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Consultation – summary of response

National Minimum Standards for Regulated Childcare for children up to the ages of 12 years (NMS)

A summary of responses to the consultation on proposed changes to the
NMS

20 January 2023

Overview

This document provides a summary of the responses to the consultation on the proposals to change relevant standards within the NMS. We would like to thank all respondents for sharing their views with us.

Mae'r ddogfen hon ar gael yn Gymraeg hefyd / This document is also available in Welsh
Rydym yn croesawu gohebiaeth a galwadau ffôn yn Gymraeg / We welcome correspondence and telephone calls in Welsh

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: [hyperlink](#)

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Introduction

The National Minimum Standards for Regulated Childcare (for children up to the age of 12 years, April 2016) (NMS) apply to child minders and providers of day care for children up to the age of 12 years. They cover a wide range of different types of provision, including child minders, day care, out of school childcare and open access play provision. The NMS are designed to assist providers in meeting the [Child Minding and Day Care Regulations \(2010\)](#) as amended.

The Deputy Minister for Social Services published a [consultation](#) on the NMS on 28 June 2022 for 14 weeks duration.

The consultation proposed changes which mainly respond to key recommendations from a [Review of the National Minimum Standards for Regulated Childcare](#) which published its [report](#) in 2019.

The consultation concluded on 7 October. This document presents the summary of responses to the consultation.

Proposals

Respondents provided feedback on the following proposed changes to the NMS as well as views on whether there were any other changes that Welsh Government should be making to the updated NMS and associated guidance.

First Aid – Standard 10

To provide greater clarity with regards to first aid training requirements for different settings along with additional criteria and information provided in a separate Annex **First Aid Guidance for Paediatric First Aid (PFA) Training**.

Suitable Person (Child Minder) - Standard 13(CM)

Inclusion of additional guidance (to be contained in an Annex **Guidance for Child minder assistants**). These changes were mainly around the responsibilities and role of the registered child minders in working with a child minding assistant.

Childcare qualifications for day care providers - Standard 13: Suitable person (DC)

New information at standard 13.10 (DC) in relation to staff working towards a qualification, allowing settings to incorporate those working towards a qualification into the accepted ratio of staffing numbers.

Staffing ratios - Supernumerary member of staff – Standard 15

Existing Standard 15.13 was proposed to be removed from the NMS. We proposed strengthening Standard 15.6 to mitigate any risks associated with removal of the supernumerary standard.

Quality - Standard 18

Provide a statement in the NMS about what quality means in the context of childcare provision. In addition, Standards 18.1 to 18.5 were changed to reflect the requirements under Quality more clearly.

Safeguarding – Standard 20

New standard included at 20.7 to outline suitable safeguarding requirements.

An Annex **Safeguarding Guidance: Roles and Responsibilities** details the types of roles in childcare and playwork and the levels of safeguarding training appropriate to different roles within the sector.

Equal Opportunities - Standard 16.1-16.3

Respondents views were sought on how the NMS can support positive change with regards to tackling racism to feed into wider work that will look at the childcare sector's response to the Anti-Racist Wales - Action Plan.

Engagement

Views were invited as part of a 14-week consultation period between 28 June to 7 October 2022. The consultation was published on the consultation pages of the Welsh Government's website. Respondents were able to submit their views and comments on paper, by email or online, and in Welsh or English.

Childcare providers were able to respond directly to the consultation and were also able to participate in online workshops facilitated by the childcare umbrella organisations on behalf of Welsh Government.

Welsh Government would like to thank those who provided their views and those who attended consultation sessions.

Overview of responses

In total the consultation received 196 responses, considering responses to the full survey and partial responses. Of these 176 were provided via the online survey and 20 by email. 75 respondents wish to remain anonymous. This consultation received responses from across the childcare sector including child minders, day care providers, representatives of third sector organisations and local authorities, Care Inspectorate Wales (CIW), Estyn and the Children's Commissioner for Wales.

In this report, the following terms are used to indicate the relevant number of responses:

Many	More than 70 percent
Majority	More than 50 percent
Around half	Between 40 – 60 percent
Minority	Less than 50 percent
Few	Less than 20 percent
Very few	Less than 10 percent

Summary of responses

The following section details the responses and comments that were received in relation to the consultation questions.

Section 1 – First Aid requirements (Standard 10: Healthcare)

Question 1.1 Do you agree that child minder assistants should hold a current Full Paediatric First Aid certificate of 12 hours if they are left in sole charge of the children?

Yes	166	85 percent
No	8	4 percent
Don't know	6	3 percent
No response	16	8 percent

Many respondents (85 percent) agreed that child minder assistants should hold a current Full Paediatric First Aid (FPFA) certificate of 12 hours if left in sole charge of the children, whilst very few respondents (4 percent) disagreed.

Comments in support of the proposal said that first aid training is essential for those caring for children and the FPFA Certificate equips assistants left in sole charge of children for any length of time with the right skills to be able to deal with any potential situation requiring first aid skills.

PACEY Cymru the organisation promoting best practice and support for child minders referred to consultation sessions with child minders where there was unanimous support for the proposal.

Of the very few respondents (4 percent) who did not agree with the proposal, reasons provided referred to financial considerations and their view that the 6-hour Emergency Paediatric First Aid (EPFA) course was sufficient.

Question 1.2: Do you agree that if child minder assistants are not left in sole charge of children, they should hold a current Emergency Paediatric First Aid 6 hours certificate?

Yes	129	66 percent
No	38	19 percent
Don't know	11	6 percent
No response	18	9 percent

The majority of respondents (66 percent) agreed with the proposal that if child minder assistants are not left in sole charge of children, they should hold a current Emergency Paediatric First Aid 6 hours certificate. A few (19 percent) disagreed.

Comments in support of the proposal referred to the fact this was a balanced approach ensuring appropriate First Aid coverage.

