Part of
Education and childcare during coronavirus

Department for Education

Guidance

Actions for early years and childcare providers during the coronavirus outbreak

Updated 2 June 2020

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Since 23 March, education and childcare settings have been open to priority groups (children of critical workers and vulnerable children), and those who work in the education and childcare sector rights have been paid more to our NHS staff and other critical workers, including those who are working in childcare settings.

On 10 May, the Prime Minister announced a roadmap towards recovery, including plans for wider opening of educational settings from 1 June, subject to the government's five tests being met. This document sets out what we expect childcare providers to do in order to prepare to welcome back all children that attend childcare, including reopening if they had previously closed. On 28 May, he confirmed that all childcare providers could open from 1 June, subject to being able to do so safely. From June, early years settings can welcome back all children.

From 1 June, childminders can look after children of all ages, in line with their current Ofsted registration, and settings can open to all children, including those over 5 years old.

We are continuing to work with childcare providers to understand how the early years sector can best be supported, to ensure that sufficient childcare places are available for those who need to return to school, return to work, and, for all families who need it, in the longer term.

As the outbreak progresses, we will aim to provide you with as much certainty and flexibility as possible and will do all we can to support the vital service you are providing to children, families and society. We can pay for staff who are ill or shielded in the advice and support you need.

We will update this page as further guidance becomes available.

This guidance should be read alongside the following guidance:

Guidance on infection prevention and control:

- implementing protective measures in education and childcare settings
- cleaning non-healthcare settings outside of a pandemic (coronavirus (COVID-19))
- Planning guide for early years and childcare settings

Guidance on funding:

- Financial support for education, early years and childcare's people are
- Coronavirus (COVID-19): guidance
- Use of free early education entitlements funding

Other relevant guidance:

- Actions for education and childcare settings to prepare for wider opening from 1 June 2020
- Supporting vulnerable children and young people
- guidance on the early years foundation stage (EYFS) disapplications
- Ofsted's response to coronavirus (COVID-19)

Main changes to previous guidance

- instructional guidance in line with wider opening
- updated responsibilities in light of wider opening (section 2)
- updated content on funding including early years entitlements funding, clarification on the eligibility for the childcare disregard in universal credit, information on the business grant funding, also on Competition and Markets Authority and business (section 3)
- updated content on infection prevention and control sanitising/cleaning (section 4)
- updated use of small groups, protective pods to prevent/control transmission (section 6)
- new section on attendance, setting out general principles of attendance, what to do if deemed the place is high and whether children can attend two settings (section 5)
- revised section on considerations for settings which reduce the old section on vulnerable children, now covering children's mental health, bereavement, trauma and other school-based, additional materials included on supporting home learning combined removed (critical workers) (section 9)
- new section on staff, including information on shielding child protection policies, how to keep children safe online, considerations for children's mental health and wellbeing and provisions for children with SEND (section 11)
- updated content in EYFS section on practice (and disapplications (section 8.6)

1. Who this guidance is for

This guidance is for local authorities and early years providers in England including:

- maintained schools
- maintained nursery schools
- independent schools
- all providers on the early years register including enhanced childcare and clubs providing childcare for children aged 5 to 8
- all providers registered with an early years childminder agency

This guidance does not mention nurseries or as-years, as they work in the childminder's family home.

2. Responsibilities

2.1 What are early years and childcare settings responsible for?

On 10 May, the Prime Minister announced a roadmap towards recovery, including plans for wider opening of educational settings from 1 June subject to the government's five tests being met. This document sets out what we expect childcare providers to do in order to prepare to welcome back all children that attend childcare, including reopening if they had previously closed. On 28 May, he confirmed that all childcare providers could open from 1 June, subject to being able to do so safely. From June, early years settings can welcome back all children.

We understand that it may not be possible for all settings to open more widely or to operate in the same way as before. We will do all we can to support providers to operate the provision needed locally to support the needs identified. Settings may wish to make arrangements with other settings to make the number of children in their care, if they need to reduce the number of staff to attend. Settings are expected to be flexible and work together when required.

