



Department
for Education

Education and childcare settings: national lockdown from 5 January 2021

**Guidance for all early years settings and
local authorities in England**

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About this guidance

This guidance provides information on how the [national lockdown](#) restrictions, to control the spread of coronavirus (COVID-19), impact early years and childcare settings. It should be read alongside the guidance [Actions for early years and childcare providers during the coronavirus \(Covid-19\) outbreak](#). Where it touches on the same policy areas, this national restriction guidance supersedes the [early years and childcare guidance](#).

Who is this guidance for?

This guidance is for local authorities and all early years providers in England. This includes early years provision in:

- maintained schools
- non-maintained schools
- independent schools
- all providers on the Ofsted early years register
- all providers registered with an early years childminder agency

Main changes to previous guidance

On 4 February 2021 we updated the guidance as follows.

- the introduction
- educational visits (Travel and transport section)
- arriving and leaving the setting (new section)
- face coverings
- pregnant staff (attendance at the setting section)

Introduction

On Monday 4 January 2021, the Prime Minister announced a [national lockdown](#), which came into force on Tuesday 5 January 2021, to control the spread of coronavirus (COVID-19). During this period, local restriction tiers will not apply.

The government continues to prioritise the wellbeing and long-term futures of our young children. Early years provision should remain open and continue to allow all children to attend full time or their usual hours. This includes early years registered nurseries and childminders, maintained nursery schools, as well as nursery classes in schools and

other pre-reception provision on school sites. Only vulnerable children and children of critical workers should attend on-site reception classes.

It remains very important for children to attend early years settings to:

- support their wellbeing and education
- support families

The reason schools have been restricted is not that they are unsafe but because additional measures are needed to contain the spread of the virus and protect our NHS from coming under still greater pressure. The wider significant restrictions in place as part of the national lockdown to contain the spread of the virus in the community enable us to continue prioritising keeping nurseries and childminders open, supporting parents and delivering the crucial care and education needed for our youngest children.

Early years settings remain low risk environments for children and staff. Current evidence suggests that pre-school children (0<5 years) are less susceptible to infection and are unlikely to be playing a driving role in transmission. There is no evidence that the predominant new variant of coronavirus (COVID-19) disproportionately affects young children. The current confirmed case rate of coronavirus amongst young children remains the lowest of all age groups.

The Royal College of Paediatrics and Child Health has recently made clear that the majority of children have no symptoms or very mild illness only.

The way to control this virus is the same for the current new variants. Current evidence suggests that the Public Health England (PHE) endorsed 'system of controls' that have been in use throughout the coronavirus pandemic continue to be the right measures to take. These are set out in [Actions for early years and childcare providers during the coronavirus \(COVID-19\) outbreak](#), which includes:

- minimising contact with individuals who are unwell
- use of face coverings for adults in corridors and communal areas
- good ventilation
- cleaning hands and good respiratory hygiene
- regular thorough cleaning of the setting
- minimising contact
- use of PPE, where specifically advised

PHE keeps these controls under review based on the latest evidence. These measures create an environment for children and staff where the risk of transmission of infection is

substantially reduced. Settings therefore need to continue to implement these controls to the fullest extent possible.

Early years settings have been open to all children since 1 June 2020 and there is no evidence that the early years sector has contributed to a significant rise in virus cases within the community. Early modelling evidence from SAGE showed that early years provision had a smaller relative impact on transmission rate when modelled with both primary schools and secondary schools. This is partly because our youngest children usually have lower rates of contact with others outside their household.

Early years childcare providers were one of the first sectors to have restrictions lifted last summer, in recognition of the key role they play in society. Childminders and nursery staff across the country have worked hard to keep settings open through the pandemic so that young children can be educated and families supported. The earliest years are the most crucial point of child development and attending early education lays the foundation for lifelong learning and supports children's social and emotional development. We continue to prioritise keeping early years settings open in full because of the clear benefits to children's education and wellbeing and to support working parents. Caring for the youngest age group is not something that can be done remotely.

Education settings and childcare settings must continue to take swift action when they become aware of a confirmed case of coronavirus (COVID-19) in their setting. Early years settings can contact the dedicated advice service introduced by Public Health England (PHE) and delivered by the NHS Business Services Authority for support on the action they should take to respond to a positive case.

The advice service can be reached by calling the DfE helpline on **0800 046 8687 and selecting option 1** for advice on the action to take in response to a positive case. Callers will be put through to a team of advisers who will inform them of what action is needed based on the latest public health advice. Any general queries relating to coronavirus and early years and childcare settings should select option 3 or 4.

