

Qualifications for those on the Early Years and Childcare Registers

Guidance for inspectors on assessing the qualifications of those providing childcare on the Early Years and Childcare Registers.

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Contents

Introduction	4
The Early Years Register	4
Childminders	4
Childcare providers on domestic and non-domestic premises	4
Full and relevant qualifications	5
Workforce audit	5
Level 6 qualifications	6
Early Years Professional Status	6
Qualified Teacher Status	7
Inspecting qualification requirements	7
Evaluation of the contribution of early years professionals	9
Some common inspection issues	9
The Childcare Register	10
Relevant qualifications	10
The compulsory part of the Childcare Register	10
The voluntary part of the Childcare Register	11
Inspecting qualification requirements	13
Providers on both registers	13
First aid qualifications	13
Early Years Register	13
Childcare Register	14

Introduction

1. The requirements for registration on the Early Years Register and Childcare Register set out the qualifications that those working with children on the registers must hold.
2. As part of the registration and inspection process, inspectors must check that providers meet the qualification requirements for their provision. If those managing the provision, or working directly with children, do not hold the correct qualifications then the provider fails to meet the requirements for registration and continued registration.
3. Regulatory decision-makers must not grant registration where qualification requirements are not met. If inspectors discover at inspections that qualification requirements are not met they must always raise an action or recommend taking further enforcement action.

The Early Years Register

4. The starting point for judging the qualification requirements of those on the Early Years Register is the specific legal requirements for ratios of qualified staff as specified in the *Statutory Framework for the Early Years Foundation Stage*.¹ The Statutory Framework does not allow providers to draw up an action plan to show how qualification requirements may be met over time. They must meet qualification requirements at all times.

Childminders

5. All childminders must complete training within six months of registration. The course must be approved by the local authority but beyond that there are no specific qualifications other than first aid that childminders must hold. We interpret six months as meaning six months immediately prior to or after registration. Childminders do not have to attend any other specific training than that course approved by the local authority, for example they do not have to attend separate training on safeguarding. Where childminders use assistants and we agree those assistants may be left alone with children for short periods of time, then the assistant must also hold a first aid qualification.

Childcare providers on domestic and non-domestic premises

6. For providers on domestic and non-domestic premises those managing the provision or working directly with children must hold qualifications deemed as full and relevant by the Children's Workforce Development Council at the levels set out in Appendix 2 of the Statutory Framework. Early years providers who are delivering the Early Years Foundation Stage are responsible for ensuring

¹ *Statutory Framework for the Early Years Foundation Stage*:
<http://nationalstrategies.standards.dcsf.gov.uk/node/151379>.

that all practitioners counted in the qualified staff ratio hold full and relevant qualifications.

7. The only exception is where childminders notified us before 1 September 2008 that they were transferring to the new registers as childcare on domestic premises and not childminders. These people have until March 2011 to gain the relevant qualifications.

Full and relevant qualifications

8. In order to decide which qualifications are full and relevant, the Children's Workforce Development Council undertook a review of early years qualifications. It mapped all the existing qualifications on the Early Years and Playwork Qualifications Database against mandatory and non-mandatory criteria and produced a Qualifications List for those delivering the Early Years Foundation Stage. From September 2009 this has been available on the Children's Workforce Development Council's website.² This list includes:
 - qualifications that are already full and relevant
 - those that are partially mapped against the mandatory criteria where practitioners need to undertake further training for them to be full and relevant
 - those that met the mandatory criteria but did not meet some or any of the non-mandatory criteria where practitioners are recommended to undertake further professional development in the areas not covered by their current qualification.

However, for the purpose of the qualified staff ratio, their qualification is considered to be full and relevant.