In some cases it may be necessary for settings to introduce a temporary cap on numbers, to ensure that children are kept in small groups, and to minimise mixing of children between groups. If this is necessary, settings should prioritise vulnerable children and children of critical workers. Ofsted will not, in the short term, be in a position to be transitioning to Recreation in Sanctuary followed by a pursuit up on groups.

Where significantly reduced numbers of children are attending, we understand that shared provision through early years hubs and clusters is a good or some cases.

Please see experience on clusters and hub provision, including early years.

Childcare settings are responsible for safeguarding and caring for children who attend the settings as set out in the early years foundation stage statutory (EYFS) framework. Ofsted will not be inspecting against the EYFS framework or carrying out inspections or measures in line with government guidance and ensuring there are followed by staff, parents, visitors, and where applicable, children.

2.2 Will it be mandatory for all registered childcare settings to open in some form?

No. We are asking settings to open more widely so that more children can be welcomed back. We understand however that some settings may be unable to open, especially if they are experiencing severe staff shortages due to self-isolation and absence, or if they are unable to open safely. We will do all we can to support settings to determine the best way to ensure sufficient provision.

Settings should try to be as flexible as possible for parents and carers who wants shifts or atypical hours and especially for parents who are critical workers.

2.3 What are local authorities responsible for?

Local authorities are responsible for coordinating a response to the arrangements, working alongside childcare settings to ensure settings are prepared for wider opening. Local authorities are also responsible for monitoring demand and capacity for childcare provision, including for those who are eligible for the 2 year old offer, and providing for those in priority groups as well as meeting local need. The local authorities providing places in alternative settings if necessary or working with neighbouring local authorities to coordinate provision only response in time the impact on children and families.

Local authorities' duties to safeguard and promote the welfare of all children in their area continue to be in place as set out in the EYFS framework. Local authorities should keep the coronavirus (COVID-19) planned for and will in Ofsted's inspection of local authorities' children's services, and in their ongoing monitoring, also assess the risks for children and young people whose education, health and care (EHC) plans they maintain and ensuring those children are safely cared for whether at a setting or at home.

2.4 What actions should local authorities consider to monitor and manage their local early years markets?

Local authorities should continue to work with all their early years providers to monitor and manage their local childcare market.

Local authorities should develop an understanding of any gaps in childcare supply, as well as any childcare providers that are unable to open, or are at risk of not being able to be able to open more widely or reopen if they have been closed.

Where needed, local authorities can then manage the wider market flexibly to ensure that there is sufficient childcare provision, continuing to prioritise places for vulnerable children and children of critical workers, followed by 2 and 4 year olds, and then children of other key workers.

- moving children between providers where one provider has closed, and another has empty dedicated schools grant (DSG) funded places
- operating through clusters and hubs to maintain educational provision, or, if necessary
- using early years DSG block contingency budgets, where local authorities have them, on uncommitted central spend in the early years budget

In exceptional circumstances, and when all other options have been exhausted, local authorities may need to consider the use of their powers under the Education Act 1996 to provide education in a clearly focused and targeted way, for children and young people who are unable to attend because of a lack of provision, or who are at risk of being left without provision, or who are at risk of being left without provision, or who are at risk of being left without

This should be reviewed as much as possible, but if needed, additional children can be added to groups in the afternoon.

4.3 Are settings allowed to invite non staff members such as agency staff, speech and language therapists or parents for day and play into settings?

Wherever possible, settings are encouraged to use their existing staff for wider opening and to avoid bringing in additional staff members. However, where necessary, settings need to use other essential professionals such as staff from other settings, agency staff, speech and language therapists or counsellors, settings should review their risk assessments to ensure that they are able to manage the risks that may attend in person. they should clearly follow the protective measures guidance, and the number of attendees should be kept to a minimum.

Where possible, the presence of additional members of staff should be agreed on a regular basis to avoid increasing the number of contacts.

Settings that use external providers for sessions which are not directly required for children's health and wellbeing should be suspended.