Early years and childcare

Provision

There are several ways that parents and carers can continue to access childcare for the duration of the national lockdown:

- early years settings (including nurseries and childminders) remain open
- childminders can continue to look after all early years children; and those school-age children (from reception onwards) who are [vulnerable](#) or children of [critical workers](#) together.
- vulnerable children and children of critical workers can continue to use registered childcare, registered childminders and other childcare activities (including wraparound care)
- parents are able to form a [childcare bubble](#) with one other household for the purposes of informal childcare, where the child is under 14. This is mainly to enable parents to work, and must not be used to enable social contact between adults
- some households will also be able to benefit from being in a [support bubble](#)
- nannies will be able to continue to provide services, including in the home

Childminders

Childminders can look after all early years children; together with school-age children (from reception onwards) who are [vulnerable](#) or children of [critical workers](#).

Parents whose [work is critical to the coronavirus \(COVID-19\) and EU transition response](#) include those who work in health and social care and in other key sectors. Children with at least one parent or carer who is a critical worker can attend the setting if required. This includes parents who may be working from home.

For school-age children, parents and carers who are critical workers should keep their children at home if they can.

Wraparound care

Wraparound childcare for school aged children can continue to open for [vulnerable](#) children and children of [critical workers](#). Vulnerable children can continue to access wraparound childcare as normal; and children of critical workers can continue to access these settings where it is reasonably necessary to enable their parents / carers to work, search for work, to undertake training or education, or to attend a medical appointment or address a medical need.

Safety in setting controls

Risk assessment

Settings should continue to undertake risk assessments and implement the [system of controls](#).

Employers must protect people from harm. This includes taking reasonable steps to protect staff, children and others from coronavirus (COVID-19) within the setting.

Settings should have already assessed the risks and implemented proportionate control measures to limit the transmission of coronavirus (COVID-19).

It is a legal requirement that settings should revisit and update their risk assessments (building on the learning to date and the practices they have already developed). It is good practice to treat risk assessments during coronavirus (COVID-19) as a “living document” and keep them under very regular review in the light of any changing circumstances.

Settings should have already considered the additional risks and control measures. Settings should review and update their wider risk assessments and consider the need for relevant revised controls in respect of their conventional risk profile considering the implications of coronavirus (COVID-19). Settings should also have ensured that they have implemented sensible and proportionate control measures which follow the health and safety hierarchy of controls to reduce the risk to the lowest reasonably practicable level.

Early years and childcare employers should have active arrangements in place to monitor that the controls are:

- effective
- working as planned
- updated appropriately considering any issues identified and changes in public health advice

For more information on what is required of employers in relation to health and safety risk assessments and managing risk, see [health and safety risk assessment](#).

Face coverings

In early years settings, there is no change to the existing position. It is not mandatory for staff and visitors to wear face coverings.

In situations indoors where social distancing between adults in settings is not possible (for example, when moving around in corridors and communal areas), settings have the discretion to recommend the use of face coverings for adults on site, for both staff and visitors whilst acknowledging some individuals may be exempt.

Enhanced cleaning

Equipment and resources are integral to settings. For individual and very frequently used equipment, such as pens, it is recommended that staff have their own items that are not shared. Resources, such as books, toys and equipment, can be used and shared within their group; these should be cleaned regularly, along with all frequently touched surfaces.

Resources that are shared between groups, such as sports and art equipment should be cleaned frequently and meticulously and always between groups or rotated to allow them to be left unused and out of reach for a period of 48 hours (72 hours for plastics) between use by different groups.

Outdoor playground equipment should be more frequently cleaned. This would also apply to resources used inside and outside by wraparound care providers. It is recommended that children limit the amount of personal belongings they bring into setting each day, to essentials such as lunch boxes, hats, coats, and books. Bags are allowed. Children and staff can take books and other shared resources home, although unnecessary sharing should be avoided, especially where this does not contribute to the child's welling being and development. Similar rules on hand cleaning, cleaning of the resources and rotation should apply to these resources.

Arriving and leaving the setting

We know that travel to setting patterns differ greatly between settings. If those patterns allow, settings should consider staggered starts or adjusting start and finish times to keep groups apart as they arrive and leave the setting. Staggered start and finish times should not reduce the amount of overall time children spend in the setting. A staggered start may, for example, include keeping the length of the day the same but starting and finishing later to avoid rush hour. Settings should consider how to communicate this to parents and remind them about the process that has been agreed for drop off and collection, including that gathering at the setting entrance and otherwise coming onto the site without an appointment is not allowed.