Of those who disagreed most comments related to the fact that these respondents considered that child minder assistants should hold a Full Paediatric First Aid certificate of 12 hours to provide flexibility and to account for emergency situations which could suddenly arise. One local authority commented that all child minding assistants should have the full 12-hour course as, ‘despite every effort, emergency unpredictable situations can occur, and they may need the highest level of training.’

Question 1.3: Do you have any other comments with regards to First Aid in Child minder settings?

Of the additional comments in response to this question these included:

- consideration to be given to the accessibility, availability, and the impact of the cost of training on settings
- consideration to be given to a lead in time for proposed changes
- PACEY Cymru support the approach outlined in the supporting annex as to which elements of the training needed to be face to face and which could be delivered virtually or via online training
- varying views around the frequency of renewal of certificates with some supporting three yearly renewals whilst others considered a yearly refresher course to be more beneficial

Question 1.4: Do you agree that the requirement for day care is at least one adult to ten children must hold a current Full Paediatric First Aid certificate of 12 hours?

Yes	150	77 percent
No	31	16 percent
Don't know	5	3 percent
No response	10	5 percent

Many respondents (77 percent) agreed that for day care settings at least one adult to ten children must hold a current Full Paediatric First Aid certificate of 12 hours, whilst few respondents (16 percent) disagreed.

Whilst the majority agreed with the proposal there were concerns about the financial implications for settings in ensuring staff met the 12-hour training requirement. Both the National Day Nurseries Association (NDNA) and Clybiau Plant Cymru Kids’ Clubs who represent and support the nursery and out of school sectors respectively raised issues about the availability and costs of the training courses.

Of those who disagreed many commented that they considered more staff or indeed all staff should hold the Full Paediatric First Aid certificate of 12 hours which could be key in responding to an emergency. Whilst it was accepted that not all staff would have these skills prior to starting in early years or childcare, it was suggested that the

standards should reflect that all staff are qualified within 3 months of starting employment and should be included as part of the [All-Wales Induction Framework](#)¹. Concerns were expressed by some providers about the impact on the sustainability of the proposals on their settings with one respondent referring to the difficulty in sourcing courses which aligned with out of school club hours.

Question 1.5: Do you agree that all other staff (including volunteers/trainees) in day care settings must hold a current Emergency Paediatric First Aid 6 hours certificate?

Yes	118	60 percent
No	59	30 percent
Don't know	9	5 percent
No response	10	5 percent

The majority of respondents (60 percent) believed that all other staff (including volunteers/trainees) in day care settings must hold a current Emergency Paediatric First Aid 6 hours certificate. However, a minority of respondents (30 percent) were not in favour of this proposal.

Of those in favour, some were concerned about the challenges it would present settings if new starters had to undertake the qualification prior to commencing employment. It was suggested that completion of a relevant First Aid qualification should be funded and maintained by the provider, and if not held on appointment should be a condition of attainment upon employment within a reasonable period. Of those not in favour of the proposal, a range of views were expressed with some respondents considering that all staff including volunteers/trainees should hold a full Paediatric First Aid Certificate whilst others were of the view that this requirement should not apply to volunteers and trainees and would be detrimental to recruitment into the sector.

Question 1.6: Do you have any other comments with regards to First Aid in Day Care settings?

The additional comments received in relation to First Aid in day care settings included:

- standards should refer to specific setting risk assessments in terms of First Aid requirements as this could allow for a more precise identification of need

¹ The All Wales Induction Framework for Early Years (AWIF) is a tool for managers to assess the skills, knowledge and experience of new workers and helps to identify, record, and plan their development needs

- role of learning in the natural environment should be acknowledged and First Aid in the Outdoors incorporated in any First Aid training standard. (Natural Resources Wales)
- staffing and financial burdens could be mitigated if an extension of a 'grace' period for staff to become trained in relevant First Aid training was given. Or that Paediatric First Aid training requirements could be included within childcare qualifications. (NDNA)
- releasing staff for 12 hours to undergo the training would create major additional costs for settings, as other staff will have to be paid to fill in while staff attended the training, or alternatively pay staff extra to attend on Saturdays. Some settings may have to close to free up staff to attend the training (Mudiad Meithrin)
- essential that ALL staff members should have relevant first aid training. However, this is not always easy to access and the costs for small nurseries to ensure staff are qualified are quite steep putting a big financial strain on the childcare sector (childcare provider)

Open Access Play - Standard 10.27-10.29:

Question 1.7: Do you agree with the requirement of at least 1 adult to 13 children must hold a current Full Paediatric First Aid certificate of 12 hours in Open Access Play settings who accept children under the age of 8?

Yes	128	65 percent
No	34	17 percent
Don't know	13	7 percent
No response	21	11 percent

The majority of respondents (65 percent) agreed with the requirement that at least 1 adult to 13 children must hold a current Full Paediatric First Aid certificate of 12 hours in open access play settings who accept children under the age of 8. Few respondents (17 percent) did not agree.

Of those in favour, comments included that the ratio seems proportionate and aligned with the minimum staffing ratio in open access play provision for children aged under 8. However other respondents asked for greater clarity about the reason for the distinction in ratios between children aged under and over 8 years.

There were a range of comments from those who did not agree with the proposal. Some respondents considered there should be no distinction in ratios between day care and open access play settings with others stressing that all staff should hold the Full Paediatric First Aid certificate of 12 hours if working with children. Play Wales, the National charity for children's play, considered this ratio was disproportionate in respect to the level of risk involved.

Question 1.8: Do you agree with the requirement of at least one person must hold a current Full Paediatric First Aid 12 hours certificate and be present at all times, in Open Access Play settings who accept children over the age of 8?

Yes	144	73 percent
No	23	12 percent
Don't know	9	5 percent
No response	20	10 percent

Many respondents (73 percent) agreed with the requirement that at least one person with a current Full Paediatric First Aid 12 hours certificate must be always present in open access play settings who accept children over the age of 8. Few respondents (12 percent) did not agree.

