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COM(2018) 271 final

2018/0127 (NLE)

Proposal for a

**COUNCIL RECOMMENDATION**

**on High Quality Early Childhood Education and Care Systems**

{SWD(2018) 173 final}

## **EXPLANATORY MEMORANDUM**

### **1. CONTEXT OF THE PROPOSAL**

#### **• Reasons for and objectives of the proposal**

The early years in human life<sup>1</sup> are the most formative for developing the foundational competences and learning dispositions that influence greatly later education and employment prospects and wider life achievements and satisfaction.

The European Pillar of Social Rights<sup>2</sup> states that children should have the right to affordable early childhood education and care of good quality. It continues by saying that children from disadvantaged backgrounds should have the right to specific measures to enhance equal opportunities.

In its Communication on Strengthening European identity through education and culture<sup>3</sup>, the Commission describes the vision of a European Education Area in which high quality, inclusive education, training and research are not hampered by borders and people can benefit from the rich educational offer in the Union. High-quality early childhood education and care<sup>4</sup> is a part of this vision as it lays the foundation for further learning<sup>5</sup> and formation of identity and citizenship.

High quality services play a decisive role in improving education outcomes, including the development of social competences. Research indicates that participation in high quality early childhood education and care leads to higher basic skills attainment and is a strong prevention measure to early school leaving<sup>6</sup>. PISA, the OECD Programme for International Student Assessment, also shows that students who attended pre-primary education for more than one year scored higher in maths at age 15. Students who had not attended pre-primary education have three times greater chances of being low performers than those who attended it for more than one year<sup>7</sup>.

Inclusive early childhood education and care significantly contributes to addressing inequality and social exclusion. Without high quality early education, a developmental and competences gap develops early between children with different socio-economic backgrounds<sup>8</sup>, therefore, reinforcing the cycle of intergenerational transmission of disadvantage. Early childhood education and care experiences are an opportunity to prevent and mitigate disadvantage for

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<sup>1</sup> 'Early years' in the context of this Recommendation refers to the first six years of life.

<sup>2</sup> Council of the European Union (2017), Interinstitutional proclamation endorsing the European Pillar of Social Rights <http://data.consilium.europa.eu/doc/document/ST-13129-2017-INIT/en/pdf>

<sup>3</sup> Communication from the Commission (2017), Strengthening European Identity through Education and Culture - The European Commission's contribution to the Leaders' meeting in Gothenburg, 17 November 2017, [COM\(2017\) 673 final](#).

<sup>4</sup> Early childhood education and care refers to any regulated arrangement that provides education and care for children from birth to compulsory primary school age - regardless of the setting, funding, opening hours or programme content - and includes centre and family day-care; privately and publicly funded provision; pre-school and pre-primary provision.

<sup>5</sup> Stringher, C. (2016), Assessment of learning to learn in early childhood: an Italian framework. Italian Journal of Sociology of Education, 1/2016.

<sup>6</sup> European Commission (2014), Study on the effective use of early childhood education and care in preventing early school leaving, <https://publications.europa.eu/en/publication-detail/-/publication/7548dd37-c626-4e2d-bd70-625edf707adc/language-en>.

<sup>7</sup> OECD (2016), Low-performing students: why they fall behind and how to help them succeed <https://www.mecd.gob.es/dctm/inee/internacional/low-performers-ebook-final.pdf?documentId=0901e72b82011e68>.

<sup>8</sup> Latest research can show this as early as 12 months: Hurt H. and Betancourt M. (2017), Turning 1 Year of Age in a Low Socioeconomic Environment: A Portrait of Disadvantage, Journal of Developmental & Behavioral Pediatrics: Volume 38 - Issue 7 - p 493–500.

children from disadvantaged Roma communities and those with migrant backgrounds. Research evidence shows that among children from a comparable migrant background, those who attended early childhood education and care in their host country score better in reading<sup>9</sup>. In addition, high quality early childhood education and care services have positive impacts on labour market participation of parents and clear benefits for achieving more gender equality.

The aim of this proposal for a Council Recommendation is to support Member States in their efforts to improve access to and quality of their early childhood education and care systems, whilst recognising that Member States are primarily responsible in this area. It seeks to establish European shared understanding on what constitutes quality in early childhood education and care. It presents tools and policy examples to support Member States in their ambitions to ensure high quality inclusive systems and services. A recent policy review<sup>10</sup> indicates that countries with a strategic approach to quality progress more than others in developing and improving their early childhood education and care provision. However, only few Member States have a Quality Framework or equivalent policy document in place to govern provision. That is why this proposal presents key elements of a quality framework in early childhood education and care that can inspire Member States in their strategic thinking about these services.

In most EU countries neither the quality nor the number of places meets expectations. Currently, there are more than 32 million children below the age of compulsory education in the EU, but only about 15 million of them attend early childhood education and care<sup>11</sup>. While it is the choice of parents to use services or not, the demand for places across Europe is higher than the supply.

The European benchmark set in the context of the Strategic Framework for cooperation in education and training<sup>12</sup> defined that at least 95 % of children between four years and the age for starting compulsory primary education should participate in early childhood education. This benchmark has almost been reached<sup>13</sup>. The target agreed at the European Council in Barcelona in 2002 (with a view to improve female labour market participation) defined that 33% of children under three and 90% of children between three and the mandatory school age should have access to services. An assessment of these targets is being presented in parallel to this proposal<sup>14</sup>.

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<sup>9</sup> OECD and European Union (2015), Indicators of Immigrant Integration 2015, Settling In, <http://www.oecd.org/els/mig/Indicators-of-Immigrant-Integration-2015.pdf>.

<sup>10</sup> Lazzari A. et al. (2017), The current state of national ECEC quality frameworks, or equivalent strategic policy documents, governing ECEC quality in EU Member States, NESET II report, <http://nesetweb.eu/en/library/the-current-state-of-national-ecec-quality-frameworks-or-equivalent-strategic-policy-documents-governing-ecec-quality-in-eu-member-states/>.

