Support Material 4.8b

MODULE 4.8 Developing Policy for Early Childhood

BASIC TEXT – Background Reading for the Facilitator

Steps in Policy Development

No matter what the impetus for change, policy-making is a process. The process should assist the government in formulating Early Childhood policies linked to overall national development priorities. The process should also lead to arrangements for effective implementation, monitoring, management and coordination of Early Childhood programmes, and subsequent identification of policy and strategy options for strengthening Early Childhood's contribution to national development. There are the following steps in the process:

1. Initiating the Process
2. Situation Analysis/Policy analysis
3. Developing appropriate policy
4. Moving From Recommendations to Policy and Action
5. Implementation and Enforcement
6. Monitoring and Evaluation

1. Initiating the Process

The impetus for examining policy can come from a variety of sources, as noted above. As the process gets underway it is critical to ensure adequate participation from relevant agencies and groups, both within the government and from outside. Then someone within the government has to take the responsibility for actually overseeing the process. The extent to which the exercise is taken seriously will depend on whether or not this individual has power or access to power within the system. Policy reviews that are initiated by the Planning Office, or the Prime Minister's Office, or an equivalent body, will get the cooperation of high ranking officials within the various ministries. If the initiative is taken by a ministry with low status, it may be possible to change the policy within that ministry, but it is unlikely that the ministry will be able to impact national policy.

The Office or Ministry that begins the policy review process may receive support from an external agency. As noted, donor agencies may provide technical and/or financial support for such a review. UNICEF is another organization that has taken an active role in the policy-making process.

a. Determining Who is to Be Involved in the Process and in What Capacity

As noted, a government ministry/department generally coordinates the process because ultimate responsibility for establishing policy lies with the government. However, a much broader constituency may well be involved in developing the policy. This can include citizen groups, non-governmental agencies, and the private sector. When a broad-based constituency is involved in the process of creating the policy, and includes representatives of all the people who will ultimately be affected by the policy, it is much more likely to be accepted, embraced and implemented.
The first task requires initiating a partnership with the government agency with the mandate for oversight of national policy development. This will ensure linkage of early childhood issues with broader polices and legislation for children and establish, from the start, full ownership for steering the process towards political endorsement as well as follow-up and monitoring for implementation. While technical agencies or individuals may assist in facilitating the process, the overall initiative should be led by the Government body. As Evans (1995) points out, “the process of policy development is more political than technical.”

b. Identifying and Securing the Commitment of the Lead Agency

Somebody needs to take the lead in overseeing the process. The ministry or office that initiated the activity may continue to coordinate it over time, or stakeholders may decide that the policy would carry more weight if overseen by a different ministry with more perceived power. For example, in the Education for All Initiative, Ministries of Education are designated as the key implementers. However, in many countries it has been necessary to involve other ministries and offices in order to develop national social and economic policies that would support the initiative and garner the necessary resources required by the Ministry of Education to meet national educational goals.

Because government ministries are generally interdependent, and sometimes must compete for limited resources, it is important that the formation of national Early Childhood policy not be seen as a unilateral education policy. Early Childhood deals with the whole child in its family and community context, and thus policymakers need to draw on the support and engage the participation of diverse ministries such as Health, Social Welfare, Women and Youth Development, and, as was the case in Namibia, the Ministry of Regional and Local Governments.

Regardless of who takes the lead in the process, in order to ensure maximum participation by key agencies and sectors and to enable adequate data to be collected, a Task Force should be set up. The Task Force may be composed of only government representatives, or it may be more broadly based, comprising representatives from government agencies, the private sector, NGOs, and the family/community representatives. With the assistance of a small part-time team of local consultants/resource persons hired to undertake specific activities, the Task Force should have responsibility for the following functions:

- define specifically the needs to be addressed through the study;
- undertake and coordinate the various sub-studies and activities of the review;
- facilitate the collection of data;
- make arrangements for major review events, such as seminars and workshops;
- ensure broad representation of relevant points of view;
- supervise the preparation of the report;
- review the recommendations and finalize the report.