Of those who agreed with the proposal, comments included that this was a proportionate response to risk. Comments from those who did not agree included those who thought the number of staff holding a full Paediatric First Aid certificate should be higher with others considering there should be parity across the childcare and play sector in terms of ratios.

Question 1.9: Do you agree that in Open Access Play settings First Aid training in respect of all other staff should reflect the circumstances of the setting and be based on a risk assessment?

Yes	114	58 percent
No	32	16 percent
Don't know	26	13 percent
No response	23	12 percent

The majority of respondents (58 percent) agree that in open access play settings First Aid training in respect of all other staff should reflect the circumstances of the setting and be based on a risk assessment. Few respondents (16 percent) did not agree.

Of those who agreed, comments in support cited that this was a proportionate response. Of those who disagreed, comments referred to the fact that regardless of risk assessments all staff should have a First Aid qualification and that there should be parity across the childcare and play sector in terms of what qualifications were required. Reference was also made to the fact that risk assessments cannot deal with all eventualities as things can change and staff need to be equipped with First Aid knowledge to deal with unexpected circumstances.

Question 1.10: Do you have any other comments with regards to First Aid in Open Access Play settings?

The additional comments received in relation to this question underlined:

- the need for all staff to have First Aid qualifications regardless of the nature of the setting
- consideration to be given to the accessibility, availability, and the impact of the cost of training on settings
- incorporation of First Aid in the Outdoors into any First Aid training standard. to support provision of open access play which can often include the use of adventure playgrounds, parks, and woodland settings (NRW).
- responses informed by the standards that applied to open access published in 2002 and reflect current understanding and practice (Play Wales)

Question 1.11: Child minding assistants must complete their Emergency Paediatric First Aid 6 hours certificate training before commencing work, whereas the standards currently state that new starters in Day Care settings should undertake an Emergency Paediatric First Aid 6 hours certificate within three months of starting work. Should a current Emergency Paediatric First Aid 6 hours certificate be a requirement before starting work in both a child minding and day care setting?

Yes	68	35 percent
No	92	47 percent
Don't know	15	8 percent
No response	19	11 percent

A minority of respondents (35 percent) agreed that a current Emergency Paediatric First Aid 6 hours certificate should be a requirement before starting work in both a child minding and day care setting with around half (47 percent) of respondents considering this should not be the case.

Of those in favour, the question of parity between the different parts of the sector was highlighted as well as the importance of having qualified staff when caring for children.

Comments not in favour of this proposal included those from the NDNA who referred to the 'unanimous opposition to this from those members who attended the NDNA's networking events and webinar'. Reference was made to the different environments in which day care staff and child minders work, with the former having larger numbers of staff and more support available in a First Aid emergency. Concerns were also expressed about the pressure of having all staff trained within the 3-month period, particularly where there may be staff turnover concerns.

Other respondents also referred to issues of funding, access and availability of First Aid training which would cause difficulties in meeting this requirement.

Section 2 – Child Minders

Question 2.1 Do you agree with the inclusion of the additional information as set out in the standards and Annex A with regards to the employment of child minding assistants?

Yes	83	42 percent
No	7	4 percent
Don't know	41	21 percent
No response	63	33 percent

Around half of the respondents (42 percent) agree with the inclusion of the additional information as set out in the standards and Annex A with regards to the employment of child minding assistants. Few respondents (4 percent) disagreed, however the response rate to this question was relatively low with 33% of blank responses.

Comments submitted in response to this question referred to the need for standards to be consistent across the childcare sector with consideration being given to allowing child minder assistants not working alone with children to be able to work towards an appropriate course in line with proposed approach for full day care settings. Respondents welcomed the clarity and consistency provided by the additional proposed information with comments referring to how this would help parents.

Question 2.2 Do you agree that the information at Annex A includes all the relevant information to support the child minder to manage a child minder assistant and their work?

Yes	75	38 percent
No	7	4 percent
Don't know	43	22 percent
No response	67	36 percent

This question received a mixed response. While 36 percent of responses were blank, 38 percent felt that Annex A included all the relevant information to support the child minder to manage a child minder assistant and their work.

Respondents provided suggestions of additional information which could be included in the Annex. These included:

- provision of clearer guidance to cover students who may be on placement in a child minding setting or wider volunteers who are not working in a child minder assistant role
- clarification regarding the minimum age for someone to be employed as an assistant
- further advice concerning the appropriate qualification or specific training for a child minder assistant which was not currently covered on the Social Care Wales Qualification Framework

Question 2.3 Do you have any other comments with regards to Child minder assistants?

In the additional comments received in relation to this question, respondents underlined:

- the need for parity in standards across all childcare settings in respect of staffing ratios and staffing qualifications
- consideration to be given to child minder assistants accessing funding for any mandatory training

Section 3 – Other Staff (Qualifications)

Question 3.1 Do you agree with the proposal that staff who are working towards Level 2 and 3 qualifications can be included within the staffing ratios in full day care settings?

Yes	130	66 percent
No	18	9 percent
Don't know	4	2 percent
No response	42	22 percent

The majority of respondents (66 percent) agreed with the proposal that staff who are working towards Level 2 and 3 qualifications can be included within the staffing ratios in full day care settings. Very few respondents (9 percent) disagreed.

Respondents acknowledged that recruitment is difficult at present and complying with ratios would be easier if staff working toward a qualification could be included in staffing ratios. NDNA and Early Years Wales the organisation representing the Early Years sector referred to feedback from events each held in support of the consultation to gather the views of providers. In both cases providers welcomed the proposal. The NDNA feedback referred to the clarity of the supporting guidance. Early Years Wales and other respondents considered there would need to be close monitoring to ensure the qualification was achieved within clear given timescales. Other comments referred to how this proposal would support childcare apprenticeships.