<sup>11</sup> European Political Strategy Center (2017), 10 Trends Transforming the Education as We Know It. [https://ec.europa.eu/epsc/publications/other-publications/10-trends-transforming-education-we-know-it\\_en](https://ec.europa.eu/epsc/publications/other-publications/10-trends-transforming-education-we-know-it_en).

<sup>12</sup> European Commission/ EUROSTAT, Your key data to European statistics - European benchmarks, <http://ec.europa.eu/eurostat/web/education-and-training/eu-benchmarks>.

<sup>13</sup> According to the latest European and Training Monitor of 2017, 94.8% of children between the age of four and the age for starting ISCED 1 participate in education, [http://ec.europa.eu/education/sites/education/files/monitor2017\\_en.pdf](http://ec.europa.eu/education/sites/education/files/monitor2017_en.pdf)

<sup>14</sup> Report from the Commission on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe (the "Barcelona objectives"), COM(2018) 273 final; <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-273-F1-EN-MAIN-PART-1.PDF>

The quality of provision is often insufficient and varies greatly within and between countries, between private and public settings, between urban and rural or remote areas, as well as between age groups (0-3 and 3-6)<sup>15</sup>.

The consequences of the lack of available and affordable places and low quality of services are far reaching<sup>16</sup>. Limited availability and/or affordability of high quality services is particularly challenging for children who are already starting life at a disadvantage due to a range of factors such as poverty, disability, discrimination or originating from a Roma or migration background. In today's Europe, children growing up in poverty or social exclusion are still less likely than their better-off peers to do well in school, enjoy good health and realise their full potential later in life<sup>17</sup>.

- **Consistency with existing policy provisions in the policy area**

The need to improve access to and quality of early childhood education and care services was also strongly underlined in the Commission Communication on School development and excellent teaching<sup>18</sup> and the related Council Conclusions<sup>19</sup> on school development and excellent teaching<sup>19</sup>.

The Commission Recommendation on Investing in children: breaking the cycle of disadvantage<sup>20</sup> stressed the importance of providing access to high quality, inclusive early childhood education and care; ensuring its affordability and adapting provision to the needs of families, taking particularly into account the needs of disadvantaged children.

In January 2018 the Commission adopted a proposal for a Council Recommendation on Key Competences for Lifelong Learning<sup>21</sup> which refers to early childhood education and care and the importance of supporting competence development in early years education with a focus on social and emotional competences.

The Commission also adopted a proposal for a Council Recommendation on promoting common values, inclusive education, and the European dimension of teaching<sup>22</sup>. This proposal stresses the importance of providing inclusive education for all learners from an early age onwards.

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<sup>15</sup> Lazzari, A.; Vandebroek, M. (2013), Accessibility of ECEC for children from ethnic minority and low-income families [https://www.researchgate.net/publication/236347188\\_Accessibility\\_of\\_Early\\_Childhood\\_Education\\_and\\_Care\\_ECEC\\_for\\_children\\_from\\_ethnic\\_minority\\_and\\_low-income\\_families](https://www.researchgate.net/publication/236347188_Accessibility_of_Early_Childhood_Education_and_Care_ECEC_for_children_from_ethnic_minority_and_low-income_families); Commission Staff Working Document (2017) Taking stock of the 2013 Recommendation on Investing in children: breaking the cycle of disadvantage, COM (2017)258.

<sup>16</sup> Vandebroek M. et al. (2018), Benefits of early childhood education and care and the conditions for obtaining them, EENNEE Report, <https://publications.europa.eu/en/publication-detail/-/publication/14194adc-fc04-11e7-b8f5-01aa75ed71a1/language-en> ; see also European Commission (2016) Employment and Social Developments in Europe 2015.

<sup>17</sup> Commission Recommendation (2013), Investing in children: breaking the cycle of disadvantage (2013/112/EU) OJ L 59, 2.3.2013.

<sup>18</sup> Communication from the Commission (2017), School development and excellent teaching for a great start in life, COM(2017)248.

<sup>19</sup> Council Conclusions on school development and excellent teaching, 2017/C 421/03.

<sup>20</sup> Commission Recommendation of 20.02.2013, Investing in children: breaking the cycle of disadvantage (2013/112/EU) OJ L 59, 2.3.2013.

<sup>21</sup> European Commission (2018), Proposal for a Council Recommendation on Key Competences for Lifelong Learning, COM(2018)24.

<sup>22</sup> European Commission (2018), Proposal for a Council Recommendation on promoting common values, inclusive education and the European dimension of teaching. COM (2018)23 final.

- **Consistency with other Union policies**

The proposal is strongly related to the European Pillar of Social Rights<sup>23</sup> which has identified, under principle 11, children's right to affordable early childhood education and care provision of good quality.

The availability, accessibility and affordability of high quality childcare facilities are also key factors that allow parents to participate in the labour market. A report on the targets agreed by the Barcelona European Council in 2002, published by the European Commission, assesses the progress made in Member States<sup>24</sup>.

The Work-Life Balance Communication<sup>25</sup> acknowledged the need to provide good quality formal care services across Europe in order to remove obstacles to employment, especially for women. It has the potential to contribute to increasing female labour-market participation and the equal economic independence of women and men, a priority set out in the Commission's Strategic Engagement for Gender Equality 2016-2019<sup>26</sup>. The initiative hence contributes to the Treaty-based objectives<sup>27</sup> of equality between men and women with regard to labour market opportunities, and promoting a high level of employment in the Union.

The EU Framework for National Roma Integration Strategies<sup>28</sup> and the 2013 Council Recommendation of effective Roma integration measures in the Member States<sup>29</sup> called on Member States to widen access to, and increase quality of, early childhood education and care, including via targeted support to Roma children.

The Action Plan on the Integration of Third-Country nationals<sup>30</sup> and the Communication on the protection of children in migration<sup>31</sup> acknowledged that early childhood education and care is fundamental for the integration of families and children from third countries. The initiative contributes to removing barriers to the participation of third-country national girls and boys to early childhood education, to making sure that all children are given the chance to realise their full potential and to support integration of migrant children.

