

EIS Guidance for members in Early Learning and Child Care Settings on Education Recovery: Curriculum and Pedagogy (April 2022)



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Background

For the last two years, teachers and early years practitioners have worked tirelessly throughout the pandemic to meet the needs of children and young people in their schools and Early Learning and Childcare ('ELC') settings, responding with creativity and determination to the challenges and risks which COVID-19 has, and continues to, present.

The gaps in provision during periods of lockdown and the absence of opportunities for children to interact and explore a range of learning experiences through play, will have had a detrimental impact on the physical, social and emotional development of our youngest learners. In addition, for these children, the absence of engagement with grandparents and extended families will have taken its toll.

However, with the continued prevalence of the virus within society and the emergence of new variants, we have all had to adapt to the changing circumstances in which we live and in Education and ELC, to continue to adapt to alternative forms of provision, including moves to blended and remote provision.

Whilst Early Years teachers and practitioners have undoubtedly been focused on fostering nurturing and attached relationships within their settings and considering ways to address the social and emotional impact of the pandemic and periods of closure, **session 2021-22 has not been and should not be 'business as usual'**. The risks of the virus and of the potential impact of Long COVID persist and the wellbeing impact which the pandemic has had, both on children and their families and on staff, remains. The emergence of new variants of the virus has highlighted the continuing importance of risk assessments in responding to local and individual circumstances and of mitigation measures to protect children and staff in ELC settings.

For reasons of health and safety, in the interests of wellbeing, and in order to address the key priorities for recovery, we need to reflect on the good practice, developed during the pandemic and be cautious as we move forward. Any removal of mitigations in national guidance should not be seen as a signal to return to normal in educational settings.

Scottish Government Guidance

Application

The Scottish Government Guidance, [Coronavirus \(COVID-19\): early learning and childcare \(ELC\) services guide](#), is referred to throughout this document. In considering its application in practice, it is important to have an understanding of the scope of the guidance.

The Scottish Government Guidance applies to all providers of registered day care of children's services who provide care to children under primary school age including nurseries, playgroups, family centres and creches. This includes providers in the local authority, private and third sectors. It also applies to fully outdoor services for children aged 5 and under, Care Inspectorate registered childminders and assistants and all providers of Care Inspectorate registered school age childcare services in all sectors (including breakfast clubs, after-school care and holiday care).

The guidance is non-statutory in nature and does not absolve employers of their responsibilities, duties and legal obligations with regard to health and safety, public health and their responsibilities under the Equality Act 2010.

Indeed, the guidance highlights the primacy of health and safety considerations, stating:

'It is important that local authorities and providers take account of their own circumstances and assessment of risk when implementing this guidance and take every appropriate step to ensure the safety and wellbeing of children and staff. Bespoke risk assessments should be completed for children and staff with particular vulnerabilities and appropriate mitigations adopted.'

ELC settings must, therefore, ensure that risk assessments are conducted and reviewed on a regular basis or when circumstances change and that all identified mitigations are in place and implemented.

COVID-secure ELC Settings

Wellbeing and Equity

All children and adults – parents, teachers and support staff – will have been affected in some way by the pandemic. Confinement, restricted social

interaction, illness, bereavement, unemployment, poverty and food insecurity, financial worries, media reporting of the virus, will all have made their mark to varying degrees on individuals, families and communities.

Whilst some may have managed some recovery, others will still be suffering the harsh consequences of Coronavirus on their physical, mental and emotional health, family life, finances and employment status.

The EIS has been clear that periods of lockdown and with them, the closure of schools and ELC settings, have wreaked the most damage upon children and families who are most disadvantaged by societal inequality. This has been well documented by researchers, press and the media and more recently in the data published in the [National Improvement Framework Interactive Evidence Report](#). With this in mind, we are of the firm view that the needs of those children and young people whose circumstances at home have rendered their families less able to support them with remote learning at that time, and potentially during further periods of closure, must be prioritised.