9. Providers have until 2012 to ensure that their staff who hold qualifications that are partially mapped update their qualifications to meet the full and relevant criteria. Until that point all qualifications included on that list may be counted as meeting the requirements at the level listed. The Children's Workforce Development Council has produced guidance for inspectors on the qualifications list for those delivering the Early Years Foundation Stage.³

Workforce audit

10. All providers on the Early Years Register should have completed an audit of their qualifications by checking the Qualifications List to see whether the qualifications that practitioners hold are full and relevant or whether some will need to undertake further training and assessment to be counted in the qualified staff ratio. They must have drawn up or revised a training and

² Children's Workforce Development Council: www.cwdcouncil.org.uk/qualifications-list.

³ Early Years & Playwork Qualifications Database, Children's Workforce Development Council: http://eypquals.cwdcouncil.org.uk/public/guidance_for/practitioners/index.asp.

development plan that will enable staff to update their qualifications by September 2012, where necessary.

11. The Children's Workforce Development Council has developed a workforce audit tool, which providers can use to check that staff qualifications are full and relevant. This is not mandatory and settings can use their own methods of auditing qualifications. There are other audit tools available, such as that produced by SkillsActive for the Playwork sector.

Level 6 qualifications

12. Providers that are not schools may operate a ratio of one adult to 13 children between the hours of 8.00am and 4.00pm where at least one practitioner holds a full and relevant level 6 qualification. At present there are only two recognised level 6 awards that qualify practitioners to do this: Early Years Professional Status and Qualified Teacher Status.

Early Years Professional Status

13. The Government's aim is to have an early years professional in every full day-care setting by 2015. Early years professionals work in a range of group settings across the private, voluntary, independent and maintained sectors. They may also work as childminders, either singly or as part of a network. Early Years Professional Status⁴ is not a qualification but is a validation of professional expertise. This involves assessment of whether candidates meet a set of national standards at Level 6.⁵ It is equivalent in level to Qualified Teacher Status.
14. Early Years Professional Status allows practitioners who hold it to operate a ratio of one adult to 13 children between the hours of 8.00am and 4.00pm in registered early years provision and independent schools. However, in maintained schools, the early years provision must be led by a person with Qualified Teacher Status. Those holding Early Years Professional Status are also considered as having full and relevant qualifications at level 3 for the purpose of meeting the qualification requirements of the Early Years Foundation Stage. This means they can fulfil the role of manager or be the person with a full and relevant level 3 qualification who works directly with children.
15. Early years professionals are seen as key to raising the quality of early years provision. Their role is to lead practice across the Early Years Foundation Stage by influencing and guiding the work of other practitioners, and to lead by example in modelling the skills that promote good outcomes for children. For childminders who hold Early Years Professional Status, this may mean involvement with a network, or working with or advising another childminder.

⁴ There is more information about Early Years Professional Status at www.cwdcouncil.org.uk/eyps.

⁵ The standards can be found at www.cwdcouncil.org.uk/eyps/standards.

Early Years Professionals do not have a single way of providing leadership. This will vary from setting to setting and may include:

- leading workshops or network meetings, for example on research into good practice or the principles of child development, or to review aspects of provision or practice
- drawing up and implementing an induction programme for a new colleague to ensure that they understand key policies and procedures
- undertaking a health and safety audit of the environment by moving round the setting and testing it for hazards but also for opportunities for children to take risks safely
- explaining to a colleague the rationale for a particular activity with children
- supervising and mentoring students on placement.

Qualified Teacher Status

16. Qualified Teacher Status does not have to be specific to early years or primary age children in order for settings to operate a ratio of one adult to 13 children where someone with Qualified Teacher Status works directly with the children. However, practitioners who hold Qualified Teacher Status cannot automatically be counted in the ratios of qualified staff for the setting. This is because there is only a limited number of teaching qualifications that map to the full and relevant criteria for level 3 for the Early Years Foundation Stage. In order to count as part of the qualified staff, practitioners must hold Qualified Teacher Status gained in the Foundation Stage or Key Stage 1.
17. There are also a number of level 6 qualifications that are mapped to the criteria for a full and relevant level 3 qualification, which practitioners may hold as well as Qualified Teacher Status. Practitioners need to check their actual degree level qualification at level 6 to find out if it meets the definition of a full and relevant level 3 qualification where they do not hold Qualified Teacher Status (Foundation Stage or Key Stage 1).
18. Where practitioners have Qualified Teacher Status, providers must still carry out an audit to identify whether their qualifications are matched to the criteria for a full and relevant level 3 qualification. This will identify whether teachers need to undertake further mandatory training in order to be part of the qualified staffing ratio and/or complete any recommended training before September 2012.

