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Guidance

Actions for early years and childcare providers during the coronavirus outbreak

Updated 24 April 2020

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We have asked parents to keep their children at home wherever possible, and for early years and childcare settings to remain open only for children who are vulnerable and for those children of workers critical to the coronavirus (COVID-19) response who need to attend.

All educational settings remain safe for children, but fewer children making the journey to educational settings, and fewer children in these settings, will help to protect the NHS and save lives by reducing the risks of spreading the virus. Everyone should follow Public Health England guidance on self-isolating if they or members of their family develop symptoms of coronavirus (COVID-19). The most common symptoms of coronavirus (COVID-19) are a new, continuous cough or a high temperature (over 37.8 degrees).

We will update this page as further guidance becomes available.

The following Q&A should be read alongside the:

- guidance on implementing social distancing in education and childcare settings (<https://www.gov.uk/government/publications/coronavirus-covid-19-implementing-social-distancing-in-education-and-childcare-settings>)
- guidance on critical workers (<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>)
- guidance for vulnerable children and young people (<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>)
- guidance on Ofsted's response to coronavirus (COVID-19) (<https://www.gov.uk/guidance/ofsted-coronavirus-covid-19-rolling-update>)
- guidance on the Coronavirus Job Retention Scheme (<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>)

Who this guidance is for

This guidance covers providers registered with Ofsted and childminders registered with childminder agencies for children of all ages, including nurseries and wraparound childcare and clubs (before and after school and holiday care). This guidance does not cover nannies or au pairs, as they work in the child/children's family home.

Vital role of early years and childcare sector

Those who work in the education and childcare sector rightly take their place next to our NHS staff and other critical workers as central to our efforts in battling this virus.

Nurseries, pre-schools, childminders and childcare settings for school-age children around the country are taking the lead in supporting families through this difficult time. We are keenly aware that the extraordinary measures that have been taken to prevent the spread of coronavirus (COVID-19) present an unprecedented challenge for childcare settings as well as the communities they serve.

We appreciate the selfless dedication that childcare staff demonstrate in their work every single day. During this difficult time, we are asking you to go further still so that we can collectively address the challenges we face. You are vital to the country's response to the coronavirus (COVID-19) outbreak, and we offer our full support and gratitude during this difficult time.

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. This is a fast-moving situation and we ask you to work with us as we put in place the advice and support you need.

We expect childcare settings, schools and local authorities to work together to ensure sufficient childcare for children of critical workers and vulnerable children. We want local authorities to help coordinate what this means, working with childcare settings to deliver the services required. We ask you to keep your local authority updated so they know which settings are offering care to children of critical workers and vulnerable children and can support them accordingly.

Responsibilities

What are childcare settings responsible for?

Childcare settings are responsible for caring for vulnerable children, and the children of workers critical to the coronavirus (COVID-19) response. Settings should try to remain open to support these children. However, we understand that it may not be possible for all settings to remain open at this time. Childcare settings should work with local authorities to agree the provision needed locally to support the needs identified.

What are local authorities responsible for?

Local authorities are responsible for coordinating a response to the new arrangements. Working with educational settings, they should use the critical worker list (<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>) and the definition of vulnerable children (<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people>) to support childcare settings to ensure that there are sufficient places for the children of critical workers and vulnerable children.

Local authorities are also responsible for monitoring demand and capacity. This may involve working with childcare settings to provide places in alternative settings if necessary.

They are also responsible for supporting childcare settings to 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.

Are childcare settings expected to share resources?

The priority is to ensure children of critical workers and vulnerable children can access provision. Local authorities should work with settings to manage local demand and should coordinate support from other settings in the area. Settings are expected to be flexible and work together where required.

Can provision be shared across local authority areas?

If a childcare setting is unable to open, local authorities should try to coordinate provision for children who meet the criteria in other settings in their area. If this is not possible, local authorities should consider working with neighbouring local authorities while keeping in mind the impact on children.

Prioritising children

Is it necessary to prioritise children?

The first aim of the partial closure of educational settings is to reduce the overall population of children and families moving around local areas as far as possible, in order to reduce the number of social interactions and thus flatten the upward curve of the coronavirus (COVID-19) outbreak.

The second aim is to continue to care for children who are vulnerable, or whose parents are critical to the coronavirus (COVID-19) response so that they can continue to work where alternative childcare arrangements cannot be made.