Question 3.2 Do you agree with the proposal percentage of staff (20 percent) that can be working towards Level 2 and 3 qualifications to be included within the staffing ratios in full day care settings?

Yes	118	60 percent
No	27	14 percent
Don't know	4	2 percent
No response	45	24 percent

The majority of respondents (60 percent) agreed with the proposed percentage of staff (20 percent) that can be working towards Level 2 and 3 qualifications to be included within the staffing ratios in full day care settings. A few respondents (14 percent) disagreed.

Of those respondents who agreed some including Mudiad Meithrin the organisation supporting the early years Welsh medium sector asked for clarity to be provided around whether the 20 percent applied to staffing across the total provision or to a specific room.

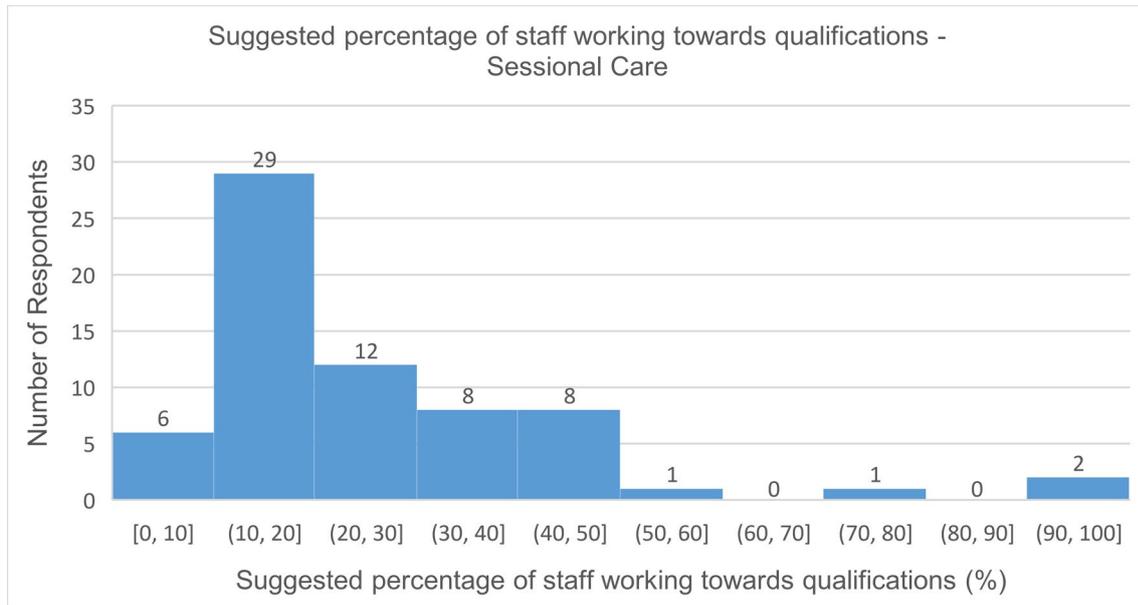
Of those respondents who disagreed comments varied between those who considered the percentage should be higher and those who thought 20 percent was too high or some including one local authority who considered the proposal should only apply to staff with a level 2 qualification working towards a qualification at level 3.

Question 3.3 Should Welsh Government consider the ‘working towards’ element for other settings? If so, which settings? What percentage of staff would you propose is appropriate that can be working towards a Level 2 and 3 qualifications to be included within the staffing ratios?

Question 3.3 was asked in relation to other types of childcare settings i.e., sessional open access and ‘other’ settings.

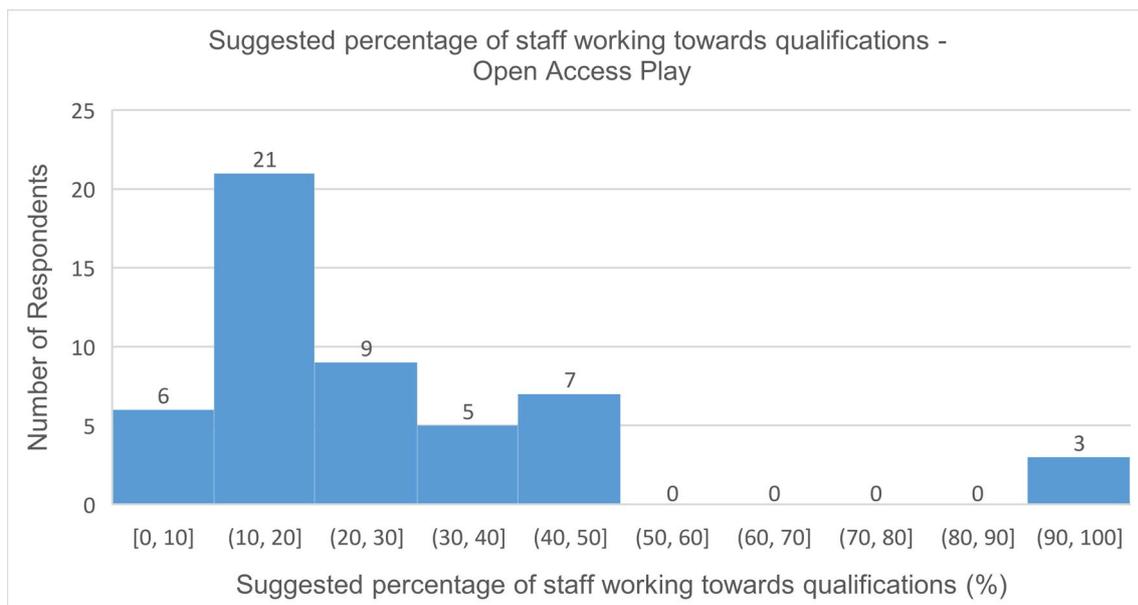
73 respondents responded to this question in relation to **Sessional Care**, with 120 respondents leaving the response blank. Of the 73 respondents, six indicated that no staff working towards qualifications should be included in ratios. Of those who indicated a percentage above 0, responses were as follows:

