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Quality of employment in childcare

Country report: England

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A note about terminology

The EU, the OECD and other transnational bodies generally refer to Early Childhood Education and Care (ECEC) when describing services to young children. Education generally refers to a free publicly provided service aiming to improve children's learning. Care usually refers to a service to provide cover for the very young children of working parents (working mothers) for which parents usually pay. There are many ways of providing ECEC across Europe, and the distinctions between education and care are often blurred. This paper refers to England UK, and uses the words childcare and ECEC interchangeably, as they are used in practice.

UK -England- childcare policy

The UK is now devolved into 4 semi-autonomous regions, England, Northern Ireland, Wales and Scotland. Each region has autonomy on social issues, but for the most, they part pursue very similar policies. In the case of ECEC, all four regions endorse marketized policies, in which the favoured option is for independent entrepreneurs and commercial companies to provide services. The penetration of the market by private entrepreneurs and companies in the UK, is 84% of childcare, as opposed to, for instance, 3% penetration in Germany, or 4% in France.¹ This is the most prominent feature of childcare policy, and has serious consequences for the employment of staff, which will be explored below.

For the purposes of a case study, England, which is the most populous region, will be the focus here. International surveys giving comparative rankings usually refer to the UK rather than to the region, but internal statistics are only provided for the constituent regions..

The UK overall is very densely populated. In 2017 it had a population of 65.6 million (England 55.3 million, Scotland 5.3 million, Wales 3.66. million and Northern Ireland 1.8million). Unlike many other EU countries fertility is not declining, and the population continues to grow. 27% of live births were to mothers born outside of the UK. 31% of state primary school children and 27.9% of State secondary children come from self-described ethnic minority backgrounds. Ethnic minority and immigrant populations are concentrated in London (30% of the total population) and Leicester (37.4% of the population).² These figures are fuelling the debates about immigration, and BREXIT is in part viewed by many people as offering an opportunity to resist and restrict immigration.

The UK is also a very unequal country. It is a rich country, with an economy rated 6th in the world. Its gini rating is currently 31.6. The wealthiest 10% of households owned 44% of aggregate total *wealth* in Great Britain in July 2014 to June 2016. The latest figures suggest that 30% of children are now living in poverty, a steady rise in numbers since 2010, which is predicted to continue. Two thirds of those living in poverty are from working families, who have been hard hit by planned cuts to working age benefits. There is an acute housing crisis, especially in London. In England, 78,930 families (120,510 children) are now living in temporary hostel accommodation³. Ratings of child happiness consistently put UK near the bottom of any comparative chart.⁴

This context, of reliance on the market rather than on public services, rising inequality, hostility to immigrant populations, and a polarized political class, forms the background to current working conditions in ECEC – or any other service provision.

Design of Childcare Services

England is highly centralized; unlike many countries, where considerable power is devolved to regions and municipalities, local authorities have little autonomy to act on social issues. Local authority budgets have been severely cut since 2008. The legislation which governs inspection and quality control of ECEC are entirely centralized, resting with Ofsted, (the Office for Standards in Education, which is itself privatized); and subsidy levels for childcare are also determined by central government. Local authorities have a minimal advisory role. In 2006 the Labour Government, keen to promote marketized childcare, passed the Childcare Act which prohibited local authorities from spending new money on childcare except *as a last resort*” For such a large population, this centralization is surprisingly undemocratic, and local demand counts for very little.