The European Semester process has given prominence to the question of early childhood education and care and several Member States received country specific recommendations on childcare and inclusive education. The Employment Guidelines underline the importance of access to affordable quality early childhood education and care. The 2018 Annual Growth Survey refers to its importance from the points of view of equal opportunities, social inclusion

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<sup>23</sup> Council of the European Union (2017), Interinstitutional proclamation endorsing the European Pillar of Social Rights, <http://data.consilium.europa.eu/doc/document/ST-13129-2017-INIT/en/pdf>.

<sup>24</sup> Report from the Commission on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe (the "Barcelona objectives"), COM(2018) 273 final; <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-273-F1-EN-MAIN-PART-1.PDF>.

<sup>25</sup> Communication from the Commission (2017), An initiative to support work-life balance for working parents and carers, [COM\(2017\)252 final](https://ec.europa.eu/commission/presscorner/detail/en/COM(2017)252_final).

<sup>26</sup> European Commission (2015), Strategic Engagement for Gender Equality 2016-2019, [https://ec.europa.eu/anti-trafficking/eu-policy/strategic-engagement-gender-equality-2016-2019\\_en](https://ec.europa.eu/anti-trafficking/eu-policy/strategic-engagement-gender-equality-2016-2019_en)

<sup>27</sup> Article 153 of the Treaty on the Functioning of the European Union (TFEU).

<sup>28</sup> Communication from the Commission (2011) on an EU Framework for national Roma integration strategies, [COM\(2011\)173](https://ec.europa.eu/commission/presscorner/detail/en/COM(2011)173).

<sup>29</sup> Council Recommendation (EPSCO) of 9th December 2013 on effective Roma integration measures in the Member States, [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/lsa/139979.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lsa/139979.pdf).

<sup>30</sup> Communication from the Commission (2016), Action Plan on the integration of third country nationals, [COM\(2016\)377 final](https://ec.europa.eu/commission/presscorner/detail/en/COM(2016)377_final).

<sup>31</sup> Communication from the Commission (2017), Protection of children in migration, [COM\(2017\)211 final](https://ec.europa.eu/commission/presscorner/detail/en/COM(2017)211_final).

and work-life balance policies. The 2018 Joint Employment Report also refers to Member States' progress in this area, monitoring in particular access to early childhood education and care for children below the age of 3 as part of the Social Pillar Scoreboard<sup>32</sup>. The reconciliation of work and family life should be promoted, in particular through access to long-term care and affordable quality early childhood education and care.

Finally, the EU Structural and Investment Funds are also playing a major role in supporting investments in accessible, affordable and quality infrastructure and services.

## **2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY**

### **• Legal basis**

The initiative is in conformity with Article 165 of the Treaty on the Functioning of the European Union. Article 165(1) of the Treaty on the Functioning of the European Union states that "The Union shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content and organisation of their education systems".

The initiative does not propose any extension of EU regulatory power or binding commitments on Member States. Member States will decide, according to their national circumstances, how they can make the best use of the Council Recommendation.

### **• Subsidiarity (for non-exclusive competence)**

The Commission takes action to further encourage Member States to cooperate in the area of early childhood education and care<sup>33</sup>, following up on important results which have been achieved already, including especially the 2014 expert proposal for a Quality Framework on early childhood education and care<sup>34</sup>.

The added value of action at EU level lies in the ability of the EU to:

- Capitalise on the knowledge and expertise within the Union and continue cooperation on the basis of the proposed quality framework as a common reference tool.
- Further support Member States in their efforts to reform their provision.
- Support Member States' efforts by providing European tools, such as a set of quality statements.

### **• Proportionality**

The proposal envisages recommendations in line with the five dimensions of the Quality Framework accompanied by options for policy responses to the main challenges in the sector. This will allow Member States to make use of the Council Recommendation according to

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<sup>32</sup> Social Scoreboard. Monitoring EU Member States Performance under the European Pillar of Social Rights, [https://ec.europa.eu/commission/sites/beta-political/files/social-scoreboard-2018-country-reports\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/social-scoreboard-2018-country-reports_en.pdf)

<sup>33</sup> 2015 Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020), *New priorities for European cooperation in education and training*, [2015/C 417/04](https://ec.europa.eu/education/policy/strategic-framework/archive/documents/ecec-quality-framework_en.pdf).

<sup>34</sup> Thematic Working group on Early Childhood Education and Care (2014), Proposal for key principles of a Quality Framework for Early Childhood Education and Care, [http://ec.europa.eu/assets/eac/education/policy/strategic-framework/archive/documents/ecec-quality-framework\\_en.pdf](http://ec.europa.eu/assets/eac/education/policy/strategic-framework/archive/documents/ecec-quality-framework_en.pdf).

their specific context. Each Member State decides on the approach to take in working towards improvements of their respective systems.

- **Choice of the instrument**

A Council Recommendation is an appropriate instrument within the field of education and training, where the EU has a supporting competence and is an instrument that has been frequently used for European action in the areas of education and training. As a legal instrument, it signals the commitment of Member States to the measures within the text and provides a stronger political basis for cooperation in this area, while fully respecting Member States' competence in the field of education and training.

### **3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS**

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable.

- **Stakeholder consultations**

In December 2016, 250 experts, policy makers and practitioners attended the conference "A Great start in life! The best possible education in the early years". Conclusions from the conference<sup>35</sup> were duly considered for the preparation of this proposal. Furthermore, the relevant findings during the public consultations on the Work-Life Balance initiative<sup>36</sup> and the European Pillar of Social Rights<sup>37</sup> were taken into account.

Following a series of previous consultations related to proposals for key principles of a Quality Framework for Early Childhood Education and Care<sup>38</sup>, the Commission organised a targeted stakeholder consultation meeting on 31 January 2018. Participants represented a wide range of civil society organisations as well as representatives from Member States, covering organisations working in the field of education and lifelong learning, child protection and child rights, parent and family associations, social inequalities networks, special educational and disabilities agencies and teacher unions. The stakeholder meeting confirmed and welcomed the overall approach and provided further insight into current challenges and possible solutions in the sector.