As we work towards education recovery, we cannot forget our youngest learners and must invest in early intervention measures as we seek to develop the holistic needs of these children and address the gaps resulting not only from the impact of the pandemic but also from poverty and socio-economic disadvantage.

It has been well documented, also, that COVID-19 has had a disproportionately high impact on people from BAME backgrounds to varying extents in different parts of the UK, both in terms of likelihood of infection and death rates. ELC settings should be sensitive to the possibility that children and staff from BAME backgrounds and their families have been affected by COVID-related illness and bereavement and/or may be experiencing higher levels of anxiety related to infection risk.

Education Recovery

The EIS has been influential in setting the national priorities for education recovery through its contributions to the CERG and associated working groups. Consequently, in its [Coronavirus \(COVID-19\): early learning and childcare \(ELC\) services guide](#), the Scottish Government makes it clear that in continuing to support children in Early Years education, the same pedagogical approach – child-centred, play based learning – should continue to apply.

It highlights the importance of

- supporting children ‘to form a secure and emotionally resilient attachment base’ to help them as they grow and develop;
- creating an environment in which children will flourish through ‘secure, nurturing and attached relationships’ in the ELC setting;
- maintaining a focus on play and interaction with their peers, ‘in a variety of outdoor and indoor spaces, in ways which best support the needs of children and help to develop ...resilience and wellbeing’.
- in line with the GIRFEC agenda, treating their health and wellbeing as a ‘top priority’ in all decisions and actions around the delivery of ELC.

Taking care of our physical and mental health is crucial at this time, when there are many social, emotional, health and practical challenges facing all of us: children, parents and teachers. The EIS view is echoed by Education Scotland in [advice](#) published in January 2121 which highlights that health and wellbeing remains a key element of the recovery curriculum and the importance of this is clearly stated: ‘We need to be mindful of the impact of COVID-19 on our children and young people, many of whom may have suffered loss and trauma as a result. For all learners, a key focus...needs to be health and wellbeing.’

It goes on to state, ‘From the outset of the pandemic, schools and settings adapted their learning and teaching to ensure a strong focus on children’s mental health and wellbeing, and engagement. This continues to apply.’

Equally, teachers and early years practitioners should be mindful of their own health and wellbeing and the need for an appropriate balance of priorities in this regard.

Health, safety and wellbeing and the principle of equity must, therefore, be of paramount importance as we continue to face the challenges which the pandemic presents and work towards education recovery.

In delivering this and in line with the principles outlined in ‘Realising the Ambition: Being Me’, children and their needs will continue to be at the centre

of planning processes. This has significant implications for curriculum and pedagogy not only in the remainder of this academic session but in the years to come.

Planning for Learning

As under normal circumstances, the EIS is clear that teachers' planning for learning in school is a tool to aid them in their preparation of learning and teaching, and to support professional dialogue among colleagues with regards to this. The same is true in Early Years. Planning documentation should be designed and handled with this key priority in mind.

Primarily for teachers' own use, any associated planning template should be bureaucracy-light, and should neither be a generator of unnecessary workload nor an accountability tool. Neither Early Years teachers nor colleagues who have management responsibilities have time to dedicate to onerous planning regimes at a time when the priority in Early Years settings as well as in schools must be the wellbeing of children and staff alike.

In the event that planning processes or associated paperwork, particularly relating to forward planning, are found by members to be overly bureaucratic and generators of unnecessary workload, this should be raised with the management of the ELC setting in the first instance. In doing so, members may find it useful to refer to Education Scotland [advice](#) and Deputy First Minister's [statement](#) regarding excessive bureaucracy. If necessary, the EIS School Rep and/ or Local Association Secretary can assist in helping the setting to reach a collegiate and bureaucracy-light solution.

This approach should also be borne in mind when consideration is given to the completion of documentation required for the Care Inspectorate.

Collegiate Activities

As under normal circumstances and as has been the case since the start of the pandemic, it is important that colleagues are able to work together to reach solutions to the many challenges that maintaining safety and providing opportunities for quality learning and teaching in the context of COVID-19 present.