Inspecting qualification requirements

19. Where childminders have not completed training by the time of their first inspection (seven months after registration), inspectors must consider a judgement of inadequate unless the childminder can demonstrate that it was a lack of training opportunities that prevented their completion of training, such as the local authority cancelling a course onto which they had booked.

20. Inspectors should consider whether staff qualifications and ratios are met as part of all early years registration visits, suitable person interviews of managers, and inspections. Other than childminders, inspectors must not recommend granting registration where qualification requirements are not met as the provider cannot demonstrate how they are meeting the requirements for registration. This means, as a minimum, that the provider or nominated individual demonstrates a secure understanding of the qualification requirements. There must be two members of staff in place before registration is granted: a manager qualified to level 3 and one other person who must hold a level 2 qualification (or a level 3 qualification if the manager is not working directly with the children).
21. At inspection, inspectors must always raise an action where qualification requirements are not met. They must then consider the impact that the lack of qualifications has on the ability of the provision to meet the needs of children when deciding on the appropriate inspection judgement. Normally this will lead to consideration of a judgement of inadequate. Inspectors may consider a judgement of satisfactory or, in rare cases, good where the lack of qualified staff is not an outstanding issue from the last inspection and outcomes for children are at least satisfactory.
22. Where inspectors have concerns that qualification requirements are not met they should ask for evidence that providers are assessing their staff's qualifications against the Qualifications List. They should check that providers have carried out an audit of staff qualifications against the Qualifications List and what action they are taking or intending to take to address any shortfalls. Where lack of qualifications or areas of personal development were identified at the last inspection, inspectors should ask to see the audit and/or training and development plan.
23. When considering the judgement for leadership and management and the ability to maintain continuous improvement, inspectors should assess how well staff training and development is managed. Inspectors must not set actions for providers to complete a workforce audit as this is not a statutory requirement under the Early Years Foundation Stage. However, it is appropriate to raise a recommendation relating to the development or review of training and development plans where an audit has not been completed. For example, this may be based on the section 'Quality improvement – a continuous process' in the *Practice guidance for the Early Years Foundation Stage*⁶ (pages 8 to 9). Points 1.26 and 1.27 are particularly relevant as a reference point for the wording of recommendations.
24. Inspectors should judge that qualification requirements have been met if the qualifications held by staff are on the Qualifications List, even where practitioners require further training in the mandatory or non-mandatory

⁶ *Practice guidance for the Early Years Foundation Stage*:
<http://nationalstrategies.standards.dcsf.gov.uk/node/84490>.

criteria. Inspectors should point out to providers that they will not meet the requirements at subsequent inspections after 2012 unless their staff have completed the mandatory criteria identified as necessary for the qualification to be full and relevant. Where qualifications are not on the 'mapped' list they are not relevant for caring for children in the early years age group and providers cannot be judged as meeting requirements.

25. Where there is at least satisfactory leadership and management, it is likely that there will be adequate systems in place for monitoring and evaluating the quality of the provision. This will usually mean that there will be some planning for staff's continuing professional development as this is a key factor in helping to ensure good outcomes for children.

Evaluation of the contribution of early years professionals

26. Inspectors should ascertain whether the setting employs an early years professional, or whether the childminder holds this status. In childcare settings the early years professional may or may not be the manager. Because of the early years professional's key role in leading and reflecting on practice across the Early Years Foundation Stage, inspectors should always plan time to speak to them about their role.
27. One of the key responsibilities of early years professionals is to reflect on their practice and that of others. Discussions with early years professionals are likely to provide inspectors with useful evidence that contributes to the judgements for leadership and management, self-evaluation and the capacity to maintain continuous improvement. Whether or not the early years professional is the manager of the setting, inspectors should consider:
 - how they contribute to the setting's processes for self-evaluation
 - their priorities for developing practice within the setting, in order to make a positive difference to outcomes for children
 - their expectations for children's welfare, learning and development
 - how they support colleagues to promote equality and inclusion for all children
 - how they influence and help to develop the policies and practices of the setting in line with their knowledge of best practice.

