been positive and supportive experiences:

“Care Inspectorate are not providing support to settings in the same way as the support provided by Education Scotland. Education Scotland seems to come from a position where we do things together. Inspectors are supportive and supports settings to think about things in a different way. Care Inspectorate inspectors do not provide reflective discussions. It is such a shame because the Care Inspectorate inspectors must have such a wealth of experience which means they are in the best position to encourage communities of practice.” (EYS Event Attendee)

In addition, several of those attending the Association of Directors of Education in Scotland (ADES) event indicated that established relationships could be built up between settings and Care Inspectorate inspectors due to the nature and frequency of contact. Meanwhile, they suggested that the lower frequency of visits/contact from HMIE meant that such relationships could not be established, and that this also impacted on its ability to gather wide evidence of good practice.

It was also felt that the guidance was now clearer and simpler, and that the current approach(es) supported team reflection and self-evaluation. In particular, the new Care Inspectorate framework was welcomed by practitioners and local authorities as being an easy to follow and manageable document which provided clear guidance in relation to what good quality care looks like and links to best practice:

“The new quality framework for ELC published by the Care Inspectorate is a fantastic resource and much more supportive than HGIOELC.” (Private, independent or third sector ELC or SAC provider)

Other aspects of the current inspection approaches which were identified by a range of respondents (across both the written responses and event comments) as being positive or helpful included those which:

- Identify the strengths and good practice of services, and providing validation of both services own self-evaluation work and local authorities quality assurance assessments;
- Helped providers to develop, improve, and deliver high quality services, particularly where clear guidance, advice and experience was shared by the inspector;
- Consult with all stakeholders, including staff, the children and their parents/ carers;
- Have clear guidelines and expectations regarding what is being inspected;
- Have a ‘named inspector’ or some mechanism to allow for follow-up discussion, support, advice, guidance and signposting. Similarly, having the same inspector visit services, for follow-ups or at subsequent inspections was welcomed as there was an existing relationship and respondents felt the inspector was able to see the progress that had been made:

“Positive experience of a HMIE inspection where they came back to review a nursery who had previously been graded low. The same inspector was present so she could really see the difference and knew the staff and nursery. This was invaluable.” (Individual)

- That the current approach allowed for ‘depth’ of evidence gathering and ‘depth of inspection’;
- That the risk based approach was appropriate and proportionate;
- Focused on the children, i.e. their individual needs, happiness, wellbeing, safety, outcomes, etc.; and
- Unannounced visits were preferred by a few respondents as this was felt to reduce anxiety for staff and were more likely to be representative of a ‘typical’ day - although others did welcome the advance notice provided by HMIE on occasions as it allowed them to gather evidence and prepare relevant information to support the inspection. Dialogue or meetings in advance of the visit were also welcomed by a few as this allowed for scoping and the development of understanding around local context.

Some respondents outlined the perceived benefits of inspections more generally. These were considered to be the provision of reassurance when and where things are going well, as well as the identification of any issues and the development and improvement of services. However, a few respondents noted that they either did not perceive, had not experienced, or felt there were very few/limited benefits as a result of inspections (although a few did discuss positive elements of the inspection process itself):

“No benefits whatsoever, scrutinised more than teaching colleagues, under more pressure and sometimes feeling pulled in different directions.” (Individual)

Mixed Experiences

Despite the above benefits, several respondents to the written consultation (including ELC providers, individuals and sector representative bodies/membership organisations), and a more substantial number of event attendees also outlined a range of challenges, drawbacks and problems (which are also explored in more detail at Q2.6 below). Respondents noted that experiences remained mixed; experiences were not consistent across all inspections or inspectors; there was a lack of continuity of inspectors; and that inspections could be very stressful for staff:

“...there are too many inconsistencies within the range of inspectors across Scotland. Having services throughout Scotland this is very obvious. When you challenge it and say that what is being said in one service is not what has been said in another service, you can be patronised and made to feel horrendous.” (Private, independent or third sector ELC or SAC provider)

Several respondents from across the different profile groups stressed that the two inspectorates have different roles which need to be understood and valued.

However, one event attendee suggested there may be a current lack of understanding around the roles and responsibilities of the two inspectorates:

“Many of the current issues reported relate to the lack of understanding of the roles of both ES [HMIE] and CI [Care Inspectorate] and how these are enacted through inspection. This undermines the potential benefits of the current system.” (Trade Union Event Attendee)

Ultimately, a few practitioners and event attendees felt that it was not helpful to have two inspection frameworks, particularly where these had different expectations and demands, which could be contradictory at times, and both were considered to be “so big”. Event attendees also expressed a sense of “over-scrutiny” and confusion created by the use of two separate inspection frameworks. As such, several respondents, across both the main written responses and the event comments, expressed a preference for a single inspection body rather than the continuation of a dual organisation system.

Further, most attendees at the SOSCN event (as with respondents at other consultation questions) stressed that the ELC and SAC sectors were different, offering services to different age groups, having different purposes, and different frequencies and lengths of time being spent with children. As such, they argued that ELC and SAC should be treated differently and have different inspection frameworks.

Q2.6 Discounting periods of disruption over COVID-19 pandemic, what do you consider are the challenges of the current inspection approach? Do you have examples of challenging experiences to share?

Event Q4. What are the challenges of the current approach to inspection?

This question was again combined within the consultation document but split into two parts in the Citizen Space questionnaire, in the same way as Q2.5. For the same reasons as above, all data gathered by these two questions are considered below. In addition, the challenges of the current inspection approach was explored across the events, with responses also considered below.

Inspectorates' Views

Both the Care Inspectorate and HMIE acknowledged that the presence of two inspection frameworks for ELC leads to confusion and duplication for providers. Care Inspectorate event attendees also suggested that different understandings of the roles and responsibilities of each inspectorate, as well as different expectations impacted on this. In addition, HMIE’s written response and Care Inspectorate event attendees suggested that this was further compounded by the quality assurance procedures of local authorities and the inconsistencies between the different frameworks, practices and timescales used by the three different agencies, resulting in a sense of over-scrutiny/over-regulation:

“...we acknowledge the current inspection system for those settings providing funded ELC is complex. It can be confusing when the Care Inspectorate and Education Scotland inspect a setting on a shared inspection basis, with two different self-evaluation frameworks evaluating outcomes for the same group of children. As there are commonalities that exist across the documents, this places unnecessary burden on practitioners and is confusing for parents.”
(Inspectorate Body)

In particular, HMIE and those attending the Care Inspectorate events suggested that the dual interest in the education/learning aspect of service provision, and uncertainty over the language used (e.g. play, learning or education) and which documentation to use could drive confusion:

“Settings could be confused by the overlap in inspection with both the Care Inspectorate and HM Inspectors taking an interest in ‘learning’, albeit to different degrees and with a different focus relevant to areas of remit and expertise. This may lead to unintended confusion of the separate roles between HM Inspectors and Care Inspectors undertaking inspections.” (Inspectorate Body)

Further, Care Inspectorate event attendees noted that the Care Inspectorate evaluation/gradings were linked to the National Standard for funded ELC provision, while HMIE evaluations were not. Some attendees also felt that one inspectorate was often prioritised over the other, or that the Care Inspectorate and HMIE were not perceived as equal partners (with the Care Inspectorate often referred to as “the poor relation”) - this was true both in relation to inspections and more generally. Further, it was argued that there was a lack of communication and true joint working between the two inspectorates currently.

HMIE argued that the use of shared inspections needed to expand, but suggested that this would require an increase in resources and staffing capacity:

“[We] firmly believe that there is now more than ever a greater need to expand the programme of shared inspections carried out by HM Inspectors and the Care Inspectorate as part of the continuing expansion of ELC. This will require a significant increase in resources in staffing capacity of HM Inspectors.” (Inspection Body)

Practitioners’ and Other Respondents’ Views

Responses in relation to the challenges of the current inspection framework(s) were largely consistent both across the respondent groups and between the response formats (with the exception of the Care Inspectorate events). The main challenges or difficulties included current inconsistencies in approach, and challenges created by having two separate inspection frameworks.

One of the main challenges discussed by many respondents was inconsistency in approach and interpretation of requirements between different inspectors (often from the same inspectorate), and between inspections by the same inspector. It was felt the requirements were confusing, too open to interpretation and that

services were at the mercy of the particular inspector they got on the day, whose interpretation could be informed by their own perceptions, rather than determining whether a service met standardised requirements. Several also felt there were differences in the level of knowledge and experience provided by inspectors. Others complained of a lack of consistency in the individual inspectors who visited, with inspectors considered to change too frequently. This was problematic as it was seen to hinder the development of relationships, made it difficult for an inspector to fully understand or be knowledgeable about the service provided, and meant that progress against previous visits or advice was generally not taken into account:

“...members found... inconsistencies across both inspectorate bodies but also within the same body with different inspectors. Members found that within the same inspection body often one inspector would say one thing and on the following inspection a different inspector would say something different... Another member said that during one inspection an inspector gave conflicting advice to staff in different rooms, which left the staff unsure as to what was expected of them.” (Sector representative body/membership organisation)

A few respondents, largely childminders and local authorities, felt there were also inconsistencies in the results of inspections between services both locally and nationally. Others noted that differences in the grading provided by the two inspectorates for the same provider can be confusing.

A second, but equally important, challenge was having two inspection frameworks to work from (and three self-evaluation frameworks when including the local authority's quality assurance requirements for the National Standard). This made the system feel disjointed, and meant staff needed to be knowledgeable across a wide spectrum of resources and large number of documents. It was also suggested that there were different expectations between the Care Inspectorate and HMIE, as well as a lack of clarity in the guidance around what is expected in practice. Further, respondents felt that the frameworks involved conflicting views and purposes in places, contained overlap and duplication in purpose and therefore duplication of work for practitioners, and resulted in confusion, inefficiencies and made self-evaluation and development difficult. This was further compounded by the other requirements staff needed to adhere to, including [Health and Social Care Standards](#), GIRFEC, the National Improvement Framework, [Curriculum for Excellence](#), Realising the Ambition, etc. - it was felt there was a cluttered and unachievable landscape, with practitioners finding it difficult to know what areas to prioritise:

“Both organisations can, in my previous experience, be asking you to approach an area for improvement differently and at times with conflicting ideas.” (Individual)

Several attendees at the Trade Union and ADES events highlighted a general lack of understanding around the roles and responsibilities of the different inspectorates, while a few others (including an attendee at the AHDS event) felt that having two inspectorates did not provide value for money.

In addition, a few practitioners felt that the language and wording used was overly complicated and contained too much jargon; rather it was felt that this needed to be simplified, and made clearer and easier to understand.

Advice or feedback between the two inspectorates was said to be conflicting on occasions, with one respondent indicating that suggestions for improvement from HMIE were in opposition to Care Inspectorate ideals, while another noted that Care Inspectorate advice on learning often did not align with Education Scotland's curricular programme, aims and objects. Indeed, a few respondents argued that the Care Inspectorate should not have a remit for learning and teaching, while others suggested that HMIE involvement was not necessary due to the more regular inspections by the Care Inspectorate that covered learning and education as well as care.

Several felt they were not inspected often enough and felt there needed to more of a working relationship, some form of interim contact, or more light-touch visits. However, others felt the sector was over scrutinised, with settings being inspected too often:

“Scrutiny and inspection by two different inspectorate bodies with different frameworks is overly bureaucratic and can cause confusion for the ELC sector. As a sector of education, it is the most overly and regularly scrutinised sector.” (Local Authority)

Another common issue was that inspections, gradings and reports were perceived as being based on a small ‘snap-shot’ rather than providing a fair reflection of service provision. It was felt that inspectors needed to spend longer in settings, and consider progress already made by services:

“An unannounced, one day, inspection does not give an overall view of the setting, only a view of how things are that day. Anyone who works in childcare knows that days can vary greatly depending on a range of factors such as the children present that day and staff absence. This means the inspection report may not give a true reflection of the setting.” (ELC and or SAC Provider, Playgroup)

A few also complained about the lack of opportunities to work with the inspector post-inspection on practice improvements/development, or to challenge findings/grades or to submit additional evidence to support a reconsideration of their grades. Some discussed this in reference to Care Inspectorate inspections, while others did not specify the inspectorate or whether this was a general point about both.