Whilst collegiate activities that reflect the key Education Recovery priorities continue in accordance with Working Time Agreements, this should be in adherence to the current public health advice around physical distancing and

hygiene. Scottish Government Guidance continues to recommend the wearing of face coverings when working on collegiate activities in shared spaces with other members of staff. Where it is not possible to comfortably maintain physical distancing for collegiate activities, particularly in light of the increased transmissibility of the new variant of the virus, we would recommend that these should be done using virtual means.

Further information in relation to working arrangements on inset days can be found in the section below on **Arrangements for In-service Activity**.

Setting Priorities

The wellbeing of children, teachers and families is to be at the forefront of all decision-making as we work towards education recovery.

Teachers and ELC settings should not expect to, nor feel under pressure to provide opportunities for learning in session 2021-22 in the same ways as it would any other. Streamlining of priorities is encouraged while children, teachers, early years practitioners and support staff continue to respond to the challenges of the pandemic.

In supporting our youngest learners, we need to consider the impact of the adverse and traumatic experiences which many will have faced through the pandemic.

Education Scotland, in 'Being Me through Adversity and Trauma: Realising the Ambition in Practice 2', has highlighted the importance of this focus:

'Children in their early years returning to ELC or school are likely to need additional social and emotional support. Secure, nurturing spaces and trauma informed practitioners will be critical in supporting this transition'.

Now more than ever the importance of a strong collegiate approach is central to supporting the children in our Early Years settings, as well as the health and wellbeing of colleagues.

As we face the challenges which new variants of the virus present, and work towards education recovery, the EIS recommends that time is set aside to facilitate meaningful discussions around pedagogy with others in the setting and to agree as a collective how these central priorities around health and wellbeing can continue to be best delivered. This may involve further

consideration of the layout to facilitate the safe flow of play and of how collegiate planning and professional dialogue can take place, with appropriate physical distancing between adults, to ensure that learning opportunities are responsive to children's interests and needs. It is important that these conversations are ongoing to ensure that settings are continuing to review their circumstances and the challenges which the pandemic presents.

In moving forward, with a clear rationale and shared understanding of the value of play, a focus can be placed on the holistic needs of children within the setting.

Although it is clear from this that the same approach to teaching and learning will continue in early years, we must recognise that, in delivering this safely, important health and safety measures must continue to be adopted and reviewed as we work towards education recovery.

Planning and Risk Assessment in Early Years

Essential health and safety procedures and standards required to minimise the risk of infection in ELC settings have meant that much has been different in terms of how settings operate and in terms of the physical environment.

Whilst the Scottish Government Guidance introduces changes in relation to mitigation measures applicable in ELC settings, these changes should not be seen as a recommendation for settings to return to previous practice that pre-dates the pandemic.

The changes 'should [instead] be led by local authorities, head teachers, managers and childminders in a way that capitalises on the good practice developed over the pandemic period, and which takes full account of practical considerations relevant to lifting mitigations in a way that does not create operational difficulties **or unnecessary additional workload**'. (emphasis added)

The guidance highlights the importance of 'local authorities and providers taking] account of their own circumstances and assessment of risk when implementing this guidance, and take every appropriate step to ensure the safety and wellbeing of children and staff'.

In devolving more autonomy in decision-making to local authorities and providers, the guidance recognises the importance of local dialogue and of

taking cognisance of 'input from staff and assistance, and trade unions'. Collegiate practice should underpin the risk assessment process and the decisions made about the mitigation measures required to manage the risk at a local level.

Whilst national guidance might signal the removal of some mitigation measures, therefore, local risk assessments may determine their continued application necessary.

This has implications for how things are done. From how play-based learning opportunities are planned, to how hygiene and cleaning is arranged – and this is necessary as settings endeavour to keep children and staff safe in a COVID-secure setting.

The Scottish Government Guidance, Coronavirus (COVID-19): early learning and childcare (ELC) services guide, provides that safeguarding the health and wellbeing of children, and adults who work with them continues to be a key priority, with settings being required to 'continue to operate within the relevant legal and regulatory frameworks to ensure the health and wellbeing of staff and of children and parents while they are using their service'.

