

Equality Commission: Response to draft Delivery plan for Indicator 15: (% of children at appropriate stage of development in their immediate pre-school year).

- 1.1 In January 2016, the Equality Commission ('the Commission') highlighted¹ priority issues and recommendations to be advanced through the Programme for Government (PfG) and Budget. In our July 2016 response to the Programme for Government Framework consultation², the Commission reiterated that the PfG should include actions to:
- ensure access to appropriate, accessible and affordable childcare;
 - address educational inequalities, including those experienced by particular Section 75 groups;
 - address poverty and social exclusion experienced by a range of Section 75 equality groups.
 - reduce health inequalities experienced by particular Section 75 groups, including removing barriers to children and young people accessing age-appropriate health care services and addressing the specific health care needs of people with disabilities and young people's mental health needs;
- 1.2 We note the reference in the draft delivery plan to forthcoming Strategies including the Social Strategy and the Children and Young People's Strategy. We will respond to these draft Strategies in due course and we wish to see our specific PfG recommendations advanced through these and other Strategies that underpin the PfG.
- 1.3 The following considers the delivery plan content (version downloaded on 23 January 2017) against the key inequalities and policy priorities highlighted by the Commission in January 2016.
- 1.4 We hope that this information, in tandem with our response to the consultation on the draft PfG³, will be of assistance in the further development of the delivery plan.

We recommend actions to reduce health and educational inequalities experienced by particular Section 75 groups.

- 1.5 We welcome the proposed intervention in the draft delivery plan to "*adopt and embed a coordinated and collaborative approach to the investment in and implementation of early childhood development policies and programmes*" so as to improve the social and emotional development of children aged 0-4⁴.

¹ [ECNI \(2016\), Equality Commission recommendations for the 2016-19 Programme for Government \(PfG\) and Budget \(first published January 2016, refined May 2016\)](#) .

² ECNI (July 2016) [PfG Framework - Full Response](#)

³ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

⁴ 'We will adopt and embed a coordinated and collaborative approach to the investment in and implementation of early childhood development policies and programmes, and transform practice across core maternity, health visiting and early years education and learning services to improve the social and emotional development of children aged 0-4.' DP Indicator 15

- 1.6 Further, we note the reference to research and evidence on the need for better interagency working in order to improve outcomes for children, together with the reference to the Children's Services Cooperation Act which places a statutory duty on departments to work together. We welcome the reference in the draft delivery plan to the fact that "*health and education have a clear role in engaging directly with parents and children in the early years*"; as well as the Executive commitment, through PfG, to establishing a multi-agency approach to improving early childhood development.
- 1.7 We also welcome the commitment in the draft delivery plan that the Department will work with other key Departments in the delivery of actions within the PfG and beyond aimed at improving well-being and tackling disadvantage through high quality early years education and childcare provision. Further, we welcome the intent in the draft delivery plan to "*strengthen relationships and partnership working to integrate early years health, education and community assets to meet the needs of children*".
- 1.8 We have made it clear that we support greater partnership working and cross-departmental working in the development and delivery of the PfG and the delivery plans, as means of increasing efficiency and effectiveness in achieving the proposed outcomes; as well as full engagement and co-design with stakeholders in every stage of development and delivery⁵.
- 1.9 We also note that the draft delivery plan highlights the Executive's recognition that investing in early childhood development can help drive transformation⁶ and that this places combined responsibilities on us all⁷. In addition, we note that the draft PfG makes it clear that "*a child's experiences in these first five years are foundational to their lifelong health and well-being*" and that "*early intervention in the early years provides an opportunity to interrupt intergeneration transmission of underachievement and lost opportunity, and to improve outcomes for children and their families*"⁸.
- 1.10 In our PfG recommendations, we have recommended actions to improve health outcomes for particular Section 75 groups, as well as the need to identify and remove barriers to health and social care and well-being experienced by particular Section 75 categories⁹. We have also recommended actions to ensure the investment in health care to address the specific needs of equality groups, including the health care needs of people with disabilities¹⁰, and young people's mental health needs. This includes removing barriers to children and young people accessing age appropriate health care¹¹.