- Stakeholders highlighted the need for social inclusion and for specific groups of children (or families) to be specified in order to ensure they are not left aside. They reminded of the importance of providing consistent quality everywhere, including in rural areas, and to focus on the needs of children, and include age-appropriate objectives and goals as well as to give greater emphasis to play-based learning;

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<sup>35</sup> European Commission (2016), Great Start in Life. Conference Report, [https://ec.europa.eu/education/sites/education/files/great-start-life-report\\_en.pdf](https://ec.europa.eu/education/sites/education/files/great-start-life-report_en.pdf)

<sup>36</sup> European Commission (2017), Report on the public consultation on possible action addressing the challenges of work-life balance faced by working parents and caregivers, <http://ec.europa.eu/social/main.jsp?catId=1311&langId=en&moreDocuments=yes>.

<sup>37</sup> Public consultation on the European Pillar of Social Rights, <http://ec.europa.eu/social/main.jsp?langId=en&catId=699&consultId=22&visib=0&furtherConsult=yes>.

<sup>38</sup> For example: European Association of Service Providers for Persons with Disabilities (2016), Statement on Early Childhood Intervention, [http://www.easped.eu/sites/default/files/sites/default/files/Policy/Education/easped\\_statement\\_on\\_early\\_childhood\\_intervention.pdf](http://www.easped.eu/sites/default/files/sites/default/files/Policy/Education/easped_statement_on_early_childhood_intervention.pdf), European Parents' Association (2015) The Best Interest of the Young Child: Position Paper on Early Childhood Education and Care Needs and Provisions from the Parents' Perspective.

- Stakeholders also highlighted the need to recognise that the Quality Framework is not only meant to set minimum standards, and that Member States should be encouraged to provide high quality services. Furthermore, the Council Recommendation should provide support at the Member State or system level and should enable flexibility to allow different countries to review their own quality approach.

- **Collection and use of expertise**

Over the course of the last two years, the Commission worked with key experts across the EU to define quality factors<sup>39</sup> and to develop self-evaluation tools. Other major sources are outlined below:

- (1) Data on access, participation and quality will be included from Eurydice (2016) Key Data on Early Childhood Education and Care and the Education and training Monitor (2017) and the OECD (2017) Starting Strong V: Key indicators on early childhood education and care.
- (2) CARE (2016) Curriculum Quality Analysis and Impact Review of European early childhood education and care, Policy Recommendations on quality. This multidisciplinary European research project provided conclusions and recommendations on curriculum, quality, well-being, impact, access, funding and governance, and the role of professionals.
- (3) EENEE (2017) Benefits of early childhood education and care and the conditions under which they can be obtained. This report proposes different types of determinants that may influence whether these potential benefits can materialise.
- (4) NESET (2017) Current state of national early childhood education and care quality frameworks, or equivalent strategic policy documents, governing early childhood education and care quality in EU Member States.
- (5) European Commission Staff Working Document on the Implementation on the Investing in children recommendation<sup>40</sup>, published together with the European Pillar of Social Rights.

Also the European Platform for Investing in Children (EPIC) offers evidence-based good practices for implementing the Investing in Children Recommendation and up-dated country profiles on child and family policies in the EU.

- **Impact assessment**

Given the complementary approach of the activities to Member State initiatives, the voluntary nature of the proposed activities and the scope of the impacts expected, an impact assessment was not carried out. Rather, development of the proposal was informed by previous studies, consultation of Member States and stakeholder consultation.

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<sup>39</sup> European Commission (2018), Monitoring the Quality of Early Childhood Education and Care – Complementing the 2014 ECEC Quality Framework proposal with indicators, <https://publications.europa.eu/en/publication-detail/-/publication/825252b4-3ec6-11e8-b5fe-01aa75ed71a1/language-en/format-PDF/source-69837044>.

<sup>40</sup> Commission Staff Working Document (2017), Taking stock of the 2013 Recommendation on Investing in children: breaking the cycle of disadvantage, COM (2017) 258; see also: Commission Recommendation of 20.02.2013, Investing in children: breaking the cycle of disadvantage (2013/112/EU) OJ L 59, 2.3.2013.

- **Regulatory fitness and simplification**

Not applicable.

- **Fundamental rights**

This Recommendation respects the fundamental rights and observes the principles recognised by the Charter of Fundamental Rights of the European Union, including the right of education, the respect for cultural, religious and linguistic diversity and non-discrimination. In particular, the Recommendation promotes the rights of the child as established in Article 24 and takes into account the UN convention on the Rights of the Child, in particular Article 29.1.c which specifies that the education of the child shall be directed to the development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own<sup>41</sup>. This Recommendation must be implemented in accordance with these rights and principles.

#### **4. BUDGETARY IMPLICATIONS**

Actions proposed in this Recommendation having budgetary implications will be supported within the existing resources of the Erasmus+ Programme, as well as possibly, Horizon 2020 or European Structural and Investment Funds, provided that provisions of the relevant basic acts foresee such support. This initiative does not prejudice the negotiations on the next Multiannual Financial Framework and future programmes.

No additional resources will be required from the EU budget.

#### **5. OTHER ELEMENTS**

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Progress will be followed through meetings of the newly formed Education and Training 2020 Working Group for Early Childhood Education and Care, which will provide a forum for mutual learning and exchange of good practice.

The European Semester will remain an essential instrument to monitor the provision of quality early childhood education and care services, also with regard to the Barcelona target<sup>42</sup>, and will provide further guidance to Member States, including by using country-specific recommendations where appropriate.

A possible new benchmark on the provision of early childhood education and care services will be subject to further discussion with Member States. This may include a possible revision of the Barcelona target for the provision of formal childcare, possible benchmarking in the context of the European Semester, as well as the revision of the benchmark defined in the Strategic Framework for European cooperation in education and training (Education and Training 2020)<sup>43</sup>.