Parents and carers should not be allowed into the setting unless this is essential, and children should be collected at the door if possible.

4.4 Do early years and childcare settings need PPE?

The majority of staff in education settings will not require PPE beyond what they would normally need for their work, even if they are not always able to maintain a distance of 2 metres from others. The Public Health England guidance on PPE recommends:

- children, young people and students whose care routinely includes the use of PPE due to their intimate care needs should continue to receive their care in the setting as usual.
- if a child, young person or other learner, becomes unwell with possible coronavirus (COVID-19) while in their setting and needs direct personal care until a parent or carer can collect them, then staff who do not have close contact (a distance of 2 metres cannot be maintained) or further contact with the child or young person is necessary, then gloves, an apron and a face mask should be worn by the member of staff. If the child or young person is able to tolerate it, a fabric covering for the face, for example from coughing, or sneezing, then eye protection should also be worn.

4.5 Are children in early years eligible for coronavirus testing?

From 28 May, all children and members of their households will have access to testing if they display symptoms of coronavirus (COVID-19) - including children under 5. This means that when settings open more widely, children will be able to get back into settings as they reopen, knowing that if they develop a cough, a fever or lose their sense of taste or smell, they can book a test and know that if they test positive, they will be able to get back to their setting.

Any further information please read guidance on NHS test and trace, how it works.

5. Attendance

The following principles will apply to the wider opening of settings:

- children should not attend if they have symptoms or are self-isolating due to symptoms in their household.
- all children who normally access childcare are strongly encouraged to attend so that they can benefit from the support and care that childcare provides.
- vulnerable children continue to be encouraged to attend where it is appropriate for them to do so (for children with education health and care (EHC) plans this will be based on a risk assessment approach, further details on vulnerable children can be found below.
- children who have been classed as clinically extremely vulnerable due to pre-existing medical conditions should not attend childcare in person.
- children who are clinically vulnerable (but not clinically extremely vulnerable) are those considered to be at a higher risk of severe illness from coronavirus (COVID-19) and, in line with Public Health England, for parents should follow medical advice if their child is in this category.
- children who live with someone who is clinically vulnerable (but not clinically extremely vulnerable) can attend childcare in person if it is their usual place of care.
- children who are too young to be able to understand and adhere to instructions on stringent social distancing and live in a household with someone who is extremely clinically vulnerable and shielding are advised not to attend a setting.

Settings should be mindful that many parents may be anxious about sending their child back to school. Ofsted will be sensitive to this and will not expect settings to have been open long enough to have taken steps to ensure the safety of their children will be reasonable, including the risks that they pose, or parents, in the safe operating procedures.

Settings should take reasonable steps to ensure communications are accessible to specific groups of parents (e.g. parents with English as an additional language) and parents of vulnerable children, so as to encourage attendance of these groups.

5.1 Are vulnerable children still encouraged to attend settings?

The government continues to encourage vulnerable children and young people to attend education, where they have a place, because education provides benefits for them at some risk. Further detail on categories of vulnerable children is set out in Coronavirus (COVID-19): operational guidance for education settings and Coronavirus (COVID-19): Ofsted operational guidance, across the different groups of vulnerable children and young people, is as follows:

- for vulnerable children who have a social worker, attendance is encouraged where this is appropriate in line with the advice set out by Public Health England. Children's social care will work with families to encourage attendance. Where attendance is encouraged where it is determined, following risk assessment, that their needs can be safely, or more safely, met in the educational environment. Children's social care will risk assessments in guidance on children's social care assets dealing with COVID.
- for vulnerable children who are deemed otherwise vulnerable, at the children's request, or where local authority discretion, attendance is encouraged where this is appropriate.

Educational providers, local authorities, social workers, parents/carers, and other relevant professional (where applicable), should work together closely to consider factors, such as the balance of risk, including health vulnerabilities, family circumstances, and the benefits to the child of being in school, when making risk assessments and specialised assessments. In cases where vulnerable children do not attend where as expected, the setting should follow up with the parent or carer - and social worker/local authority where appropriate - to explore reasons for absence.