⁵ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

⁶ The draft delivery plan indicates that the Early Intervention Transformation Programme '*has been a catalyst for beginning the process of delivering and embedding transformational change in early years health and education services*'.

⁷ The draft delivery plan refers to research recognising the combined responsibilities of family, community, professionals, practitioners and government in promoting the healthy development of children

⁸ TEO (2016) [Programme for Government Consultation document](#) at page 165.

⁹ ECNI (September 2016) [Summary: PfG and Budget Recommendations](#)

¹⁰ For further information on the barriers to health and social care we have highlighted in relation to disabled children and young people, see IMNI CRPD (ECNI / NIHRC) 2014 [CRPD Parallel Jurisdictional Report](#)

¹¹ ECNI (2016) [Age equality: Draft policy priorities and recommendations](#)

- 1.11 Further, in our response to the draft PfG we made it clear that we recommended a clearer commitment to address educational inequalities experienced by a range of Section 75 groups. We indicated that whilst there are a range of measures set out within the PfG and delivery plans which had the potential to address educational inequalities, in the main, they were not targeted at particular equality groups¹².
- 1.12 We consider that all children and young people must be valued equally and believe that they should be allowed the opportunity to develop to their full potential. In our PfG recommendations, we have recommended specific actions to reduce educational inequalities¹³. In our draft *Statement on Key Inequalities in Education* (2015), we have also highlighted a number of key inequalities in education¹⁴, as summarised at <http://www.equalityni.org/KeyInequalities-Education> .
- 1.13 We have also, for example, highlighted concerns raised in relation to the quality of educational experiences received by children with disabilities in Northern Ireland¹⁵; in particular, concerns raised at the lack of resourcing, planning, training, participation and support¹⁶. More recently, we are aware that concerns¹⁷ were raised in relation to a proposed reduction¹⁸ in the amount of nursery and pre-school provision for children in special schools. We note that following the raising of such concerns, the Education Authority has indicated its intention to suspend the proposed cuts until the completion of a review¹⁹.
- 1.14 As set out above, whilst we welcome a number of commitments and proposed actions in the draft delivery plan, we recommend the inclusion of additional specific actions, through early intervention in the early years, aimed at reducing health and educational inequalities experienced by particular Section 75 groups.

¹² ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#), p14

¹³ ECNI (September 2016) [Summary: PfG and Budget Recommendations](#)

¹⁴ ECNI (2015), [Draft Statement on Key Inequalities in Education \(2015\)](#)

¹⁵ See IMNI CRPD (ECNI / NIHRC) 2014 [CRPD Parallel Jurisdictional Report](#)

¹⁶ Harper, C., McClenahan, S., Byrne, B. and Russell, H. (2012): [Disability programmes and policies: How does Northern Ireland measure up? Monitoring Implementation \(public policy and programmes\) of the United Nations Convention on the Rights of Persons with Disabilities in Northern Ireland](#), pages 192-193 (ECNI) and [UNCRPD: Shortfalls in public policy and programme delivery in Northern Ireland relative to the Articles of the UNCRPD Summary Report \(2014\)](#). A 2007 ETI report also noted particular difficulties with delay and shortcomings in the planning and assessment of children's special educational needs in all types of pre-school provision, see ETI (2007) [Special Education Needs in the Pre-school Sector](#).

¹⁷ In a submission to the Northern Ireland Assembly, the Strategic Leadership Forum for Special Schools, a body that represents special school principals and governors, said they '*totally disagree*' with the move which would '*hold back and restrict the development of children with complex needs*' and have a range of adverse impacts.

¹⁸ In March 2016, the Education Authority (EA) announced that from September 2016 the amount of nursery and pre-school provision for children in special schools was to be reduced from 4.5 hours per day to 2.5 hours. The EA claimed that the move '*is designed to increase the opportunity for children to access special school places*' and will provide '*greater regional consistency*'. bbc.co.uk/news/northern-ireland-35750654

¹⁹ In response to concerns expressed by parents and by MLAs, EA indicated its intention to suspend the proposed cuts until the completion of a review over six months had taken place. bbc.co.uk/news/northern-ireland-36440310

We recommend additional actions to ensure access to appropriate, accessible, affordable childcare.