How are vulnerable children defined?

The government encourages vulnerable children and young people to attend educational settings unless they have underlying health conditions that put them at severe risk.

During the coronavirus (COVID-19) outbreak, vulnerable children are defined as those who:

- are assessed as being in need under section 17 of the Children Act 1989, including children who have a child in need plan, a child protection plan or who are a looked after child
- have an education, health and care (EHC) plan whose needs cannot be met safely in the home environment
- have been assessed as otherwise vulnerable by educational providers or local authorities (including children's social care services), and who are therefore in need of continued education provision. This might include children on the edge of receiving support from children's social care services, adopted children, or those who are young carers, and others at the provider and local authority discretion

There is an expectation that vulnerable children who are assessed as being in need under section 17 of the Children Act 1989 will attend an early years setting. This is unless their social worker decides they are less at risk at home or in their placement (such as a residential placement), for example, due to underlying health conditions. The setting should follow up on non-attendance with the parent/carer and social worker.

Children with an EHC plan should be risk-assessed by settings in consultation with the local authority and parents/carers. Where the risk assessment determines a child with an EHC plan will be safer at home, it may be more appropriate for them to stay at home. Many children and young people with EHC plans can safely be supported at home. This could include, if necessary, carers, therapists or clinicians visiting the home to provide any essential services.

Where the risk assessment determines a child with an EHC plan will be as safe or safer in an early years setting, it may be more appropriate for them to attend the early years setting. If a child has been determined to be as safe or safer at an early years setting but subsequently does not attend the setting,

the setting should follow up with the parent/carer and local authority.

Leaders of childcare settings and designated safeguarding leads should use their discretion to encourage the attendance of otherwise vulnerable children that they, or other local services, such as local authorities, feel would be safer by attending provision.

Further detail on supporting vulnerable children is set out in Supporting vulnerable children and young people during the coronavirus (COVID-19) outbreak (<https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-on-vulnerable-children-and-young-people/>).

What should happen to vulnerable children if their provider is closed?

Where the setting which vulnerable children usually attend is closed, the setting should notify the local authority (and social worker, where relevant) that these vulnerable children need alternative provision. Settings should work with the families of vulnerable children and local authorities (and social workers, where relevant) to support this.

How are critical workers defined?

Children with a parent or carer who is listed on the government's critical worker list (<https://www.gov.uk/government/publications/coronavirus-covid-19-maintaining-educational-provision/guidance-for-schools-colleges-and-local-authorities-on-maintaining-educational-provision>) should be considered for a childcare place.

How do we identify which children are the children of critical workers?

Childcare settings should speak with parents or carers to identify who requires a place.

If it proves necessary, settings can ask for simple evidence that the parent in question is a critical worker, such as their work ID badge or payslip.

Should settings only offer places to children where both their parents are critical workers alongside children of single-parent critical workers?

Children with at least one parent or carer who is critical to the coronavirus (COVID-19) response can attend a setting if required.

Can childcare practitioners send their children to schools and childcare settings?

Childcare practitioners are critical to the coronavirus (COVID-19) response, so can send their children to school or childcare settings.

If childcare settings are open for children of critical workers and vulnerable children, can they accept other children if they have enough staff and space?

No. Care should be provided to children of critical workers and vulnerable children only, in order to limit the spread of the virus. Other children should remain at home, in order to further reduce the number of social interactions and thus flatten the upward curve of the coronavirus (COVID-19) outbreak. Many working parents who are critical workers may also be able to ensure their child is kept at home.

How will we track early years and childcare provision during the outbreak?

The Department for Education (DfE) launched a new data collection process on 6 April to gather information from local authorities on the status of early years and childcare settings in their area. This is to ensure that DfE has up-to-date information on available early years and childcare provision during the coronavirus (COVID-19) outbreak, which children are accessing it and if there are sufficiency issues in particular areas. We have published a summary of attendance in education and early years settings (<https://www.gov.uk/government/publications/coronavirus-covid-19-attendance-in-education-and-early-years-settings>).

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 not applicable to schools without nursery provision as they already have their own separate data collection process in place.

DfE has also asked Ofsted to monitor which providers on the early years register are open or closed. The information Ofsted is seeking from registered early years and childcare providers during the coronavirus (COVID-19) outbreak will give the setting-level data it requires to fulfil 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.