5.2 Will children attend their usual childcare setting?

We are asking settings to open more widely to welcome all children back, but we recognise that this may not always be possible. Our priority is providing sufficient childcare for those that need it.

Where a setting is unable to stay open or re-open, local authorities will work with settings to determine the best way to support children including keeping children in a different provider who has spaces, where one provider has closed, or operating through clusters and hubs to maintain educational provision.

Where necessary, settings should prioritise providing places to vulnerable children and children of parents who are key workers. This will be kept under review in line with Transitioning to Recreation in September, following 5 younger age groups.

5.3 What should happen if the child's usual provider is closed?

Local authorities should work with settings which are closest to identify alternative provision for children who need it, if their usual provider is closed and the place that their usual provider is not open. If a child moves settings, important information should be provided by the parent or carer to the new setting on day one, including emergency contacts, GP details, medical requirements and medical plans, to ensure the safety and welfare of the child.

In the case of a vulnerable children, the closed setting should notify the local authority social care team, if it is not already aware, that the vulnerable child is no longer attending provision. The closed setting should work with the families of vulnerable children and local authorities (and social workers, where relevant) to support this.

Where a setting has closed, and a vulnerable child moves to different third party setting, the closed provider should do whatever it reasonably can to provide the receiving setting with information about the child's needs and circumstances. The receiving setting should be aware of the reason the child is vulnerable and any arrangements in place to support them. As a minimum, the receiving setting should, as soon as reasonably practicable, ensure they have the child's EHC plan, if they have one, or protection plan, for isolated other children, their present education plan, and know who the child's social worker is (and, for isolated other children, who the responsible social care team is).

The transfer of necessary information should ideally happen before a child arrives at the new setting and, where that is not possible, as soon as reasonably practicable. Any information shared should be proportionate, necessary, and appropriate to the purpose of safeguarding and promoting children's welfare. Such information should be shared in individual with oversight of special educational needs provision for children with EHC plans.

Ofsted providers must continue to have appropriate regard to data protection and ensure that the GDPR principles are followed. The ICO has published a short information for the purposes of keeping children safe. For more information please read the Department for Education's guidance: Information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers guidance.

5.4 What should settings do if the demand for places is too high?

If the demand for places is higher than the setting's capacity when protective measures are in place, the setting should prioritise places for children who are vulnerable, attending the setting. Solutions might involve working with the local authority to ensure children are able to access other provision in the area. Local authorities will work with providers to ensure sufficient provision for vulnerable children and children of key workers, then 5 and 4 year olds. In particular those who will be transitioning to Reception in September, followed by younger age groups.

5.5 Can children go to two different settings?

Children should attend just one setting whenever possible and parents should be encouraged to minimise as far as possible the number of education and childcare settings their child attends. Local authorities should work with providers in their area with parents to agree how best to manage any necessary provision, for example pick-up and drop-off schools, to reduce the need for a provider to travel with groups of children.

6. Considerations for settings

6.1 What should settings do if they are experiencing staff shortages due to sickness or self-isolation?

Childcare settings who are experiencing staff shortages should work with their local authority to identify how appropriate provision can be put in place to ensure teaching staffing arrangements as consistent as possible. Where necessary, they can pool staff together with other childcare providers, including those who have been previously checked staff from other educational settings (including local registered childminders) which have been closed, or hire local registered childminders to work with them at the setting. Local authorities will be able to provide advice on this, including on flexibility they have. Wherever possible, ensure staffing arrangements are consistent on a weekly basis, rather than a daily basis, in order to limit contacts.

6.2 What should happen if the premises where the provider usually operates is closed, such as the community centre or church hall?

Many Early Years childcare settings or places of working will be allowed to open for providers on the early years register which usually use those premises. Providers should follow the guidance on Early Years Foundation Stage (EYFS) and Ofsted inspections as well as the opening early years and childcare settings. They should also ensure they are managing risks related to other users of the premises.