Risk assessments should be reviewed and updated regularly and as circumstances change and all identified risk mitigation measures should be in place and strictly adhered to.

EIS representatives should be consulted and involved in the risk assessment process, which should continue to have the health and safety of staff and children as their primary focus.

Risk assessments should make specific provision to ensure that:

- Adults in the ELC setting can adhere to physical distancing requirements, where possible, from other adults, including during lunch and break times as well as during transition periods
- Arrangements are in place to enable adherence to physical distancing, where possible, between adults, including parents at drop-off and collection times
- Where physical distancing arrangements between adults cannot be adhered to, additional mitigation measures, such as the use of face coverings, are considered.
- There is adequate ventilation in the setting, with risk assessments being updated to take account of seasonal changes and their impact on ventilation and heating

- A hand hygiene protocol is in place, providing good hand hygiene practices for adults and children
- High levels of hygiene and cleaning practices are in place
- Commonly touched objects and surfaces are cleaned on a regular basis (at least twice daily)
- Toys and equipment are cleaned when groups of children change, between sessions and if visibly contaminated or at the end of the day or start of the morning session
- Where staff are required to come into close contact with children in order to provide intimate care and personal support, consideration is given through the risk assessment to the use of PPE, including face coverings, by the member of staff
- A supportive approach to the use of face coverings is adopted, e.g.in circumstances where staff are working directly with children, they will be supported to wear face coverings, if they choose to do so

Mitigation Measure – Specific Considerations in ELC Settings

Face coverings – Although the guidance does not make provision for the wearing of face coverings when staff are working directly with children, it does highlight that children and adults who wish to wear a face covering in any part of the setting should be supported to do so.

The EIS is clear that any teacher or early years practitioner wishing to wear a face covering, should feel free to do so.

It is recognised that particular consideration may require to be given to the impact of wearing a face covering on very young children and for children with additional support needs. The EIS believes that transparent face coverings, where considered appropriate, should be supplied by the ELC setting to support learning and the health and wellbeing of the children involved.

There may also be situations in which staff with a disability, such as a hearing impairment, will require other adults, with whom they are working, to use transparent face coverings. The EIS would recommend that in these circumstances, appropriate adjustments are made and transparent face coverings are supplied to staff to support communication.

ELC settings should provide clear guidance for staff on how to put on, remove, store and dispose of face coverings to avoid inadvertently increasing the risk of transmission in the setting.

- **Peripatetic Staff and Visiting Professionals** – The updated Scottish Government Guidance removes the restrictions on peripatetic staff and visiting professionals entering ELC settings and devolves decisions to Head Teachers and Managers, having due regard to the assessment of risk and the routine protective measures identified in the Scottish Government Guidance (i.e. face coverings, physical distancing and hand hygiene practices).

Peripatetic staff and visiting professionals must, therefore, be considered within all ELC settings risk assessments. We would recommend that where a peripatetic member of staff or a visiting professional is attending more than one setting, risk assessments should be jointly prepared between, and regularly reviewed by, the settings, the staff member and the trade unions involved. Relevant risk mitigation measures should then be implemented.

Risk assessments should be reviewed regularly and **should reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19 or local outbreaks.**

- **Visits to the setting by parents/carers** – the updated Scottish Government Guidance now states that there are no restrictions on parents, carers and other visitors entering ELC settings, although this will be subject to risk assessments conducted by the Head Teacher or Manager and the adoption of the routine protective measures identified in the Guidance. It then adds that ‘in-house events such as plays, and activity to support parental and carer engagement such as face-to-face meetings can take place’.

The EIS is clear that decisions around the re-introduction of ‘in-person’ parent/carers evenings or the production of ‘in-house’ events such as plays should be based on collegiate discussion, with Head Teachers and Managers continuing to work jointly with the trade unions to reach agreement regarding the arrangements for, and timing of, such events under the Working Time Agreement of the establishment.

In addition, suitable and sufficient risk assessments should be reviewed and updated in advance of these events taking place.