2. Situation Analysis/Policy analysis

a. Assess current context
In order to determine an appropriate time to begin the policy process, some of the following questions can be asked: What is the level of political will to engage in a policy process at this point in time? Is the government supportive of Early Childhood in ways that can be built on? What makes it possible to discuss policy now? It is important that these questions are answered. If this is not a particularly propitious time (e.g., if there will be an election in the next 6-12 months), then activities undertaken now may be stopped if a new government comes to power. If you think it is important to get underway at this point, then it would be wise to include some of the opposition party in the process.

b. Document the Issues Affecting Young Child Development

After identifying relevant stakeholders, consult with them to document the major concerns or issues regarding the status of young children and their families and the status of provisions for young children within each thematic area of the Convention on the Rights of the Child. For each area, break the analysis out at the four main levels of society: Family Level, Community Level, Institutional Level and System or State Level. Identify the specific concerns, risks and needs for the different age bands within the early childhood age range (i.e. birth to three years, four to six, and six to eight). The information collected though this process will be critical later on in providing a base for advocacy for policy changes and for building institutional links. Diagram provides a simple tool for collecting such information.

Assessing the status of services is a part of defining the situation of young children. Where are there gaps in service and why do these gaps exist? Assessment can be done in relation to overlaps, fragmentation/linkage contradictions/consistency, young child friendliness, etc.

c. Assess the Current Policy Provisions and Gaps

Once the situation analysis of the status of young children has been completed as described above, identify any existing policies and legislation that currently address the concerns identified, whether directly or indirectly. Where possible articulate implicit or unwritten policies that can be inferred from actions and programmes of government. Highlight any areas reflecting gaps, overlaps, fragmentation or contradictory provisions. The identification of “gaps” does not necessarily mean gaps in existing policies and legislation as these may be few or non-existent, but rather gaps in the provision of written commitments towards protecting and promoting children’s rights. The research tasks therefore cannot be limited to the collection and review of existing legislation and policies but interviews with key informants and stakeholder groups in order to determine the consequences of the existence or lack of policies, programmes and services.

The process outlined should aim to highlight not only existing policies that are facilitative but those that have reduced opportunities for optimal development. For each public policy being reviewed, examine the extent to which it is “young-child friendly” i.e. the rights and priority needs of young children and their families are specifically taken into account. Ask the following questions - How well do the current policies support integrated Early Childhood programming? How effective are public policies in linking the work of different social sectors to meet the rights and priority needs of young children in a comprehensive manner?

Is current policy effective?

It is important to try and see whether current policy is effective in bringing about changes in
programs, in the availability and use of resources, and in the condition of families and children. From the above analysis, we will already know what policy and program changes have occurred during the period. But it is also important to ask about:

- The availability of resources for Early Childhood (changes in government budgets and other resources).
- Organizational changes in support of Early Childhood (governmental and non-governmental changes).
- Outcomes (effects on the condition of children, families, and society in terms of equity, respect for differences, participation or other “desirable” criteria).

Answering the above questions will provide an understanding of how various factors influence changes in policy in your context. By learning from history and assessing what exists today it is then possible to develop a strategy for making changes in and/or reinforcing both policy and programmes.

3. Developing appropriate policy

a. Building the case for early childhood policy

The Task Force needs to build a case for increased investment in Early Childhood. Policymakers require information that will both convince them that policies need to be changed and guide them in terms of what appropriate policy might be. The data to be gathered need to answer the following questions that policy makers are likely to ask:

- Why should we invest in Early Childhood programmes?
- What is the need (under what conditions do children live; what is their physical, emotional and mental status) and what is the demand for Early Childhood programming?
- What coverage is provided by current Early Childhood programmes, and in what ways does this respond to need and demand?
- In the best of all possible worlds, what would we like to see in terms of Early Childhood provision?
- What are some short-term and long-term goals we can set in order to move toward the kind of coverage and provision we envision?
- Where are there gaps in service and why do these gaps exist?
- What would be the most productive role for this government to take in addressing the gaps and supporting provision of quality services?
- What supports and resources—legislative, financial, human, organizational, and technical—are available for the creation and maintenance of Early Childhood programmes (including governmental, non-governmental, and international resources)?
- What are the costs associated with different models of Early Childhood provision? Who is currently paying those costs, and who will pay them in the future?

