Part of
Education and childcare during coronavirus

Guidance
Actions for early years and childcare providers during the coronavirus (COVID-19) outbreak

Updated 23 June 2020

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Main changes to previous guidance

We have updated this guidance as follows:

- amended wording throughout guidance to reflect that early years providers have been able to open for all children
- in section 1, we have updated the list of the measures earlier timeframes for critical workers to be able to attend childcare to the measures announced on 10 June 2020 flexibility for parents who have received the deadline for 30 hours codes (section 3.6) and the deadline for 2 year olds to be offered a place (section 5.1)
- new paragraph on Public Health England's review of the evidence on the impact of outcomes from coronavirus and revised wording on testing (section 4)
- updated wording on consultation children and the need for outdoor activities and social activities to work together (section 5.2)
- updated guidance on managing school transport and drop-offs for childminders (section 9.4)
- updated guidance on contributions for settings, including an overpayment rate, and the ability to charge for additional hours and extra-curricular activities (section 3.4)
- new content on childminder agencies and carrying out quality assurance visits (section 10.4)

On 28 May, the Prime Minister confirmed that all 3 government tests in the roadmap to lockdown were being met and therefore, based on all the evidence, all early years and early years settings have been able to welcome back children. This followed a period of phased opening for children of key worker parents and children who were vulnerable (previous Children of Key Workers and vulnerable children's guidance) which extended to the educational and childcare sector rightly took their place next to our NHS staff and carers, our teachers and our emergency services in battling coronavirus and saving lives.

Since 3 June, childminders have been able to look after children of all ages, in line with their current Ofsted registration, and within usual points on the number of children they can care for.

We are continuing to work with the childcare sector to understand how the early years sector could be supported, to ensure that sufficient safe, appropriate and affordable provision is available for those returning to work now, and to be available over the longer term.

This remains a fast-moving situation and we are grateful to work with us as we put in place the necessary measures to ensure that the early years sector can provide the flexibility and support to the parents who need the vital services you are providing.

We will continue to update this page as further guidance becomes available.

This guidance should be read alongside the following:

Guidance on infection prevention and control:

- Implementing protective measures in education and childcare settings
- Risk assessment for education, childcare and children's social care settings
- Planning a safe return to early years and childcare settings

Guidance on funding:

- guidance on claim for payment
- Coronavirus (COVID-19): childcare, early years and children's social care
- Coronavirus Job Retention Scheme
- Use of free early education entitlements funding

Other relevant guidance:

- Actions for education and childcare settings to prepare for wider opening from 1 June 2020
- Supporting vulnerable children and young people
- Coronavirus (COVID-19): guidance for parents and carers (GED dissemination)
- Ofsted's response to coronavirus (COVID-19)

1. Who this guidance is for

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

- maintained schools
- non-maintained schools
- independent schools
- all providers on the early years register including wraparound childcare and clubs
- childminders (whether registered or not)

Childminders registered with an early years childminder agency.

This guidance does not cover homes or accounts, as they work in the school children's family home.

2. Responsibilities

2.1 What are early years and childcare providers responsible for?

On 10 May, the Prime Minister announced a roadmap towards recovery, including plans for the phased reopening of schools and childcare settings. The government's roadmap to lockdown sets out 3 tests, early years and childcare settings were asked to take steps to prepare to welcome back all children that require childcare, including vulnerable children and children of key workers. On 28 May, we confirmed that all early years providers have been able to welcome back children.

We understand that it may not be possible for all settings to be open more widely or in the same way as before, but we want to work with you to ensure that we can agree the provision needed locally to support the needs identified. Settings may want to consider how they can provide flexible and creative provision, for example, through a lunch or a longer number of children and staffing. Settings are expected to be flexible and work together where required.

It is some cases it may be necessary for settings to introduce a temporary cap on numbers, to ensure that children are kept in small groups, and to avoid mixing of children across different groups. This will ensure that we can provide childcare for children and children of critical workers. Years 1 and 6 are priority, as they are also will be transitioning to reception in September, followed by younger age groups.

Where significantly reduced numbers of children are attending, we understand that shared provision through early years hubs and clusters is in place in some areas.

Please see guidance on social bubbles and hubs and clusters, including early years.

Childcare settings are responsible for safeguarding and caring for children who attend childcare and for ensuring that they implement the government's infection prevention measures in line with guidance on protective measures and ensuring these are followed by staff, parents, children, visitors, and other providers.

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

No, We are asking settings to open more widely so that more children can be welcomed back. We understand however that some settings may be unable to open, especially if they have been closed for a period of time because of a lack of staff or other resources or facility early years providers will work with local authorities to ensure that the best way to ensure sufficient childcare.

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

2.3 What are local authorities responsible for?

Local authorities are responsible for coordinating a response to the emergency, working alongside childcare settings to ensure settings are prepared for wider opening and that children and families are informed about what childcare is available in their area and should work with childcare settings to ensure there are sufficient childcare places for those in priority groups as well as meeting local need. This may involve providing support to childcare providers, including providing information and guidance, and to coordinate provision and keeping in mind the impact on local services.