Until the 1990’s, childcare and even early education, were regarded with considerable ambivalence in the UK, and levels of provision were low. Childcare in particular was seen as a domestic, familial issue. The Labour Government in 1997 put forward economic arguments for supporting women in the workforce and argued that they made a major contribution to the economy. The Government introduced a variety of pro- women’s legislation and in 1998 introduced a *National Childcare Strategy*. This enjoined local authorities (who at that point retained more autonomy) to co-ordinate their services, and develop an ECEC strategy, rather than just an education or a childcare approach.⁵

In 1997, the government also launched its *Sure Start children’s centres* programme, which attempted to introduce local, community based childcare and education centres in the areas of greatest deprivation. Unfortunately, this programme was developed as a free standing community development programme, and was not attached to schools or any other public service provision. Although launched with great fanfare, with the aim of “abolishing poverty within a generation”, the failure to embed the programme within existing structures or administration, and the absence of long-term secure funding, meant that the programme was vulnerable to a change of Government and austerity measures. Most of the centres have now been closed, or hollowed out to such an extent they no longer offer childcare for working parents.

The Labour government also introduced generous working parents allowance, which, along with the 2006 childcare legislation, was intended to enable parents to purchase childcare on the market, like any other commodity. It was assumed that the market would lead to faster expansion of childcare and to the enhancement of personal parental choice. This led to rapid growth of the private sector, with no checks on where operators set up or on the fees they charge.

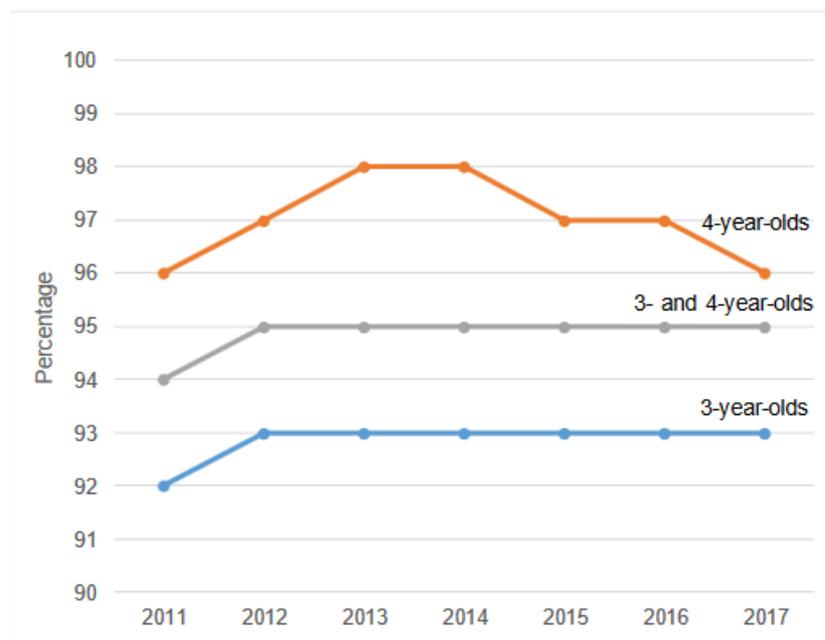
10 years later, under subsequent governments, child and household benefits have been severely eroded, partly as an aspect of austerity. The working parents allowance has recently been discontinued and replaced by an option of upto 30 hours a week free place

for a child aged two years and older in a private nursery, available to those on a joint household income of less than £100,000 pa (see below).