Some respondents also complained that inspections did not take account of local challenges, including staffing problems, the expansion of ELC hours (to 1140 hours), and the impact of COVID-19 (on both staff and children) - although this was perhaps seen more as an issue for Care Inspectorate inspections than HMIE based inspections:

“Far too harsh with no consideration for what staff and children have been put through. We, as a sector worked through the pandemic and CI [the Care Inspectorate] came out all guns blazing crucifying us... CI [Care Inspector] inspectors need to have a better understanding of child development. Children are not at stages they were pre pandemic, this is something that HMIE understood fully.” (Private, independent or third sector ELC or SAC provider)

Many respondents noted that the inspection approach and process was highly stressful, and created fear and panic in providers and staff. Inspections were also considered to be more punitive than supportive, with a few practitioners/service providers indicating that inspections did not focus on or identify what was working well or what a practitioner was good at, but rather was too focused on what had not been done or areas for improvement. The stress felt by practitioners was said to impact on their ability to perform positively during the inspection process itself, and to have wider impacts on staff morale, mental health, and ultimately, staff retention.

The level of paperwork involved was noted as problematic, particularly for childminders, but also for those working in other settings. This was due to the volume of paperwork required, perceived duplication between the frameworks, and the lack of clear guidance, training, and awareness of requirements. It was also suggested that inspections could often feel like a largely paper-based exercise.

Unannounced inspections were said to cause disruption to the running of the setting. For single person providers this meant having to divide their attention between the children and the inspectors, while it made managing the required staff to children ratios difficult in larger settings when inspectors wanted to speak with groups of staff. This was in addition to the disruption to the children, their routines or plans for that day, with some noting that the children were often unsettled by visitors and could therefore behave differently. A few suggested that the frameworks/ approaches can, therefore, have negative impacts on the care given.

A few also noted that staff feedback sessions were often conducted outwith staff's working hours, and that practitioner/staff familiarisation with the frameworks, guidance, and resources, as well as the completion of paperwork and preparation for inspections, also often had to take place 'out of hours' due to the lack of non-contact time for many (particularly (although not exclusively) those in SAC and childminder settings where managers and support staff were not available). This was again said to be unfair in an already overstretched sector and on practitioners who were often working at or beyond capacity.

The inappropriateness of the SAC and childminding sectors being subject to the same inspection framework as ELC nursery settings was again discussed by several respondents, both here and across other questions. It was argued that the current inspection system was designed around nurseries and the funded ELC sector; that it did not understand or reflect the childminding and SAC sectors; did not take account of the differences between different types of providers/settings; and that inspectors were not experienced in the SAC sector. For example, it was felt unfair that inspections did not take account of SAC services which occupied a

shared space and had limitations on their physical surroundings, where they had no control over the facilities within rented spaces, or were unable to permanently display children's work due to having to set-up and remove their service each time. Some of those in the SAC sector felt like the inspection process was a box-ticking exercise with no real benefits for the children. In addition, it was highlighted that many childminders (and other PVI settings) did not deliver funded ELC hours but were inspected to the same standards by the Care Inspectorate, and even those who did deliver funded ELC provision would have a large portion of their business which provided alternative provision (e.g. to those aged 0-2 and school aged children who were not eligible for funded hours) where it was inappropriate to be assessed against funded ELC requirements, however, provision was not made for this within the current framework.

Other challenges, which were mentioned less often, and were more relevant to specific sectors included:

- Those working in school based nursery settings felt they were under greater pressure than their school colleagues in relation to inspections due to the multiple inspection framework;
- A few also suggested there was a 'divide' or difference in scrutiny between local authority and PVI sector settings; and
- A few event attendees noted that the situations and educational requirements within Gaelic medium settings were not well understood or acknowledged within inspections, and noted that there were no Gaelic inspectors.

Those attending the Early Years Scotland (EYS) event stressed that help and support was needed for the sector now. They noted that many practitioners were leaving the profession due to the levels of stress involved and challenges currently being faced, and therefore immediate action was required, even if it was just to provide interim support until a final approach/framework could be implemented.

Finally, it should be noted that, at both Q2.5 and Q2.6, several respondents argued that it was not possible or appropriate to discount experiences during or as a result of COVID-19 as this had had such a significant impact on the sector.

Q2.7 Under the Public Services Reform (Scotland) Act 2010, HMIE and the Care Inspectorate are under a duty to 'cooperate and coordinate' their inspection activity. To what extent do you agree or disagree that the two inspectorate bodies cooperate with one another and coordinate inspection activity effectively? Can you tell us why you think this?

Q2.7 To what extent do you agree or disagree that the two inspectorate bodies cooperate with one another and coordinate inspection activity effectively?

	Number of respondents	Percentage of respondents	Valid %
Strongly Disagree	33	13%	14%
Disagree	71	28%	30%
Neutral	45	18%	19%
Agree	20	8%	9%
Strongly Agree	9	3%	4%
Don't know	56	22%	24%
Not Answered	20	8%	

Base: 254

Respondents (who provided an answer at this question) were more likely to disagree (n=104, 44%) that HMIE and the Care Inspectorate cooperate with one another and coordinate inspection activity effectively, compared to those who agreed (n=29, 13%).

Of those who provided qualitative comments (across both those who disagreed and agreed), some outlined arguments for either a joint framework or for a single inspection body to be responsible for the sector, or they discussed the need for/benefits of close cooperation and joint working - they did not offer views on how well the inspectorates currently cooperate and coordinate. This was particularly the case for those who agreed, with just under half of those who provided comments outlining aspirational descriptions and a desire for the agencies to cooperate in future rather than discussing how well they felt this was done currently. As views on possible future changes are captured in the following chapter, these have not been included here.

Evidence of a Lack of Cooperation and Coordination

Those who provided negative comments, and those who provided a neutral rating, discussed a range of issues which they felt showed a lack of cooperation and coordination in the work of the Care Inspectorate and HMIE.

The main issue was that the inspectorates had competing priorities, “little common ground” (individual), that there was a lack of consistency in the quality indicators or what was expected from services, and differing approaches/ methodologies employed by the two inspectorates (all of which was said to make it difficult for staff to know what they should be doing):

“Individual inspectorate bodies appear to work in isolation with distinct values and at times very different viewpoints.” (Local Authority)

While some felt that the Care Inspectorate was focused on care and cleanliness, and HMIE on learning and education, others argued that the roles of the two inspectorates tended to blur or overlap, particularly with the Care Inspectorate now considering both care and learning. Further, feedback and advice were said to be contradictory, for example, that Care Inspectorate feedback and advice on learning/education can conflict with HMIE advice in this area:

“I have worked in both settings [ELC and schools] at management level and feel that the lines are very blurred in relation to the roles and responsibilities of both care inspectorate and HMIE with regards to inspections.” (Individual)

“In practical terms, there has been occasion where different advice has been offered from Education Scotland [HMIE] inspectors and care inspectors about, for example, planning for learning and assessment of progress. This is unacceptable and is potentially harmful to improvement.” (Local Authority)

Joint inspections appeared to have been rare among the consultation respondents (experienced by 21% of respondents at Q2.1, but discussed with less frequency in the open comments), however, it was suggested that these essentially just meant both inspectorates visited at the same time but continued to inspect independently. A few also noted that joint inspections involved a larger number of HMIE inspectors compared to Care Inspectorate inspectors attending settings - this was said to be disproportionate and overwhelming (for both settings and Care Inspectorate inspectors):

“Members spoke about how in the run up to the inspection both inspectorates required their own paperwork and evidence placing an administrative burden on settings... [We have] heard that during the inspection often inspectors didn't speak to each other, would visit the same rooms separately, speak to staff independently which increased staff anxiety and worry that they were perhaps saying different things to the different inspectors. Members also highlighted differences in the way that feedback was provided to settings after the inspection. There was no coherence between the inspection feedback, members reported that often the feedback was vague from one inspection body leaving them with more questions than answers and then [was more] robust from the other. Members said it felt like one inspector would be in 'control' and the other would just agree with what was being said. Members reported a lack of clarity around what was expected before, during and after the inspection, which significantly increased the staff anxiety levels.” (Sector representative body/membership organisation)

It was also noted that the two inspectorates have different timescales for when settings are inspected. Some noted that the two organisations communicated to inform each other of when and where inspections were planned to ensure they did not overlap or happen too close together. Others, however, considered that even this lacked collaboration, with some complaining of inspections from each body happening very close together. Several also perceived that there was a lack of communication between the inspectorates in relation to the outcome of inspections, with findings from an inspection from one body not taken into account at the next inspection by the other.

A few felt that the two inspectorates had little respect for each other, that the Care Inspectorate was given less weight by other stakeholders/organisations, and that HMIE were perceived to either automatically take the lead in joint inspections or that they did not collaborate:

“It is well known that currently [the] Care Inspectorate and HMIE inspectors do not respect one another and sometimes go out of their way to disagree so I just cannot see how this would work...”
(Individual)

“I don’t think HMIE (and councils) put as much importance on the Care Inspectorate inspections and likewise think there is tensions between HMIE and Care [Inspectorate] inspectors/procedures as they both disagree on certain factors.” (Private, independent or third sector ELC or SAC provide)

A few respondents also cited the failure to have developed a shared inspection framework previously as evidence of a lack of cooperation between the two bodies:

“There is no evidence that these two organisations cooperate - quite the reverse. They have had five years to produce a shared framework and have failed. Instead CI [Care Inspectorate] have produced their own framework with a total lack of guidance as to how HGIOELC and CI [Care Inspectorate] framework should be used together. I think for many settings this failure has resulted in a huge loss of credibility for both organisations and has led to a completely overwhelming amount of guidance/quality indicators etc.”
(Individual)

Evidence of Cooperation and Coordination

Although not all respondents agreed, the two areas where some considered there to be existing cooperation and coordination was in the planning and conduct of joint inspections, and liaising with each other in relation to the planning of inspections to ensure settings are not inspected by both bodies within a certain time period.

However, it should be noted that, while respondents felt that joint inspections showed coordination and cooperation, experiences of the inspections themselves were reported to be mixed. One local authority suggested that previous experience

of joint inspections had been successful, while a provider described the experience as highly intensive:

“I think they co-ordinate as in they came on the same day the last time we had a visit from HMIE. However the inspection was like being shot with both barrels, it was extremely intense and unpleasant.” (Private, independent or third sector ELC or SAC provider)

A few respondents also felt that there was now greater alignment of the inspection programmes, as well as the aims and objectives of inspections.

Lack of Experience or Knowledge

Several of those who gave a neutral rating, and most of those who said ‘don’t know’ at the closed part of this question, indicated that they had either not been subject to a joint inspection, or had not been inspected by HMIE (either at all or for many years). As such, they felt they could not offer comments at this question.

Two respondents (a local authority and a sector representative body/membership organisation) suggested that more information about the expectations about this aspect would have been helpful in the consultation:

“It would be helpful to have more details in relation to the expectations regarding co-operation and co-ordination including how this will be measured and evaluated.” (Local Authority)

Event Responses (Q5. Do you have any comments on how the Care Inspectorate and HMIE ‘cooperate and coordinate’ inspection activity?)

Only one event (a public event) asked attendees to consider this question, however, most responses did not focus on the question asked. As above, most outlined either individual elements of inspections which they felt needed improvement, or advocated the need for a shared framework to improve the situation. Others reiterated the challenges within the current system.

Only four attendees provided comments in relation to how well the two inspectorate bodies cooperate and coordinate currently. Two noted the different approaches taken by the inspectorates, while the other comments were provided by just one attendee each, as follows:

- There was felt to be no evidence of cooperation or coordination currently;
- The inspectorates were seen as separate organisations; and
- It was felt the inspectorates needed to communicate with each other more.

