

**Submission on behalf of the Equality Coalition to the  
OFMDFM consultation on Childcare**

**November 2015**

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The Equality Coalition is co convened by the Committee on the Administration of Justice (CAJ) and UNISON. It is a network of over 80 NGOs from across the nine equality categories within section 75 of the Northern Ireland Act 1998. The Equality Coalition provides a forum for unity between all sectors when campaigning for equality, while allowing for the diversity of its members' work and views. By facilitating a strong message from diverse equality groups, mutual support between members and consideration of the multiple identity aspects of equality work. To this end the Equality Coalition would like to take this opportunity to respond to the current consultation on the childcare strategy as it is not only long overdue but also a cross cutting issue that could affect all of the section 75 categories.

## **Introduction**

The Equality Coalition believes that Childcare should be considered within the two contexts listed within the strategy: firstly, contributing to a child's education and development, and secondly as an economic issue, to facilitate parents to get in to and stay in work, with an opportunity for job creation.

Government has long argued that the best route out of poverty is through paid work. However, in Northern Ireland, there is an absence of a childcare infrastructure to support parents to be able to get into work, education or training. The 2011 'Women on the Edge' report<sup>1</sup> by Bronagh Hinds has three very detailed chapters on the economy, employment and childcare that discuss in depth some of the specific gender issues around this topic.

In the context of welfare reform, the success of universal credit depends upon childcare infrastructure being in place to support parents to find work- Unfortunately Northern Ireland lacks such an infrastructure.

Research conducted by Save the Children shows that many low income mothers are considering leaving work because they can no longer afford childcare.<sup>2</sup>

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<sup>1</sup> 'Women on the Edge' available at <http://www.wrda.net/Documents/The%20NI%20Economy%20-%20Women%20on%20the%20Edge%20Report.pdf>

<sup>2</sup> Whitham, G. (2012) 'Ending Child Poverty: Ensuring Universal Credit supports working mums', Save the Children  
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According to research by Employers for Childcare Charitable Group, families in Northern Ireland are paying 44% of their income for childcare for one child, which is the highest amount in Europe.<sup>3</sup> Recent changes to the tax credit systems mean the childcare element of working tax credit has reduced from 80% to 70%. The Equality Coalition strongly supports a childcare strategy that deals with the high costs of childcare and increases accessibility of childcare services, including for those with disabled children and greater information on what is available.

A report on childcare published by the Equality Commission for Northern Ireland in 2013 highlighted the need for more coherence, co-ordination and organisation, with clear accountable leadership in order to improve childcare provision in Northern Ireland. It recommended the implementation of a childcare strategy that address the full range of childcare needs, explicitly links childcare and employment and assigns responsibility across Government and relevant actors<sup>4</sup>.

We would therefore particularly welcome a fundamental and long term commitment from the Executive to improving the life chances of children by developing a strategy that covers a period of a child's life from 0 – 21 years of age.

### **Rights Based Approach**

The childcare strategy must be contextualized within International Human Rights Law. The strategy should therefore address, through its actions, the obligations issuing from, inter alia, the United Nations Convention of the Rights of the Child (UNCRC), the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), the UN Convention on the Elimination of Discrimination against Women (CEDAW) and the International Covenant on Social, Economic and Cultural Rights (ICSECR).

#### **Recommendation:**

**The strategy is underpinned by the obligations on the NI Executive arising from human rights law.**

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<sup>3</sup> Dennison, R. and Smith, N. (2012) *Northern Ireland Childcare Cost Survey 2012*, Employers for Childcare

<sup>4</sup> [Childcare: Maximising the economic participation of women](#), commissioned by the ECNI 2013

## **The Rights of the Child**

The Equality Coalition welcomes the acknowledgement of the document that children must be central to a childcare strategy (page 12; 4.4). However, we are disappointed that the document does not make clear how this is to happen. We would suggest that OFMDFM consider the Manifesto issued by the Early Years Strategic Alliance<sup>5</sup> in relation to ensuring that children are given a voice in this process.

The Equality Coalition urges the NI Assembly to recognise children as active members of families, communities and societies with their own concerns, interests and points of view which they communicate in numerous ways long before they are able to communicate through the conventions of spoken or written language.

The Assembly must promote and support children to express their views and must listen to and heed these views when making decisions that will affect the lives of children. The Assembly must support the development, and facilitate the inclusion in their decision making processes of innovative and creative approaches to hearing the views of children that are communicated non-verbally including through play, artistic and creative expression.