6.3 Are before and after school clubs allowed to operate?

Providers which are registered with Ofsted or with a childminder agency may have before and after school clubs on school premises and can ensure they follow the protective measures guidance, one able to operate.

This is only the case for registered providers which operate on school premises. All other out of school settings are not able to reopen.

6.4 What are the expectations on settings regarding staying in touch with parents whose child is at home?

We recognise that many settings have already moved towards working with children who are at home and are grateful for this. Settings should consider how to continue to support the children who are not attending in person, including those who are shielding or self-isolating. There are many simple ways to help children learn and it does not have to feel like 'learning'. Having everyday conversations, playing games, reading together and looking at photos and talking about them are all great ways to support children's development. The NDTi, Early Years Alliance and the National Union of Teachers have the best ideas for supporting children and families who are self-isolating. Ofsted has also set out how to help children aged 3 to 4 to learn at home during the coronavirus (COVID-19) outbreak.

Settings should work with local authorities to monitor the welfare of vulnerable children who are not attending in person and other children they might want to keep in touch with, for safeguarding purposes.

6.5 How are we monitoring early years and childcare provision during the outbreak?

The Department for Education (DfE) launched a data collection process in April 2020 to understand the impact of the coronavirus (COVID-19) outbreak on providers of early years and childcare (COVID-19) outbreak. We have published a summary of preliminary data from the coronavirus (COVID-19) survey. We will continue to run the data collection beyond the initial phase of the outbreak, to ensure we can continue to monitor the opening position and if there are sufficiently broader, in particular areas.

All local authorities have received information on how to access the data collection, the frequency of collection and how to contact DfE with any queries. This process is only applicable to schools without nursery provision as they already have their own separate data collection process.

DfE has also asked Ofsted to monitor which providers on the register are open or closed. The information Ofsted is seeking from registered early years and childcare providers is minimal, and Ofsted will share this data with DfE. The purpose of the task data it requests is to fulfill its safeguarding requirements as a regulator.

We understand that most local authorities are already collecting the data requested by DfE, so, in the majority of cases, providers will not need to do anything different or new. The Ofsted data collection does not duplicate the data that DfE is requesting from local authorities and should not place an ongoing reporting burden on providers.

7.1 Safeguarding and welfare

Settings must continue to take all necessary steps to keep children safe and well during this period and have regard to the government's statutory guidance on working together to safeguard children. The safeguarding and welfare sections of the EYFS will continue to be in operation, and all other childcare provision arrangements. Settings should work closely with local authorities.

7.1 Is it necessary for settings to update their child protection policies in response to the coronavirus (COVID-19) outbreak?

Settings should consider whether any refresh or review of their child protection arrangements is needed in light of coronavirus (COVID-19). This could take the form of a coronavirus (COVID-19) addendum and include:

- how to identify and act on new safeguarding concerns about individual children as they return to childcare
- how to record these concerns
- any updated advice received from the local safeguarding partners
- any updated advice received from local authorities, for example EHC plan risk assessments, or advice about children in care or care leavers
- working arrangements with children's social workers and the virtual school head (VSH)
- how staff and volunteers should do if they have concerns about a staff member or volunteer who may pose a safeguarding risk to children
- how the updated policy links to the broader risk assessment to be conducted before opening. Reference to the guidance on actions for educational providers setting to reopen.

All staff and volunteers should be made aware of the new policy and be kept up to date as it is revised.

7.2 Have there been any changes to the role of safeguarding lead?

Settings must continue to have a practitioner designated to take lead responsibility for safeguarding in the setting. We recognise that the role may need to be carried out slightly not practical. For example they may be working from home or be based at another setting, as long as they are still available to provide support, advice and guidance to staff. They should also be able to liaise with local authorities and other agencies. Appoint safeguarding lead practitioner and review at any given day who that person is and how to speak to them.