Travel and transport

Journeys should only be made:

- for education or childcare. Settings are advised against educational visits at this time. This advice will be kept under review for work purposes, where you cannot reasonably work from home
- to exercise outdoors or visit an outdoor public place. This should be done locally wherever possible, but you can travel a short distance within your area to do so if necessary (for example, to access an open space)
- buying goods or services that you need, but this should be within your local area wherever possible
- for a medical reason, such as taking someone to a hospital

If it is necessary to travel, those travelling are encouraged to walk where possible and to plan ahead and avoid busy times and routes on public transport. This will allow people travelling to maintain social distancing. Further guidance is available in [safer travel guidance for passengers](#).

If it is necessary for a childminder to pick up or drop off a child from another location and walking is not practical, then a private vehicle for single household use is preferable. Use of public transport should be minimised.

Visitors to the setting

Settings should restrict all visits to the setting to those that are necessary.

Visits that allow a vulnerable child to meet a social worker, key worker or other necessary support should continue on site. Visits for SEND therapies should also continue on site. Recruitment should continue as per guidance.

Parents may continue to settle new children and settings may take new admissions in line with current guidance. In-person visits from parents can take place if they are necessary. Settings should work with parents to ensure parents still have visibility of the childcare environment during this time, including through the use of remote visits, pictures and phone calls.

Supply teachers and other temporary staff

Settings can continue to engage, students, volunteers and other supply staff during this period of national lockdown.

Supply staff and other temporary staff can move between settings. They should ensure they minimise contact and maintain as much distance as possible from other staff.

Specialists, therapists, clinicians and other support staff for children with SEND should provide interventions as usual.

Settings should consider how to manage other visitors to the site, such as contractors, and ensure that the risks associated with managing contractors, visitors, catering staff and deliveries, as well as cleaning staff on site who may be working throughout the setting and across different groups, are addressed. This will require close cooperation between both settings and the other relevant employers. Settings should have discussions with key contractors about the systems of control measures and ways of working.

Settings should ensure site guidance on physical distancing and hygiene is explained to visitors on or before arrival. Where visits can happen outside of setting hours, they should.

A record should be kept of all visitors with sufficient detail to support rapid contact tracing if required by NHS Test and Trace.

Support groups for parents and children

Support groups, such as for breastfeeding, postnatal, and baby and toddler groups, for the provision of support for parents and their children, that are necessary to deliver in person, can continue with up to 15 participants (children under five are not counted in the number) where formally organised to provide mutual aid, therapy or any other form of support. This includes where parents and carers meet other parents and carers with or without their young children. This would not typically permit parent-and-child groups focused on social or development activities, such as singalong groups or art classes.

Music, dance and drama

Settings have the flexibility to decide how organised sessions for music, dance and drama will be provided to children attending the setting while following the measures in the [system of controls](#).

Settings should not host any performances with an audience. Government has published [advice on safer singing](#).

Settings can continue to engage peripatetic teachers during this period, including staff from music education hubs. Peripatetic teachers can move between settings but settings

should consider how to minimise the number of visitors where possible as set out in the system of controls.

Individual one-to-one lessons in the setting should only take place with staff based at the setting or be undertaken online with teachers from outside the setting.

Attendance at the setting

Attending more than one setting

There may be situations where a child needs to attend more than one setting, for example, children attending a childminder before their nursery opens so that their parent or carer may go to work.

Parents and carers should be encouraged to limit the number of settings their child attends, ideally ensuring their child only attends the same setting consistently. This should also be the same for staff.

Where a child routinely attends more than one setting on a part time basis, settings should work through the system of controls collaboratively, enabling them to address any risks identified and allowing them to jointly deliver a broad and balanced provision for the child.

Clinically extremely vulnerable

Following the reintroduction of shielding, [clinically extremely vulnerable](#) staff are advised not to attend the workplace. Clinically extremely vulnerable children are also advised not to attend education or childcare.

Clinically extremely vulnerable individuals are those identified through a letter from the NHS or a specialist doctor as in the group deemed clinically extremely vulnerable (CEV or shielding list). Staff who are identified as clinically extremely vulnerable should follow the published guidance on shielding.

Staff should talk to their employers about how they will be supported, including to work from home.

Clinically vulnerable

Clinically vulnerable individuals can continue to attend the setting, where it is not possible to work from home. While at the setting they should follow the sector-specific measures in this guidance and in the [system of controls](#) to minimise the risks of transmission.

Setting leaders should explain to staff the measures the setting has put in place to reduce risks. We anticipate adherence to the measures in this guidance will provide the necessary reassurance for staff to attend the setting. This includes taking particular care

to observe good hand and respiratory hygiene, minimising contact and maintaining social distancing in line with the provisions set out in the [system of controls](#).

If staff are concerned, including those who may be clinically vulnerable or who believe they may be at possible increased risk from coronavirus, we recommend setting leaders discuss any concerns individuals may have around their particular circumstances and reassure staff about the protective measures in place.