Funding

What will happen to funding for free childcare places during this period of disruption?

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 (<https://www.gov.uk/government/news/free-childcare-offers-to-continue-during-coronavirus-closures>).

We will soon publish guidance to set out how local authorities can use their free entitlement funding differently, redistributing it - in exceptional cases and in a clearly focused 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.

Local authorities will need to ensure there are sufficient childcare places at this time, and to redistribute funding across settings accordingly. This ability to redistribute will enable local authorities to ensure that critical workers, including NHS staff, are able to access childcare where they need it. Any setting which sees their early entitlement funding reduced in order to fund childcare places elsewhere will be able to increase the proportion of their salary bill eligible for the Coronavirus Job Retention Scheme in line with DfE's guidance (<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/>) on access to the scheme.

What additional business support is available to childcare settings during this period of disruption?

The government has announced a package of support (<https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-support-for-businesses>) for workers and businesses which will benefit childcare settings.

- The Chancellor has announced that private childcare settings will be eligible for a business rates holiday for one year - that means non-local authority providers of childcare (registered with Ofsted and providing EYFS) will pay no business rates in 2020 to 2021 (<https://www.gov.uk/government/publications/business-rates-nursery-childcare-discount-2020-to-2021-coronavirus-response-local-authority-guidance>).
- Nurseries in receipt of small business rate relief or rural rate relief will benefit from small business grant funding of £10,000 - this includes nurseries who are eligible for a charitable status relief – who will also pay no business rates at all in 2020 to 2021
- Some settings operate from shared spaces which may now benefit from a 100% rates relief. We strongly encourage those shared spaces to reflect any business rates saving in their rent charges.
- The Coronavirus Job Retention Scheme (<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care>) means that for employees who are not working but kept on payroll, the government will contribute 80% of each worker's wages of up to £2,500, backdated to 1 March 2020. Further guidance (<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care>) provides details on how early years providers with a mixture of public and private funding should access the scheme.
- The Self-employment Income Support Scheme (<https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme>) for those who are self-employed or members of a partnership and have lost income due to coronavirus (COVID-19). The scheme allows individuals to claim a taxable grant worth 80% of trading profits up to a maximum of £2,500 per month for 3 months. HMRC will contact individuals who are eligible and invite them to apply online.
- For the self-employed (including childminders), the minimum income floor will also be temporarily relaxed, meaning Universal Credit can be accessed at a rate to match statutory sick pay (SSP).
- The Business Interruption Loan Scheme will now be interest-free for 12 months, an increase from 6.
- VAT payments due with VAT returns between now and the end June 2020 will be deferred. UK VAT registered businesses will not need make those payments until March 2021.
- The Secretary of State for Business announced on 28 March 2020 that he will make changes to enable UK companies undergoing a rescue or restructure process to continue trading (<https://www.gov.uk/government/news/regulations-temporarily-suspended-to-fast-track-supplies-of-ppe-to-nhs-staff-and-protect-companies-hit-by-covid-19>) to help them avoid insolvency. This includes temporarily suspending wrongful trading provisions retrospectively from 1 March 2020 for 3 months for company directors so they can keep their business going without the threat of personal liability.
- Working tax credit has been increased by £1,000 a year.
- The government has also announced a £20 per week increase to the Universal Credit standard allowance and Working Tax Credit basic element and an increase in the Local Housing Allowance rates for Universal Credit and Housing Benefit claimants so that it covers the cheapest third of local rents.

How do early years settings access the Coronavirus Job Retention Scheme (CJRS)?

The CJRS scheme opened for applications on 20 April and guidance on how to access the scheme can be found at Claim for wages through the Coronavirus Job Retention Scheme

(<https://www.gov.uk/guidance/claim-for-wages-through-the-coronavirus-job-retention-scheme>). Early years providers remain eligible for the CJRS while continuing to receive early entitlement funding via local authorities.

The CJRS guidance (<https://www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme>), published by HM Revenue and Customs on 26 March, states that where employers receive public funding for staff costs, and that funding is continuing, we expect employers to use that money to continue to pay staff in the usual fashion - and correspondingly not furlough them. This also applies to non-public sector employers who receive public funding for staff costs. Employers should not be able to receive public funding for staff cost and furlough payments for the same staff.