Some common inspection issues

28. In registered provision, Appendix 2 of the *Statutory Framework for the Early Years Foundation Stage* sets out that each age range must have a member of staff qualified to level 3 working directly with children and half the rest of the staff for that age range must have a level 2 qualification. In addition, page 31 of the *Statutory Framework for the Early Years Foundation Stage* sets out that all supervisors and managers must have a full and relevant level 3 qualification.

29. If settings have a manager at level 3 who does not work directly with the children and there is no other person with a full and relevant level 3 qualification doing so then they are not meeting the qualification requirements.
30. The Statutory Framework requires all childcare on domestic and non-domestic premises to have a named deputy who is able to take charge in the absence of the manager. It does not give any further definition of a deputy or the level of qualifications they must hold. The deputy does not have to hold a level 3 qualification providing they are only acting on the manager's behalf for a short period of time. If the manager is absent for an extended period then the provider must consider contingency arrangements, including having at least one person with a level 3 qualification working directly with the children and appointing a temporary manager with an appropriate level 3 qualification.
31. The Statutory Framework does not define what is meant by 'supervisor' and so we must rely on how the setting describes its staff and the organisation of them. For example, we should not assume that each room must have a supervisor, although many nurseries will operate this type of model. It is possible for a person to supervise more than one room providing the nursery can demonstrate how the needs of children are met.
32. The Statutory Framework does not make it clear how to interpret the qualifications requirements for smaller settings that have a wide age range. For these settings we should not expect each age group to have a member of staff qualified to level 3 and half of the rest of the staff for that age group to be qualified to level 2. Much will depend on how the childcare setting is organised and the number and age ranges of the children attending. Overall we look at qualifications in relation to the whole setting rather than each individual age group or room within it. So in small childcare settings we will judge that requirements are met if there is a manager qualified to level 3 working directly with children and half the rest of the staff are qualified to level 2.
33. Inspectors making these judgements should link any weaknesses to the legal requirements on organisation and judge whether the deployment of qualified and unqualified staff meets the needs of the children who are attending.

The Childcare Register

Relevant qualifications

The compulsory part of the Childcare Register

34. As on the Early Years Register, childminders must complete training approved by their local authority within six months of registration. Those applying for registration only for this part of the register must confirm that they will meet this requirement by the relevant date.

35. For childcare on domestic or non-domestic premises, regulations⁷ set out the qualification requirements for the compulsory part of the Childcare Register as:

- the manager has an appropriate level 3 qualification; and
- at least half of the remaining staff have an appropriate level 2 qualification.

In the absence of any definitive list of qualifications for the compulsory part of the Childcare Register we accept any qualifications that are full and relevant for the Early Years Foundation Stage as also relevant for the compulsory part of the Childcare Register, especially where provision is registered on both the Early Years and Childcare Register.⁸ We will also accept any qualifications that are awarded at level 2 and 3⁹ in an area appropriate to the care offered such as play qualifications, qualifications relating to working with children with learning difficulties and disabilities and classroom assistant qualifications.

The voluntary part of the Childcare Register

36. Regulations¹⁰ set out that providers on the voluntary part of the Childcare Register must ensure that at least one person who is caring for children has either:

- a qualification at a minimum of level 2 in an area of work relevant to the childcare,¹¹ or
- successfully completed training in the core skills as set out in the document *Common Core of skills and knowledge for the children's workforce*.