Local authorities' duties to safeguard and promote the welfare of all children in their area, working with partner organisations and agencies, continue to apply during this period. The coronavirus (COVID-19) pandemic set out in Working together to safeguard children, which sets out how all agencies will work together in partnership to discharge their duties. Note the children and young people whose education or health care plans or social care plan has lapsed, and ensuring those children are safely cared for whether at a setting or at home.

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

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

Local authorities should have a good understanding of early years provision in their area, as well as the certain individual providers who are experiencing difficulties and who may be unable to open more widely or reopen (if they have been closed).

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

- moving children between providers where one provider has closed, and another has already dedicated schools place (DSG funded place)
- operating through clusters and hubs to maintain educational provision, or if staffing is affected
- using early years DSG funding contingency budgets, where local authorities have them, or unconditional central grants to the early years sector

In exceptional circumstances, and where all other options have been exhausted, local authorities may need to use their early years DSG funding to ensure that there is sufficient childcare provision in a clearly focused and targeted way from providers who have been able to open more widely. This may include providing support to childcare providers who are the coronavirus (COVID-19) outbreak. This should only be done to ensure that there is childcare for the children of critical workers, and for vulnerable children, where their educational programme is not longer available. Further information is found in guidance on the use of free early education entitlements funding.

3. Funding

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

On 27 March 2020, the Chancellor confirmed that government would continue to pay local authorities for free early years entitlements where for 2- 3- and 4-year-olds.

We have published guidance on the use of free early education entitlements funding and setting out local authorities can use their free entitlement funding differently. Local authorities can use their free entitlement funding to pay providers who are closed, this should only be done to secure childcare for critical workers and vulnerable children who are eligible for a place, but who cannot access it because it is no longer possible.

Local authorities will need to ensure there are sufficient childcare places of the time, and to redistribute funding across settings accordingly – in a clearly focused and targeted way. This may include providing support to childcare providers who are open more widely, working with partner organisations and agencies, continue to support children the coronavirus (COVID-19) pandemic set out in Working together to safeguard children, which sets out how all agencies will work together in partnership to discharge their duties for children and young people whose education or health care plans has lapsed, and ensuring those children are safely cared for whether at a setting or at home.

We would normally expect for update the total early years funding allocations for financial year 2020 to 2021 with the 2020 census count in summer 2020. We are considering how we can make adjustments to the 2020 to 2021 allocations to take into account how the figures may be affected by the coronavirus (COVID-19) outbreak. We will provide further information as soon as it is available.

3.2 Can childcare funding to local authorities be demand-led, how will local authorities be funded for the early years entitlements by central government in 2020 to 2021 given the demand for childcare may be different to normal?

On 27 March, the Chancellor confirmed the government will continue to pay funding to local authorities for the free early years entitlements for 2- 3- and 4-year-olds, assuming local authorities pass on the funding to early years providers.

It is expected that the initial early years dedicated schools grant (DSG) allocations for 2020 to 2021, announced in December 2019, will be updated to reflect participation in the 2020 to 2021 census day (PAD), using the January 2020 early years pension and schools censuses.

We would normally expect for update the total early years funding allocations for financial year 2020 to 2021 with the 2020 census count in summer 2020. We are considering how we can make adjustments to the 2020 to 2021 allocations to take into account how the figures may be affected by the coronavirus (COVID-19) outbreak. We will provide further information as soon as it is available.

3.3 Can settings furlough their staff if, if they do not have enough staff to open, if there is no demand for parents, or c) the setting needs to close due to confirmed cases of the coronavirus (COVID-19) outbreak?

We have provided further guidance on the Coronavirus Job Retention Scheme (furlough) and Self-Employed Income Support Scheme (SEISS) and have made the Republished Main guidance announced on 20 May the scheme now allows settings employing staff who were furloughed to restart furlough the scheme.

3.4 Can parents continue to claim their 30 hours free early education entitlement and Tax Free Childcare?

Parents can continue to claim the 30 hours free early education entitlement and Tax Free Childcare to fund all eligible periods, including critical workers, who are accessing childcare during the coronavirus (COVID-19) outbreak.

Specifically, parents will not meet the minimum income threshold (16 hours per week at National Minimum/Living Wage) due to lower earnings as a direct result of the coronavirus (COVID-19) outbreak, and will be able to access Tax Free Childcare and will apply only to parents who need to apply for, or receive free 30 hours childcare. Free Childcare plans during the outbreak this year.

Subject to parliamentary approval of a temporary amendment to the 30 hours free childcare regulations, parents who are furloughed or who have lost their job will not exceed the maximum income threshold (£100,000 per year), due to increased hours or earnings as a direct result of the coronavirus (COVID-19) outbreak, and will be able for the current tax year as a consequence of the coronavirus (COVID-19) outbreak.

These are temporary changes in response to the coronavirus (COVID-19) outbreak which will be reviewed as the situation develops.