On 17 April, DfE published guidance (<https://www.gov.uk/government/publications/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care/coronavirus-covid-19-financial-support-for-education-early-years-and-childrens-social-care#sector-specific-guidance>) setting out how the CJRS and early entitlement funding interacts, confirming that early years settings can access the CJRS to cover up to the proportion of its pay bill which could be considered to have been paid for from that provider's private income.

A private provider should only furlough employees, and therefore seek support through the CJRS, if they meet the following conditions:

- the employee works in an area of business where services are temporarily not required and where their salary is not covered by public funding
- the employee would otherwise be made redundant or laid off
- the employee is not involved in delivering provision that has already been funded (free entitlement funding)
- (where appropriate) the employee is not required to deliver provision for a child of a critical worker and/or vulnerable child
- the grant from the CJRS would not duplicate other public grants received, and would not lead to financial reserves being created

If it is difficult to distinguish whether staff are funded through free entitlement or private income for the purposes of meeting the first 3 conditions as listed above, then an early years provider can access the CJRS to cover up to the proportion of its paybill which could be considered to have been paid for from that provider's private income.

Can childcare settings continue to charge parents during coronavirus-related closures?

We are working hard to mitigate the impacts of coronavirus (COVID-19) on all parts of our society, including individuals and businesses. We urge all childcare settings to be reasonable and balanced in their dealings with parents, given the great uncertainty they will also be facing.

Can settings continue to charge for consumables such as nappies?

Settings may charge for consumables in line with national entitlements guidance (<https://www.gov.uk/government/publications/early-education-and-childcare--2>). As per existing guidance, they should consider the impact of charges on disadvantaged families.

Are settings covered by their insurance during this period of disruption?

Business interruption insurance

For childcare providers which have a policy that covers government-ordered closure and unspecified notifiable diseases, the government's social distancing instructions are sufficient to allow businesses to make a claim against their insurance, provided the other terms and conditions in their policy are met.

Public liability insurance

For childcare providers with public liability insurance, the Association of British Insurers' members continue to offer cover to settings, whether open or closed, with no change to terms and conditions to existing policies.

Providers should check their terms and conditions with their insurance company.

Staying open for children of critical workers and vulnerable children

Do early years and childcare settings need personal protective equipment (PPE)?

The scientific advice indicates that educational staff do not require personal protective equipment. This is needed by medical and care professionals providing specific close contact care or procedures that create airborne risk, such as suctioning and physiotherapy, for anyone who has coronavirus (COVID-19) and is displaying symptoms.

See further guidance on social distancing in educational and childcare settings

(<https://www.gov.uk/government/publications/coronavirus-covid-19-implementing-social-distancing-in-education-and-childcare-settings/coronavirus-covid-19-implementing-social-distancing-in-education-and-childcare-settings>).

Someone in my early years setting has become unwell with coronavirus (COVID-19) symptoms, what do I do?

The Government has issued advice on what to do in educational and childcare settings if someone becomes unwell (<https://www.gov.uk/government/publications/guidance-to-educational-settings-about-covid-19/guidance-to-educational-settings-about-covid-19>).

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

We recognise that many settings have already shared resources for children who are at home and are grateful for this. We encourage them to continue working with parents to ensure children can continue to learn at home.

The Department for Education's Hungry Little Minds (<https://hungrylittleminds.campaign.gov.uk/>) campaign features tips and practical activities that parents can do at home with children to support their early learning. There are many simple ways to help children learn and it does not have to feel like 'learning'. Having everyday conversations, make-believe play and reading together all make a big difference to children's development. Settings can also direct parents to the BBC's Tiny Happy People (<https://www.bbc.co.uk/tiny-happy-people>).

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

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

We understand that some settings may be unable to stay open, especially if they are experiencing severe staff shortages due to self-isolation and sickness. Local authorities will work with local settings to determine the best way to ensure sufficient childcare for vulnerable children and the children of critical workers.

For how long will childcare settings be closed?

Due to coronavirus (COVID-19), childcare settings will be closed to most children until further notice.

Are childcare settings expected to stay open if only one vulnerable or critical worker child attends?

If providing suitable care for a child is not possible, we ask that arrangements are made to merge provision with other settings, in consultation with the local authority.

What if a setting has a large number of vulnerable or critical worker children?