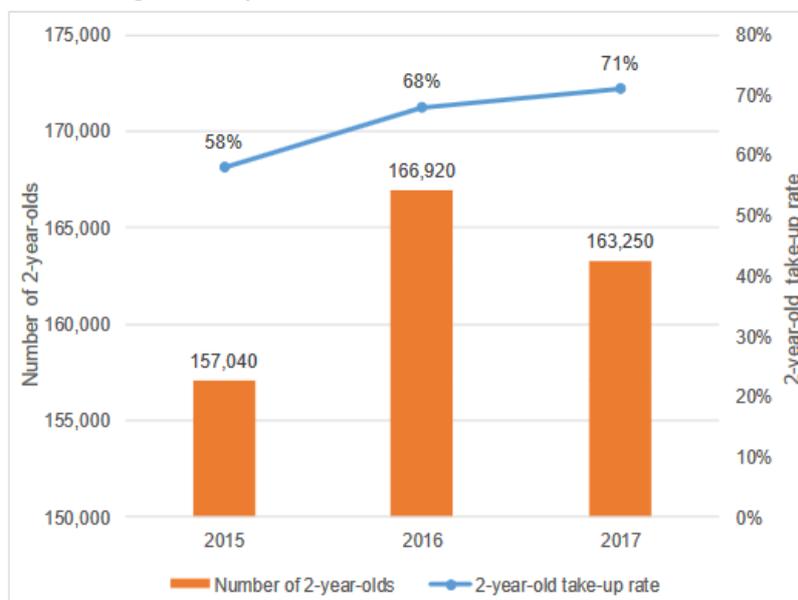
The accompanying Government financial strategy to try to introduce a “universal credit”, one payment which subsumes all other state benefits, has led to a marked increase in poverty.⁶ Low income working parents are now considerably worse off than they were 10 years ago and fees for younger children have become unaffordable (see below). This high cost is exacerbated by the location of private ECEC facilities, which tend to be in better-off areas, where fee default is less likely.

England: levels of childcare provision.⁷

Children aged 3-4



Children aged two years and under



Type of Provider

Type of provider	2-year-olds	3-year-olds	4-year-olds	3- & 4-year-olds
	%	%	%	%
Private and Voluntary Providers	84	60	19	38
Childminders	4	2	-	1
Independent Schools	1	2	2	2
Maintained Nursery Schools	4	4	1	3
Nursery Classes in Primary Schools	7	31	13	22
Infant Classes in Primary Schools	-	-	63	33
State-funded Secondary Schools	-	-	1	1
Special Schools	-	-	-	-
Total	100	100	100	100

Source: Early Years Census (EYC), School Census (SC), and School Level Annual School Census (SLASC)

Over 80% of all childcare provision – approximately 1 million places- and over 40% of all nursery education provision is now being delivered by the private sector. Increasingly, this provision is in the hands of company chains; the three biggest chains between them provide over 60,500 childcare places. The current Government is offering an estimated £1 billion new funding to support childcare and education for 3-4 year olds, and some two year olds, by subventions to the private sector.

Affordability and access

There have been various strategies for funding the private sector. Funding first of all went to the parents as a tax credit or grant for their children, and it was left up to the parent to choose where to spend it and how to claim it. But from 2017, parents can place their children in nurseries that offer free government subsidized places. After vigorous protests from representatives of the private sector, that the subsidy level was insufficient to cover costs, the government exempted private owners and companies from adhering to the limits of the “free” 30 hours of childcare. Nursery owners can charge whatever “top-up” fees they see fit. This has led to something of a bonanza in the private sector. These high and unrestrained levels of subsidy are fuelling speculation in business markets that this is a profitable area of investment, a “hot property market” and enquiries about investment are coming from all over the world.⁸

Nursery fees have risen higher than the cost of inflation for the last few years. A standard charge for a nursery place for a child under three is between £50 (E56) and £80(E91) *per day* and this figure rises, the younger the child. Parents buy into the hours they choose (or can afford), rather than children being offered a regular place, and multiple caring arrangements are very common.

There are a plethora of studies exploring the take-up and impact of current government subsidy funding, and in particular its impact on the most socially deprived children. The results so far are ambiguous, and give rise to some concerns⁹ Generally, the new measures

that are being implemented favour higher-income parents who are already in work and are already paying for their places, so that it will relieve them of some of their fee payments. In addition, as the nurseries with better Ofsted ratings are most likely to be located in wealthier areas, the combination of top up fees and location, deter poorer parents from seeking childcare.