37. This requirement applies both to childminders and to childcare providers on domestic or non-domestic premises, and applies from the point of registration. Childminders do not have six months after registration to obtain this qualification. It is not necessary for the registered person to have this training. It could be another member of staff. In larger childcare organisations, it is good practice to have more than one person trained.

The Common Core of skills and knowledge

38. The Common Core is not a qualification. It is a set of common values for people who work with children and young people that promote equality, respect,

⁷ The Childcare (General Childcare Register) Regulations 2008; www.opsi.gov.uk/si/si2008/uksi_20080975_en_1.

⁸ Applicants can check if any qualification they hold is on the database by checking online at <http://eypquals.cwdcouncil.org.uk/public/> or by ringing the Children's Workforce Development Council (CWDC) helpline on 0113 390 7743.

⁹ As set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Development Agency, www.qcda.gov.uk/resources/6184.aspx.

¹⁰ The Childcare (General Childcare Register) Regulations 2008, Schedule 6, (12); www.opsi.gov.uk/si/si2008/uksi_20080975_en_6#sch6.

¹¹ As set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Development Agency.

diversity and challenge stereotypes, helping to improve the life chances of all children and young people and to provide more effective integrated services. All people working with children, including those on the voluntary part of the Childcare Register, should have the skills and knowledge relating to these values, to ensure that they provide effective care to the children they are responsible for.

39. There are six areas that constitute this set of values:¹²
- effective communication and engagement
 - child and young person development
 - safeguarding and promoting the welfare of the child
 - supporting transition
 - multi-agency working
 - sharing information.
40. For those on the voluntary part of the Childcare Register we currently accept the same level 2 or above qualifications as we do for those on the Early Years Register. We will also accept any qualifications that are awarded at level 2¹³ in an area appropriate to the care offered. These include play qualifications, qualifications relating to working with children with learning difficulties and disabilities, sports qualifications, qualifications for youth work and classroom assistant qualifications.
41. The training based on the *Championing children: resource book*,¹⁴ the Children's Workforce Development Council induction standards¹⁵ and the following Children's Workforce Development Council endorsed programmes all meet the requirements of the Common Core:
- Revised Learning Mentor initial training programme
 - Early Years Professional Status
 - Early Years Sector Endorsed Foundation Degree
 - Foundation Degree in Working with Young People and Young People services.

¹² *Common Core of skills and knowledge for the children's workforce* outlines the skills and knowledge in greater detail:

www.dcsf.gov.uk/everychildmatters/strategy/deliveringservices1/commoncore/commoncoreofskillsandknowledge/.

¹³ As set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Development Agency.

¹⁴ *Championing children: resource book*:

<http://publications.education.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=CWDC+0001&>.

¹⁵ Children's Workforce Development Council induction standards: www.cwdcouncil.org.uk/induction-standards.

42. We will also accept any other training or qualification providing the childcare provider can demonstrate that it complies with the requirements of the Common Core. Applicants and providers may demonstrate this through producing course certificates and/or details of the course content. We will also be looking for evidence that the skills and knowledge are put into practice.

Inspecting qualification requirements

43. Unless childminding applicants are applying only to join the compulsory part of the Childcare Register, we should not grant registration to those only applying to the Childcare Register unless they confirm in the application that they meet or are likely to meet qualification requirements at the point of registration.
44. We do not make inspection judgements for those on the Childcare Register. At inspection, inspectors should check that providers meet the qualification requirements and judge providers as not meeting requirements where this is the case. Inspectors must then set an action or recommend other enforcement measures if the effect of not having enough qualified staff places children at risk.

Providers on both registers

45. Many providers are registered on both registers and on both parts of the Childcare Register. Providers must make sure they meet the qualification requirements for both registers continuously when caring for children for which registration is required on both registers. This does not mean that providers need to have different staff for each register. However providers must be able to explain how they meet the staffing and qualification requirements in relation to the different ages of children and their needs.
46. It is possible that individuals' qualifications meet the requirements for both registers. For example, most full and relevant early years qualifications may also be acceptable for the compulsory part of the Childcare Register and will also meet the skill requirements for the Common Core. Providers must demonstrate to inspectors that practitioners support the needs of all the children who attend the setting.