Since the aim of closures is to slow the spread of coronavirus (COVID-19), settings may wish to make arrangements with other settings to reduce the number of children in their care, if a large number of children are eligible to attend.

Should settings offer longer opening hours to care for the children of critical workers?

Settings should try to be as flexible as possible for critical workers who work shifts or atypical hours.

Will children attend their usual childcare setting?

Our priority is ensuring sufficient childcare for vulnerable children and children of critical workers. We are asking settings to stay open to do this, but we acknowledge this may not always be possible.

Where a setting is unable to stay open, local authorities will work with local settings to determine the best way to support vulnerable children and the children of critical workers.

How can settings continue to offer care if staff are sick or self-isolating?

Childcare settings who are experiencing staff shortages should work with their local authority to identify how appropriate provision can be put in place. They can pool staff with another setting, or take on qualified and Disclosure and Barring Service (DBS) checked staff from other educational settings (including local registered childminders) which have been closed, or invite local registered childminders to work with them at the setting. Registered childminders can already do this under the 50/50 registration flexibility they have.

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.

Can settings still take children outside?

Outdoor activity in private outdoor space should continue, while following social distancing guidance (<https://www.gov.uk/government/publications/covid-19-guidance-on-social-distancing-and-for-vulnerable-people/guidance-on-social-distancing-for-everyone-in-the-uk-and-protecting-older-people-and-vulnerable-adults>) as far as possible. In line with this guidance, childcare settings should avoid using public spaces.

What needs to happen if a child is attending a different setting than usual?

Important information should be provided by the parent or carer to the setting on day one, including emergency contact details, dietary requirements and medical needs to safeguard the health, safety and welfare of the child.

Early years settings in some areas are operating in ‘hubs’, involving groups of settings operating at a single site. Is this permitted?

With significantly reduced numbers of children attending, and risks of under-staffing due to illness, we understand that shared provision through early years hubs and clusters is an option being considered, and in many areas arrangements are already in place.

There are issues to balance when making choices about provision at this time. First and foremost is public health, which remains the priority. Any arrangements should enable staff and children to limit risks relating to the spread of the virus.

Issues such as safeguarding and consistency of provision for all children, particularly those with additional needs, should also be considered.

Additionally, in the current circumstances there will be practicalities to consider, including how children and staff access settings while limiting travel.

Local authorities should work with providers in their local areas to determine the most effective way of ensuring sufficient childcare for children of critical workers and vulnerable children. Further information will be published shortly

Early Years Foundation Stage

Does the Early Years Foundation Stage still apply?

The Early Years Foundation Stage (EYFS) statutory framework (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) 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 within the EYFS, giving settings flexibility to respond to changes in workforce availability and potential fluctuations in demand while ensuring children are kept safe. These temporary changes come into force on 24 April 2020.

Full details of the amendments can be found in the guidance on Early years foundation stage statutory framework (EYFS) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>), which also includes details about how the temporary arrangements will be brought to an end. Settings and local authorities should fully familiarise themselves with these changes to ensure they understand the flexibilities available to them and are meeting the modified requirements, especially in relation to paediatric first aid, during the coronavirus (COVID-19) outbreak.

Do 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 understand that these are exceptional circumstances and the priority at this time is keeping children safe and well cared for. As far as possible, children should also benefit from a broad range of educational opportunities.

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.

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.

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 and guidance (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) has been published setting out what this means.

The existing requirement remains in place where children aged 0 to 24 months are on site. Paragraph 3.25 and Annex A 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 the premises and available at all times when children are present, and must accompany children on outings.’ The existing requirements also remain unchanged for childminders, as they are already required to have full PFA certification.

The requirement is modified where children aged 2 to 5 are on site (with no children aged below 24 months) to a best endeavours duty to have someone with a full PFA certificate on site. If all steps set out in the guidance have been exhausted and settings cannot meet the PFA requirement, they must carry out a written risk assessment and ensure that someone with a current First Aid at Work or emergency PFA certificate is on site at all times. New entrants (level 2 and 3) will not need to have completed a full PFA course within their first 3 months in order to be counted in staff to child ratios.

What happens if staff need to renew their paediatric first aid certificates?