Figure 1: Suggested percentage of staff working towards qualifications - Sessional Care



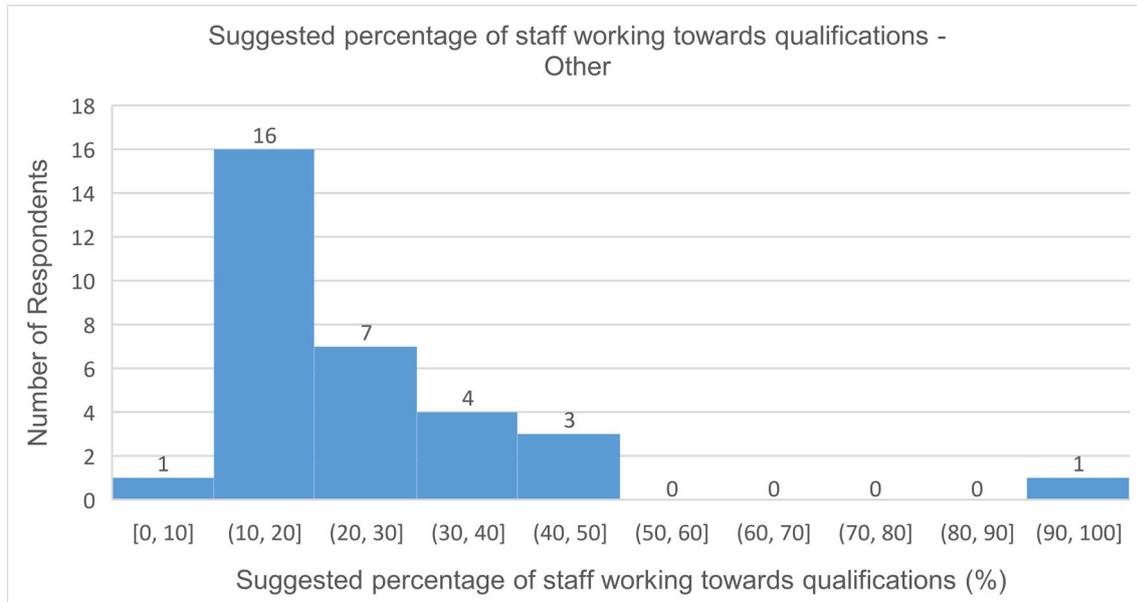
57 respondents responded to this question in relation to **Open Access Play**. 139 respondents left the question blank. Of those who responded, six indicated that no staff working towards qualifications should be included in ratios. Of those who indicated a percentage above 0, responses were as follows:

Figure 2: Suggested percentage of staff working towards qualifications - Open Access Play



39 respondents responded to the question in relation to **Other** childcare settings. 156 respondents left the response blank. Of those who responded, seven indicated that no staff working towards qualifications should be included in ratios. Of those who indicated a percentage above 0, responses were as follows:

Figure 3: Suggested percentage of staff working towards qualifications - Other



In each category above, respondents demonstrated an overall preference that staffing ratios should include relatively small proportions of staff working towards qualifications. A large majority of respondents to each question opted for a proportion under 50 per cent. In each instance, the most popular range was between 10 per cent and 20 per cent.

Comments submitted in response to this question included :

- need to maintain consistent expectations across the range of settings and providers when addressing regulations relating to national minimum standards
- there should be parity across different settings
- size of setting and actual numbers of people needs to be considered, whilst not penalising smaller settings
- a flexible approach to qualifications in the out of school sector would help support clubs remain registered and open at a time when they were facing significant recruitment challenges. Clubs found it difficult to offer longer hours or higher wages and had difficulties finding staff when required to work unsocial hours outside of school day which impacted on their own childcare arrangements.
- further consideration needs to be given to this issue in respect of open access play to take account of differences between seasonal and year-round provision.

Question 3.4 Do you have any other comments with regards to childcare qualifications for day care?

Comments in response to this question included:

- introduction of bridging qualifications to enable new entrants from other disciplines to qualify sooner would support the current recruitment crisis faced by the childcare sector
- list of accepted qualifications to be reviewed to include qualified primary school teachers. Or a short course to cover what is considered missing from their degree level qualification
- acknowledgement that although recruitment is difficult there must be an aspiration for everyone working in childcare to achieve at least a level 3
- a transition course from Teaching Assistant to Playwork/ CCLPD² should be available. This would be of particular benefit to sessional care providers.
- a staffing crisis puts the future of the childcare sector at risk - important to strengthen the workforce
- all staff should have the opportunity to complete a qualification regardless of how many hours they work
- there should be an option to fast-track high quality staff when undertaking training-new framework takes too long

Section 4 – Staffing Ratio (Day Care)

Question 4.1 Do you agree with the proposal to remove the standard requiring full day care settings registered for 20 or more children to discount suitably qualified managers within their staffing ratios?

Yes	88	45 percent
No	37	19 percent
Don't know	19	10 percent
No response	50	26 percent

Around half of the respondents (45 percent) agreed with the proposal to remove the standard requiring full day care settings registered for 20 or more children to discount suitably qualified managers within their staffing ratios. A few respondents (19 percent) were not in favour of this proposal.

Those in favour included almost all of those who attended consultation events provided by the NDNA. Attendees recognised that this proposal would provide them with greater flexibility in responding to emergencies and staffing issues.

² Children's Care, Play, Learning and Development.

Other responses also reflected this with respondents welcoming the ability to ‘make their own staffing decisions particularly when attendance levels are lower than numbers registered’. However, the NDNA also referred to other views expressed at the events from those who believed the requirement should be retained but should apply to a larger number of registered children or alternatively refer to the numbers in attendance.