The Assembly must also recognise and support the role of parents in representing the best interests of very young children or children with severe communication difficulties. As a positive first step children and their parents must be actively involved and consulted on the development of the new Early Years Strategy.

## **Leadership of the Strategy**

In submissions by other Equality Coalition members to the interim childcare strategy in 2013, it was stressed that a lead department with overall responsibility for the childcare strategy must be appointed. We are therefore surprised that this issue is not addressed within this document.

Whilst it is of key importance that all Departments co-operate, having a Department which has overall responsibility for driving forward and monitoring the strategy is vital.

Co-operation with the Department of Education is clearly of crucial importance if the provision of childcare in school settings is to be developed.

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<sup>5</sup> EYSA Manifesto available at [http://www.ci-ni.org.uk/DatabaseDocs/nav\\_1104009\\_eysa\\_manifesto.pdf](http://www.ci-ni.org.uk/DatabaseDocs/nav_1104009_eysa_manifesto.pdf)

However, we are aware that funding to the Extended Schools initiative, which facilitated parents to some degree, has been cut. We are also aware that representatives of the Education Sector have raised concerns in relation to providing childcare in a school setting including issues such as health and safety, vetting, registration etc.

**Recommendations:**

**A lead Department which has overall responsibility for implementing, monitoring and reviewing the Childcare Strategy must be appointed.**

**We believe a Duty to Cooperate should be introduced to ensure that all Executive Ministers cooperate and work in partnership.**

**Legislative Context**

We welcome the intention to review the options for statutory responsibility (page 61, 7.85). However we believe that an intention does not go far enough. If the childcare strategy is to succeed, the NI Executive must consider legislative measures such as those introduced in GB.

England, Scotland and Wales have been proactively addressing childcare since the late 1990s. Each region has one Government department which takes ownership and responsibility for childcare.

Each of the childcare strategies produced by these departments have been reviewed and renewed over the years to ensure that the problems associated with childcare are being addressed. The duties of Local Authorities in England and Wales to ensure that there is sufficient childcare in place are reinforced by a statutory duty laid down by the Childcare Act 2006.

The Childcare Act also ensures that parents have access to information on their childcare options. As such, a network of Family Information Services which span across each local authority provide parents with advice and information on childcare.

**Recommendation:**

**The NI Executive introduce legislation which lays out a statutory requirement to ensure that there is sufficient childcare in place and that parents are provided with appropriate advice and information on childcare.**

## **Childcare and Employment**

We agree that enabling those who wish to stay in or enter the labor market must be a key aim of the Childcare strategy (page 8; 3.1). We also welcome the positive statement in relation to achieving gender equality through accessible and affordable childcare. In order to achieve this, however, the economic and labor market context for Northern Ireland must be considered.

Northern Ireland has the highest number of low paid workers in the UK with 28% of workers earning below the living wage. The rate of economic inactivity is 5% higher than the rest of the UK.

According to the Joseph Rowntree Foundation, in the five years preceding 2011/12, the poverty rate among adults aged 16 to 29 rose by 8 percentage points to reach 26 per cent. Among those aged 30 to 59 poverty has also increased but it has solely been among those in working families. Worryingly Northern Ireland does not currently have an over arching strategy to address poverty<sup>6</sup>.

If disability-specific benefits are not counted as income, Northern Ireland's poverty rate increases from 22 per cent to 24 per cent; at least as high as any part of the UK outside London.<sup>7</sup>

The overall gender pay gap in Northern Ireland 12.5% rising to over 17% in the private sector.<sup>8</sup> Median full-time gross weekly earnings for women were £444.40 compared to £460.50 for men. 51% of working age adults living in low income households are women whilst 64% of pensioners living in low income households are women.<sup>9</sup> Over a fifth of women are defined as low paid, earning less than two thirds of the median wage, almost one third of women earn below the Living Wage (currently set at £7.85 per hour)

Women are underrepresented at all levels of Government including in local government and in decision making positions including public appointments. The responsibility of caring for children rests mostly on women, and women also form the majority of lone parent households in Northern Ireland.