Q2.8 Do you think any change is required to the current duty to ‘cooperate and coordinate’ inspection activity to provide opportunities to improve cooperation and coordination between the inspectorate bodies in the short and medium term? If you answered ‘Yes’, what more could be done?

Q2.8 Do you think any change is required to the current duty to ‘cooperate and coordinate’ inspection activity to provide opportunities to improve cooperation and coordination between the inspectorate bodies in the short and medium term?

	Number of respondents	Percentage of respondents	Valid %
Yes, more could be done	170	67%	80%
No, more could not be done	42	16.5%	20%
Not Answered	42	16.5%	

Base: 254

Most respondents (who answered the question) felt that more could be done to improve cooperation and coordination between the inspectorate bodies in the short and medium term (n=170, 80%).

Both inspectorates noted that they already had a legal duty to cooperate with each other (and other inspectorates and statutory partners), and indicated that they were committed to doing so, both currently and going forward:

“[HMIE] plan and organise shared inspections and work with the Care Inspectorate on the deployment of inspection teams, sharing inspection information and jointly publishing reports. [HMIE] and Care Inspectorate meet regularly to share information of detailed plans to coordinate inspection activity.” (Inspectorate Body)

However, respondents who indicated that more could be done outlined a range of elements for consideration.

Three main options were highlighted by respondents, including:

- The creation of a single body responsible for inspections of the sector, including amalgamating the staff and skills from across both existing inspectorates into a new single body, or allocating the responsibility for both care and education to one of the existing inspectorates;
- The creation of a single or shared framework which captures the requirements of both inspectorates. While this was explicitly stated by some respondents, many more discussed the needs for elements that would be required/ addressed by the creation of a single/shared framework. These respondents tended not to be specific about how this would be implemented however, e.g. by one or both bodies, or single or joint inspection processes; or
- Having joint inspections or one inspection which covered all aspects of care and education.

Regardless of the ultimate approach for the inspection model, the key priorities for respondents in relation to the improvement of cooperation and coordination between the inspectorate bodies was for them to work together to co-produce a

more coordinated and streamlined approach. It was argued that both inspectorates needed to work from the same principles, inspection criteria, quality indicators/themes, guidance and paperwork. One individual also suggested that all aspects needed to be given equal weighting (e.g. care, quality of facilities, safety, and learning):

“The coordination would be developed if there was a change in the quality frameworks used, if ELC has one single framework then there would be a change required for the two bodies to collaborate more and effectively.” (Playgroup)

“Have one document for self-evaluation that covers the requirements of both organisations and ensure this is what the inspection is based on.” (Private, independent or third sector ELC or SAC provider)

Better communication, coordination and partnership working was also said to be necessary between the inspectorates, and for this to be genuine and effective rather than “tokenistic”. In particular, an increase in the use of joint inspections, and the use of joint training sessions for inspectors were suggested as ways to ensure greater collaboration and cooperation, as well as developing shared learning. A few respondents also highlighted the opportunity/need for greater moderation of grading/reports and communication where inspectorates had provided conflicting grades, advice or feedback to the same provider, in order to provide clarity to providers as well as providing local and national consistency:

“Think there needs to be more honest discussions where it is actually highlighted the issues that are raised in settings when they have been inspected by both bodies separately and there is disagreements on the feedback each body provides. Think many settings have experienced the difference of opinions on the two inspecting bodies and the lack of co-ordination between them both, but this is just swept under the carpet.” (Private, independent or third sector ELC or SAC provider)

While many argued for a single framework to be created, others felt it would be more appropriate to ensure separation of what each inspectorate is focused on (or argued that this was needed if it was not possible to provide a single framework). For example, it was felt that the Care Inspectorate should be focused on care, and HMIE should be focused on learning/education. Respondents believed that clear division of roles would help to provide greater clarity for service providers.

Additional Governance

A few respondents felt that the Scottish Government needed to be more proactive in managing the situation. It was suggested that the Scottish Government could take steps to force the inspectorates to collaborate as they felt the existing ‘duty’ had failed to achieve this to date:

“Scottish Government can stipulate clear expectations and quality assess how this is reflected in practice.” (Individual)

Alternatively, one Trade Union argued that the existing ‘duty’ should be replaced by a system review in order to allow the development of a new streamlined inspection process:

“The duty should be replaced by a system review to arrive at a streamlined version of scrutiny and assurance which removes the wasteful duplication of current arrangements.” (Trade Union)

One private, independent or third sector ELC or SAC provider suggested that the legislation needed to be more streamlined to support improvements, while one individual suggested that the Scottish Government should support one organisation to be the lead inspectorate as they felt this would ensure greater cooperation between the relevant bodies. Again, they acknowledged that this would require a change in the legislation (this respondent advocated for the Care Inspectorate to be the lead agency).

One individual suggested that more needed to be done to develop the “working relationships and senior governance of the inspectorates” and two noted the need for “recognition of the disparities in salary and working conditions between the inspectorates” (Individual).

Other Comments Related to Improving Inspections

Others used this opportunity to reiterate the challenges faced by the sector in relation to inspections, and outlined aspects that may improve the inspections themselves. This included, for example: providing greater clarity about what is required; being more supportive; being more understanding of the challenges facing the sector (and developing greater understanding of and reflection on the differences between different types of providers); and facilitating ongoing liaison between settings/practitioners and inspectors.

Q2.9 What are your views on how local authorities carry out their role in monitoring and supporting quality improvement in ELC and school age childcare provision (where appropriate), and how this aligns with the inspection functions carried out by the Care Inspectorate and HMIE?

Mixed responses were provided to this question, with some focusing on how local authorities support settings in relation to inspections (or not), and others discussing the arrangements or experiences of the local authorities quality assurance role in maintaining the [National Standard](#) for funded ELC.

Those who discussed the local authorities’ role in evaluating settings against the National Standard for ELC provided mixed views and experiences. Several felt that the process was supportive, aligned well with both the Care Inspectorate and HMIE requirements, and some indicated that they had a named contact within the local authority for support. A few also welcomed the input provided by local authority officers at inspection feedback meetings:

“I have a Quality Assurance visit annually and the process is very supportive. It considers Care Inspectorate and HMIE priorities. I also have a link person from the local authority who supports my setting.”
(Local authority ELC or SAC provider)

Where local authorities provided Quality Improvement Officers (QIOs) or Support Officers, this was discussed positively and considered to be supportive. Others, who did not have access to such officers, felt that the introduction of this role would be beneficial. However, a few did note that, due to workload pressures, it was not always possible for practitioners/services to contact or receive the desired level of input/support from these officers. Indeed, resourcing of local authorities was a common issue for respondents when feeling that they were not performing their role effectively in monitoring and supporting quality improvement:

“[We] heard from members that they valued the role of the local authority Quality Improvement Officers in supporting them to deliver quality ELC. There was however some concern that the support varied across Scotland and some areas offered much more support than others. Members told us that they felt that over time the QIO’s role had changed and that they had less time to spend in settings, with much of the time spent with managers rather than staff. It was clear however that in some local authorities the time spent with QIO’s was positive, focused and adaptable. Members said that it was definitely a valuable resource when it worked... members told us quite strongly that they really valued the support from the QIOs and that they would like this to remain and the inspection bodies and process to be more streamlined.” (Sector representative body/membership organisation)

While a few suggested there had been improvements in their local authority’s involvement/support to the sector over the last few years, many more were negative in their descriptions, with childminders and private, independent or third sector ELC or SAC providers being more negative compared to those in local authority based ELC settings. The key issues included:

- That local authority involvement was lacking or poor, and visits (from both local authority officers and principal teachers) were very infrequent;
- Those with experience across more than one local authority stressed that monitoring and support of quality improvement varied widely across the country;

“Members report that there are 32 different models of local authority support from near non-existent to excessive.” (Trade Union)

- That partner providers were “left behind” or subject to different treatment compared to local authority-based settings, particularly in relation to training, support, understanding of the settings, and conflicting visions between local authorities and partner providers (with local authorities occasionally said to be working to “outdated” ideas);

“I have worked in [multiple] local authorities... and have seen various levels of support, ranging from good to non-existent!! Again, private and voluntary partners get even less support, but are expected to deliver the same quality - very unfair.” (Individual)

- That local authority visits/evaluations could feel like another inspection;
- That local authority evaluations were too focused on paperwork and targets and did not provide enough of a focus on observing practice or consulting with children, families or staff;
- That local authorities only became involved as a result of an inspection from another body, either to support preparation or to monitor changes required following an inspection;
- That local authority requirements created duplication of effort between this and the Care Inspectorate and/or HMIE requirements;
- That local authority requirements aligned more with the guidance from one inspectorate or the other;
- That local authority officers sometimes lacked the skills or experience to provide effective support or advice to practitioners or settings, particularly to specialist providers such as ASN or GME settings; and
- That local authority advice conflicted with that of either the Care Inspectorate or HMIE, and can be unrealistic and unmanageable.

A few felt that the local authority requirements (on top of all the other requirements on services) were overwhelming, particularly for childminders and smaller settings. This included the volume of documents and paperwork generated, and expectations and timescales for suggested changes. One childminder stated that they had ceased providing the funded 1140 ELC provision due to the additional workload created by having to be evaluated by the local authority. They noted duplication in paperwork required between the Care Inspectorate and the local authority, and conflicting advice and feedback from each organisation following inspections/evaluations.

A few also indicated that there was more limited, or in some cases no local authority support for SAC or unfunded ELC settings.

Local authorities tended to outline the steps they took to monitor and support quality improvement in ELC. While a few noted that they tended to align their approaches to both the Care Inspectorate and HMIE frameworks, a slightly greater number indicated that they focused more on just one of these. Several also stressed that they had no statutory requirement to support SAC and so they relied on the Care Inspectorate to regulate these settings.

Regardless of whether respondents found the local authority supportive or not in terms of monitoring and supporting quality assurance, several stressed that this added a third layer of regulation, scrutiny and inspection to the sector. This was seen to be an unnecessary burden, too bureaucratic, and diverted too much staff time away from the day-to-day delivery of services:

“Effectively this just acts as a third layer of regulation. It makes the situation even more over complicated and confusing and wastes yet more of settings time and energy, triplicating a lot of work and evidence that we have to provide. If HMIE and CI [the Care Inspectorate] can't agree then you haven't got a hope of local authorities, HMIE and CI [the Care Inspectorate] agreeing and it's settings that end up running around trying to keep everyone happy rather than actually focusing on supporting children. It's also a huge waste of taxpayers' money.” (Individual)

Q2.10 Please provide any further comments on how you think the current inspection approach could be improved.

Again, respondents put forward preferences for different types of inspection models which importantly only involved the use of one single framework - this included moving to joint inspections which used one set of documentation, the development of a new shared framework, or the creation of a single inspection body working from one framework.