Early Year Wales welcomed the proposal as a ‘relaxation to assist with times of recruitment difficulty’ but did have ‘concerns of the pressures on managers if this is completely removed’. They referred to the essential administrative and engagement work which managers need to do which could compromise the child: adult ratios if managers were not supernumerary.

Other comments received in response to this proposal referred to the pressure having a supernumerary member of staff had on small settings. One respondent commented if the manager was included in the ratios, it ‘helps make the business more viable’ Comments also included reference to the relaxation of this standard as part of the Covid-19 response and how it successfully gave providers the flexibility they needed to manage staffing.

Comments submitted on behalf of Mudiad Meithrin also welcomed the proposal with respondents of the view that it would ‘help with staffing and costs’ if you don’t need the manager to be "supernumerary" all day’. However, it was also thought that managers would still need to be given sufficient time to do the administrative work associated with their role.

Other comments received in support of the proposal noted:

- would support the ongoing sustainability of the childcare and play sector
- would enable settings to expand their business either in numbers or in types of provision offered
- should only be used to provide flexibility and as part of a response to short notice issues rather than be used as a regular occurrence.

Some respondents considered the proposal would compromise the quality of care in some settings with others being concerned that the removal of the standard would increase the workload of managers needing to carry out administrative duties and dealing with unplanned incidents throughout the day, as well as allowing time for discussions with a range of people such as parents, social workers, health visitors etc.

Question 4.2 Do you agree that the amendments to standard 15.6(DC) give sufficient clarity as to how settings can manage ratios when staff are required to spend time on other tasks?

Yes	87	44 percent
No	30	15 percent
Don't know	23	12 percent
No response	54	29 percent

Around half of the respondents (44 percent) believe that the amendments to standard 15.6(DC) give sufficient clarity as to how settings can manage ratios when staff are required to spend time on other tasks. However, 15 percent of respondents did not agree. It should be noted that 28 percent of respondents did not respond to this question.

Of those who disagree, comments reflected concerns about how CIW would ensure that there was not a fall in standards; with others suggesting there is no way to check if management is carrying out administrative activities in the allocated time or they are doing it beyond office hours.

Some local authorities believe standard 15.5 should be more specific and more clarity around 15.6 should be given.

Of the respondents (12 percent) who provided a 'don't know' response supporting comments referred to:

- the need for greater clarity and parity in the approach adopted across the childcare sector
- concern that the standard would not be adhered to and an increase in workload for managers
- need for this to be 'judged on each individual childcare setting and their circumstances'

Question 4.3 Do you have any other comments with regards to staffing ratios in day care settings?

Of the additional comments in response to this question these included:

- concern about the change in wording between current standard 15.6 and updated standard 15.5(DC) regarding the change from 'may be required' to 'will be required' in respect of tasks which impact on required adult: child ratios. Clarity required in respect of how this relates to staff who stay in the room but are briefly otherwise occupied e.g., preparing snacks
- staffing challenges since the pandemic. Changes to the supernumerary standard need to be accompanied by safeguards for the workforce so that providers are supported in making sensible and pragmatic business choices for efficient use of staff, but that individual staff members are protected from having to complete managerial and administrative tasks in their own time
- should the requirement for a supernumerary be retained, it should apply to the numbers attending rather than the numbers registered.
- clarification needed about ratio of qualified staff needed when settings have more staff working than required to meet minimum staffing ratios.

Section 5 - Quality

Question 5.1 Do you agree that the expanded information as set out in the proposed Standard 18 supports the continuous improvement of quality childcare services?

Yes	112	57 percent
No	10	5 percent
Don't know	15	8 percent
No response	59	30 percent

Over half of the respondents (57 percent) agree the expanded information as set out in the proposed Standard 18 supports the continuous improvement of quality childcare services.

Respondents recognise the value of high-quality childcare and welcome the expanded information as positive. The Children's Commissioner for Wales considered the expanded 'statement strengthens the processes for children's voices to shape quality of care provision and suggests areas for improvement in line with the UNCRC (article 12)'. Respondents also welcomed the links to the development of the Early Childhood Education and Care quality framework.

Question 5.2 Do you have any other comments with regards to Quality?

The additional comments submitted in response to this question included the following:

- Calls for a universal quality standard followed across Wales as many settings use varying schemes
- would be good to see how the additional information should be used/documented in practice, provide training for expectations and suggested frameworks
- settings should always ensure that CPD³ opportunities are available for staff and should support staff to address the gaps in knowledge through regular appraisals/supervisions
- in line with the ECEC⁴ Quality Framework it would be useful to make direct links to specific resources/training. This will support the NMS being a useable document for practitioners.
- qualified playworkers would have a clear understanding of what quality looks like as quality underpins playwork qualifications. (Play Wales)
- consistency across Wales in terms of documentation to support the requirements of Estyn and CIW

³ Continued Professional Development

⁴ Early Childhood Education and Care

- additional focus on ensuring quality through reflection, review and planning for improvement aligns closely with the joint inspection framework and is likely to encourage and support settings and providers with this work
- settings will need additional support, funding, affordable training and mentoring to understand what quality means and how they can monitor it.

Section 6 - Safeguarding

Question 6.1 Do you agree that all staff working in childcare and play work settings should undertake mandatory safeguarding training?

Yes	138	70 percent
No	3	2 percent
Don't know	2	1 percent
No response	53	27 percent

Many respondents (70 percent) agreed with the proposal all staff working in childcare and play work settings should undertake mandatory safeguarding training, with very few (2 percent) disagreeing.

Whilst many supported the proposals with comments including 'safeguarding is everybody's responsibility and must be a priority' concerns were expressed about the costs involved in ensuring all staff had safeguarding training and the practicality of getting all staff onto courses. Suggestions were made that there should be a suitable lead in time to allow providers to meet this requirement and a sufficient level of local authority resource to support this.

Comments were also made in relation to the delivery of courses with concerns 'voiced over the level of learning gained from remote training'. However other comments supported online learning to support staff in accessing relevant training.