Pregnant staff

As per national lockdown guidance, staff should work at home where possible. If home working is not possible, pregnant staff and their employers should follow the advice in [Coronavirus \(COVID-19\): advice for pregnant employees](#).

Pregnant women are in the 'clinically vulnerable' category and are generally advised to follow the above advice, which applies to all staff in early years settings. All pregnant women should take particular care to practise frequent thorough hand washing, and cleaning of frequently touched areas in their home or workspace, and follow the measures set out in the system of controls section of this guidance to minimise the risks of transmission. Pregnant women are not advised to be [vaccinated](#) against COVID-19.

An employer's workplace risk assessment should already consider any risks to female employees of childbearing age and, in particular, risks to new and expectant mothers (for example, from working conditions, or the use of physical, chemical or biological agents). Any risks identified must be included and managed as part of the general workplace risk assessment. As part of their risk assessment, employers should consider whether adapting duties and/or facilitating home working may be appropriate to mitigate risks.

If a setting is notified that an employee is pregnant, breastfeeding, or has given birth within the last 6 months, the employer should check the workplace risk assessment to see if any new risks have arisen. If risks are identified during the pregnancy, in the first 6 months after birth, or while the employee is still breastfeeding, the employer must take appropriate sensible action to reduce, remove or control them.

While it is a legal obligation for employers to regularly review general workplace risks, there is not necessarily a requirement to conduct a specific, separate risk assessment for new and expectant mothers. However, an assessment may help identify any additional action that needs to be taken to mitigate risks.

Employers should be aware that pregnant women from 28 weeks' gestation, or with underlying health conditions at any gestation, may be at greater risk of severe illness from coronavirus (COVID-19). This is because, although pregnant women of any gestation are at no more risk of contracting the virus than any other non-pregnant person

who is in similar health, for those women who are 28 weeks pregnant and beyond there is an increased risk of becoming severely ill, and of pre-term birth, should they contract coronavirus (COVID-19).

This is also the case for pregnant women with underlying health conditions that place them at greater risk of severe illness from coronavirus (COVID-19).

Read more [guidance and advice on coronavirus \(COVID-19\) and pregnancy from the Royal College of Gynaecologists](#)

Living with those who are clinically vulnerable or clinically extremely vulnerable

People, who live with those who are clinically vulnerable or clinically extremely vulnerable, can attend the setting but should ensure they maintain good prevention practice in the setting and at home.

Funding and business support

Charging parents and carers if they are unable to take up their child's place

Providers should continue to be fair and balanced in dealings with parents or carers; and must continue to avoid unfair charging practices. Providers should refer to:

- the [open letter to the early years sector](#) published by the Competitions and Markets Authority (CMA) on 28 July 2020
- the CMA's detailed advice to the [nursery and early years sector about coronavirus \(COVID-19\) restrictions and consumer law advice](#)
- the CMA's broader advice on [cancellations and refunds for consumer contracts affected by coronavirus \(COVID-19\) health restrictions](#)

Providers should be cautious about charging parents who wish to withdraw their child from an early years setting during the lockdown. There are legitimate reasons why it may be appropriate for a whole household to remain at home, and where law or guidance requires a member of the family to stay at home. Other reasons would need to be considered on a case-by-case basis with reference to the restrictions placed on people by the new coronavirus regulations. A contract term which requires payment even where no service is being provided by the nursery or cannot be legally accessed by the consumer is likely to be unfair, as are terms which require extensive notice periods.

Each case needs to take account of individual contracts considered from the perspective of both parties and the application of the law and guidance to both providers as businesses and parents as consumers. The general principle is that providers should not charge parents or carers for services that cannot be provided. If there is a barrier to accessing childcare, based on government guidance or the law, the provider should not charge the parents or carers for this period. For example, [from 28 September people in England are required by law to self-isolate](#) if they test positive for coronavirus or are contacted by NHS Test and Trace. Accordingly, if a child is self-isolating having been contacted by NHS Test and Trace, you should not charge the parent or carer for this period.

Coronavirus Job Retention Scheme

The [Coronavirus Job Retention Scheme](#) will be extended until the end of April 2021 (up to 80% of current salary for hours not worked, up to a maximum of £2,500).

Early years providers' [access to the Coronavirus Job Retention Scheme was updated](#) on 17 December 2020 to reflect the interaction between the Coronavirus Job Retention Scheme (CJRS) and 2021 spring term funding. Arrangements remain as published.

Find out more about the [Coronavirus Job retention Scheme](#) and all other business support that is being made available.

Disapplications

Specific [EYFS disapplications](#) are in place for any provider who cannot comply with the early years foundation stage (EYFS) requirements in full due to restrictions or requirements imposed through the national lockdown.

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