7.3 How should settings keep children safe online during the coronavirus (COVID-19) outbreak?

Settings should continue to consider what strategies they are using to keep children safe online during this period, including:

- checking apps, websites and search results before using them with children
- supervising children when accessing the internet

Further details can be found in Safeguarding children and protecting professionals in early years settings: online safety guidance for practitioners.

This advice is also relevant for parents and carers.

7.4 What do settings need to consider with regards to children's mental health and wellbeing?

Many children and young people may have mental health difficulties or have added difficulties for some children, such as changes in behaviour or mood.

As more children return to settings, settings should consider the mental health, pastoral or wider wellbeing support children may need, including physical assessment, and how to support them to transition into the setting after a long period of absence.

Settings may want to refer to the following advice as a starting point: guidance for parents and carers on supporting children and young people's mental health and coping with bereavement during coronavirus.

Staff may require appropriate instruction and training on identifying and supporting vulnerable children and parents that return to the setting, for example by upscaling existing staff training or by using online training and materials from reputable mental health services. Providers should contact their local authority to understand what support is available.

It will be necessary to consider how vulnerable children, who are currently attending settings, continue to have their needs met and to be supported as the setting takes on more children.

7.5 What provisions should be made for children with special educational needs and disability (SEND)?

Particular care will be needed in planning for children with SEND to return to their settings. Re-adjustment to the routine in a setting may pose more challenges for children with SEND than for children without SEND. Settings will need to take time and plan to be more supportive to children to settle back into their setting.

Settings should be alert to the fact that there may be children with additional or exacerbated mental health difficulties as a result of the coronavirus (COVID-19) outbreak. DfE, and Ofsted have clear roles in children who have been before mental their years as a result of the loss of old settings, or missed diagnosis as a result of a period of absence.

Settings will need to ensure they have the staffing needed to support children with SEND and children who are vulnerable. Settings should liaise with the local Educational Needs Coordinator (SENCO), inform SENCO in a normal individual with non-night of special educational needs provision for children with SEND.

We have temporarily modified the duty on local authorities and health commissioning bodies to secure or arrange the special educational or health provision specified in EHC plans, so that it is reasonable for them to do so in the circumstances of coronavirus. Local authority providers to cooperate with the local authority in the performance of its duties under the Children and Families Act 2014. Further information is available in the EHC needs assessment and plans guidance.

8 Early years foundation stage

8.1 Does the early years foundation stage still apply?

The early years foundation stage (EYFS) statutory framework sets the standards that schools and childcare settings must meet for the learning, development and care of children from birth to 5 years old.

We have amended legislation to allow for the temporary disapplying and modifying of a number of requirements in the EYFS. We have made this in the interest of making changes to workforce availability and potential fluctuations in staffing arrangements, and to ensure that providers can focus on the care and education of children.

Full details of the amendments can be found in the guidance early years Foundation stage statutory framework (EYFS), which also includes detailed advice on how the temporary arrangements will be brought to an end. Settings and local authorities should work to bring back the full EYFS as soon as it is safe to do so, taking into account flexibilities available to them and we meeting the modified requirements, especially in relation to paediatric first aid, during the coronavirus (COVID-19) outbreak.

8.2 On settings need to meet the learning and development requirements in sections 1 and 2 of the EYFS?

Following the amendments to the EYFS from 24 April, early years settings only need to use reasonable endeavours to deliver the learning and development requirements set out in the EYFS. We have made this in the interest of making changes to workforce availability and priority at the time is keeping children safe and well cared for. As far as possible, children should benefit from a broad range of educational opportunities.

8.3 Will schools assess children against the EYFS profile this academic year?

The Secretary of State for Education has announced that there will be no exams or assessments in schools this summer. This includes no assessment of children in reception year against the early learning goals that form the EYFS profile. This also means no moderation by local authorities.

8.4 Will settings be required to undertake the progress check at age 2?

Settings will not be required to undertake the progress check at age 2 during the coronavirus (COVID-19) outbreak.

8.5 Does someone with a paediatric first aid certificate still need to be on site?

The requirements in the EYFS on paediatric first aid certification have been modified with effective immediate from 24 April. Paediatric first aid certificate.