The Commission will report to the Council on the progress of the implementation of the Recommendation in line with reporting modalities of the Strategic Framework of cooperation in Education and Training.

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<sup>41</sup> UN (1989), Convention on the Rights of the Child, adopted 20.11.1989.

<sup>42</sup> Presidency conclusions, Barcelona European Council, 15-16 March 2002, SN 100/1/02 REV 1, [http://ec.europa.eu/invest-in-research/pdf/download\\_en/barcelona\\_european\\_council.pdf](http://ec.europa.eu/invest-in-research/pdf/download_en/barcelona_european_council.pdf).

<sup>43</sup> 2015 Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020) *New priorities for European cooperation in education and training*, [2015/C 417/04](https://ec.europa.eu/education-and-training/sites/default/files/2015/C_417/04).

- **Explanatory documents (for directives)**

Not applicable.

- **Detailed explanation of the specific provisions of the proposal**

### **Member States Provisions**

The proposal recommends that Member States improve access to and the quality of early childhood education and care services. The proposal puts forward the EU Early Childhood Education and Care Quality Framework in its Annex.

The proposal invites Member States to address the main challenges of their early childhood education and care sectors and includes policy options that aim at:

- ensuring that early childhood education and care services are accessible, affordable, and inclusive;
- supporting the professionalisation of staff depending on existing levels of professional qualification and working conditions;
- enhancing the development of early years' curricula so that they can meet wellbeing and educational needs of children;
- promoting transparent monitoring and evaluation of services at all levels of governance;
- ensuring adequate funding and a legal framework for the provision of services, including creating and maintaining tailored national or regional early childhood education and care Quality Frameworks.

### **Commission Provisions**

The Recommendation proposes to welcome the Commission's intention to:

- Facilitate the exchange of experiences and good practices among Member States in the context of the Strategic Framework of cooperation in education and training (Education and Training - ET2020);
- Make European Union funding available for the support of improvements in the availability and quality of services, particularly through the Erasmus+ programme and the European Structural and Investment Funds;
- Following consultations with Member States, propose to review the Education and Training 2020 benchmark, the Barcelona targets, as well as possible benchmarking of early childhood education and care in the context of the European Semester and the implementation of the Pillar of Social Rights.

Proposal for a

## COUNCIL RECOMMENDATION

### on High Quality Early Childhood Education and Care Systems

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 165 thereof,

Having regard to the proposal from the European Commission,

Whereas

- (1) The European Pillar of Social Rights<sup>44</sup> states as its 11<sup>th</sup> principle that all children have the right to affordable early childhood education and care of good quality. This is in line with the Charter of Fundamental Rights of the EU<sup>45</sup> which recognises education as a right and with the United Nations' Sustainable Development Goal 4.2<sup>46</sup> that foresees that all girls and boys should have access to quality early childhood development, care and pre-primary education by 2030.
- (2) In its Communication "Strengthening European Identity through Education and Culture"<sup>47</sup> the European Commission sets out the vision of a European Education Area acknowledging the role of early childhood education and care in laying solid foundations for learning at school and throughout life. The Council Conclusion on school development and excellent teaching<sup>48</sup> and the Commission's proposal<sup>49</sup> for a Council Recommendation on Key Competences for lifelong learning reiterated the pivotal role that early childhood education and care can play in promoting learning of all children, their well-being and development.
- (3) Both policy makers and researchers recognise that it is in the early years<sup>50</sup> that children create the foundation and capacity to learn throughout life. Learning is an incremental process; building a strong foundation in the early years is a precondition for higher level competence development and educational success as much as it is essential for health and the well-being of children. Therefore, early childhood education and care needs to be regarded as the foundation of education and training systems and be an integral part of the education continuum.
- (4) Participating in early childhood education and care is beneficial for all children and especially for children in a disadvantaged situation. It helps by preventing the

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<sup>44</sup> Council (2017), Interinstitutional proclamation endorsing the European Pillar of Social Rights <http://data.consilium.europa.eu/doc/document/ST-13129-2017-INIT/en/pdf>.

<sup>45</sup> Charter of Fundamental Rights of the European Union, [2012/C 326/02](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A2012C326%2F02).

<sup>46</sup> Sustainable Development Goal 4, [UN SDG 4.2](https://www.un.org/sustainabledevelopment/education/).

<sup>47</sup> Communication from the Commission (2017), Strengthening European Identity through Education and Culture - The European Commission's contribution to the Leaders' meeting in Gothenburg, 17 November 2017, [COM\(2017\)673 final](https://ec.europa.eu/commission/presscorner/detail/en/COM(2017)673_final).

<sup>48</sup> Council Conclusions on school development and excellent teaching, [2017/C 421/03](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A2017C421%2F03).

<sup>49</sup> European Commission (2018), Proposal for a Council Recommendation on Key Competences for Lifelong Learning, [COM\(2018\)24](https://ec.europa.eu/commission/presscorner/detail/en/COM(2018)24).

<sup>50</sup> Definition of early years is from birth to usually the age of 6, corresponding educational level ISCED 0.

formation of early skills gaps and thus it is an essential tool to fight inequalities and educational poverty. Early childhood education and care provision needs to be part of an integrated child-rights based package of policy measures to improve outcomes for children and break intergenerational cycles of disadvantage. Improving provision therefore helps to deliver on commitments made in the Commission Recommendation on Investing in children: breaking the cycle of disadvantage<sup>51</sup> and the 2013 Council Recommendation of effective Roma integration measures in the Member States<sup>52</sup>.