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<sup>6</sup> See 'CAJ wins Anti Poverty Strategy legal challenge' available at <http://www.caj.org.uk/contents/1324>

<sup>7</sup> <https://www.jrf.org.uk/report/monitoring-poverty-and-social-exclusion-northern-ireland-2014>

<sup>8</sup> [http://www.nerinstitute.net/download/pdf/gender\\_pay\\_gap\\_ni\\_inbrief\\_may\\_2014.pdf](http://www.nerinstitute.net/download/pdf/gender_pay_gap_ni_inbrief_may_2014.pdf)

<sup>9</sup> <http://www.ofmdfmi.gov.uk/gender-equality-stats-update-2015.pdf>

Whilst the draft strategy acknowledges the existence of gender inequality, there is no explicit acknowledgment that many forms of gender inequality are a product of structural inequality. In order to tackle gender inequalities, the strategy must recognise the structural barriers which face women.

### **Recommendations:**

**The Equality Coalition recommends that there should be close coordination between the Childcare strategy and other equality strategies including the Gender Equality Strategy and the Anti poverty Strategy that is currently being developed.**

**In order to meet the stated objective of improving gender equality, we recommend that the strategy is explicit on the structural inequalities leading to gender inequality and that there is a specific outcome to promote gender equality contained within the childcare strategy.**

### **Parental Employment**

The Equality Coalition welcomes the intention to increase parental employment, maternal employment and increased employment of single mothers (page 20; 5.9) However we would point to a recent European study looking at the realities of the back-to-work choices faced by women across EU member states which concluded that there is little financial gain for many women returning to work.<sup>10</sup>

The study focuses on the financial gains for families where women return to work. It calculates the 'Participation tax rate' (PTR) faced by these earners, which summarises the combined effect of gains in earned gross income, payments of income taxation and social insurance contributions alongside any losses of welfare entitlements. The report concludes:

When out-of-pocket childcare costs are added to the traditional entries of the tax system, PTR values for secondary earners in the United Kingdom, Ireland, Germany, the Czech Republic, and Slovakia exceed benchmark values (those for equal earners) by at least 20%. In plain words, mothers of children in these

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<sup>10</sup> [http://ec.europa.eu/justice/gender-equality/files/documents/150511\\_secondary\\_earners\\_en.pdf](http://ec.europa.eu/justice/gender-equality/files/documents/150511_secondary_earners_en.pdf)

countries envisaging entry into the labour market in a secondary earner position face considerably higher fiscal disincentives than do those envisaging entry as equal earners.

The clearest examples in this regard are Ireland and the United Kingdom where childcare costs are the highest in Europe according to OECD 2014 estimations.

The document refers to rights which have been introduced to request flexible working arrangements (page 20, 5.10). The document states that '*parental employment can be supported through the right that exists under employment legislation for all parents to request flexible working arrangements*'. We presume that this refers to the rights which were introduced under the Work and Families Act. This includes a legislative framework allowing for the voluntary sharing of leave and pay entitlement between parents following the birth or adoption of a child (shared parental leave and pay). It also extends a right to request flexible working to all employees.

Whilst we welcome these rights, we do not believe that they tackle the issue of the labor market participation or parental employment and cannot be used as a substitute for a properly resourced childcare infrastructure.

The document further states that '*increasingly, this right is being exercised by both mothers and fathers to enable workforce participation*'.

**The Equality Coalition would welcome the opportunity to review the information that has led to this conclusion.**

### **Changes to the Social Security and Welfare System**

The document makes no mention of the economic times the strategy will be taking place in including changes to the social security and welfare system and the cuts to public services and austerity measures. The Equality Coalition have been working with member groups to campaign against cuts to the welfare system since they were announced in the 2010 Budget and Spending Review and has argued that they will have a disproportionate impact on women and children.



As women remain the primary carers for children, they have been most vulnerable to cuts.

- Of the total savings planned by the Westminster Government up to 2018/19, women will bear 80% of the reduction in tax credits and 75% of the reduction in benefits;
- Child tax credits have been frozen since 2010 – 83% of CTC recipients are women;
- So far lone parents have been most affected by changes to welfare and tax credits since 2010 – 90% of lone parents are female.
- Almost two thirds of public sector employees are women. Women who work in the public sector are more likely to have equal pay and have fairer chances for promotion.
- In comparison, women in the private sector earn 20% less than men.
- Food Services, Accommodation, Retail, Residential Care and Social Services have the highest number of workers below the Living Wage – Women account for two thirds of employment in these sectors
- Women will also bear the brunt of cuts to services as they are more likely to use many services including libraries, health care services and sexual and reproductive health services.
- Cuts in funding for many women's organisations, including those providing services to support women who are subject to violence, will have a direct impact on the most vulnerable women in our society.