Respondents from across the different sectors and respondent categories also stressed the need to:

- Streamline and standardise the inspection process, provide clear and transparent criteria and reduce the possibility for different interpretations of requirements, develop consistency in approach, interpretation and advice between inspectors;
- Recognise the differences, limitations and challenges between the different sectors and types of providers (particularly for childminders, SAC/OSC and PVI providers), and remove the disparity between the treatment of Local Authority and PVI settings;
- Inspections and inspectors should be ‘friendlier’, more supportive and not punitive, inspectors should work with settings on improvement and the process should recognise strengths and good work, and not instil stress and fear in staff;
- More collaborative and joined up working, both between the inspectorates and with the local authority;
- For all inspections to be announced, or at least have fewer unannounced visits, or provide short-notice to settings - this would ensure that key staff and managers are available and allows staff to be emotionally prepared;
- Greater liaison and relationship building needed between settings, inspectors, and local authority officers, including pre-inspection discussions and regular informal visits to set expectations and support ongoing development and improvement;
- For inspections to be more child, family and staff focused, spend more time on site and with staff and children, be more holistic and thorough in approach, focused on people rather than process, and not just a tick-box exercise;

- Acknowledge that an inspection only provides a snap-shot, be more understanding and compassionate about the situation on the day;
- More recognition to be given to the 'journey' that ELC and SAC have been on, particularly in relation to staffing issues, COVID-19, and the expansion of funded hours;
- Provide inspection training for staff, particularly new practitioners, and local authority officers so they know what to expect and why the different elements are important;
- Clarity needed over the roles, remit and responsibilities of each inspectorate;
- For information/guidance to be simplified and streamlined - it was suggested this was too 'verbose', contained too much technical language and jargon, and was not sector-specific enough for practitioners and families to understand;
- For inspectors to have more recent and direct experience of the working in the sector; and
- Develop an inclusive approach and dedicated guidance for specialist settings, including ASN, GME settings and those providing deaf/BSL provision.

A wide range of other issues were also discussed, although most were only mentioned by just one respondent each. General themes however, focused on streamlining paperwork, a need to review the grading system, moderation of inspections to ensure consistency, provide more sector specific flexibility, and facilitate greater input from children and families in both the inspection process and the development of any new framework.

A Shared Quality Framework

The final section of the consultation document set out proposals for a shared quality framework. This would take the form of a self-evaluation tool designed to support services to improve the provision of ELC and SAC for children and families, and would replace the Care Inspectorate’s ‘A quality framework for daycare of children, childminding and school-aged childcare’, and Education Scotland’s ‘How Good is our ELC?’. In the consultation document, it was proposed that the shared quality framework would provide an integrated approach, enable the two inspectorates to work together and assess settings at the same time, and provide just one document for settings to understand what is required of them.

Feedback was sought on whether respondents supported the development of a shared quality framework, the possible benefits and challenges to implementing such a system, whether this would meet the needs of the sector, and which settings and children’s age groups the framework should apply to.

Q3.1 Do you support the proposal to develop a shared quality framework between HMIE and the Care Inspectorate? Can you tell us why you think this?

Q3.1 Do you support the proposal to develop a shared quality framework between HMIE and the Care Inspectorate?

	Number of respondents	Percentage of respondents	Valid %
Yes	191	75%	78%
No	17	7%	7%
Unsure	36	14%	15%
Not Answered	10	4%	

Base: 254

Over three quarters (n=191, 78%) of those respondents who answered the question supported the development of a shared quality framework between HMIE and the Care Inspectorate.

The main reasons given in support of the proposal (by respondents from a range of different affiliations) were that it would ensure a more consistent approach to inspection, provide clarity around the expectations of ELC settings (including standards and quality indicators) and would provide clear criteria and a clear focus for improvement actions for staff.

One local authority representative argued for the new shared framework to include quality indicators relating to care, play, nurture, wellbeing and safeguarding, education, development and learning, environments, parental engagement, staffing,

self-evaluation, leadership and management. Others (from different organisations) argued that ‘equality’ should be added to this list, and the inspection framework and implementation should draw on existing expertise of other organisations in ensuring that equality outcomes are met. Similarly, one organisation argued that the proposal should include a clear reference to Gaelic Medium Education (GME) and English Medium Education (EME) provision and aligned quality indicators synchronised with the [Advice on Gaelic Education](#), the [Statutory Guidance on Gaelic Education](#) and the [Gaelic Medium Early Learning and Childcare Guidance](#).

Opportunities presented by the proposal for ‘streamlining’, to remove bureaucracy and duplication in paperwork and reduce burdens on the sector (especially in terms of staff time required in preparing for and facilitating evaluation) were all welcomed. One respondent suggested that reducing such pressures would be beneficial to the mental wellbeing of staff. The change would also provide a clearer vision for the sector, and build a more cohesive and unified system, it was felt.

Many also supported the proposal on the basis that a shared framework would result in better quality of care for learners/positive outcomes for children, and that it would allow service users and their families to have a better understanding of the inspection process:

“It is our belief that a shared quality framework across ELC and school age childcare services will help to provide clarity and consistency for the sector. It will also help to ensure consistency of approach in how ELC and school age childcare services self-evaluate their work to deliver high quality services for the children and families they serve.” (Sector representative body/membership organisation)

“A single quality framework for all settings, whether or not they provide funded ELC, will provide a national expectation on what quality provision for our children should be.” (Inspectorate Body)

Caveats to support and queries in relation to the proposal included that a single shared inspection framework would not necessarily meet needs around inspection versus self-evaluation. For example, not all aspects of self-evaluation may need to be subject to external accountability through inspection and, conversely, any self-evaluation framework used in inspection may not necessarily address all aspects which require to be agreed in the development of a new approach to inspection. Respondents also stressed that any new model must be based on the ethos of ‘support’ rather than ‘scrutiny’.

A view was also offered that the proposed implementation of a new framework should be done in tandem with changes to inspection in other sectors, particularly the primary school sector. Two respondents also suggested that careful consideration should be given to how the new shared framework would dovetail with [‘How Good is our School?’](#) (HGIOS?) to support headteachers to drive improvement across the whole school community. Aligning the new approach with other changes in education was seen as key to maintain confidence of key stakeholders:

“A series of changes over coming years would be unhelpful to the practitioners and leaders involved. The sector needs well planned, strategic change and leadership to secure stability and build confidence of practitioners, leaders and parents.” (Trade Union)

Similarly, comments were made about the plethora of changing frameworks that had been introduced in recent years and respondents argued for a framework that had longevity (to avoid any more changes being required in the short term). This was raised by both the Care Inspectorate and practitioners alike. Others suggested that merging and tweaking existing frameworks would be more effective than starting from scratch, and could cause less confusion for staff (with some expressing concerns that the existing Care Inspectorate Quality Framework would be lost):

“[There have been] a lot of change for providers over the last few years and many are beginning to break under the strain of getting to grips with new guidance documents. The saying 'if it's not broke, why fix it' should be borne in mind when reviewing the new Care Inspectorate Quality Framework as it is already well received...” (Individual)

“[For staff] who have just begun to appreciate the clarity and resourcefulness of the Care Inspectorate Quality Framework, there are anxieties that this good resource would be watered down or dominated by academic educational standards which do not apply to their settings. We would suggest that the current content and structure of this framework is retained, with any additional and necessary educational outcomes, specifically for funded early years settings, could be added in as a section, where applicable, and clearly labelled as such. We are amongst those who admire the style, content and rich resourcefulness of this quality framework and it would be a pity to lose any of that.” (Sector representative body/membership organisation)

The need for collaboration and co-production in designing and implementing the shared framework was stressed by several respondents including that there must be collaboration between the education inspectorates, Scottish Social Services Council (SSSC) and the Care Inspectorate (which itself also expressed a desire to work in partnership with Scottish Government, other inspectorates, partner organisations and the sector to work on a single framework). A shared framework should also take account and be cognisant of the extensive consultation recently undertaken by the Care Inspectorate, it was suggested, which had included consultation with services and partner organisations across the sector.

Among the minority who did not support a shared quality framework, the main views were that different settings required more tailored approaches to reflect the wide diversity of work and services that are provided in such settings. Trying to achieve effective inspection of such a broad range of services within one framework was seen as too ambitious and potentially too convoluted:

“...I feel there is too wide a scope over all of the provisions and services for this to be undertaken effectively by a shared framework. It is already a complex and labyrinthine process at present, and I feel this will just add further unneeded multiplicity rather than streamline the process.” (Private or independent or third sector ELC or SAC provider)

Again, views were also offered that the two current inspection organisations had very different functions, cultures and operating models and that it would be difficult to reconcile or merge these into one inspection framework. There was evidence of cynicism that either agency would be prepared to ‘change’ their approach.

Some suggested that the proposed approach did not meet or address the issues highlighted in the Muir report and that the proposals did not go far enough to remove existing challenges already faced by ELC settings. Again, linked to this were views that one inspection agency would be preferable and would be in the best interests of ELC settings (although in the absence of a single inspection body, one framework was considered the next best thing):

“The opportunity should be taken to fully re-imagine inspection to make a real impact on the burdensome and bureaucratic system that is currently in place. We would like to see a move to a single inspection body for local authority provision which supports and inspects the local authority’s approach to safeguarding and improving quality.” (Trade union)

Respondents (including some of those who supported the proposal) questioned why there was a need for two separate bodies if there was only one framework and felt that the improvements sought would only be achieved if a single body was established:

“This is an opportunity to really get inspection processes right, both for the sector and for children and families. Therefore, while [organisation] is in agreement in principle with the vision for a single framework, we feel it is unlikely that there will be any meaningful change if this is not accompanied by the necessary structural changes and the creation of a single inspection body, which encompasses the skillset and expertise of both organisations.”
(Sector representative body/membership organisation)

One organisation supported the proposed change as a short-term measure to address the immediate issues in relation to workload and bureaucracy, but noted that wider reform to change the inspection model should be undertaken in the long term. Another stated specifically that the future direction should be a single inspection body:

“It is our view that a shared quality framework has the potential to bring about some improvement and lessen some of the problems in the current system. However, ultimately [organisation] supports the establishment of a single-body approach, recognising that the impact

of a shared framework would be limited and cannot, in itself, fully address current challenges.” (Sector representative body/membership organisation)

Having two separate inspection bodies remain over the long term would mean continued inconsistency of approaches and unnecessary pressures on staff, it was felt.

One respondent suggested that inspection should be focussed on schools only and not early learning settings. Another felt that frameworks tended to be “woolly and open to interpretation” and suggested an alternative approach of continuous assessment with a named inspector, (and subsequent inspection by other inspectors), would more quickly ensure consistency across all settings.

One respondent also suggested that full agreement with the proposal was difficult without knowing the final detail of what the framework would look like. A few others also agreed, especially on the basis that it was unclear how the shared framework would apply to out of school care and how it would support childminders (i.e. more information was needed to inform a meaningful response).

Finally, if adopted, respondents urged that implementation must be well thought out and supported.

Q3.2 and Event Q6. What do you consider are the benefits to implementation of a shared quality framework?

The themes identified in relation to the benefits of implementing a shared quality framework were largely consistent between the main written consultation and the events. As such, all response formats are considered below.

The main benefit which respondents felt a shared framework would provide was consistency. This was interpreted broadly, including that there would be consistency in approach and messaging; that everyone would be working to a shared vision and consistent quality indicators; there would be consistency in expectations placed upon different providers and across the sector; it would provide consistency in providers experiences of inspections; consistency in judgements made by inspectorates/inspectors; and consistency in care/standards for children regardless of the setting.