Play Wales commented that as safeguarding information and practice is already included in the content of playwork qualifications the requirement for additional specific safeguarding training would depend on the context of the staff's employment. For example, whilst full-time qualified playworkers employed year-round might reasonably be expected to undertake specific safeguarding training, for staff working in settings operating for only two or three weeks per year the requirement for additional training other than basic safeguarding awareness would in their view be disproportionate.

Question 6.2 Do you agree that different roles within childcare and play work settings should have different training requirements? Does Annex C adequately reflect the roles that should be in the different groupings?

Yes	101	52 percent
No	24	12 percent
Don't know	13	7 percent
No response	58	30 percent

The majority of respondents (52 percent) considered that different roles within childcare and play work settings should have different training requirements with a few (12 percent) not agreeing.

There were a number of comments about whether Annex C adequately reflected the roles that should be in different grouping, these included:

- disagreement that responsible individuals need to undertake the same 2-day course as the person-in-charge or setting manager. In many organisations responsible individuals are senior managers with oversight rather than day-to-day operational delivery or contact with children
- deputy/assistant managers and nursery room leaders should undertake Level 3 not Level 2 course
- the requirement as applied to Groups A and B, may already have been addressed in the playwork qualification undertaken
- welcome the clarity provided in Annex C and agree that it adequately reflects the roles that should be in the different groupings
- any compulsory training should be provided free of charge
- the different safeguarding needs of children of different ages needs to be addressed in the training
- important to align with Social Care Wales's National Framework for Safeguarding Training.

Question 6.3 Do you agree the mandatory training at Annex C should be cumulative, e.g., Group A training needs to be completed before Group B and so on?

Yes	81	41 percent
No	32	16 percent
Don't know	20	10 percent
No response	63	32 percent

Around half of respondents (41 percent) agreed that the training at Annex C should be cumulative with a few respondents (16 percent) disagreeing.

Comments provided in response to this question included:

- high risk of unnecessary duplication if training is made to be cumulative
- if a cumulative model is introduced, need to ensure training covered different aspects of safeguarding for each group so that duplication of content was avoided

- group A elements could be combined into higher groups' training 'to streamline and provide more effective training'
- need for cumulative training depended on the experience of the individual staff and the same approach not appropriate for all
- queries about the need for all groups of training to be refreshed as frequently as set out at Annex C. For example, was it necessary for staff in group C to refresh their group A and B training in the same timeframes as others
- questions of cost - who would fund the training?
- need for clarity over where responsibility lay in school based/community settings for ensuring non-childcare staff such as caretakers/cleaners had undertaken appropriate training
- need to consider the impact of a cumulative approach on recruitment of child minders who would be expected to complete Group, A, B and C training within their first six months of operation.

Question 6.4 Do you have any other comments with regards to Safeguarding?

Of the additional comments submitted in response to this question these included the following:

- if the required safeguarding training were to be included within qualifications, it would support the financial impact on providers whilst also ensuring that newly qualified entrants into the sector have the appropriate safeguarding qualifications (NDNA)
- 'Caution in the use of self-taught online modules.' The 'best safeguarding training comes from in-person training where the nuances of thinking can be explored and the confidence to report can be considered by experienced tutors.' They also made the point that 'as safeguarding can be triggering for individuals, they would always prefer to see training in a context where the individual can be immediately supported if needed' (Early Years Wales)
- the importance of all staff completing the same training 'as this will enable them to have a collective understanding when witnessing a Safeguarding incident. Without all my staff being knowledgeable we would perhaps miss things as they would not identify it as a risk and not be highlighted to me' (Manager of a childcare setting)
- mandatory safeguarding training should only apply to staff who were present when children were at a setting
- how do the safeguarding requirements on childcare settings align with those required in school settings?
- mandatory safeguarding courses should be funded

Section 7 – Other Amendments

Question 7.1 Are there any other minor amends that Welsh Government should consider making at this time? Please specify the specific standard and proposed amend.

Of the additional suggested amendments submitted in response to this question these included the following:

- providing greater flexibility in the child minder ratios to allow a child minder to care for more than 3 children under the age of 5 years
- clarification within the NMS as to how outdoor provision can be supported to become registered would be beneficial to support providers to find innovative solutions for suitable venues
- greater emphasis within the NMS of the need for children to maximise the time spent outdoors
- if a setting provides regular sessional care, even for less than 2 hours, the regulatory requirements should be the same as providers registered for over 2 hours.

Question 7.2 Do you have any other comments or suggestions with regards to the NMS that you wish to provide at this time?

Of the additional comments or suggestions submitted in response to this question these included the following:

- the Children's Commissioner for Wales, referred to the role of the childcare and play work sector in ensuring children's rights are upheld and referred to the importance of the 'role of the sector in sharing the UNCRC and information about children's rights with children'. The Commissioner suggested it may be useful to consider how this role is reflected within the NMS.
- it was suggested that the standards should have a new title 'settings need to strive to be more than just 'minimum''. PACEY Cymru suggested a change of title to National Quality Standards.
- PACEY Cymru would welcome a 'closer look at ratios for the wider childcare and play sector'.
- NMS should be available via an 'App' to make them more accessible to settings.
- Play Wales advised that their responses were informed by the standards that applied to open access published in 2002 and which reflect current understanding and practice.
- registration requirements need to be more proportionate depending on the type of provision e.g., after school clubs are deterred from registering because of the onerous process. Therefore, they are running as unregistered for under two hours which disadvantages parents who cannot claim financial support as well as the clubs who cannot take advantage of grants and support.

- appears to be a disparity between first aid qualifications required in schools compared with childcare settings the reasons for which are unclear.

Section 8 - Equal Opportunities

Question 8.1 Do the current standards make sufficient regard to issues of race and racism?