- (5) Participating in early childhood education and care has multiple benefits<sup>53</sup> both for individuals and for society as a whole, from improved educational attainment and labour market outcomes to fewer social and educational interventions and more cohesive and inclusive societies. Children who attended early childhood education for more than one year scored higher in maths at age 15 in the PISA studies<sup>54</sup>. Participating in quality early childhood education and care has also been shown to be an important factor to prevent early school leaving<sup>55</sup>.
- (6) Education from the earliest stages has an essential role to play in learning to live together in heterogeneous societies. These services can strengthen social cohesion and inclusion in several ways. They can serve as meeting places for families. They can contribute to developing language competences of the children, both in the language of the service and the mother tongue. Through social-emotional learning, early childhood education and care experiences can enable children to learn how to be empathic as well as learn about their rights, equality, tolerance and diversity.
- (7) Returns on investment in early stages of education are the highest of all educational stages, particularly for those in a disadvantaged situation<sup>56</sup>. Spending on early childhood education and care is a high return early investment in human capital.
- (8) The availability, accessibility and affordability of high quality childcare facilities are furthermore key factors that allow women, and also men, with care responsibilities to participate in the labour market, as recognised by the 2002 Barcelona European Council, the European Pact for Gender Equality<sup>57</sup> and the Commission's Work-Life Balance Communication adopted on 26 April 2017<sup>58</sup>. Women's employment is directly contributing to improving the socio-economic situation of the household and to economic growth.

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<sup>51</sup> Commission Recommendation of 20.02.2013, Investing in children: breaking the cycle of disadvantage (2013/112/EU) OJ L 59, 2.3.2013

<sup>52</sup> Council Recommendation (EPSCO) of 9th December 2013 on effective Roma integration measures in the Member States

<sup>53</sup> Vandenbroeck M. et al (2017), Benefits of early childhood education and care and the conditions for obtaining them, Report of the European Expert Network on Economics of Education <http://www.eenee.de/eeneeHome/EENEE/Analytical-Reports.html>.

<sup>54</sup> OECD (2016), Education at a Glance, <http://www.oecd.org/education/education-at-a-glance-19991487.htm>.

<sup>55</sup> European Commission (2014), Study on the effective use of early childhood education and care in preventing early school leaving, <https://publications.europa.eu/en/publication-detail/-/publication/7548dd37-c626-4e2d-bd70-625edf707adc/language-en>.

<sup>56</sup> Heckman, J.J. and Mosso, S. (2014), The Economics of Human Development and Social Mobility. *Annual Reviews of Economics*, 6, 689-733.

<sup>57</sup> Council conclusions of 7 March 2011 on European Pact for Gender Equality (2011-2020), [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011XG0525\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011XG0525(01)&from=EN)

<sup>58</sup> Communication from the Commission (2017), An initiative to support work-life balance for working parents and carers, [COM\(2017\)252 final](COM(2017)252).

- (9) Investing in early childhood education and care is a good investment only if the services are of high quality, accessible, affordable and inclusive. Evidence shows that only high quality early childhood education and care services deliver benefits; low quality services have significant negative impact on children and on society as a whole<sup>59</sup>. Policy measures and reforms need to give priority to quality considerations.
- (10) Overall, Member States spend significantly less on early childhood education and care than on primary education. As shown by the report assessing progress on the Barcelona targets<sup>60</sup>, currently there are not enough places in early childhood education and care services available and demand outstrips the supply in nearly all countries. Lack of availability, accessibility, and affordability has been shown to be one of the main barriers to the use of these services<sup>61</sup>.
- (11) The European Parliament, in its Resolution of 14 September 2017 on A New Skills Agenda for Europe<sup>62</sup>, calls on Member States to enhance quality and broaden access to early childhood education and care and to address the lack of sufficient infrastructure offering quality and accessible childcare for all income levels as well as to consider granting free access for families living in poverty and social exclusion.
- (12) Early childhood education and care services need to be child-centred; children learn best in environments that are based on children's participation and interest in learning. The organisation, the choice of activities and objects for learning are often communicated between the educators and the children. Services should offer a safe, nurturing and caring environment and provide a social, cultural and physical space with a range of possibilities for children to develop their potential. Provision is best designed when it is based on the fundamental assumption that education and care are inseparable.
- (13) Within a context that is set by the national, regional or local regulations, families should be involved in all aspects of education and care for their children. Family is the first and most important place for children to grow and develop, and parents and guardians are responsible for each child's well-being, health and development. Early childhood education and care services are an ideal opportunity to create an integrated approach because they lead to a first personal contact with the parents. Parents who experience problems could be offered individual counselling services during home visits. To make their involvement a reality, early childhood education and care

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<sup>59</sup> Melhuish, E.; et al.; (2015). A Review of Research on the Effects of Early Childhood Education and Care on Child Development. CARE Project Report, <http://ecec-care.org/>.

<sup>60</sup> Report from the Commission on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe (the "Barcelona objectives"), COM(2018) 273 final; <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-273-F1-EN-MAIN-PART-1.PDF>

<sup>61</sup> OECD (2017), Starting Strong 2017: Key OECD Indicators on Early Childhood Education and Care <http://dx.doi.org/10.1787/9789264276116-en>; and Council Recommendation (2013) on effective Roma integration measures in the Member States [http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013H1224\(01\)&from=en](http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013H1224(01)&from=en) ; and Eurofound (2015) Early childhood care : Accessibility and quality of services, [https://www.eurofound.europa.eu/sites/default/files/ef\\_publication/field\\_ef\\_document/ef1512en.pdf](https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1512en.pdf).

<sup>62</sup> European Parliament resolution of 14 September 2017 on a new skills agenda for Europe (2017/2002(INI)) P8\_TA-PROV(2017)0360

services should be designed in partnership with families and be based on trust and mutual respect<sup>63</sup>.