Another significant benefit was felt to be clarity. This included the provision of clearer and more consistent guidance; clarity for providers over what is expected, both in terms of standards and improvement; improved understanding of the inspection process; and tackle the subjectivity of the current approach. A few again suggested it would provide greater clarity for parents/families as well as staff:

“In theory it would provide clarity and hopefully cut down on the confusion over the expectations between the different organisations and inspection processes.” (Private or independent or third sector ELC or SAC provider)

“A clear understanding for parents about what to expect in our child’s nursery.” (Individual)

Both inspectorates and a wide range of other respondents agreed that it would provide a more streamlined and joined up process, with one document/set of guidelines to work with, resulting in the process being less burdensome, less bureaucratic, and with less duplication in work and/or paperwork required. This, it was felt, would result in a more manageable workload, better support self-evaluation, and ultimately, mean that staff are less stressed and have more time to spend with the children and/or implementing improvements. It was also suggested this would result in “shared language” across the sector:

“One framework would stop duplication of paperwork, confusion between what each inspection body wants and allow us to move forward.” (Local authority ELC or SAC provider)

“A shared framework should be less bureaucratic and reduce workload. With concise and clear expectations, it should positively impact on self-evaluation processes.” (Local Authority)

It was felt that such a framework would be easier for staff to use, less confusing, less overwhelming and less stressful, thus making them more confident in the requirements and their own delivery, and bringing overall improvements to the sector. A few of those attending the events also suggested that having a more joined up system would support staff transitions and career progression between settings.:

“Would increase depth of focus on one framework rather than splitting attention between a number of docs. Our staff teams need to be focused on the day to day quality provided. This will be easier when reflecting on one document rather than dozens (including guidance and best practice documents).” (Private or independent or third sector ELC or SAC provider)

Some felt a shared framework could deliver a more supportive and collaborative approach, with a greater degree of discussion between practitioners and inspectors. It was also suggested this would allow the inspection process to focus on improvement (rather than “fault finding”), and would facilitate the sharing of best practice. The Care Inspectorate agreed with others that a shared framework would facilitate strong collaboration between them and HMIE:

“A single framework for the sector would provide the platform for strong collaboration between the inspectorates of ELC and the national agency for Scottish education, which will support the improvement, professional learning, and leadership across the sector.” (Inspectorate Body)

Several suggested a shared framework had the potential to deliver more thorough inspections which covered both care and education, and which understood and promoted the relationship between these. This was seen as an opportunity to consider care, play, education and learning together and to stop separating these:

“Bringing education and care together in a clear and concise way.”
(Individual)

The development of a shared framework was also said to provide the opportunity to deliver specific guidance to the different sectors/types of settings so each service knew what was expected of them. Further, it was felt this would allow the framework to take account of specialist providers and minority sectors within the approach - for example, SAC/OSC, GME, and those with provisions for deaf children.

A few also suggested that it may help to better align and link ELC and school, thus better supporting school based ELC settings, and ensuring better transitions between the stages.

Caveats to Support

It should be noted, however, that despite respondents discussing a range of benefits that could be achieved by a shared framework, several highlighted caveats and limitations across both the main written submissions and the events.

Several respondents and event attendees indicated that they either saw no benefits to implementing a shared quality framework, or highlighted that the current proposals would do little to tackle the duplication or conflicting expectations between the requirements of the two inspectorates:

“Such a change should have the effect of reducing administrative burdens for ELC leaders though, as set out, it will not reduce the number of inspections and the risk of duplication or conflicting activities and expectations would remain.” (Trade Union)

“Continuity for ELC through singular framework, but still does not address the dual inspection process for ELC.” (Local Authority)

“One framework would still be interpreted in different ways by two very different organisations.” (EYS Event Attendee)

Some event attendees, particularly from the organisation based events (as opposed to the public events) caveated their support for a shared framework, or questioned how this would operate. The main concern was related to the impact on SAC and childminders. Those representing childminders said this would only be welcomed if it reflected the childminding sector and resulted in a simplified and streamlined system based on significantly reduced paperwork and reporting requirements:

“[This] should be more childminding-specific recognising the unique nature of childminding and that it spans pre-school and school-age (and including similar aspects to other providers where appropriate).”
(Sector representative body/membership organisation)

Those who felt the framework should or would be applicable to the SAC network stressed that it would have to be relevant, accessible, useful and place equal value

on all sectors (including childminders and SAC). It was also suggested by several attendees at the SOSCN event that the framework would need to be flexible, and use play principles for the SAC sector rather than for them to be inspected against educational values/indicators.

Other attending the SOSCN event, however, argued that there were no benefits of implementing a shared framework in the SAC sector, or suggested that this was not appropriate as SAC providers should not be assessed in the same way as ELC/ learning environments, and that it could increase confusion within this sector. Another (who attended the Trade Union event) felt that no argument had been made to support the shared framework being applied to the SAC sector:

“Do we mean shared across the two agencies or shared across ELC and school age childcare? The latter represents a considerable shift in the scrutiny of early education and no case has been made for this.” (Trade Union Event Attendee)

Other caveats or concerns, noted by fewer respondents and event attendees, are outlined below:

- Several noted that the existing documents (the Care Inspectorate Quality Framework and HGIOELC) were useful, and could be used as a starting point rather than ‘reinventing the wheel’. One also flagged that departure from HGIOELC could have implications for consistency between ELC and school settings/ transitions;
- That the benefits would be dependent upon the content of the shared framework and the two inspectorates having a shared understanding of it;
- There needed to be clarity on the purpose of scrutiny and inspection, as well as how the shared framework would be used by the inspectorates, their roles and responsibilities;
- Clarity was needed on the extent to which the shared framework would be aimed at self-evaluation and/or informing inspections;
- That other bodies were also involved in ensuring quality, such as local authorities;
- The framework needed to be created from the ‘ground up’, or avoid taking a ‘top-down’ approach; and
- A few were sceptical about how achievable it would be to design a shared framework, noting that previous attempts to achieve this had failed.

Q3.3 and Event Q7. What do you consider are the challenges to implementation of a shared quality framework?

Although the question asked respondents to identify potential challenges to the implementation of a shared framework, several respondents also outlined potential negative impacts which a shared framework could bring, or elements which they thought would be necessary to support implementation. Again, responses were

largely consistent between the main written submissions and comments from those who attended the events, and are therefore considered together below.

General or Common Challenges

Several factors which related to the framework generally were discussed by respondents.

It was noted that greater communication and collaboration between the two inspectorates would be needed, as well as between the inspectorates and the sector so that inspectors understood the nuances, needs, and challenges faced by the different types of settings.

Some respondents (across all respondent groups and response formats) stressed the need to make the framework/document(s) streamlined, manageable, accessible, jargon free, use clear and easily understood language which will not alienate any setting/type of service provider, provide clarity around terminology, and to ensure it did not contain any conflicting or contradictory information. A few event attendees also suggested that practitioners views should be sought when planning and developing the framework and document.

There were mixed responses in relation to what the starting point of the shared framework should be. Some felt that the new Care Inspectorate Quality Framework should be updated in order to avoid providers feeling overwhelmed by another significant change or a brand new document. Others argued that the shared framework needed to maintain links to HGIOS and the school framework in order to support early level and transitions. Several also stated that links were needed to the National Standard and that the framework should align to Realising the Ambition.

HMIE stressed the need to ensure the requirements did not become 'too generic' or too 'tick-box' in nature, but that it must continue to allow inspectors to 'drill-down' into the detail. A few were also concerned, however, that the framework may be too big/lengthy and confusing, or that it would be challenging to maintain it at a manageable size.

Resourcing of the inspectorates and service providers was also highlighted (across all response formats), with concerns that they may be under-resourced or underfunded to manage this change successfully. For example, it was noted that childminders (and others) might find it difficult to afford or lack the time to attend training on the new framework while others have a largely young and inexperienced workforce. In terms of the inspectorates, the difference in salaries and their terms and conditions was noted as an issue if both sets of inspectors were to be expected to undertake the same work:

“Inspection staff are questioning whether a JEGS [job evaluation and grading support] will be carried out as both inspectorates will be carrying inspections against the same criteria which is similar work but salaries are very different.” (Trade Union Event Attendee)

A few local authorities, however, expressed disappointment about the timing of the consultation on proposals to develop a shared framework when there has been no decision yet regarding who would replace Education Scotland:

“The implementation should also be dependent on the scrutiny agency. Again it is a challenge when this consultation is pressing ahead at a time when the consultation on the body who will replace Education Scotland is still to commence. Again the sector is isolated, excluded and disconnected from other education providers.” (Local Authority)

Challenges Related to the Inspectorates

One of the main challenges related to the inspectorates themselves was the perception that it would be difficult to get the two organisations to work together effectively and to agree on a single approach and single set of quality indicators. It was suggested that the two bodies had competing agendas/differing remits and that they may not be keen to relinquish their own dedicated frameworks. A few respondents also highlighted that the two organisations serve different purposes as set out in legislation, one regulatory (i.e. the CI) and the other to measure the quality of education provided and outcomes for children (i.e. HMIE). As such, they felt it might be difficult to find an arrangement which would be acceptable to both:

“Two agencies working together, streamlining the systems and changing the mindsets is a very big tasks that can take time if there is no willingness to change and adapt.” (Private or independent or third sector ELC or SAC provider)

“Both bodies agreeing what they are looking for as at the moment they seem a million miles apart.” (Individual)

A few suggested that a ‘culture change’ would be needed from both inspectorates, while others were concerned that the views of one inspectorate may be favoured or become dominant within the new framework. Indeed, a few of those attending the Care Inspectorate event stressed that the roles, skills and expertise of each inspectorate needed to be equally valued and respected. There was a strong sense among Care Inspectorate event attendees, however, that they had not always felt like equal partners, and that their views and experience had not always been respected.

Another common concern (across all response formats) was that the two inspectorates, and individual inspectors, may still provide inconsistency between their approaches and interpretation of the requirements. A few suggested that joint training would be required for inspectors to ensure consistency in understanding, interpretation and approach, while others felt that moderation of evaluations between the different organisations would be necessary to ensure consistency in standards:

“Will there be jointly planned ongoing PL [professional learning] sessions between both bodies to ensure clarity and consistency of

practice and advice. At present, we can have very different approaches to practice between the two inspection bodies, so there would need to be a lot of joint working behind the scenes before this was implemented.” (EYS Event Attendee)

Across all response formats, several suggested that inspectors lacked direct (recent) experience, knowledge and understanding of how the sector operates, how each setting is run, the relevant challenges faced by each service, and how to apply the framework in each case. It was felt that inspectors would require training in sector specific issues, as well as training in the new shared approach:

“Ensuring appropriate joint training for both inspection bodies to achieve consistent, collaborative approaches and shared agreement.” (Local Authority)

It was also suggested that the concept of a shared framework currently lacked details about the role and responsibilities of each of the inspectorates, but that this would be vital going forward. A few respondents also suggested that the only way to overcome many of the potential challenges of implementing a new inspection framework, if retaining the involvement of two inspectorates, would be to ensure clear roles and remits for each, and ensuring there is no overlap in responsibilities or the quality indicators each considers:

“Drawing a line around the domain of each body so that inspections do not inappropriately creep outside the professional expertise of each organisation.” (Trade Union)

A few respondents also noted the possibility for merging roles and job losses where there was duplication.

Challenges or Negative Impacts for Providers

One of the main challenges for a shared framework was that it would need to ensure all sectors, provider types, and the disparate nature of the workforce were reflected, treated fairly, equally/equitably, and offered the same support and opportunities, and that it met the needs of all children (including those in GME settings). There were concerns that the new framework would prioritise or focus on some ELC sectors more than others (i.e. on funded ELC providers above all others), or on certain age groups, with those attending the SOSCN event largely criticised the proposals for not having a clear understanding of the SAC or childminding sectors. Childminders were concerned that they may lose out or it may result in more childminders leaving the profession, while SAC settings were concerned that tick-box requirements or educational principles would be placed on play based settings. Rather, it was stressed that the unique aspects of childminders, PVI settings, school or local authority based ELC, and SAC needed to be taken into account, with play recognised and SAC settings not inspected against educational indicators. It was also highlighted that this would be a significant change for unfunded providers who had not been subject to HMIE inspection requirements previously, and that it would be difficult to achieve a shared

framework which fairly represented all sectors and not introduce unintended negative consequences:

“...only focusing on some of the ELC providers could neglect the quality and support offered to those not prioritised, including childminders.” (Childminder)

“Concerns that one framework could further dilute the role and unique position of school age childcare with formal education taking a further priority.” (Private or independent or third sector ELC or SAC provider)

“The requirements and conditions for high quality ELC and SAC are not the same. There is a high risk of unintended negative consequences for both sectors.” (Trade Union Event Attendee)

A few respondents suggested that different documents may be needed to cover different types of settings to avoid the shared framework becoming too broad or it failing to adequately reflect all sectors. Others, however, argued that the shared framework should not apply to SAC:

“Possibly a separate document for out of school care, different age children and sometimes purpose of setting” (Private or independent or third sector ELC or SAC provider)

It was stressed (across all response formats) that providers would need time, resources and support to understand and familiarise themselves with the new framework, and to embed any new requirements. It was felt that the change may be stressful or unsettling for staff, and that various types of support may be required, including the provision of ‘what to expect’ style materials, opportunities for professional dialogue (both locally and nationally), support from local authorities, and support from inspectors during the transition period:

“Time to read, digest and action. Harder for staff to meet as a team due to the increase in hours of provision and the varied working patterns by staff.” (Individual)

Practitioner training would also be needed, it was felt, to ensure everyone had the same information and understanding of the new system, although there were concerns about how achievable this would be for some:

“The training and capacity of ELC staff to understand, interpret and action guidance. Training for all staff will be needed to be able to use the guidance effectively.” (School with ELC provision)

“...we've just had a new CI [Care Inspectorate] framework to learn, and now this is another one whilst staff cannot get time off the floor for professional learning and development as it is, so it would be very hard to implement another framework that will take time to embed.” (EYS Event Attendee)

There were also concerns over how long a shared framework would take to implement, with a few stressing that immediate support was required. There was also a common perception among providers that this would be 'yet another framework' to learn, with concerns over burnout and the demotivation of staff, as well as how much time, support and training staff would need to transition.

