

childcare counsel



Hannah Belton, director of Morgan La Roche, provides an update on statutory sick pay and coronavirus

In what circumstances is statutory sick pay (SSP) payable?

People who are not sick but are required to self-isolate fall under the definition of 'incapacity' for the purposes of SSP. This means they are entitled to SSP during self-isolation.

When is SSP due?

SSP is only payable if the employee self-isolated for at least four days; if so, they are entitled to SSP from day one.

Which groups are excluded?

Those required to quarantine after returning from overseas.

What evidence can employers ask for?

Online isolation notes should be provided by employees. Alternatively, employers can request evidence that the employee has been contacted by the appropriate authorities.

Small employers

The SSP rebate scheme for small employers ended on 30 September.

What about employees who have chosen not to be vaccinated?

Regardless of the reasons someone has not to be vaccinated, if they are required to self-isolate and/or catch Covid, they are still entitled to SSP.

Is an employee entitled to contractual sick pay when required to self-isolate?

This will depend upon the terms of the contract of employment and the relevant sick pay policy. If, for example, these provide that contractual sick pay is payable whenever SSP is payable, meaning that the same eligibility criteria apply, the employer would need to make payment in full where SSP is triggered by self-isolation, whether or not the employee has symptoms. However, such a policy or clause is unusual. More commonly, contractual sick pay is triggered by sickness only. In that case, it is unlikely that self-isolation, in the absence of symptoms or a diagnosis, would be caught.

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qualification levels: part 5

Five stars

The new Level 5 apprenticeship has attracted a lot of interest. **Charlotte Goddard** finds out all about it



ILLUSTRATION ELLIE WALTON

After four years of wrangling, the early years sector finally has a Level 5 apprenticeship. The Level 5 Early Years Lead Practitioner Apprenticeship launched in August. It has been hailed as a 'huge boost' for the sector, allowing practitioners to progress their career and develop leadership skills while also enhancing their practice and knowledge of child development.

Interest in the new qualification has been high, says Diana Lawton, managing director of nursery group Our Monkey Club and longstanding member of the trailblazer group that developed the apprenticeship. 'I was contacted by 500 people in the space of ten days after the launch, wanting more details,' she says.

Career progression

Laura Upton, workforce improvement advisor at Leicestershire County Council and chair of the trailblazer group, says the

Level 5 apprenticeship was developed to tackle the growing recruitment and retention crisis and boost professionalism in the early years sector. It aims to offer a way of progressing a career in early years through practice leadership rather than administration and office-based work.

'We are looking at a lead practitioner, but they don't necessarily lead a team or manage a setting,' says Lawton. 'This is about enabling practitioners to step up into mentoring and supervising roles, not driving people away to focus on leadership and management. We don't want our brilliant practitioners dragged into offices.'

Early Years Lead Practitioners are envisaged as working with children in the same way as their Level 2 and 3 colleagues. At the same time, they will draw on a wide range of theories and pedagogies and an enhanced knowledge of child development to act as an advocate for children and lead through their exemplary practice.

Target market

The apprenticeship is aimed at new recruits to the sector, newly qualified practitioners and established and experienced practitioners who want to progress but do not want to attend a university course. The DfE added the Level 5 apprenticeship to its list of full and relevant qualifications in October. Practitioners with Level 3 qualifications from other sectors, will now be able to progress their learning at the same time as gaining a 'full and relevant' qualification which allows them to count in ratios, says Lawton.

'Residential care workers, teaching assistants and health and social care workers come in at Level 3 expecting to be able to work in early years and find they can't,' she says. 'This apprenticeship allows them to convert their Level 3 into a full and relevant Level 5 so they don't have to go back to do Level 3 again.'

Childminders are generally not able to take the apprenticeship as they are self-employed. 'The Institute for Apprenticeships and Technical Education has specific guidelines: you must have someone, or a group of people, you can learn from and be an apprentice to,' explains Upton.

Top-up degrees

The trailblazer group had hoped the apprenticeship would include a foundation degree, but it was decided that as the 'licence to practice' in the early years sector is at Level 3, the apprenticeship should instead include a Level 3 Early Years Educator qualification. 'The Institute for Apprenticeships is determined not to embed a qualification in an apprenticeship unless it is mandatory for those working in the sector,' says Lawton.