The existing requirement remains in place where children aged 0 to 24 months are on site. Paragraph 3.25 and Annex B of the EYFS set out the requirements, including that at least one person who has a current paediatric first aid (PFA) certificate must be on premises and be available at all times when children are being cared for or when children are children on outings. The existing requirements also remain unchanged for childminders, as they are already required to have full PFA certification.

We have temporarily amended the requirement so that it is sufficient for childcare providers (childminders and other providers) to have a paediatric first aid certificate on site. If all places set out in the guidance have been exhausted and settings cannot find someone who has a PFA certificate, they should make every effort to ensure that someone with a current First Aid at Work or emergency PFA certification is on site at all times. Here entrants (level 3 and 3) will not need to have completed a full PFA course within the last 3 months in order for it to count for a staff to child ratio.

8.6 What happens if staff need to renew their paediatric first aid (PFA) certificates?

EYFS certificate requalification training is prevented for reasons associated directly with coronavirus (COVID-19), or by complying with related government advice, the requirement for paediatric first aid training to be kept up to date, and renew PFA certificates expiring on or after 24 March 2020. A suspending requalification training is still unavailable, a further extension is possible to no later than 30 September 2020. Providers should make every effort to ensure that staff who are able to do so are able to requalify and demonstrate what steps have been taken to access training. Employers or certificate holders must do their best to arrange requalification training at the earliest opportunity.

8.7 Can settings vary staff to child ratios and qualifications?

Paragraph 3.28 of the EYFS states:

"Exceptionally, and when the quality of care and safety and security of children is maintained, changes to the ratios may be made."

We consider the extent of the coronavirus (COVID-19) outbreak to be an exceptional circumstance and therefore, providers may vary their ratios as they see fit, if they are managed if however, Ofsted settings or childcare providers are responsible for ensuring the safety and security of children in their care.

Amendments made to regulations from 24 April allow further exceptions to be made to the qualification level that staff need to be counted in the ratio requirements. Providers may now count staff who are working towards a level 2 qualification (excluding the managed level at least a full and relevant level 2 qualification to meet staff to child ratio requirements, but this is not a legal requirement.

In nursery classes in maintained schools, caring for children under 2 years old, providers may now count staff who are working towards a level 3 qualification (staff in a school teacher. Where this is not possible, there must be at least one member of staff who is a qualified teacher, or who is working towards a level 3 qualification, and at least one relevant level 3 qualification. Providers should use their reasonable endeavours to ensure that at least half of other staff that at least a full and relevant level 2 qualification.

Further details is set out in Early Years Foundation Stage: disapplications and modifications for early years providers given during the coronavirus (COVID-19) outbreak.

8.8 Is it still a requirement for early years settings to have a qualified teacher for children under the age of 2 during this period of disruption?

The EYFS requirement for teachers to upgrade baby room is a safety issue for the protection of early young children particularly where they are asleep. Paragraph 3.28 of the EYFS already allows for the mixing of children where this is appropriate. If the layout of the setting allows for it, and the quality of care and safety and security of children is not affected, it may be permitted for provide safety for younger children.

8.9 Can settings take on new staff (including volunteers) even if a Disclosure and Barring Service (DBS) check has not been completed?

Paragraph 3.17 of the EYFS states:

"Exceptionally, and when the quality of care and safety and security of children is maintained, changes to the ratios may be made."

We consider the extent of the coronavirus (COVID-19) outbreak to be an exceptional circumstance and therefore, providers may vary their ratios as they see fit, if they are managed if however, Ofsted settings or childcare providers are responsible for ensuring the safety and security of children in their care.

Amendments made to regulations from 24 April allow further exceptions to be made to the qualification level that staff need to be counted in the ratio requirements. Providers may now count staff who are working towards a level 2 qualification (excluding the managed level at least a full and relevant level 2 qualification to meet staff to child ratio requirements, but this is not a legal requirement.

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Further details is set out in Early Years Foundation Stage: disapplications and modifications for early years providers given during the coronavirus (COVID-19) outbreak.