Case 1: Caribbean Countries

The presence or absence of policies and legislation and how these are articulated significantly impacts on the lives of children and their families. While current policy and legal reform efforts are providing new and invaluable frameworks within which persons and institutions can be guided, there are numerous uncharted areas which are left to chance, the discretion of individuals
and which represent an opportunity for building increased awareness and commitment to young children. The Caribbean POA has challenged countries to establish structures for on-going advice and advocacy to government for required Early Childhood policy changes. Now that these structures exist or are being formed let us extend the horizons of policy and legal reform in the Caribbean early childhood sector. In so-doing we can offer more comprehensive frameworks for the protection of young children as full citizens in the Caribbean with greater opportunities for them to develop to their full potential.

### Case 2: Caribbean countries
Policy making and legislative reform related to Early Childhood in the Caribbean has involved an inter-sectoral approach but has been largely been limited to provisions at the institutional level. Institutional provisions are largely confined to the education sector, public policies are heavily weighted towards protection issues and do not place special focus on the young child. What seems to be missing, therefore is a truly comprehensive approach to policy analysis and development for young children followed by an examination of the most feasible and practical instruments and mechanisms for reform. As articulated by Doryan (2001), “comprehensive policy development frameworks are needed to integrate the vision of decision makers and to coordinate action on the ground.” Several opportunities now exist for such expansion of policy development work. These include the emergence of inter-sectoral, multi-agency structures/mechanisms, exposure of early childhood practitioners to the policy development process and general sensitization of the public about the importance of holistic early childhood development.

#### b. Articulating Policy Recommendations

Through continued consultation with stakeholders, the next step is to identify and articulate the policy implications or recommendations for each of the concerns or issues documented (i.e., identify what, in the ideal world, would be desirable both in the short term and the long term and what the most productive role for the government would be for addressing each issue). Examine the policy options with respect to feasibility, affordability for operationalisation and potential for misunderstanding or resistance. Examine the likely effects of policy changes on the condition of children, families and institutions. This will require an assessment of the current context and a prediction of the outcomes of different policy options in a wide range of situations and under diverse conditions and assessing the chances for success of implementation. Identify the types of legislative, financial, human, organizational and technical supports and resources that would be required for the creation and maintenance of the proposed policies. Examine the relative trade offs among multiple goals and possible effects of redistribution of resources.

It is suggested that once a policy agenda is set, more detailed and specific policies can be defined incrementally by recommendations that emerge out of further consultations or review of feasibility studies of pilot projects designed to take interventions to scale.

Once the policy is framed and drafted by the Task Force, it is then the responsibility of the lead Ministry/Office to take the recommendations through the legislative process. To help the government become aware of a broad range of possibilities, and to make the best possible choices within their country, it is useful to provide case studies of alternatives tried elsewhere. Examples from within the region may be of particular interest. In order to provide the international perspective and a degree of ‘objectivity’, it may well be useful to include a person with regional and/or international Early Childhood who can inform the Task Force of relevant and alternative experiences from other countries. Sometimes, when stakeholders have competing political
agendas, an external consultant can help catalyze the participation of Task Force members who would have trouble accepting the expertise and guidance of any one local resource person.

4. Moving From Recommendations to Policy and Action

The data-gathering process provides an important foundation for the development of policy. But gathering data and making a set of recommendations are only the preliminary steps in the process. There is then the task of taking the recommendations through the legislative process within the country. The lead government agency will have responsibility for this, and the procedures will vary from one country to another. Even as the process begins it is wise to anticipate what some of the roadblocks might be. For example, is there a significant group or organization that has not been included in the policy-formulation process who may raise opposition as recommendations are put forward? In one instance the government developed its Early Childhood policy without the inclusion of NGOs who have been involved in Early Childhood programming in the country over the past 30 years. When the new policy was put forward the NGOs effectively blocked adoption of the policy because they had not been involved in framing it, even though, had they been involved, a similar policy might well have been drafted.

Opposition might also come from a political party that is not currently in power. Their reaction should be anticipated and addressed if possible. The greatest constraint is likely to be time. Unless there is considerable pressure to act quickly, it can take several years from the time the policy formulation process begins until a policy is actually in place. Then there is likely to be a gap in time between the policy's adoption and putting the mechanisms into place to allow for its implementation. Thus it is important for those involved to realize that they are making a long-term commitment to the process. It also suggests that policy should not be thought of as a way to respond quickly to current needs. Policy should be designed to foster long-term, national development goals and not be viewed as a stopgap measure to respond to pressures of the day.