The more recent announcements in relation to changes to tax credits will have a disastrous effect on families with children. According to the Department for Social Development's (DSD) [recently released report](#) 121,000 local families will see a reduction in their Tax Credit award from next year, with 111,000 of these families standing to lose over £1,600 per year if the changes go ahead.

**Recommendations:**

**The strategy needs to consider the context where changes to the welfare system will impact on the most vulnerable in our society. There is little point in a childcare strategy which has as one of the central aims supporting parents, and particularly women back in to work, when it is clear that many more women and families will simply not be able to afford to work and pay for childcare.**

**The strategy needs to make a strong link between women, childcare and social security.**

**This is particularly important in the context of the conditionality for lone parents (95% of whom are women) to be actively seeking work. The need for a childcare infrastructure that supports women to be able to access training and employment is of the utmost importance.**

**The strategy should take into account those in objective need and be cross cutting with the anti poverty strategy for Northern Ireland.**

**Provision of Childcare**

Whilst acknowledging the work that has been done by both statutory bodies and civil society organisations in relation to early years care, we consider that the Childcare infrastructure in Northern Ireland has been chronically underfunded leading to the scandalous situation where there are 19 school age children for every one place.

The Equality Coalition is concerned that many of the plans for creation of places are based on assumptions which do not seem well developed or even feasible, for example:

Intervention V: supporting private firms to provide childcare – aims to provide an additional 1500 places. Whilst we support the provision of childcare on site at workplaces, we remain to be convinced that this intervention is unattainable.

We would wish to see evidence of how the Department has consulted with employers and trade unions on this matter.

Intervention XIII: Public Sector Franchises and Private Managed Provision aims to create 1,000 childcare places by making available ‘unused rooms and buildings on public sector estate and asking existing and prospective childcare providers to bid to provide childcare services’.

**We assume that OFMDFM has done a feasibility study in relation to this intervention and would welcome the opportunity to review the evidence which has led to the estimate of places.**

The Equality Coalition would be concerned that much of the infrastructure in the public sector estate would be entirely unsuitable for childcare purposes and would require significant investment.

Intervention XIV: Childcare places for low income families – 3,000 places.

The Equality Coalition welcomes the intention to provide places for low income families. However we are unsure as to how the strategy will do this as again the plans do not appear to be well developed. We would also stress that support for childcare places must be extended to children and families at risk of or experiencing discrimination or hardship including LGBT and BME families.

We welcome the advocacy of ‘universal quality childcare’; however we do not consider 1 place for every 3 children as being ‘universal’. The strategy is aspirational in other ways and we would suggest that it aspires to having a place for each child requiring one.

**The Equality Coalition are concerned that the objectives of making childcare both affordable and sustainable are in direct opposition to one another.** We are unclear how the objective of *‘the average household will spend a realistic percentage of its income on childcare services’* can be met whilst also meeting the objective on sustainability *‘all childcare settings assisted under the strategy will aim to be sustainable – covering their costs from the fees they charge for their services’*. We are also unclear about how the sustainability objective could possibly be met in relation to providing services in rural areas, to low income families or more specialist services for children with complex disabilities.

The UN Committee on economic, social and cultural rights in their list of issues in response to the UK State report has asked the UK to do the following:

‘Please provide information on the concrete measures that have been adopted to make childcare services available, accessible and affordable throughout the State party. Please also clarify to what extent the costs of childcare services prevent the disadvantaged groups from accessing it.’<sup>11</sup>

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<sup>11</sup> Point 16. ICECR list of issues Oct 2015

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=E%252fc.12%252fGBR%252fQ%252f6&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%252fc.12%252fGBR%252fQ%252f6&Lang=en)

**Recommendation:**

**The Equality Coalition would urge OFMDFM to implement a childcare strategy that is both accessible and affordable and feed any relevant data into the ICESCR review in June 2016.**

**In line with the Charter for regional and minority languages pay regard to the provision of Irish language childcare where there is appropriate demand.**

**Children with Disabilities**

Disability Action will be making a separate response to this consultation but as a founder member of the Equality Coalition they make the following key points that need taken into consideration when developing any childcare strategy:

Families with disabled children have difficulties in finding accessible, appropriate childcare. Finding alternative care arrangements often gets more difficult as disabled children grow older and leave school, in particular children with learning disabilities face higher levels of isolation especially those with significant communication difficulties.