However, universities and colleges should still accept the Level 5 apprenticeship as a

qualification that can be 'topped up' with extra study to become a degree, in the same way as foundation degrees. 'We have worked with universities to make sure everyone is happy with the standard,' she says.

Upton adds, 'We feel we have developed a sufficiently robust end-point assessment to ensure that those who pass are able to be considered onto a degree top-up programme as a route to achieving Early Years Teacher Status.'

Aaron Bradbury, principal lecturer in early childhood at Nottingham Trent University, says his institution is highly likely to allow Level 5 apprentices to 'top up' their qualification with a year's extra study to gain a degree. 'There will be a large cohort of professionals who will want to continue their study because they will get a feel for higher education,' he says.

The apprenticeship offers an alternative to the Level 5 foundation degree, popularised in the 2000s. Another option is 'full and relevant' Level 5 diplomas, which are offered by NFCE CACHE, Pearson and City & Guilds. 'I am particularly pleased that the Level 5 vocational qualifications are now becoming a solid alternative to the academic Level 5 route, foundation degrees,' says Emma Harvey, lecturer and assessor, early years and education, at Suffolk New College. 'The foundation degree route is still very popular for practitioners wishing to move into teaching, social work and other graduate professions, but for those who wanted to complete a higher-level vocational qualification and remain practising in a setting, the options used to be quite limited.'

The other advantage of vocational Level 5 routes is that they include a licence to practise at Level 3, says Harvey. 'Foundation degrees only include a licence to practise if the university is registered with the Early Childhood Studies Degree Network

(ECSDN) and include the ECSDN graduate practitioner competencies,' she says.

Suffolk New College has developed links with a university that allows those who have completed the CACHE Level 5 Diploma for the Early Years Senior Practitioner to move onto a one-year top-up programme to achieve a BA Honours degree (see box). 'The university realises that the quality of work being produced by our Level 5s on vocational routes, along with the practitioners' excellent real-life experience in leadership and supervisory roles, means our graduates are very well placed to complete a top-up year to achieve a degree,' says Harvey.

Funding

The Level 5 apprenticeship gives practitioners an opportunity to progress their learning without having to fund it themselves – for smaller employers, the programme is 95 per cent Government-funded, with employers meeting only 5 per cent of the costs (around £400). The CACHE Level 5 Diploma for the Early Years Senior Practitioner, which launched in 2019 and can be completed part-time via distance learning, is another option for practitioners looking to develop their careers. This costs around £3,500, and can be funded through an advanced learner loan. Foundation degrees are a third option; these cost around £12,000-£16,000 and can be funded through student loans which must be paid back when a student starts earning a salary of £26,500 a year or more.

'In the past there was funding available to develop a graduate-led workforce from the Transformation Fund and the Graduate Leadership Fund,' says Bradbury. 'We will not see that type of funding again, but as a sector we should embrace this Level 5 apprenticeship as an opportunity for practitioners to get a feel for higher education.' ■

Level 5 student – Caz Cockcroft, Suffolk New College



Caz Cockcroft, 56, works as a higher-level teaching assistant and Forest School educator in Handford Hall

Primary School, Ipswich. She recently launched her own outdoor learning organisation, Suffolk Outdoor Learning, which aims to inspire families to get involved with activities such as archery, den-building and lighting fires. Holding a Level 3 qualification in playwork, she was keen to move on to a Level 5 qualification and expand her knowledge of younger children's development.

She decided to complete CACHE's Level 5 Diploma for the Early Years Senior Practitioner at Suffolk New College, gaining the qualification in August this year. The knowledge part of the course was delivered through distance learning and Cockcroft was able to complete the practical part of the qualification as part of her work in the school.

During the pandemic, Cockcroft had to take on more responsibility, teaching small bubbles of Reception, Year 1 and Year 2 children, providing online learning, and this year teaching a Reception class for seven months. She was able to use this opportunity to put the skills she was learning into practice.

'During the course we covered a range of issues from the role of the SENCo to working with other professionals, and all aspects of child development,' she says. 'We completed around 20 assignments and two projects, which was quite intense.' For one project she created an outdoor learning area at the school, with mud kitchens and dens, which is now used by Reception, Key Stage 1 and Key Stage 2.

Cockcroft is now taking part in a year-long online programme, which will enable her to progress to a BA (Hons) degree in early childhood studies, and after that has her eyes set on teacher training.