- (14) Early childhood education and care participation can be an effective tool to achieve educational equity for children in a disadvantaged situation, such as some migrant or ethnic minority (for example Roma) and refugee children, children with special needs or disabilities, children in alternative care and street children, children of imprisoned parents, as well as children within households at particular risk of poverty and social exclusion, such as single-parent or large households. Refugee children, due to their vulnerable situation, need enforced support. Poverty, physical and emotional stressors, traumas and missing language skills can hinder their future educational prospects and successful integration into a new society. Participation in early childhood education and care can help to mitigate these risk factors.
- (15) Providing inclusive early childhood education and care can contribute to delivering on commitments made by Member States in the UN Convention on the Right of the Child<sup>64</sup> and the Rights of Persons with Disabilities<sup>65</sup> that all Member States are signatories of.
- (16) The 2014 publication of a proposal for key principles of a Quality Framework<sup>66</sup> was the first statement from European experts from 25 countries on quality in early childhood education and care. The statements are based on five dimensions: access; workforce; curriculum; monitoring and evaluation; and governance and funding. A total of ten statements are made on strengthening the quality of early childhood education and care provision. This document was shared in many countries by local stakeholders engaged in policy advocacy, research and training initiatives. In these countries, the draft framework acted as a powerful catalyst for change by contributing to policy consultation processes that sustained existing reform pathways.
- (17) All five dimensions of the quality framework are essential for guaranteeing high quality services. Especially, the work of early childhood education and care professionals has a long lasting impact on children's lives. However, in many countries the profession has a rather low profile and status<sup>67</sup>.
- (18) To fulfil their professional role in supporting children and their families, early childhood education and care staff require complex knowledge skills and competences as well as a deep understanding of child development. Professionalisation of staff is key because higher levels of preparation positively correlates with a better quality

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<sup>63</sup> A *Children in Europe* policy paper (2008), Young children and their services: developing a European approach,

[http://www.edizionijunior.com/public/INSERTI/CiE%20Policy%20Paper\\_april%202008\\_INGLESE.pdf](http://www.edizionijunior.com/public/INSERTI/CiE%20Policy%20Paper_april%202008_INGLESE.pdf)

<sup>64</sup> Convention on the Rights of the Child (1989), <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>.

<sup>65</sup> United Nations Convention on the Rights of Persons with Disabilities (2006), [United Nations Convention on the Rights of Persons with Disabilities](http://www.un.org/disabilities/convention/convention.asp).

<sup>66</sup> Thematic Working group on early childhood education and care ECEC (2014), Proposal for key principles of a Quality Framework for Early Childhood Education and Care, report of the Working Group on Early Childhood Education and Care under the auspices of the European Commission, [http://ec.europa.eu/assets/eac/education/policy/strategic-framework/archive/documents/ecec-quality-framework\\_en.pdf](http://ec.europa.eu/assets/eac/education/policy/strategic-framework/archive/documents/ecec-quality-framework_en.pdf).

<sup>67</sup> Eurofound (2015), Early Childhood Care: working conditions, training and quality-A systematic review <https://www.eurofound.europa.eu/de/publications/report/2015/working-conditions-social-policies/early-childhood-care-working-conditions-training-and-quality-of-services-a-systematic-review>.

service, higher quality staff-child interactions and therefore better developmental outcomes for children<sup>68</sup>.

- (19) Many service providers work with assistants whose main role is to support educators, working directly with children and families. They usually hold a lower qualification than educators and in many countries there is no qualification requirement for becoming assistants. Therefore, professionalisation of staff, including assistants, is necessary<sup>69</sup>. Continuing professional development is an integral part of raising the competences of assistants.
- (20) A quality framework or equivalent document can be an efficient element of good governance in early childhood education and care. According to expert opinion and a recent policy review<sup>70</sup>, countries that develop and implement quality frameworks have more comprehensive and consistent approaches to reforms.
- (21) Member States have set benchmarks and targets on children's participation in early childhood education and care. In 2002, the European Council in Barcelona set targets<sup>71</sup> for the provision of formal childcare to be at least 90% of children in the Union between the age of three and the mandatory school age, and that at least 33% of children under the age of three should have access by 2010. These targets were reaffirmed in the European Pact for Gender Equality 2011-2020. Analysis on the progress towards these benchmarks is detailed in the Commission report on the Barcelona Objectives<sup>72</sup>. The Strategic Framework for European cooperation in education and training<sup>73</sup> set a 95% participation benchmark for children between four and the start of primary education.
- (22) Member States have made good overall progress in recent years in improving the availability of early childhood education and care services. The Education and Training 2020 benchmark and the Barcelona target for children under the age of 3 have been achieved. The Barcelona target for children from the age of 3 until mandatory school age has not yet been achieved despite the progress made since 2011. In 2016, 86.3 % of children in that age group participated in early childhood education and care. However, these averages hide significant differences between Member States, regions and social groups<sup>74</sup>. Further efforts are needed to ensure that all children have access to high quality early childhood education and care as early as

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<sup>68</sup> European Commission (2011), CoRe: Competence Requirements in Early Childhood Education and Care, <https://download.ei-ie.org/Docs/WebDepot/CoReResearchDocuments2011.pdf>.

<sup>69</sup> Peeters, J.; Sharmahd, J.; Budginaitė I. (2016), Professionalisation of Childcare Assistants in Early Childhood Education and Care (ECEC): Pathways towards Qualification, NESET II report, <http://www.earlychildhoodworkforce.org/node/228>.

<sup>70</sup> Lazzari A. (2017), [The current state of national ECEC quality frameworks, or equivalent strategic policy documents, governing ECEC quality in EU Member States](#), NESET II report.

<sup>71</sup> Presidency conclusions, Barcelona European Council, 15-16 March 2002, SN 100/1/02 REV 1. [http://ec.europa.eu/invest-in-research/pdf/download\\_en/barcelona\\_european\\_council.pdf](http://ec.europa.eu/invest-in-research/pdf/download_en/barcelona_european_council.pdf)

<sup>72</sup> Report from the Commission on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe (the "Barcelona objectives"), COM(2018) 273 final; <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-273-F1-EN-MAIN-PART-1.PDF>

<sup>73</sup> 2015 Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020) *New priorities for European cooperation in education and training*, 2015/C 417/04.

<sup>74</sup> Report from the Commission on the development of childcare facilities for young children with a view to increase female labour participation, strike a work-life balance for working parents and bring about sustainable and inclusive growth in Europe (the "Barcelona objectives"), COM(2018) 273 final; <http://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-273-F1-EN-MAIN-PART-1.PDF>

parents request it. In particular, specific measures are required to create greater access for children in a disadvantaged situation<sup>75</sup>.