- 1.15 We note the commitment in the draft delivery plan to ‘*extend responsive, quality provision in early childhood education and care initiatives for families with children aged 3-4 of up to 38 weeks per year*’. Similarly, we note the commitment ‘*to improve the quality of early childhood development services by increasing the capacity of the workforce*’.
- 1.16 However, notwithstanding these and other commitments relating to childcare in the draft PfG delivery plans, we have made it clear in our response to the draft PfG, that we are concerned that there is a lack of specific actions to deliver a comprehensive strategy and actions for appropriate, accessible and affordable childcare as recommended as necessary by the Commission. We have recommended that this is addressed in the final PfG²⁰.
- 1.17 The Commission responded²¹ to the Executive’s consultation on a draft Childcare Strategy (2015), recommending coordinated lead responsibility for the Strategy by a single Department in order to deliver high quality and integrated childcare that had tangible commitments to meet the childcare needs of all children-including disabled children, minority ethnic children and newcomer children and children from a rural background. We recommend the provision, and monitoring of uptake, of appropriate, accessible and affordable childcare and early years provision more generally to meet the diverse needs of all children. We note that the Executive’s final Childcare Strategy is still awaited and look forward to its publication in the near future.
- 1.18 Research²² commissioned by the Commission sets out conclusions and suggested immediate and strategic actions for the improvement of childcare provision in Northern Ireland²³.
- 1.19 We therefore recommend additional actions in the delivery plan to ensure access to appropriate, accessible, affordable childcare – to the benefit of children and to those with caring responsibilities.

The Commission continues to stress the need for action to address poverty and social exclusion experienced by a range of Section 75 equality groups

- 1.20 Our PfG recommendations²⁴ stress that, in addition to the need to improve outcomes for Section 75 equality groups, there is also the need for urgent action to address poverty and social exclusion experienced by a range of Section 75 equality groups.

²⁰ ECNI (2016), [Response to the Executive’s consultation on a draft Programme for Government 2016-21](#)

²¹ ECNI (2015) [Response to Executive’s draft Childcare Strategy 2015-2025](#) The Commission’s position on childcare, ECNI (2013) [Policy Position on Childcare](#) recommends ‘*appropriate, accessible and affordable childcare to meet the needs of all children*’ and that it is flexible and sustainable.

²² McQuaid R, Graham H, Shapira M (2013) [Child Care: Maximising the Economic Participation of Women](#) ECNI

²³ These include actions in relation to child and family friendly employer practices and policies and to increasing quality and diversity in the childcare workforce.

²⁴ ECNI (September 2016) [Summary: PfG and Budget Recommendations](#)

- 1.21 While socio-economic disadvantage is not a specified ground under the equality legislation, the barriers and inequalities experienced by Section 75 equality groups, including children and young people, can be exacerbated by poverty and social exclusion.
- 1.22 We note that the draft delivery plan refers to research highlighting the negative effects of socio-economic disadvantage on developmental outcomes, particularly for children experiencing the highest levels of disadvantage²⁵.
- 1.23 We recommend actions in the draft delivery plan aimed at addressing poverty and social exclusion experienced by a range of Section 75 equality groups.

We recommend actions to address key shortfalls in Northern Ireland to ensure compliance with obligations under international human rights conventions, including the UNCRPD.

- 1.24 We welcome that the draft delivery plan indicates that early childhood development is recognised as essential to meeting the 2030 Agenda for Sustainable Development and is included in the UN Sustainable Development Goals (SDGs)²⁶.
- 1.25 In our response to the draft PfG we recommended that the high-level commitments in the draft PfG to compliance with international human rights conventions and the SDGs, were mainstreamed into the specific actions associated with the PfG indicators and into delivery plans.
- 1.26 We however also recommended actions to address key shortfalls in Northern Ireland to ensure compliance with obligations under international human rights conventions, including the UNCRPD and UN Convention on the Rights of the Child (UNCRC). The Commission has identified a range of shortfalls with regards to potential gaps in compliance with international obligations which may be of assistance in addressing this recommendation²⁷.
- 1.27 In our response to the draft PfG we noted that the SDGs include goals and targets on tackling poverty and reducing inequalities, as well as a specific goal on achieving gender equality. We identified a wide range of actions that we recommended were taken in support of achieving the SDGs across the Section 75 categories²⁸.
- 1.28 We note that, whilst there is a reference to the link with early childhood development and the SDGs in the draft delivery plan, there is no reference to a commitment to ensuring compliance with obligations under the UNCRPD, the