If PFA certificate requalification training is prevented for reasons associated directly with coronavirus (COVID-19), or by complying with related government advice, the validity of current certificates can be extended by up to 3 months. This applies to certificates expiring on or after 16 March 2020.

Can settings vary staff to child ratios and qualifications?

Paragraph 3.30 of the EYFS states:

‘Exceptionally, and where 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 temporary circumstance in which the staff to child ratios set out in the EYFS can be changed if necessary. However, childcare settings or schools remain 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 hold in order to be counted in the ratio requirements. Settings should use reasonable endeavours to ensure that at least half of staff (excluding the manager) hold 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 aged 3 and over, reasonable endeavours should be used to ensure that at least one member of staff is a school teacher. Where this is not possible, there must be at least one member of staff for every 8 children, with at least one member of staff who holds at least a full and relevant level 3 qualification. Providers should use their reasonable endeavours to ensure that at least half of other staff hold at least a full and relevant level 2 qualification.

Further detail is set out in Early Years Foundation Stage: disapplications and modifications for early years provision open during the coronavirus (COVID-19) outbreak

(<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>).

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

The requirements set out at paragraph 3.11 of the EYFS remain in place.

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.

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.

Is it still a requirement for early years settings to have a separate baby room for children under the age of 2 during this period of disruption?

The EYFS requirement to have a separate baby room is a safety issue for the protection of very young children particularly when they are asleep. Paragraph 3.59 of the EYFS already allows for the mixing of children when this is appropriate. If the layout of the premises does not allow for a separate ‘baby room’ with its own door, a suitable area may be partitioned off to provide safety for younger children.

Food

What arrangements do settings need to make about meals for children attending the setting?

Where maintained nursery schools are open for children of critical workers and vulnerable children, they should continue to provide free school meals to children who would normally receive them.

In all other settings where free school meals do not apply, settings may charge for meals in line with national entitlements guidance. As per existing guidance, they should consider the impact of charges on disadvantaged families.

Ofsted

What are the registration requirements for settings providing childcare to vulnerable children and critical workers’ children?

DfE has asked Ofsted to monitor which providers on the early years register are open or closed, to ensure that they can fulfil their safeguarding requirements as regulator.

Read information about Ofsted’s registration requirements (<https://www.gov.uk/guidance/childminders-and-childcare-providers-register-with-ofsted>).

What about Ofsted inspections?

The Secretary of State for Education announced the suspension of routine Ofsted inspections (<https://www.gov.uk/government/news/routine-ofsted-inspections-suspended-in-response-to-coronavirus>) on 17 March 2020.

The safeguarding responsibilities of settings have not changed, and Ofsted inspections triggered by safeguarding concerns will continue.

See Ofsted’s response to coronavirus (COVID-19) (<https://www.gov.uk/guidance/ofsted-coronavirus-covid-19-rolling-update>) for more information.

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 well-being 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) (<https://www.gov.uk/guidance/ofsted-coronavirus-covid-19-rolling-update>) for more information.

Childminders

Like all early years settings, childminders must close and should remain open only if they are caring for vulnerable children or the children of critical workers.

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 (<https://www.gov.uk/government/news/free-childcare-offers-to-continue-during-coronavirus-closures>),

The government's priority for the early years sector during the coronavirus (COVID-19) public health crisis is first and foremost to ensure sufficient childcare for vulnerable children and children of critical workers.

We will be publishing guidance to set 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.

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 income due to coronavirus (COVID-19), as well as meeting further eligibility criteria (<https://www.gov.uk/guidance/claim-a-grant-through-the-coronavirus-covid-19-self-employment-income-support-scheme>). HM Revenue and Customs will contact individuals who are eligible and invite them to apply online.

Can childminders get involved in supporting the continuation of provision for priority children?

Under existing registration arrangements, childminders can work for up to 50% of the time on non-domestic premises.

Childminders who do not already have approval to work up to 50% of their time on non-domestic premises will need to seek approval from Ofsted, after seeking initial support from their local authority. If childminders have the capacity and there is a local need, they could help support with staff shortages in centre-based childcare provision.

Can childminders work with other childminders to look after more priority 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

(<https://www.gov.uk/guidance/childminders-and-childcare-providers-register-with-ofsted/childminders-and-childcare-on-domestic-premises-registration#childcare-on-domestic-premises>).

In all cases, childminders should only be looking after vulnerable children or children of critical workers.