Settings must obtain criminal records checks for new members of staff including volunteers. If an application has been made but the DBS disclosure has not arrived, new staff and volunteers can still care for children as long they are supervised by someone who has a DBS check. Under no circumstances can an unchecked member of staff be left alone with children.

Where new staff are recruited, or new volunteers enter the childcare setting, they should continue to be provided with a safeguarding induction.

8.10 What if a member of staff already has an enhanced DBS check but is moving temporarily to another early years setting?

Where members of the early years and childcare workforce are already engaging in regulated activity and already have the appropriate DBS check, there is no expectation that a new DBS check should be obtained for them to temporarily move to another setting to support the care of children.

The onus remains on the receiving setting to satisfy themselves that someone in their setting has had the required checks, including by seeking assurance from the current employer rather than requiring new checks.

9. Ofsted

9.1 What are the notifications requirements for settings providing childcare?

We have asked Ofsted to work with us and local authorities to find out which early years providers, including childminders, are currently open or temporarily closed. This is to help find out if there is sufficient and accessible childcare available in the coming weeks and to help support vulnerable children as best we can.

From 1 June, Ofsted still need further information about whether some providers are open or closed. You may receive an email in the coming weeks to ask you about your setting and plans for the future. Please check that this email comes from an Ofsted.gov.uk address before responding as soon as you can.

In the meantime, if your operating circumstances do change (i.e. you open or close), please let Ofsted know by sending an email to enquiries@ofsted.gov.uk with 'Change in operating hours' in the subject field. In the body of the email, please confirm the unique reference number for each setting and the details of the change. You can find your URN on your registration, your inspection report(s), and on your Ofsted reports page.

9.2 Will Ofsted still carry out inspections?

The Secretary of State for Education announced the suspension of routine Ofsted inspections on 17 March 2020.

The safeguarding responsibilities of settings have not changed, and Ofsted's inspection and regulatory work triggered by safeguarding concerns will continue.

See Ofsted's response to coronavirus (COVID-19) for more information.

9.3 What is Ofsted doing about unregistered provision?

Ofsted is aware that these are extremely worrying times for both settings and parents. However, the health, safety and wellbeing of children is our first consideration, and government continues to expect childcare to take place only within registered settings.

Ofsted will consider legal enforcement action against those who set up unregistered childcare, in line with their duties as a regulator. This is in order to keep children as safe as possible in these difficult times.

See Ofsted's response to coronavirus (COVID-19) for more information.

10. Childminders

From 1 June 2020, childminders can look after children of all ages, in line with their current Ofsted registration, and within usual limits on the number of children they can care for.

10.1 Will early years entitlement funding continue for childminders?

On 17 March 2020, the Chancellor confirmed the government would continue to pay local authorities for free early years entitlement places for 2-, 3- and 4-year-olds.

We have published guidance on the use of free early education entitlements funding setting out how local authorities can use their free entitlement funding differently, redistributing it – in exceptional cases and in a clearly focussed and targeted way – in order to secure childcare for the children of critical workers, and for vulnerable children, where their usual arrangements are no longer possible.

10.2 Are childminders eligible for the Self-employment Income Support Scheme?

Eligibility for the scheme is based on employment structures and not professions. You can apply if you are self-employed, or a member of a partnership, and have lost profits due to coronavirus (COVID-19), as well as meeting further eligibility criteria. HM Revenue and Customs will contact individuals who are eligible and invite them to apply online.

10.3 Can childminders work with other childminders to look after more children together?

Yes – up to 3 childminders (or a mix of up to 3 childminders and assistants) can work together in the same domestic premises. However, if more than 3 childminders work together they will need to apply to Ofsted to register childcare on domestic premises.

If registered to deliver childcare on domestic premises, 4 or more childminders (or a mix of 4 or more childminders and assistants) can work together in the same domestic premises, which would enable them to care for larger groups of children and still meet ratio requirements. Further details of requirements for childminders and childcare on domestic premises is available.

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