In summary, those involved in Early Childhood activities in the country need to determine what they would like to see as appropriate policies within their country. Guidance on what those policies might be can come from outside the country, in line with international initiatives, but ultimately national policies have to be developed within the ethos of a given nation. The questions that need to be asked are: Does the policy strengthen Early Childhood's contribution to national development? Does the policy allow for Early Childhood programmes to be linked to and reinforce high priority objectives of the current national development policy?

The challenges of policy and legal reform are no different from those associated with change in general. Any reform effort requires clearly defined goals where all stakeholders can identify and agree on the issues, propose necessary provisions or adaptations, acknowledge the potential benefits and be engaged in a process that leads to ownership. As Myers points out, policy and policy formulation cannot be separated from politics which is essentially a process of negotiating power. Integrated policy reform will require intensive and extensive stakeholder consultation involving various levels of Government, NGO, private sector and other civil society actors to allow for divergent ideas to emerge, followed by consensus building. The stakeholders should not be limited to professionals and policy makers but include practitioners and beneficiaries who are most likely to be affected by the proposed policy. It should also be recognized that the policy dialogue will require different sets of actors and processes depending on the content of the policy.
5. Implementation and Enforcement

In order to put policies into practice, procedures and systems will have to be developed to monitor adherence to the new requirements and support the full implementation of the desired reform. International agreements require participating states to ensure not only that laws are established but that adequate social services, care facilities and national procedures are made available to guarantee the efficient enforcement of these provisions.

It will be impossible to consider broadening the horizons of policy and legislative development without addressing the challenge of financing reform. This is where development partners will be required to contribute to meeting the challenge. Besides supporting technical assistance for policy and legislative development and consultative processes for review, there will be a need for increased investments in policy advocacy. Alongside the policy dialogue process that will lead to policy formalization and adoption, there is a need to incorporate the development of a communication strategy that will frame commitments in ways that will facilitate public awareness, ownership advocacy and action.

As a case in point, birth registration is a key protection issue for the young child yet this is an area that has often been overlooked in the child and family law reform in the Caribbean. Whether or not a child is registered at birth ultimately affects the level of enjoyment of his/her fundamental rights and freedoms such as enabling the child to know their parentage or to gain access to state protection and benefits such as schooling and health services. Absence of birth registration also affects the rights of young children collectively as such data are an essential element of national data systems required for planning and targeting of programmes for young children. Without registration, for example, it is unlikely that countries can have an accurate knowledge of infant mortality rates – a key indicator for child survival strategies. Absence of registration is due to several factors - parents’ lack of knowledge of the CRC or of the negative effects of non-registration on children’s legal status, the migration of persons from their original place of residence and deficiencies and lack of technology in the registration system. While the costs implications of mandating universal birth registration may be high, particularly in countries with dispersed rural populations, creative low cost solutions for implementing such a policy (e.g., registration offices in schools) are possible and the benefits to be reaped are substantial.

6. Monitoring and Evaluation

Written into the process of policy development should be the process of monitoring and evaluation. There is a need to analyze and assess the actual impact of new policies not just on increased inputs or improved access, but on the actual improvement or impact on the lives of children. Policy implementation will be subject to multiple interpretations and can be manipulated. Data for monitoring and evaluation will also be critical for substantiating investments. The monitoring and assessment of policies should be seen in terms of accountability but also as capacity building for decision-making.

Policy development should be seen as iterative and on-going as changes in the condition of children or in childrearing patterns and practices in turn will require changes in child care and development polices and practices. For example, the increased participation of women in the labour force has had a significant impact on the time and focus given to the traditional role of childrearing which now warrants examination of labour laws.

Myers (1997) summarizes the reflections of the International Consultative Group on Early Childhood regarding criteria for “good policies.” Good policy is one that fosters programmes and
environments which, “respect established principles of child development (i.e. in keeping with the reference principles of the CRC), are directed toward all but with special attention to children at risk, and are integral, participatory, collaborative and “constructive” rather than compensatory in their approach, as well qualitative, and cost-effective, with evaluation included from the outset.” Myers claims that if policies try to codify these principles in ways sensitive to particular contexts, we should at least be pointed in the right direction.

References:

Primary Sources:
(2) Dr Kerida McDonald. XX