The timing of the changes may also prove challenging for the sector. Respondents highlighted that this comes at a time when the sector has experienced unprecedented changes and challenges, including both COVID-19 and the expansion of the funded ELC hours, and the staffing challenges created by both. Others noted that the Care Inspectorate Quality Framework was also fairly new with staff still trying to familiarise and adapt to this, and therefore a further change could be confusing and demotivating:

"Much as the change is needed it comes on the back of unprecedented change and burn out in the sector with the pandemic." (Playgroup)

"We are just getting confident with the CI [Care Inspectorate] quality framework - changing too soon will cause upset and deflation in a sector already stressed and under-valued." (Private or independent or third sector ELC or SAC provider)

HMIE also indicated that the wider educational reform process being undertaken provided an opportunity for more bold changes, to ensure that inspection meets the needs of the sector. However, they cautioned against making interim changes followed by larger system changes at a later date:

"We believe that the reform of education, the national review of care and the establishment of a new education inspection agency means that this is the perfect moment in time to be bold, sector leading with ELC, setting the standard for the education and care systems as a whole and consider what it is that the ELC sector really needs. However, to publish a vision and principles without clarity of the outcome of reform and national reviews could potentially mean further changes to the structure of roles and responsibilities of each organisation after reform. The sector, local authorities and the system cannot face a temporary change and then later system wide changes... We believe a strategic review of inspection and improvement support for ELC across Scotland is required now rather than trying to 'fix' bits of what is wrong, with the potential of further change in the near future." (Inspectorate Body)

However, it should be noted that, even where respondents highlighted potential challenges and difficulties, some also stressed that they still thought the development of a shared framework would be an improvement over the current system:

“It may be challenging to implement to begin with, but I feel in the long run it will be more beneficial than the current inspection process.” (Individual)

“A shared quality framework, as it is proposed, will not fully address the needs of the ELC sector... However, it is better than two different frameworks.” (Local Authority)

Shared Framework Not Enough to Tackle Problems

Several respondents (largely from local authorities and sector representative bodies/membership organisations) argued that if two inspectorates continued to be involved, then a shared framework would not fully meet the needs of the sector, and difficulties and challenges would remain inherent within the system. This included duplication of effort; separation of care and education; and inspections carried out by two bodies with different priorities, expectations, and on different inspection timeframes:

“While we support implementation of a shared quality framework, it will still be necessary to consider how the scrutiny landscape can be best configured to reduce unnecessary duplication and burden inherent in a dual system of scrutiny.” (Inspectorate Body)

“Issues that exist currently when two inspectors are present will remain. While education and care remain of separate interest to the different inspectorate bodies there will remain difficulties in implementing a shared quality framework.” (Sector representative body/membership organisation)

Similarly, one other respondent felt that the proposed changes did not go far enough as they perceived the shared framework to focus too much on self-evaluation and not on the inspection process itself:

“We are not confident that significant enough change is proposed and are concerned that too much emphasis is being placed on a shared quality framework as a ‘tool for self-evaluation’ rather than the transformational change to inspection required. There is a risk the new shared quality framework will be considered simply as a re-organisation of the current frameworks under a different banner... Clarity is required as to how it will be considered during joint inspections in a proportionate and manageable way.” (Sector representative body/membership organisation)

Other Comments

Some respondents suggested there were no challenges and that the changes would be welcomed, while others argued that a shared framework would not necessarily result in the inspectorates working more closely or solve all the problems associated with having two inspectorates involved. Rather it was suggested that a culture change was required within the inspectorates, and that the

process/delivery of inspection also needed to be addressed, otherwise double scrutiny would remain:

“The idea of a shared framework could be very beneficial, with inspectors using one document to perform inspections which in theory should simplify things overall. However - regardless of that, it simply won’t work if it’s not backed up with a single body. Both bodies use different approaches and it will be very difficult for them to stop doing that even with one framework. Look at the National Standard - that’s a single document that isn’t successfully being administered by different bodies so why would one framework be any different?” (EYS Event Attendee)

A few attendees at the Association of Head teachers and Deputies in Scotland (AHDS) event also suggested that the existing frameworks were fine and that perhaps a shared framework was not required, but that either a few additions could be made to each of these to better align and link them, or that guidance for the two inspectorates could be developed to help them work together to use the existing frameworks more effectively.

Q3.4 Do you think that the development of a shared quality framework will meet the needs of the sector to simplify the inspection landscape and reduce the inspection burden? Why do you think this?

Q3.4 Do you think that the development of a shared quality framework will meet the needs of the sector to simplify the inspection landscape and reduce the inspection burden?

	Number of respondents	Percentage of respondents	Valid %
Yes	150	59%	63%
No	29	11%	12%
Unsure	60	24%	25%
Not Answered	15	6%	

Base: 254

Just under two thirds (n=150, 63%) of respondents who provided a response felt that the development of a shared quality framework would meet the needs of the sector to simplify the inspection landscape and reduce the inspection burden. Much smaller proportions felt this would not (n=29, 12%) or were unsure (n=60, 25%).

Those who said ‘yes’ to this question again mainly did so on the basis that it would provide a clear vision and shared inspection language with no conflicting messages, would provide better clarity on expectations, and allow for consistency

of approach. Shared understanding across whole sector would, in turn, lead to more robust self-evaluation and better planning for change, it was felt.

Respondents (including both inspectorates) again indicated that the shared framework would provide a simplified landscape, reduce burdens of paperwork and staff time in preparing for inspections and would remove feelings of being 'over-regulated'. There were hopes that the shared framework would also increase transparency in what was required of providers:

"It will offer clarity, a shared vision and will be far more supportive to staff than the current situation." (Individual)

Again, it was felt that the shared framework that was developed collaboratively was needed to lead to better outcomes for children and families:

"A shared framework developed collaboratively with children parents, practitioners and partners is an opportunity towards simplifying the inspection landscape and reducing the inspection burden. All efforts need to be carefully evaluated to ensure that change brings about improvement for the children who are central to all our work." (Inspectorate Body)

In a similar vein, respondents encouraged ongoing collaboration between key stakeholders in the development and implementation of the new framework:

"[Organisation] believes that a shared quality framework that is developed collaboratively by the Care Inspectorate, HMIE, sector representatives, practitioners, teachers, staff, children and families would help to simplify the inspection landscape and reduce the inspection burden. This would ensure the voices of all key stakeholders are able to develop workable solutions that benefit the sector." (Sector representative body/membership organisation)

Those who said 'no' to this question mainly did so on the basis that the proposal did not go far enough to fully meet the needs of the sector to simplify the landscape and reduce the inspection burden. Again, such respondents felt that a single inspection body was required to achieve this, as there would otherwise still be separate bodies or providers to contend with and potential for inconsistent interpretation of the document:

"Such a development would partly achieve that goal by reducing complexity. However, it will not reduce the inspection burden in any meaningful way as a reduction in the number of inspections or the style/duration of inspections has not been discussed in this consultation." (Trade Union)

Again, it was unclear how having two inspectorates with a shared inspection framework would reduce the frequency of inspection and the associated workload, i.e. "The issue of double scrutiny will remain unless the inspections were jointly undertaken by the regulatory bodies at the same time." (Local Authority) Again, there were concerns that without one body, staff would remain unsure as to what

was expected of them from the different inspectorate bodies which would continue to lead to them feeling under pressure.

Others again expressed views that it was not required (i.e. the current frameworks worked well) and that a single framework was too simple to apply to all settings:

“I fear that it would do the opposite and further complicate an already laborious and intricate process, as stated above there is such variety within all the service you was to encompass under one framework.”
(Private or independent or third sector ELC or SAC provider)

Specifically, some felt that it would not simplify things or meet the needs of childminders (for whom a more proportionate approach was needed), play providers and school aged children (SAC), who should be removed from the proposal it was felt, as including them would create less focussed, sector-specific outcomes. Indeed, inspectorates themselves expressed views that inclusion of inspection of school age childcare at this time should not be considered and that the sector would benefit from clarity of responsibility of delivering all aspects of scrutiny in a coherent way for these groups.

More thought was needed ahead of any change, especially in relation to GME and EME provision, and the full range of ELC settings (particularly childminding and school aged children services):

“These services are quite unique in the way they are delivered, and this needs to be recognised. For example, we cannot expect childminder's who operate solely to complete self-evaluation documentation in the same way that a nursery would. Similarly, we must recognise that a home cannot contain as many resources as a nursery...[and] we cannot expect after school care services to provide the same deep meaningful play and learning as school and nursery, as these children are often tired, and would prefer to relax, unwind, and chat with friends after school.” (Individual)

Some respondents also stressed that any new framework must not be overly complicated and must be accessible to practitioners (and one provider argued for a supporting Inspection Handbook/Framework, to set out expectations and judging criteria). Again, time for proper implementation and planning time to support the change was encouraged by both practitioners and inspectorates. Views were expressed that the change must be well thought out and that implementation must not be rushed, with no watering down of standards and expectations, or of the frequency of inspection visits:

“We believe that the success of developing and implementing a shared ELC inspection framework will be dependent on preparation, timing and the clarity of purpose.” (Inspectorate Body)

Several respondents stressed that the shared quality framework would only meet the needs of the sector to simplify the inspection landscape/reduce burdens if it was implemented well, tested and adjusted as necessary:

“In principle, yes. However, this is very much dependent on the finer details and implementation. Further clarity around what this will look like in practice is required about frequency of inspection and the changes made to existing frameworks around quality.” (Local Authority)

Finally, one respondent again stated that there was “no place for HMI in ELC” (Private or independent or third sector ELC or SAC provider).

Q3.5 Do you think that the shared framework should apply to all ELC services, including funded and unfunded nursery and childminder provision for 0-5 year olds, and to childcare provision for children of school age (over 5 years old)? Why do you think this?

Q3.5 Do you think that the shared framework should apply to all ELC services, including funded and unfunded nursery and childminder provision for 0-5 year olds, and to childcare provision for children of school age (over 5 years old)?

	Number of respondents	Percentage of respondents	Valid %
Yes	164	65%	68%
No	43	17%	18%
Unsure	33	13%	14%
Not Answered	14	5%	

Base: 254

Just over two thirds (n=164, 68%) of respondents (who answered the question) agreed that the shared framework should apply to all ELC services, including funded and unfunded nursery and childminder provision for 0-5 year olds, and to childcare provision for children of school age (over 5 years old). Fewer than one in five respondents (n=43, 18%) felt this should not be the case, and a further 14% (n=33) were unsure.

Those who said ‘yes’ to this question felt that the framework should apply equally to all settings since this would bring about the most collaborative and consistent approach to inspection and strengthen the wider ELC workforce. It would provide a consistent benchmark for all services to work towards.