Further advice on the completion of risk assessments can be accessed on the EIS Website General Risk Assessment [Guidance](#) and EIS Additional [Advice](#) on managing the risks of COVID-19 for Early Years Teachers.

Although the advice sets out a number of considerations to be taken into account in the risk assessment process, the list is not exhaustive and care should be taken to ensure that any specific issues relevant to the individual setting are also included in the risk assessment process.

Members are encouraged to review the risk assessments, which underpin the practical arrangements in place in their setting, on a regular basis and ensure that any changes both in the environment and in staffing arrangements are reflected in the mitigation measures in place.

Risk assessments should be kept under regular review and should also reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19, local outbreaks or the emergence of new variants of concern.

If a teacher or Early Years practitioner is concerned about the mitigation measures which have been identified and has concerns about their safety or the safety of anyone else in the setting, they should raise this with the management team and seek advice and support from their EIS representative or Local Association Secretary thereafter as necessary.

Dedicated time should be set aside for staff training on the risk mitigation measures being implemented in the setting and consideration given to any additional local training which staff feel would be helpful in increasing confidence in the safe provision of ELC.

Practical Activities and Subjects

When planning for the safe delivery of practical aspects of the curriculum, consideration should be given to the need for any additional mitigation measures as part of the risk assessment process for the subject areas involved.

Some subjects require specific consideration:

- **Science and Technologies** – following the emergence of the Omicron variant, SSERC produced updated [guidance](#) on carrying out practical activities in Sciences and Technologies for Early, Primary and Secondary levels, including links to [resources](#).

The advice promotes a cautious approach to practical activities in science and technology, acknowledging the importance of maximising physical distancing and highlighting that some activities involving blowing should not be carried out in the classroom context at this time.

SSERC will continue to keep this advice under review.

- **Singing, Music and Drama** – Whilst there are no restrictions on indoor and outdoor activities involving drama, music or singing, routine protective measures identified in the Scottish Government Guidance and safety mitigations identified through local risk assessment processes will continue to apply (e.g. good ventilation).

In light of the increased transmissibility of new variants of the virus, the EIS recommends that risk assessments in relation to these activities are updated and regularly reviewed to ensure that all appropriate risk mitigation measures are in place.

Transitions

The importance of planning and supporting children through transition periods is well recognised in early years education. Teachers and early years practitioners play a vital role in sensitively supporting children as they encounter new arrangements in ELC settings.

Any arrangements for transition and settling-in periods should be the subject of risk assessment with appropriate risk mitigation measures being adopted. Consideration should be given to greater use of outdoor space to facilitate this process.

Education Scotland have developed two resources to support transitions during COVID restrictions: [Transitions in 2020](#) and Wakelet on [Supporting young children at points of transition](#).

[For further information on Transition Arrangements from Nursery to Primary, EIS Advice can be accessed here.](#)

Additional Support for Learning

For children with additional support needs, who are starting/recently started nursery for the first time or who are re-engaging with a setting following a period of absence, consideration should be given to an enhanced transitions and to the allocation of appropriate support to facilitate this process.

Arrangements for providing this should be carefully considered in light of public health measures, with risk assessments being initiated or updated as necessary and appropriate mitigations put in place to protect children with additional needs and any adults who will be supporting them.

Consideration should be given, where appropriate, to the use of social stories, appropriate visuals and videos shared with children in advance to explain what will be new and to explain what the nursery day will be like.

For further information on Transition Arrangements from Nursery to Primary (Special Education), EIS Advice can be accessed [here](#).

GIRFEC

The strong emphasis on wellbeing in the Early Years curriculum means that there is likely to be much GIRFEC-related activity in ELC settings, some of which may involve multi-agency teams.

All associated arrangements should be made with public health imperatives in mind, both regarding meetings and conversations with parents/carers and meetings with other professionals such as Health Visitors, Educational Psychologists and Social Workers.

Physical distancing should be maintained between staff and other adults attending the setting, where possible. This applies irrespective of whether an individual has been fully vaccinated. Vaccination does not change the need to continue to comply with COVID-19 mitigation measures.