²⁵ The draft delivery plan references *inter alia*: Barnardo's (2007) [It doesn't happen here report](#); Melhuish et al (2006) [Effective pre-school education in Northern Ireland](#) EPPNI / OECD; Early Intervention Foundation (2015) [The Best Start at Home](#); Rochford S, Doherty N, Owens S (2014) [Ten Years of Learning](#) Dublin CES. The last of these includes better interagency working and community consultation and engagement in its seven key areas for change.

²⁶ Goal 4 "Ensure inclusive and quality education for all and promote lifelong learning." See UN Sustainable Development Goals (SDGs) contained in [Transforming our world: the 2030 Agenda for Sustainable Development](#), 2015

²⁷ We have highlighted, for example, that there are key gaps, in terms of policies and programmes, aligned to a number of UNCRPD Articles, including Article 14 (Education), to be addressed. See footnote 17 above.

²⁸ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

UNCRC²⁹ or other international human rights conventions, for example, as regards the area of early stage education, or to addressing any identified shortfalls in compliance. We recommend this is addressed in the delivery plan.

We recommend all relevant PfG indicators are tracked for the impact across Section 75 categories and gaps in equality data are addressed.

- 1.29 In our response to the draft PfG we noted and welcomed the introductory high level PfG commitment to addressing key inequalities, particularly those experienced by the Section 75 equality groups, and to tracking progress for these groups in relevant PfG population indicators or associated performance indicators.
- 1.30 However, we were concerned that planned actions across the PfG and delivery plans may fall short. We also highlighted in our response to the draft PfG the lack of data disaggregation in relation to some equality grounds, such as ethnicity, disability and gender. We recommended that the final PfG and delivery plans should contain clear commitments to address these recommendations³⁰.
- 1.31 We welcome the assertion in the draft delivery plan that *'[p]utting baselines in place and establishing regular monitoring arrangements forms part of the data development agenda for the Programme for Government'*; as well as the commitment to *'develop a regional approach to measuring children's development in their immediate pre-school year and put in place timely interventions for those children and families who need additional support'*.
- 1.32 We continue to recommend that all relevant PfG indicators are not only tracked in aggregate but *also* for the impact on individuals from each of the Section 75 categories.
- 1.33 Further, we note that the proposed lead measure is a new measure, introduced on a pilot basis in Autumn 2016, and that there is currently no universal indicator or measure of overall early childhood development, though a range of data exists relating to *'specific aspects of parental health and well-being, socio economic status, various aspects of health conditions, and social services involvement'*³¹.
- 1.34 We also note that the draft delivery plan acknowledges that *"ASQ:SE³² may not be suitable for all children and that consideration will be given to a suitable measurement tool for low incidence populations"*.
- 1.35 Where robust data is not available to measure the impact on children across the Section 75 categories, including disabled children, and minority ethnic children, we recommend there is a commitment in the delivery plan to progress further work, at the earliest possible opportunity, to address gaps in equality data, as well as the

²⁹ It will be noted that the UNCRC Committee published its concluding observations on the UK fifth periodic report in 2016. [UN CRC Concluding Observations UK 2016](#) include *inter alia* recommendations on coordination, allocation of resources, monitoring, family environment, children with disabilities, health and health services, mental health, environmental health and standard of living, including 1.2 of the Sustainable Development Goals on poverty reduction.

³⁰ ECNI (2016), [Response to the Executive's consultation on a draft Programme for Government 2016-21](#)

³¹ TEO (2016) [Programme for Government Consultation document](#)

³² Ages and Stages Questionnaire: Social-Emotional

lack of data disaggregation, including through a timetabled data development agenda.

30 January 2017