Children with disabilities education at special school spend more time at home and are unlikely to have easy access to school friends and their peers, there is then increased numbers of children with complex needs being cared for at home with many excluded from mainstream support services due to perceived risks due to a lack of appropriate training for childcare staff and the lack of appropriate specialised childcare therefore appropriate and relevant training for childminders is essential e.g. specialist training on specific disabilities and generic Disability Equality Training. Accessible childcare is required to help parents work and to enhance the opportunity of disabled children to learn and reach their potential.

A targeted awareness raising campaign on financial help is required for those who have children with disabilities as additional costs associated with disability can result in families having fewer resources than other families to pay for the childcare they need. There is still low level of awareness and take up of financial assistance such as Working Tax Credit and Direct Payments. Parents of children with a disability who do work may require considerable flexibility from their employer and access to affordable specialist childcare provision.

**Recommendation:**

**The Childcare strategy provides affordable and appropriate childcare for children with disabilities in order for them to learn and reach their full potential.**

**Rural Childcare**

Access to childcare for those living rurally can be scarce therefore there is a higher level of informal childcare with no financial support in these areas. Due to limited accessible transport in rural areas those who do not own their own can find it extremely difficult to access other public services- this becomes even more difficult when parents have children with disabilities and live rurally. Often parents who live rurally work elsewhere and have to travel to work; this means an earlier start for parent and child in order to use child care services if they are available. Due to the differing needs of those who live rurally it is imperative that their views and needs are taken into consideration yet there is very little history of consultation with people living in disparate rural areas.

**Recommendation:**

**Discreet rural childcare provision is needed; this can information should be gathered through consultation with those who live in disparate rural areas.**

## **Appendix**

### List of Member Organisations of the Equality Coalition

Action Mental Health  
Age NI  
An Teasmann TSG  
An Munia Tober  
Artsekta  
Aware Defeat Depression  
Banardos  
Belfast Feminist Network  
Belfast Islamic Centre  
Business and Professional Women  
Committee on the Administration of Justice  
Cara- Friend  
Carers NI  
Children in Crossfire  
Children in Northern Ireland  
Childrens Law Centre  
Chinese Welfare Association  
Citizens Advice Bureau  
City Bridges  
Coiste na nIarchimí  
Community Development and Health Network  
Confederation of Community Groups  
Conference of Religious of Ireland- Northern Ireland  
Community Organisations of the South Tyrone Area  
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Corrymeela Community  
Craigavon Travellers Support Committee  
Disability Action  
Falls Community Council  
Fermanagh Women's Network  
Ginger Bread  
Housing Rights Service  
Human Rights Consortium  
Include Youth  
Inclusive Mobility and Transport Advisory Committee  
Irish Congress of Trade Unions  
Law Centre NI  
HERe NI  
Local Initiatives for Needy Communities  
Mencap  
Mindwise  
National Children's Bureau  
National Energy Action  
NEET Strategy Forum  
Northern Ireland Association for Mental Health  
North West Community Network  
Northern Ireland Anti Poverty Network  
Northern Ireland Association for the Care and Resettlement of Offenders  
Northern Ireland Council for Ethnic Minorities  
Northern Ireland Community for Refugees and Asylum Seekers  
Northern Ireland Community Voluntary Association

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Northern Ireland Gay Rights Association  
Northern Ireland Public Service Alliance  
Northern Ireland Rural Women's Network  
Northern Ireland Women's European Platform  
NSPCC  
NUS-USI Students  
Omagh Women's Area Network  
Opportunity Youth  
Parents Advice Centre  
Participation and the Practice of Rights Project  
Pobal  
Princes Trust  
Pat Finucane Centre  
Public Interest Litigation Support Project  
Queens University Human Rights Centre  
Queer Space  
Rainbow Project  
Relate NI  
Rural Community Network  
Sai-Pak Chinese Community Association  
Save the Children  
Social Economy Agency  
South Tyrone Empowerment Programme  
The National Deaf Children's Society  
Training for Women Network  
UNISON  
Upper Springfield Development Trust  
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Victim Support NI

Women into Politics

Women's Aid Federation Northern Ireland

Women's Resource and Development Agency

Women's Support Network

Women's Tec

Youth Net

174 Trust