Having one framework that applied to all settings would also have the added advantage of ensuring that staff who move between providers/settings remain focussed on the same goals and outcomes, and that children who move between different settings can expect the same standards of service in each. Consistency in standards was again seen as key and having a shared framework that applied in all settings would remove potential bias around interpretation with regards to quality and standards.

While some felt that exclusions should apply (discussed more below) views were given that the Care Inspectorate's quality framework was already effective at meeting the needs of multiple settings (with flexibility and proportionality in how care is regulated being built in). On this basis, there was no need to exclude some groups in the new revised framework, it was felt, as to do so would mean having multiple different frameworks for children of different ages/in different settings, (and would therefore undermine the shared framework approach being proposed):

“As the current Care Inspectorate framework is used by all settings, we see no reason a single inspection framework would not accomplish this. It is important to take account that many settings do not only provide for children receiving funded ELC but also babies and school aged childcare. Unless there was a single framework for all children, we would continue to compound the current situation with different frameworks for different age ranges of children cared for in the same setting.” (Inspectorate Body)

Where people mentioned including both funded and non-funded services, there was general consensus that it was important to ensure that the same standards were achieved:

“Equality is essential and children should receive the same standards of education and care regardless of where they attend and how it is funded.” (Private or independent or third sector ELC or SAC provider).

Caveats to support included that the framework should be applied proportionately rather than routinely to different settings (i.e. childminders should not be inspected to the same intensity as local authority funded nurseries) and that care must be taken not to stifle innovation and competition by trying to make things 'all the same'. If the framework was too complex/challenging for some to adhere to, this may inadvertently lead to reduced choice in services, which could compromise affordability and equality of opportunity for children. It may also undermine the good work done by some of the small providers in closing the poverty related attainment gap, it was felt (for example, limited resources available to voluntary playgroups may set them at an unfair advantage to settings who have access to teachers, more resources, etc.) In contrast, not having the same framework apply to all could result in some parts of the ELC sector being considered as inferior to others, creating a multi-tiered system, which should also be avoided.

Those who said 'no' to this question again expressed views that the framework was too generic and would not cater to all individual settings. One suggested that “other add-ons” would need to be included to recognise the purpose of specific services, i.e. one size would not fit all:

“I think the range and variety of childcare providers have different roles and rationales which makes having one model very difficult.” (Individual)

Again, there were strong views that services for school aged children should be kept separate from other ELC provision (from both practitioners, local authorities and one of the inspectorates), due to having different curriculums (although others noted that the Curriculum for Excellence for the Early Stage did include up to P1). Views were given that services for school aged children are not responsible for children's progress and achievement and did not require the same focus on learning and development and so the framework should not apply:

“Separating the inspection of ELC from that of school age childcare should be seriously considered, given the inherent differences between these types of provision, and the standards to which they are subject.” (Sector representative body/membership organisation)

Similarly, the shared framework was not considered appropriate for out of school settings (including before and after school care) since they were not providing 'education' per se:

“I think ELC is very different from an after school or breakfast club - they need to be different standards and expectations for some of the outcomes.” (Individual)

The framework was also not considered by some to be appropriate for childminders and smaller providers, with the potential to deter some people from becoming childminders if the inspection process was too onerous and bureaucratic. However, this was not unanimous with one childminder suggesting that not including childminders may seek to perpetuate negative perceptions that they are “glorified babysitters” rather than a formal childcare service:

“A more appropriate version should be made available for childminders or smaller businesses as the main document may be overwhelming. There is a lack of childminders, and it is important therefore that this framework is proportionate and does not discourage potential providers.” (Local Authority)

Similarly, the training and qualifications required of different providers varied and so this needed to be reflected in any inspection standards/expectations (for example, childminders were not required to be trained/qualified to the same levels as other ELC providers). Childminders and single person providers in particular were also operating without the same support infrastructure as larger providers, and this should be considered in terms of what they were expected to deliver (i.e. differentiation must be given to support all sectors.)

A view was also put forward by a trade union respondent that the framework was appropriate for non-local authority settings but that there should again be only one inspection body for local authority providers, to ensure that local education authorities have effective systems in place to safeguard and improve the quality of ELC provision.

Overall, both those who supported and did not support the shared framework being applied in different settings indicated that it would need to have flexibility to accommodate service differences and nuances.

Additional Comments

The consultation document provided respondents with the opportunity to detail any other comments they had in relation to improving inspection of ELC and SAC across Scotland. Various 'other' issues were also raised throughout consultation responses and are included below.

Q4.1 and Event Q8. Do you have any additional comments in relation to improving inspection of ELC and school age childcare services in Scotland?

Overall, 118 respondents who submitted written contributions provided a response at this question, while a further 282 comments were received during the events. Despite this significant response rate, however, the vast majority of the comments related to issues already covered elsewhere in the consultation, and are therefore discussed above. Only new issues, or those where significant additional emphasis was provided, are outlined below.

Respect Staff as Professionals

A few highlighted a need to support staff, to treat them as professionals, and to empower them to deliver, both within any inspection framework and more generally. There was a general sense that staff felt 'overworked and undervalued':

"Early years practitioners appreciated and paid as professionals, opportunities to progress as Early Years pedagogy rather than seeing teachers as the main educators and practitioners as support staff." (Individual)

"To promote the advancement of the Empowerment agenda, we would encourage the Scottish Government to conduct a more fundamental review of inspection and scrutiny processes... Reform must be underpinned by cultural change. We would urge the Scottish Government to respond positively to that challenge, demonstrate that it will place its trust in the professionalism of teachers and Early Years practitioners, and adopt a more progressive model of quality assurance - one which is practitioner-led, which features professional collaboration and learning across settings, with time invested to facilitate collaborative processes to support reflection and inform improvement, where required." (Trade Union)

While support, respect and empowerment was relevant across the sector, it was suggested this was particularly acute for staff in SAC settings and childminders. They felt they were being assessed against nursery/ELC requirements and so it was argued that this could result in staff either leaving the professional altogether, or moving to jobs in ELC:

“Prioritising childminders is essential and failing to improve the level of support offered to them will have negative implications in the future and on the sustainability of the profession.” (Childminder)

Promote Inclusion and Diversity

Similar to the issues for the SAC sector, a number of other specialist providers noted their lack of consideration within the current system or in the proposals for a shared framework. This included those who provided ASN services, the provision of services for deaf children, and Gaelic medium provision.

For example, several respondents and event attendees noted a rise in the number of children with ASN within settings which was not taken into account by inspectors (and which providers felt they were not supported with). One event attendee also noted that ASN OSC was entirely overlooked, but that it required separate consideration as it provided services for those up to age 18/19 and was distinctly different from most other ELC and SAC sectors. Another respondent discussed the lack of provision for deaf children, both in relation to the general lack of national provision and the lack of HMIE and Care Inspectorate inspections of ELC settings for deaf children:

“When I have asked members of HMIE why they don't inspect early years settings with deaf children... they say that is not their area, ask the Care Commission [Inspectorate]. I have never seen any Care Commission [Inspectorate] inspections of these services. This means there remain great differences in practice across the 32 authorities. There are quality standards produced by the Scottish Sensory Centre in 2011 and currently being updated, but the inspectorate has not endorsed them. This leads to variable standards and most authorities don't refer to early years standards, even though this is a crucial age for language development.”
(Academic organisation)

Several respondents called for diversity and inclusion to be embedded into any new framework. One urged consultation with Black and Minority Ethnic (BME) communities, learners and practitioners, and BME led and anti-racist organisations, as well as collaboration with those involved in the Race Equality and Anti-Racism in Education Programme, to ensure race equality considerations were adequately addressed. Another advocated for the inclusion of gender equality within the inspection requirements, while two discussed issues for children with ASN (including those with learning disabilities) and stressed the need for any quality indicators to contain 'inclusion'. Indeed, one argued that this could help to ensure more settings became accessible:

“The proposal for a shared quality framework states that “It would include quality elements relating to care, play, nurture, wellbeing, education, development and learning”... [Our organisation] believes that 'inclusion' should be included on this list and must be a key pillar of any new quality framework.” (Sector representative body/membership organisation)

“Relevant to this consultation is the need to consider how a revised inspection framework might meaningfully assess how well providers are meeting their duties in relation to equality and inclusion. While... inspections currently only covers the children who are accessing the provision that is being inspected, we know that many parents of children with learning disabilities are not accessing their funded entitlement because providers are not able to cater for them. If inspections only consider the children in front of them, then those who simply cannot access their entitlement will continue to remain invisible in this conversation.” (Sector representative body/membership organisation)

Several also felt that Gaelic provision and GME needed to be understood and reflected in the inspection process:

“A clear understanding that Scotland delivers education in two languages, either Gaelic or English, should underpin all development. A range of revisions will be necessary to ensure proposals meet the needs of both the GME and EME sectors.” (Other Organisation)

Collaborative Approach to Development

Some respondents and event attendees advocated for practitioners, local authorities and the Association of Directors of Education in Scotland (ADES) to be involved in reviewing and developing any new shared framework. It was felt this was necessary to ensure it took account of all the different sectors, types of providers, local challenges and needs, etc. In addition, it was suggested that feedback should be sought on early implementation.

Other Comments

A few local authorities felt there was a need to be mindful of the difference between regulation and inspection when developing any new framework. A few others argued that stronger links were needed between the two inspectorate bodies and local authorities. Several suggested that the Associate Assessor role was a strength of the HMIE inspection approach, but was considered a missed opportunity in the Care Inspectorate approach:

“At the moment many central local authority and ELC sector staff are utilised as Associate Assessors and actively participate in Education Scotland inspections. This partnership approach builds capacity, shares good practice, is developmental in its inception and leads to whole system improvement. No such professional role exists with the Care Inspectorate at the moment, thus this opportunity is not available.” (Local Authority)

The Care Inspectorate raised several additional points, both within its formal written response, and from comments provided at the events, as follows:

- Joint work between the Care Inspectorate and HMIE should continue in other sectors, such as “inspections of services for children and young people in need of care and protection across community planning partnership areas”, regardless of any changes made to the ELC/SAC inspection framework;
- The wider improvement work the Care Inspectorate undertakes with funded ELC settings was highlighted;
- A renewed emphasis on leadership across the ELC sector was encouraged, and it was suggested that the Care Inspectorate’s “evaluation of leadership could be a supportive diagnostic for those agencies developing and delivering leadership support and resources across the sector”; and
- Event attendees stressed that the good practice already in place needed to be maintained, for example, the supportive relationships between inspectors and settings, the well-received Care Inspectorate Quality Framework, the focus on children and children’s rights, and ensuring that children’s voices are heard.

A few attendees at the AHDS event discussed the challenges the sector face in implementing the 1140 funded ELC hours. This included the proposal to roll this out to one and two year olds despite the implementation of provision for eligible 2s and all three and four year olds not yet being complete; a lack of training upon introducing provision for eligible two year olds; and that the 1140 hours model did not facilitate time for training, planning or improvement.

Other suggestions offered by a minority of respondents included the perception that inspection should be rooted in pedagogy, and questions about who evaluated or quality assured the inspectorates/inspectors.