The big nursery chains focus on wealthier areas. But there are also many small entrepreneurs, conscious of profits to be made, who have opened small businesses in more downtrodden areas. There are very few restrictions about *where* a nursery opens, or *when* a nursery owner ceases trading. There are minor planning laws about parking and noise but planning regulations have been relaxed, so that premises once deemed unsatisfactory for children – shop fronts, disused warehouse space, small terrace houses, discontinued industrial workspace – can be registered for use as a nursery. There are only recommendations, but no requirements, for outside playspace. An estimated 17% of nurseries in London have no outside space, and nationally over 1000 nurseries front directly onto main roads, where levels of traffic pollution are high. These nurseries tend to be of low quality, and veer on the edge of the minimum regulatory requirements.¹⁰

There appears to be a shortage of places for children under three, but it is hard to estimate because of the location of nurseries, and because of the very high fees charged for very young children who are under the age of entitlement to subsidy. It is left up to owners to estimate demand in the area where they open the nursery, and to solicit that demand through relevant advertising.

Austerity has affected parental incomes, but has not so far affected private or the few public nurseries directly in the sense that there has been no relaxation of ratios, which have been and remain relatively generous (1 adult per 3 children aged two and under). It has however eroded the already very limited budgets and decision-making powers of local authorities.

Parental leave.

Generous maternity and parental leave (also including father's leave) was instigated by the previous Labour Government, and is so far unchanged. Maternity leave is for 39 weeks, including time off before birth, at 90% of salary. There are also further shared parental leave options at a lower rate of subsidy. However, parental leave is only available by right to those who have been in regular employment for a minimum of one year. The poorest paid workers tend to be on zero-hours contracts, or else in the informal or self-employed sector where there are no contracts, and where many workers, especially those in catering, are paid "under the counter" and "cash in hand". However, the relative generosity of the parental leave arrangements may mean that there is less demand for baby places.

Tasks of childcare workers.

For the 16% of childcare workers for children under three still working in the public sector, the pay, conditions and work tasks are defined and agreed in binding agreements with employers and unions. These are listed in the exhaustively comprehensive *Green Book*, the log of the *National Joint Council for Local Government Services*, jointly negotiated between

local authority employers and unions.¹¹ Although the specific nursery tasks are not defined, the competencies and type of knowledge and skills required are carefully elaborated and linked to pay scales. The *Green Book* specifies the minutiae of job conditions, including length of breaks, staff facilities in the workplace, entitlement to time off etc

The *Green Book* has less and less currency, and some local authorities may no longer follow it if their services are part-opted out of local authority control, as is increasingly the case with schools. For the 84% of childcare workers for children under three in the private sector there are no negotiated agreements, and pay and conditions and work tasks are determined by individual nursery owners or companies and vary widely. Provided the nursery can complete its four year inspection satisfactorily, there is no external accountability, other than individual consumer/parent's complaints – or complements- about the nursery regime. It is upto the owner to determine the work tasks, and it is unlikely that nursery workers have very much or even any autonomy in determining their tasks, or in shaping the policy of the nursery. There are no generally accepted structures in the hierarchy of a nursery; the nursery is organized along company lines, or at the owners' discretion. For company nurseries, the head office of the company may be remote from workplace- or even in another country -in the USA, in France, or Singapore; and the head office is likely to be run by men in suits whose background is in finance or property management, but rarely in childcare.

Four job descriptions for a similar job, listing pay and conditions and job requirements, from an employment website are listed in Appendix 1. These illustrate the lack of specificity and the divergence of the jobs. It is likely that adverts for cheaper nurseries run by small entrepreneurs will be even less specific about the tasks required – relatively little attention or thought has gone into them.¹² A benefit for childcare workers, often in lieu of pension or holiday arrangements, is discounted goods at local shops!

Training and conditions of service for childcare workers

There have been attempts in the past to introduce unified training systems, leading upto and including degree level training. But as the private sector has expanded, there are now many types of qualifications, and many providers of training, some good, some on the cowboy end. As one senior figure¹³ put it "*It's like the wild west out there.*" Outside of local authority employment, qualifications are not usually linked to pay entitlements or career progression, which means there is not much incentive any longer to obtain them. At one point the basic qualification for nursery work required certification in maths and English at GCSE level (aged 16) but this requirement has now been dropped.