First aid qualifications

Early Years Register

47. The *Statutory Framework for the Early Years Foundation Stage* requires childminders to hold a current paediatric first aid certificate at the point of registration. The first aid training must be approved by the local authority and consistent with the content set out on the *Practice guidance for the Early Years*

*Foundation Stage.*¹⁶ For childcare on domestic and non-domestic premises there must be at least one person who holds a first aid certificate as described above.

48. Both childminders and childcare providers on domestic and non-domestic premises must make sure that there is at least one person on the premises with a current first aid certificate at all times that children are present and on all outings. An outing is any time that a child or children leave the premises in the care of the provider, their staff, or in the case of childminders any assistants who we agree may have sole care of children. School pick ups that only involve collecting children from a school and taking them to the provision are not classed as an outing.
49. Ofsted has no way of establishing whether first aid courses are local authority approved. Certificates do not hold this information and we have no capacity at every inspection or visit to check with each local authority. Instead, regulatory decision-makers and inspectors must make sure that first aid training held by childminders and practitioners is current, is through a course of at least 12 hours in length and is a paediatric course. If inspectors are not satisfied they may ask the applicant or registered provider for further evidence of the course content or that it is local authority approved.
50. Inspectors should not recommend registration unless childminder applicants, or at least one person for applicants to provide childcare on domestic and non-domestic premises, hold a first aid certificate. At inspection inspectors must always raise an action where first aid requirements are not met, and must consider a judgement of inadequate. They may only consider a judgement of satisfactory where a provider is able to demonstrate that they had booked on a first aid course that did not take place for some reason, or they were not able to attend because of illness or other reasonable circumstances such as the death of a close relative.

Childcare Register

51. Regulations for the Childcare Register require the childminder or home childcarer to have an appropriate first aid qualification. Registered providers of childcare on domestic or non-domestic premises must ensure that at least one person caring for children has an appropriate first aid qualification. First aid provision must be available at all times that children are cared for either on the childcare premises or off the premises on visits and outings. The registered provider is responsible for ensuring these requirements are met.
52. Regulations do not set out what is appropriate first aid training. We generally interpret this to mean training that is appropriate to the ages of the children in the childcare provision and for the types of activity provided. An 'appropriate'

¹⁶ *Practice guidance for the Early Years Foundation Stage:*
<http://nationalstrategies.standards.dcsf.gov.uk/node/84490>.

first aid certificate will depend on the type of provision offered. For example, first aid training suitable for a nanny caring for young children may be different from an activity-based provider caring for older children. Childcare that features certain activities or that provides for children with disabilities may need to have specific first aid training. Providers are responsible for determining whether specific additional first aid training is needed, including whether adult first aid is more appropriate than paediatric first aid.

53. There is more guidance on first aid training for those on the Childcare Register in the *Guide to registration on the Childcare Register*.¹⁷
54. Regulatory decision-makers must not grant registration unless an applicant has declared they have met the first aid requirements and have provided us with a copy of the certificate. For childminders or home childcarer applicants this must be their own certificate. For those applying to be a childcare provider on domestic or non-domestic premises this may be the certificate of a member of staff who will be responsible for first aid.
55. At inspection, inspectors should check providers meet requirements by asking to see the first aid certificates of the provider or any relevant staff or assistants, and asking the provider how they have determined what is appropriate. Inspectors may at this point request further details of the course content or evidence that it is local authority, Health and Safety Executive or Qualifications and Curriculum Development Agency approved. Inspectors must judge providers as not meeting requirements if they do not hold a first aid certificate or the inspector judges that it is not appropriate for the ages of the children, their needs or the activities on offer. Where this is the case inspectors must then set an action or recommend other enforcement measures if the effect of not having first aid or appropriate first aid training places children at risk.

¹⁷ The *Guide to registration on the Childcare Register* is available at: www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Guide-to-registration-on-the-Childcare-Register.