Scope of the Proposed Changes

While some respondents used this opportunity to outline support for the development of a shared framework, perceiving this to be an improvement on the current system and a much needed change, others again indicated that they were more in favour of the creation of a single inspectorate responsible for the sector. They felt that the omission of such an option within the consultation, as well as the failure to consider reform of the inspection process itself, or of the statutory functions currently discharged by the relevant inspectorates, was a missed opportunity. It was also noted that changes to legislation were likely to be needed as a result of the wider education reforms, and so provided an opportunity to streamline the inspection landscape for ELC. While this view was shared across respondent groups, those who attended the Trade Union event were more likely to indicate that the changes should be considered alongside and linked to the wider Education Reforms, which offered the opportunity to be more comprehensive and ambitious:

“There is an imperative to revisit a shared scrutiny body in addition to the shared framework. This is a missed opportunity and should have been part of the wider consultation. To have separate

agencies scrutinise the core aspects of care and learning experiences is at odds with the policy landscape of a shared vision. Legislative changes should not be a barrier to progress taking place and there should not be any delay in progressing change as highlighted by the sector.” (Local Authority)

“New legislation may well be required to establish the new HMIE and SQA [Scottish Qualifications Authority]. The opportunity should be taken to properly simplify and streamline the inspection landscape for ELC by including this issue in that legislation. The objective should be to have only one inspection body engaging with a particular setting.” (Trade Union)

While others called for changes to be implemented quickly to support practitioners, those attending the Trade Union event were again more likely to suggest that changes should not be rushed. It was felt that the issues facing the sector were more significant and structural, and required a system and cultural shift rather than a shared framework alone. A few also noted the review on regulation of social care delivery, and felt that all such reviews should be considered holistically. Several event attendees (largely from the Trade Union and ADES events) suggested that the current proposals felt like ‘tinkering’ rather than sustainable and effective solutions:

“The timing for ELC considerations now is the ideal opportunity to make this work more comprehensive. I am worried that we are tinkering around the edges. There are discussions currently underway in any event on a framework for new national bodies, why can the ELC work not be included as part of that? We should have a comprehensive approach to all of this work.” (Trade Union Event Attendee)

Regardless of the approach taken, respondents stressed the need to keep children at the centre of all changes.

Situation for the SAC Sector

Finally, while not new information, it is worth reiterating the concerns of the SAC sector, given the strength of feeling that was expressed at this question. In addition to those who mentioned this within the formal written contributions, 52 comments were provided at the SOSCN event, most of which focused on the unique challenges for SAC (and for childminders and unfunded providers). These included:

- Having a lack of time and funding to attend training;
- Having a lack of non-contact time to complete paperwork requirements;
- Rarely occupying dedicated/sole occupancy spaces which providers have full control over (more relevant to SAC);
- Recruitment and staff retention is particularly problematic due to the hours available (more relevant to SAC);
- A lack of funding for new or updated resources or for improvements;

- The amount and nature of the time spent with the children is very different compared to nursery and/or ELC settings (more relevant to SAC and childminders);
- A play based framework would be required rather than one based on education and learning;
- That the funded ELC framework is applied inappropriately to other sectors currently and providers have concerns that this would be exacerbated in any new shared framework (e.g. bringing those not involved in the funded ELC provision within the remit or HMIE and/or imposing educational indicators on settings where these are inappropriate); and
- That there was a need for the value and contribution of childminders and the SAC sector to be acknowledged, for the voices of those within these sectors to be heard, and for change to be appropriate - indeed several indicated that they had been asked for their views several times in the past but perceived that this had not resulted in any meaningful changes.

It was stressed that these issues either needed to be taken into account and reflected in any shared framework, or that a separate inspection framework and processes was required for the different sectors.

Discussion

Cross-Cutting Themes

A range of issues were raised repeatedly across the consultation questions (and between the main written responses and event comments). While some of these were more sector specific, others were common across a range of different respondent types.

Common Factors

Most respondents strongly supported the development of a shared framework, noting that it would provide an improvement on the current system. However, there were concerns around whether the different agencies and sectors were currently comparable enough to facilitate a shared framework, e.g. HMIE and the Care Inspectorate, nurseries and childminders, funded and non-funded ELC, and ELC and SAC.

One of the main changes required to the current inspection framework/ process, and the main requirement for any shared framework was providing clarity and consistency in relation to roles and responsibilities, expectations, processes and experiences of the inspection process. Other changes/requirements commonly sought included streamlining the bureaucracy (including the number of documents involved and the extent of the paperwork and reporting required); creating a common language; making inspections more supportive; and reducing the level of stress, anxiety and fear staff have in relation to inspections.

Another common theme was intra- and inter-inspectorate differences in practice. It was felt that settings' and staff experiences varied from inspector to inspector, with differences noted both between and within inspectorates, and that the feedback/advice provided could often be conflicting. These elements needed to be addressed going forward. Further, it was felt there needed to be more communication, collaboration and joint working between the inspectorates, and for them to develop and work to a shared vision. Greater professional respect for each other was perhaps also needed, with both inspectorates needing to have an equally valued input and role in decision making.

Despite the support for a shared framework, there was also strong support for the creation of a single inspectorate body from many respondents, despite them not having been asked about this specifically. Indeed, the fact that the consultation did not explore this option was considered to be a "missed' opportunity". It was felt that, while a shared framework would help alleviate some of the problems currently experienced, it would still result in duplication, bureaucracy and confusion within the system, which could only be solved by wider structural changes.

While local authorities were more likely to express a preference for a single inspectorate to be responsible for the ELC sector, other respondents also supported this, including sector representative bodies/membership organisations, and trade unions to a lesser extent. While this option was also preferred by some

practitioners, this was not expressed with the same level of frequency by them as some of the other groups. However, as the consultation did not specifically ask about the option of a single inspectorate, practitioners views and the strength of feeling expressed about this issue cannot be assumed to be representative. It could be that practitioners may have been more inclined to answer the questions set without expanding to consider alternative options, rather than this being indicative of them not having any strong views about this option. Similarly, the same is true for other respondents across all respondent typologies.

Sector Specific Issues

Childminders stressed the need to reduce paperwork and to provide pro-forma paperwork for completion in order to provide clarity and to standardise requirements/expectations. There was also a sense that the requirements had become too burdensome for childminders which was resulting in some leaving (or considering leaving) the profession, and so there was an urgent need to streamline, reduce duplication and simplify this.

Staffing issues were also noted as a problem for the SAC and PVI nursery sector. For the SAC sector, staff felt overburdened, and with the limited number of working hours available, this meant there was high staff turnover, with many leaving to join the ELC sector where more hours were on offer. Those in the PVI sector indicated that they were losing staff to local authority ELC settings where wages were higher, thus resulting in a high staff turnover and a higher proportion of less experienced staff in PVI settings.

Childminders and those in the SAC sector were also highly concerned about the appropriateness of creating a single shared framework to cover all sectors. They stressed the need for any new framework to recognise and respect the differences and unique circumstances of each sector, type of provider and setting, and for the requirements to be proportionate to the situations of each setting; or for separate, dedicated frameworks to be developed.

Limitations of the Data

The consultation attracted feedback from a wide range of stakeholders, covering all the relevant sectors. Responses heavily reflect the views of practitioners working in and across the sector, although they perhaps represented the views and experiences of those in the ELC sector to a greater extent than childminders and those in the SAC sector - although the lack of individual childminder participation was tempered by their large contribution to one of the organisational responses. There was also perhaps a lack of parents'/families' voices among the responses, and may be a gap which needs to be considered going forward.

Conclusion

Respondents largely supported the vision and principles set out in the consultation document, although suggestions were provided in relation to possible changes or improvements. Mixed experiences were reported in relation to the current inspection framework, and while some evidence of positive and supportive practice

was provided, there was also a strong sense of duplication of effort, burden on providers, and a lack of consistency in expectations and experiences. It was also generally perceived that the inspectorates did not cooperate or coordinate as well as they could, and that more could be done in this respect, not least through realistic and achievable guiding principles. Local authority evaluations, while considered to be helpful and supportive where they occurred, were also perceived to exacerbate the inspection burden and challenges faced by providers by imposing a third self-evaluation framework.

Overall, there was strong agreement that the current inspection framework needed to be reformed, with general support for the creation of a shared framework to bring about improvements. While respondents outlined potential challenges which may need to be overcome regarding implementation, it was felt that a shared framework would be beneficial and an improvement on the current system. There was less agreement, however, in relation to the possible coverage of the shared framework. While around two thirds agreed this should apply to all settings offering services to children aged 0-5 and those catering for school aged children, support was caveated to stress the framework would need to be reflective of the different types of providers, and be flexible and proportionate to the size and type of setting. Those in the SAC sector were also particularly concerned about the relevance of a shared framework, given different remits within that sector.

The content of any shared framework and the way this could be applied in practice will be crucial to its success. It will need to be applicable to the range of different settings and service providers, while still being streamlined and manageable, and providing consistency. It was also felt that practitioners and other stakeholders needed to be involved in the drafting and development of any new framework to ensure that achieving best outcomes for children remains at the heart of inspections.

Appendix A Respondent Profiles

Sector Profile of Respondents to the Main Written Consultation

	Number of respondents	Percentage of respondents
Academic Organisations	2	<1%
ELC and SAC Providers	103	41%
Childminders	15	6%
Local authority ELC or SAC provider	22	9%
Out of school club	2	<1%
Playgroup	5	2%
Private or independent or third sector (PVI) ELC or SAC provider	54	21%
School with ELC provision	5	2%
Individuals (no sector specified)	103	41%
Inspectorate Bodies	2	<1%
Local Authorities	20	8%
Sector representative bodies/membership organisations	13	5%
Trade Unions	5	2%
Other	6	2%

Base: 254

Appendix B Event Profiles

As a way to encourage participation to the consultation and to provide an additional channel through which feedback to the consultation could be provided, three online engagement events were facilitated by the Scottish Government and was open to anyone who had an interest in the consultation.

In addition to the public events, specific engagement events were also offered to all of the main early learning and childcare and school aged childcare representative organisations, trade union bodies and the inspectorates. Organisations who participated in these specific events included:

- the Care Inspectorate (three events);
- His Majesty's Inspectorate of Education (HMIE);
- Association of Directors of Education in Scotland (ADES) (this included representation from Convention of Scottish Local Authorities);
- Early Years Scotland (EYS);
- National Day Nurseries Association (NDNA);
- Scottish Out of School Care Network (SOSCN);
- AHDS trade union representing Head Teachers, Depute Head Teachers, and Principal Teachers from across ELC, primary and Additional Support Needs (ASN) schools in Scotland;
- A combined event offered to trade unions which was attended by representation from the Educational Institute of Scotland (EIS), The union for civil servants & public service professionals (FDA), the public and commercial services Union (PCS), the Association of Head teachers and Deputies in Scotland (AHDS), and UNISON.

It should be noted that feedback was not gathered at the NDNA or HMIE events, and so event data presented in this report is restricted to only the 11 events which resulted in feedback being provided during the session.

Appendix C Draft Vision and Principles

Draft Vision

The draft vision as outlined in the consultation document was described as:

“High quality early learning and childcare and school age childcare experiences are critical to giving children the best possible start in life. Inspection of ELC and school age childcare services encourages and empowers settings, practitioners and teachers to continually improve their service for the benefit of the children in their care, including through self-evaluation. It provides independent assurance to families and stakeholders, and supports settings to provide consistent, high quality services and experiences for all children. It takes a collaborative approach between the inspectorates, settings, practitioners and teachers, and respects children’s rights. Quality expectations for settings are clear, consistent, evidence-based and proportionate.”

Guiding Principles

The guiding principles, as outlined in the consultation document, are outlined below:

The Scottish Government believes that the approach to inspection of ELC and school age childcare services should:

1. Support our National Outcomes and improve children’s life chances through the provision of high quality services, to ensure that our children’s rights are respected, they grow up loved and safe, and can realise their full potential
2. Provide clarity to settings, practitioners and parents and carers on what standards they can expect and the roles and responsibilities of key agencies in delivering them
3. Support consistency in outcomes across services so that all children and families experience high quality provision, regardless of where it is accessed
4. Support continuous improvement within individual settings and add value to the delivery of services, including through building on settings’ use of self-evaluation
5. Support collaboration and professional dialogue between providers, practitioners, teachers and staff working in settings, inspection bodies and local authorities
6. Listen to and take account of the views, experiences and needs of children and families
7. Be adaptable to respond to evidence and new policy developments

8. Be efficient, avoiding duplication and eliminating unnecessary bureaucracy for providers.



© Crown copyright 2023



This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-80525-646-5 (web only)

Published by The Scottish Government, March 2023

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1242622 (03/23)

W W W . g o v . s c o t