Private owners tend to provide their own in-house training (if at all) rather than buy into or rely on colleges or universities. In house apprenticeship based initial qualifications have been set up by big companies themselves - and raises all sorts of issues about transferability. There are issues about the worth of qualifications outside of the childcare industry, or even outside a given workplace. There are increasing numbers of staff without any qualifications at all. Working in a nursery is regarded as an easy option by young deskilled women whose employability prospects are poor.

There are no criteria for pay and remuneration, other than a minimum wage criterion which is not always observed. The most recent government provider survey suggests at least 20% of childcare workers receive less than the minimum wage. It is up to the business owner to determine rates of pay. Outside of local authority employment, childcare workers do not usually have union representation or any kind of voice, and their conditions of work may not cover the usual benefits such as pension, sick pay and holidays.

Nursery World, a weekly magazine for those working in the childcare sector, which reports regularly on developments in the field, the biggest problem that nurseries now face is the high turnover of staff and the difficulties of recruitment, especially of qualified staff. Very little is discussed publicly about what might cause such a shortage of staff. Low pay, poor conditions of service, lack of career prospects, a stressful working environment, the lack of representation and support are obvious contenders, despite relaxed training requirements.

Less than 1% of those working in the sector are men. There are various studies which demonstrate how childcare is a highly gendered, low status occupation, in which women with poor academic qualifications choose to take up the work of looking after children because it comes “naturally”, and is an extension of their domestic life.

Childcare workers are held (and see themselves to be held) in fairly low esteem.¹⁴

National Employment Regimes

As discussed above, in terms of the *Green Book* there were nationwide negotiated agreements for employees in the public sector. This is no longer the case, even in the rump of the public sector, and certainly not in the private sector. The Government specify a minimum wage, which for at least 20% of childcare employees, was ignored. In reality this figure is likely to be much higher, because of the difficulties of obtaining information from private employers or companies. Companies specify a working week of around 40 hours, but anecdotal evidence suggests that this is breached when there are staff shortages¹⁵ Staff shortages are widespread and acute, as indicated above. There are health and safety regulations, which are usually adhered to, but which are not stringent.

There are no redundancy rules. As noted above, private nurseries can open or close at whim. On *one* property website alone there are 462 nurseries listed for sale- an estimated 6000-8000 staff who have no protection in case of closure or takeover.

Union representation is actively discouraged by many private nurseries, but in any case *none* of the main unions have a coherent or active policy on privatized nursery staff. There is no collective bargaining in the private sector.

There is no public accountability other than company accounts, and disclosure of information may be seen as a breach of business confidentiality. This means that it is very difficult to obtain any detailed information about the workforce or how it is treated, in aggregate or singly. Very little of the detail asked for in the Leuven questionnaire is collected or known. What is known is that there is an acute staff shortage. The biggest problem that nurseries now face is said to be the high turnover of staff and the difficulties of recruitment, especially of qualified staff. Very little is discussed about what might cause such a shortage

of staff. Low pay, poor conditions of service, lack of career prospects, a stressful working environment, the lack of representation and support are obvious contenders.¹⁶ The situation in the public sector is less dire, since the sector offers pay, pensions, school holidays, and relatively generous conditions of service, and there is some evidence of a migration from the private to the public sector. But the jobs available in the public sector are mainly nursery assistants in nursery schools and classes, for children aged 3-5 years, where there is no prospect of promotion to teacher, and no career structure. In addition, the public sector is shrinking, and job security is more problematic than it once was.