Yes	93	47 percent
No	15	8 percent
Don't know	19	10 percent
No response	68	35 percent

Around half of the participants (47 percent) believe the current standards make sufficient regard to issues of race and racism. Very few (8 percent) respondents did not agree.

Some respondents suggested increased good practice in the area, including but not limited to mandatory training and use of wording such as 'anti-discriminatory practice'.

Mudiad Meithrin considered that 'more attention needs to be paid to race and racism in the standards and to other 'areas of equality, such as disability, gender, sexual orientation, religion'

The Children's Commissioner for Wales suggested that as highlighted within the Anti-Racist Wales Action Plan, there remain inequalities experienced by children from ethnic minorities within the sector and recommended that the standards should highlight the specific need to promote effective recording of incidents of racism or discrimination, with procedures in place for how these incidents will be responded to in line with relevant equalities legislation.

Question 8.2 Should issues of race and racism be captured within the NMS?

Yes	83	42 percent
No	22	11 percent
Don't know	21	11 percent
No response	69	35 percent

Around half (42 percent) of the respondents believe that issues of race and racism should be included in the NMS with a few respondents (11 percent) thinking otherwise.

Of those in favour, some believe that it would be appropriate for the NMS to foster an ethos of respect and encourage an approach to equality that applies to all protected

characteristics. The NDNA considered the Anti-racist Wales Action Plan should be referenced within the NMS as this would ensure that settings are incorporating its actions within their own daily routines and operational plans.

Some respondents believe that the current legislative efforts and plans including the Anti-Racist Wales Action Plan cover the issue of racism, and so it does not need to be incorporated in the NMS. Others were of the view that 'we should treat all children and adults equally with respect' and so do not need 'to identify one element within the standards. Members of Clybiau Plant Cymru Kids Clubs expressed concern that 'separate standards covering race/racism would imply that other standards are not inclusive'.

Question 8.3 What amends could be made to the existing standards to reflect appropriate change?

Respondents suggested the following amendments which could be made to existing standards in response to this question:

- strengthen the references to Equal opportunities/Equality and Diversity both at Standard 16 and in the introductory pages to the standards to highlight the importance of equality of opportunity, embracing and respecting diversity and challenging injustice as a cross cutting concept. Could include information that motivate practitioners to promote anti-racist practice and address barriers more proactively such as, conscious, and unconscious bias and stereotyping.
- standard 16 should be strengthened to reference the Anti Racist Wales Action Plan and Equality legislation.

Question 8.4 Are there any other amends that Welsh Government should consider making at this time with regards to Equal Opportunities and/ or race inequality?

Respondents suggested the following other amendments which could be made in response to this question:

- further guidance to support inclusive wording for all children within the Statement of Purpose guide published by CIW
- consideration to be given to developing an inclusive approach for all children to include change of wording for Standard 1.3 which stipulates that the Statement of Purpose must include information about the 'sex and number of children' cared for

there needs to be an acknowledgement that the NMS will be updated and amended based on evolving needs, representation, and good practice.

Section 9 - Welsh Language

Question 9.1 What effects do you think there would be on the Welsh Language? How could positive effects be increased, or negative effects be mitigated?

Comments submitted in response to this question(s) included:

- the proposed changes to mandatory First Aid and Safeguarding Training mean that Welsh speaking staff should be able to access this training through the medium of Welsh. Ensuring this is possible may add further financial burdens to settings as well as time and availability constraints
- the proposed changes to Standards 13 (suitable person) and 15 (staffing ratios) should have a positive effect on the Welsh Language by allowing some flexibility and helping to address some of the specific challenges around recruiting and retaining Welsh medium staff
- consideration should be given to ways in which the NMS could be strengthened to ensure the development of the Welsh language. For example, consideration could be given to the development of a specific standard to support the implementation of More Than Just Words in Child Care and Play settings.

Question 9.2 We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them.

Respondents suggested several areas for further discussion, including:

- need for more direct engagement with childcare providers rather than always relying on feedback from representative bodies
- more Welsh Government funding for staff in English medium sector to have Welsh language training
- greater engagement with families to allow them to express their preferences on childcare.

Next steps

Now that we have analysed the responses, we intend to refine the detail around the proposed changes with input from our partners (local authorities, childcare and play umbrella organisations in Wales). This will help ensure the NMS and associated guidance supports the childcare and play sector through the provision of clear guidance to meet the relevant requirements of the standards and regulations.

Annex: List of respondents⁵

Amanda Davies – Childminder
Bishopston Play Association
Bright Start Day Nursery
Brighter Minds Childcare Ltd
Building blocks nursery
Caego & Berse Church hall Day Nursery
Caerphilly CBC
Cardiff University Little Scholars Nursery
Castleton Pre-School and Nursery
Childminders
Children in Wales
Children's Commissioner for Wales
CIW
Claudette Fleming – Childminder
Clybiau Plant Cymru Kids' Clubs
Cwtch childcare
Cylch Meithrin Trelai
Doodles Childcare
Early Years Wales
Four Seasons Childcare
Fun Foundations Day Nursery Limited
HM Chief Inspector of Education and Training in Wales
Little stars
Little Stars (Deeside) LTD
Meithrinfa Cwtsh y Clos
Melanie Phillips – Childminder
Merthyr Tydfil Early Years and Flying Start

⁵ It should be noted that this is not a comprehensive list of respondents, it only includes the respondents who did not wish their response to be anonymous.

National Day Nurseries Association (NDNA)

Natural Resources Wales

Professional Association for Childcare and Early Years (PACEY Cymru)

Paradise Community Nursery

Pembrokeshire CBC

Play Wales

Pro Care & Support Services Ltd T/A Penrhiw Nursery

St. Helen's Cygnets Flying Start

Supertots

Susan G Lloyd - Childminder

Tiggywinkles Day Nursery

Tir Na Nog Daycare, Bangor University

Woodpeckers

WOODVILLE playgroup