The Scottish Government Guidance also recommends that face coverings should be worn by parents and other visitors to ELC settings.

ELC Short Excursions and Trips

- **Short local excursions which promote outdoor learning and Day Visits** – these visits can take place. Appropriate risk assessments should be conducted, reviewed and updated, taking full account of new variants of the virus and the routine protective measures referred to in the Scottish Government Guidance. All identified risk mitigation measures should be adopted.

Workload

The EIS is clear that priorities at this time should be streamlined to ensure that there is no additional strain on weekly working time within the parameters of the 35-hour working week.

In accordance with the Scottish Government Guidance on Education Recovery, priorities should be centred around the wellbeing of teachers and Early Years practitioners, as well as of children and young people, and be agreed on a collegiate basis. Teachers and Early Years practitioners should be mindful of their own health and wellbeing and the need for an appropriate balance of priorities in this regard.

If a teacher or Early Years practitioner has a concern about workload, this should be raised with the management of the setting in the first instance. If necessary, the EIS Rep and/or Local Association Secretary can assist in helping the setting to reach a collegiate and bureaucracy-light solution.

Arrangements for In-service Activity

In-service activities

In-service activities are an important part of teachers' and Early Years practitioners' work as they can support professional development and collegiate working. It is important that in-service activity continues to take place during the pandemic, with priorities for such activity agreed locally.

Current Scottish Government Guidance on Working from Home

With infection levels high as a result of new variants of the virus, Scottish Government Guidance continues to encourage hybrid and flexible working practices, to support wellbeing and help to control the transmission of the virus.

Working in communal spaces

ELC settings have several workspaces where staff meet during the day when children are present in settings or on in-service days which are defined as communal spaces under the Scottish Government Guidelines.

Physical distancing between adults is recommended in communal workplaces, including ELC settings. The Scottish Government Guidance continues to recommend the wearing of face coverings by adults in communal areas.

In light of the increased transmissibility of new variants of the virus, we would recommend strict adherence to the physical distancing requirements in communal areas, such as staff rooms, canteens, staff bases and offices. We would also recommend that where there is insufficient space to support distancing, risk assessments should be carried out and consideration given to the adoption of mitigation measures, such as limiting the number of adults in any one area at any one time, staggering staff breaks, or creating additional staff working or welfare areas.

Local negotiation on in-service day arrangements

During in-service days, as the children are not present in settings, the EIS believes that Local Authorities and ELC settings should engage with teachers' unions to agree on appropriate in-service activities and arrangements that take account of health and safety considerations and of agreed priorities for recovery.

Given the importance of minimising the risk of transmission of the virus, the EIS is clear that during in-service days, the default should be home-working for staff with virtual meetings where practicalities require it.

Where agreed specific practical tasks require in-person attendance in ELC settings and are considered necessary at this time, these should be arranged with risk assessments having been carried out and thereafter appropriate safety protocols in place. Staff in-person attendance under these circumstances, in the interests of limiting transmission of infection, should only be required for the duration of time necessary to carry out the task, with staff working from home during any remaining time before or after the agreed setting-based activity.

Action for Representatives

The EIS advises representatives to engage with their setting/Local Authority to reach agreement in relation to such in-service arrangements in the current context of the pandemic and rising risk of infection as a result of new variants of the virus.

Early Years Practice

In delivering the Early Years curriculum, the same child centred play-based approach, described above, may be a central feature of the pedagogy adopted in the initial stages of Primary education.

Where schools are adopting ELC models of managing children's interactions, the EIS is clear that the risk mitigation measures, identified through thorough risk assessment processes, must be put in place to ensure the health and wellbeing of staff, as well as pupils.

The EIS additional advice for Early Years members on the control of Covid-19 within the workplace, which is referred to above, will apply.

If a teacher in Early Years within the school setting is concerned about the mitigation measures which have been identified and has concerns about their safety or the safety of anyone else in the school, they should raise this with the management team and seek advice and support from their EIS school representative or Local Association Secretary thereafter as necessary.