The picture in the UK is bleak, in terms of quality and quantity of childcare, and its responsiveness to the needs of disadvantaged groups. The situation has changed very rapidly in a relatively short period of time. Private childcare owners now constitute a powerful lobby in their own right, either as commercial nursery chains offering large numbers of places and employing many thousands of staff; or as part of a strong organization which represents the interests of smaller businesses¹⁷. It is extraordinary (at least to this author) how this situation has become so normalized, and its parameters or exceptionality so little understood, by parents, or those working in the sector. It is difficult to see how this out of control situation can be retrieved without considerable determination and opposition.

Appendix 1: Job Adverts for Nursery Workers (linguistic mistakes as in original)

i) Nursery Nurse Level 3 (Salary £16,000-£18,000)

our role as Nursery Nurse will include:

- Being a key person carrying out all related responsibilities in building relationships with a small group of children and their families according to the EYFS
- Promoting positive relationships with parents, children and colleagues
- Ensuring health, safety and wellbeing of the children at all times

We offer an extensive benefits package which includes:

- Amazing high street discounts with popular retailers
- Employee appreciation month with treats/meals for the team
- Access to training courses including Child Protection and ongoing training and development
- Excellent career opportunities in a huge organisation
- A 'World Class' Induction programme

You may have experience of the following: Childcare Practitioner, Early Years Practitioner, Play worker, Nursery Practitioner, Nursery Teacher, Early Years Educator.

ii) Nursery worker Level 3 (no salary given)

- Helping oversee, maintain and organise a clean, tidy, child-friendly environment, nursery nurse supervise activities, such as messy play, crafts, cooking, reading and outdoor/physical pursuits.
- And because parents may feel like they're missing out on their young child's development, nursery nurses also plan, observe and keep records that inform parents and carers about their child's day.
- Feeding suitable meals, snacks and drinks
- Changing nappies or helping with potty/toilet training
- Teaching general life skills, such as basic hygiene and manners
- Working with any health and social care professionals, where necessary, and undertaking any relevant admin/paperwork
- The role of a nursery nurse involves working with children and is therefore exempt from Rehabilitation of Offenders Act 1974
- You are therefore required to declare any convictions or cautions that you may have, including those that would otherwise be regarded as 'spent' under this Act

Qualifications and Skills To be a Nursery Nurse and part of our family, we would like you to have:

- Minimum Level 3 Early Years Childcare qualification
- Strong communication skills both written and verbal
- Knowledge of child protection and safe guarding procedures
- Experience of the EYFS and using it within a nursery setting
- Enthusiastic, passionate and full of ideas to encourage learning and development

Benefits You'll receive a competitive salary & benefits package including:

- Excellent rates of pay based on experience and qualification
- Being part of an award-winning team
- 20 days' holiday plus 8 bank holiday
- Annual leave increase with length of service
- Frequent Promotion opportunities
- Free DBS

- Extensive Support for Higher Level qualifications
- Safeguarding, First Aid and Food Hygiene Training
- New uniform provided
- Two days onsite training during inset days
- Childcare discount vouchers
- Team building events throughout the year

iii) Nursery worker level 2/3 (Salary: £7.50 to £8.00 /hour)

Safari Kid are an international network of nurseries that were founded in California in 2005 and now have locations in India, Hong Kong, Malaysia, Dubai and the UK. We fuse the best practises from the Montessori, Reggio Emilia and Waldorf Steiner approaches and marry this with beautiful learning environments and 21st century technologies and a strong focus on customized learning to help develop cognitive, social, emotional, physical, creative and reasoning skills in children below 7.

Safari Kid are looking for qualified level 2/3 nursery workers to join their team. Duties will include supporting children with play, activities and providing general care, whilst counting in ratio.

Safari Kid can offer part time work Monday to Friday, this could also be a fantastic opportunity to move into a full-time position in the future.

Requirements:

To qualify for work, you must provide an up to date enhanced DBS, or we will happily assist you in obtaining a new one.

To be considered for the role of Nursery Nurse you must possess a Level 2 or Level 3 qualification in childcare.

The role will be based in our Clerkenwell school and report to the Nursery Manager.