- (23) This Recommendation seeks to establish a shared understanding of what quality means in the early childhood education and care system. It sets out possible actions for governments to consider, according to their specific circumstances. This Recommendation also addresses parents, institutions and organisations, including social partners and civil society organisations seeking to enhance the sector.
- (24) Early childhood education and care as understood in this Recommendation<sup>76</sup> should be understood as referring to any regulated arrangement that provides education and care for children from birth to the compulsory primary school age - regardless of the setting, funding, opening hours or programme content - and includes centre and family day-care; privately and publicly funded provision; pre-school and pre-primary provision.
- (25) This Recommendation fully respects the principles of subsidiarity and proportionality.

HEREBY RECOMMENDS THAT MEMBER STATES:

*In accordance with national and European legislation, available resources and national circumstances, and in close cooperation with all relevant stakeholders:*

1. Improve access to high quality early childhood education and care systems in line with the statements set out in the 'Quality framework for early childhood education and care' presented in the Annex to this Recommendation and with the 11<sup>th</sup> principle of the European Pillar of Social Rights.
2. Work towards ensuring that early childhood education and care services are accessible, affordable, and inclusive. Consideration could be given to:
  - (a) analysing the supply and demand from families in order to better adapt the offer of early childhood education and care services to their needs, respecting parental choice;
  - (b) analysing and addressing all barriers that families might encounter such as costs, poverty related barriers, geographical location, inflexible opening hours, cultural and linguistic barriers, discrimination as well as a lack of information;
  - (c) establishing contact with all families and especially families in a disadvantaged situation in order to inform them about the benefits of early childhood education and care participation and build trust in the services;
  - (d) ensuring that all children have access to affordable early childhood education and care of good quality, ideally by working at the appropriate governance level towards a right to an early childhood education and care place of good quality;
  - (e) providing inclusive early childhood education and care services for all children, including children with diverse backgrounds, special educational needs or disabilities, avoiding segregation and incentivising their participation regardless of the labour market status of their parents or carers.

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<sup>75</sup> European Commission (2017), [Education and Training Monitor](#).

<sup>76</sup> ISCED 0.1 and ISCED 0.2.

- (f) supporting all children to learn the language of education while also welcoming and valorising children's mother tongue.
3. Support the professionalisation of early childhood education and care staff. Depending on the existing level of professional qualification and working conditions, successful efforts can include:
- (a) raising the status of the early childhood education and care profession by creating professional standards, aligning qualification requirements, professional status and career prospects of early childhood education and care educators with those of primary school teachers and creating professionalisation pathways for staff with low or no qualification and specific pathways to qualify assistants;
  - (b) improving initial education and continuous professional development to take full account of the well-being, learning and developmental needs of children, relevant societal developments, and full understanding of child rights;
  - (c) providing time for staff for the purpose of professional activities such as reflection, planning, engaging with parents and collaborating with other professionals and colleagues;
  - (d) aiming at equipping staff with the competences to respond to the individual needs of children from different backgrounds and with a special educational need or disability, preparing staff to manage diverse groups.
4. Enhance the development of early years' curricula in order to meet the wellbeing and educational needs of children. Approaches supporting curriculum development and social, emotional, learning and linguistic competences of children could include:
- (a) ensuring a balance in the provision of social-emotional, wellbeing and learning, acknowledging the importance of play, contact with nature, the role of music, arts and physical activity;
  - (b) fostering empathy, compassion and awareness in relation to equality and diversity;
  - (c) offering opportunities for early language exposition and learning through playful activities; and considering bilingual early childhood programmes;
  - (d) offering guidance for providers on the age-appropriate use of digital tools and emerging new technologies;
  - (e) promoting further integration of early childhood education and care in the education continuum and supporting collaboration of early childhood education and care and primary school staff and smooth transition for children to primary school.
5. Promote transparent and coherent monitoring and evaluation of early childhood education and care services at all levels with a view to policy development. Efficient approaches could include:
- (a) using self-evaluation tools, questionnaires, observation guidelines as part of quality management at system and service level;
  - (b) using adequate and age-appropriate methods to foster children's participation and listen to children's views, concerns and ideas and take these into account in the assessment process;

- (c) implementing existing tools to improve the inclusiveness of early childhood education and care provision such as the Inclusive Early Childhood Education Learning Environment Self-Reflection Tool developed by the European Agency for Special Needs and Inclusive Education.
6. Aim at ensuring adequate funding and a legal framework for the provision of early childhood education and care services. Consideration could be given to:
- (a) scaling up investment in early childhood education and care with a focus on availability, quality and affordability, including making use of the funding opportunities offered by the European structural and investment funds;
  - (b) creating and maintaining tailored national or regional Quality Frameworks;
  - (c) promoting further integration of services for families and children, most importantly with social and health services;
  - (d) embedding robust child protection/safeguarding policies within the early childhood education and care system to help protect children from all forms of violence.
7. Report through existing frameworks and tools on experiences and progress in relation to access and quality of early childhood education and care systems.

HEREBY WELCOMES THE COMMISSION'S INTENTION TO:

- 8. Facilitate the exchange of experiences and good practices among Member States in the context of the Strategic Framework of cooperation in education and training and successor schemes, as well as in the Social Protection Committee.
- 9. Support the cooperation of Member States, based on their demand, by organising peer learning and peer counselling.
- 10. Support the development of high quality inclusive early childhood education and care services by making available EU funding, particularly in the framework of the Erasmus+ programme and the European Structural and Investment Funds, including Interreg, without any prejudice to negotiations on the next Multiannual Financial Framework.
- 11. Propose updated European benchmarks or targets on early childhood education and care aiming at the provision of services, in line with possibly revised ET2020 benchmark and Barcelona targets, following consultation with Member States.
- 12. Report to the Council on follow up of the Recommendation in line with reporting modalities of the existing frameworks and tools.

Done at Brussels,

*For the Council*

*The President*