Hourly rate between £7.50 - £8.00p/hour

The Safari Kid competencies

- Passion
- Emotional Intelligence
- Receptive
- Conscientious
- Initiative
- Team work
- Resilient
- Communication

Job Type: Part-time

iv) Nursery worker level 3

Sapphires Nursery School - Hampton Court Full-time (no salary given in advert)

We opened our brand new, beautifully equipped nursery school in September 2015. Family owned and with a Christian foundation, we are committed to making this a great place to work and thrive. We are looking to deliver the highest standard of professionalism and care and provide young children with a stimulating, nurturing and safe environment with a weekly Forest School. We have also been inspired by educationalist

Froebel and provide the children with high quality natural and open ended resources. There are plenty of shops and places to eat are within a minutes walk.

We are looking for a Room leader and Nursery Nurse Educator to come and join our growing team. You can expect a caring, passionate and unique place of work.

For this Nursery Nurse Educator role you will need:

- A passion for working with children under 2 years old.
- A commitment to the highest possible standards of safety and safeguarding
- A willingness to model Sapphires Nursery School's ethos and values
- Clear and professional communication skills-
- A level 3 or higher Nursery Nurse qualification in childcare with room leader experience if you are applying for the room leader position.
- Latest knowledge of the EYFS
- Excellent organisational skills
- A friendly personality with a flexible and calm approach

As our Room leader or Nursery Nurse Educator we would promise you a highly competitive salary as well as career progression and lots of further training will be available.

Notes and references

¹ Laing and Buisson Childcare Report 2018, p.141.

² Figures from the Office for National Statistics.

³ <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN02110>

⁴ <https://www.theguardian.com/society/2016/feb/16/children-in-england-rank-near-bottom-in-international-happiness-table>

⁵ <https://www.nfer.ac.uk/publications/91071/91071.pdf>

⁶ <https://www.theguardian.com/society/2018/jan/25/universal-credit-benefits-scheme-iain-duncan-smith>

⁷ All figures from the Department of Education, 2017.

⁸ Courteney Donaldson, managing director of childcare and education at Christie & Co, was quoted as saying, 'Across 2017 we have seen a rise in investment and interest from Asian based investors in the UK and European childcare markets, truly signifying the global nature of childcare businesses. Laing and Buisson Childcare Conference Feb 2018. The Chinese education investment company JiaYi Education has purchased the Bambinos nursery group of four settings in Plymouth, UK and its seeking further investment opportunities.

⁹ Lloyd, E. (2018) *Submission of Written Evidence to the Treasury Committee's Childcare Enquiry*

¹⁰ <http://www.bbc.co.uk/news/uk-england-devon-43660867>

¹¹ <https://www.atl.org.uk/Images/Green%20book.pdf>

¹² Canterbury Christchurch University have been running a project on "The Baby Room" for the last 9 years, trying to define what tasks could reasonably be expected from those looking after children under three, but there is no consensus. Because of chronic staff shortages, the evidence seems to be, apart from a few good nurseries, that "anything goes"

¹³ The editor of a news magazine specializing in childcare issues

¹⁴ Lady Barbara Judge, previously chairwoman of the Institute of Directors in the UK was quoted as saying "My mother used to say when a baby is born it needs to be fed, bathed and diapered. An 18-year old girl can do that. Your job is to get the money to pay the 18-year old girl When you have to be there is when the child gets smarter than the nanny." Guardian 24.10.16.

¹⁵ At a recent baby room conference (see note 11) there was a vigorous discussion about the extent to which private owners denied workers lunch breaks and insisted on involuntary overtime when there were staff shortages.

¹⁶ Articles in the popular press, and conference presentations, by the author and her colleagues about the reach and limitations of the private sector elicit almost no response, because the situation has become so normalized. The private sector is so ubiquitous, that childcare workers do not see that there might be any alternative, other than to choose another kind of job.

¹⁷ <https://www.ndna.org.uk/>