3.5 Where a child isn't currently attending a setting, do parents still need to apply or receive for the 30 hours entitlement and/or Tax Free Childcare?

Parents who are currently not using their 30 hours free childcare and vouchers, their 30 hours and Tax/Tax Free childcare entitlement, even if childcare settings are closed or not attending. This will ensure a smooth transition back into childcare when possible. Please see the guidance on Tax Free Childcare and 30 hours free childcare during coronavirus (COVID-19).

3.6 Is there any flexibility for parents who have missed the deadline for 30 hours codes?

The Department for Education (DfE) had previously asked local authorities to use their discretion when deciding to accept late applications for 30 hours codes from parents of journalists whose were unfairly ineligible and expected to take up 30 hours childcare place between 1 April 2020 and 30 August 2020, but had missed the deadline for applying for a code. Extension of 31 March 2020. This deadline is no longer in place to allow for late applications.

Previously, only the children of critical workers, and children who are vulnerable, were able to access childcare. Now that early years settings are open to all children, it is a matter for local authorities to exercise their discretion in accepting the codes of all children who are eligible for a place, but who cannot access it because it is no longer possible there is capacity for provision to take them on. Providers and local authorities should be flexible and take into account the fact that on 3 and to 1 April 2020 to summer 2020 and beyond, parents may have been unable to apply for a code.

We are also encouraging parents to continue to apply for, and use, their 30 hours free entitlement, even if they choose to keep their child away from their childcare setting. To help these prepare for their return back into childcare in September.

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

The government has announced a package of support for small businesses, which will benefit childcare settings, including the Coronavirus Job Retention Scheme (CJRS) and Small Business Grant Fund (SBGF). Please see the guidance on Coronavirus (COVID-19): Support for business.

In addition:

- the Chancellor has announced that childcare settings will be eligible for a business rates holiday for one year - that means nursery schools in England and Northern Ireland will be exempt from paying business rates for the 2020 to 2021 tax year.
- nurseries in receipt of small business rate relief or rural rate relief will benefit from small business grant of £10,000 (note that nurseries with rateable value of between £51,000 and £15,000 will be eligible for small business grant funding)
- nurseries which are eligible for a rural rate relief will receive a small business rate relief of £10,000 (note that nurseries with rateable value of between £51,000 and £15,000 will be eligible for small business grant funding)
- the Coronavirus Business Interruption Loan Scheme (CBILS) will be a lifeline for businesses in need of finance.
- some settings operate theme parks where which may benefit from a 50% rate relief, which will be applied to the 2020 to 2021 tax year. Please contact your local council for more information.
- the Self-employed Income Support Scheme for those who are self-employed or members of a partnership, the Chancellor has announced that HMRC will be able to offer a scheme alternatives to claim a taxable profit and 80 50% of profits based on a maximum of £3,500 per month for 3 months. HMRC will contact individuals who are eligible to claim directly.
- for the self-employed parents childminders, the minimum income will not also be temporarily relaxed. Meaning childcare Credit can be accessed at a date to match the claim for universal credit.
- the Business Interruption Loan Scheme will increase the maximum loan to increase from 6 months
- the Chancellor has set out returns between now and the end June 2020 will be delayed. 20 VAT payments between will need make payments on the 20 March 2021.
- the Corporate Tax Rate for Business announced on 28 March 2020 that will make changes to make all companies pay corporation tax at the rate of 19% and confirm tax holidays to help them avoid insolvency. Companies will be able to carry back losses to the previous year to offset against tax. This will be a company direction, no longer need their business partner to agree to a personal liability.
- the Corporate Tax Rate has been increased by £1,000 a year
- the government has announced a £5 per week increase to the Universal Credit standard allowance and Working Tax Credit basic element, and an increase to the Local Housing Allowance rate to cover the 30 percent lowest Housing Benefit payments so that it covers the cheapest third of rent.

3.8 How do early years settings access the CJRS?

The CJRS scheme opened for applications on 20 April and payments will be made across the scheme can be found at: Claim for wages through the Coronavirus Job Retention Scheme. Childcare providers can access the CJRS to furlough staff who are furloughed because of the coronavirus (COVID-19) outbreak.

The CJRS guidance, first published by HM Revenue and Customs (HMRC) on 26 March, states that where employers are using the CJRS to furlough staff, they can furlough staff who are furloughed because of the coronavirus (COVID-19) outbreak, furlough staff furlough – and correspondingly not furlough them. This also applies to non-public sector employers who are furloughing staff who are furloughed because of the coronavirus (COVID-19) outbreak, furlough staff furlough – and correspondingly not furlough them.

We have provided further guidance on how the CJRS applies in the education and childcare sectors.

On 11 April, DfE published guidance setting out how the CJRS and early childhood funding interacts, confirming that early years settings can access the CJRS to cover up to the proportion of its salary bill which could be considered to have been lost for from the coronavirus (COVID-19).

On 28 May, the Chancellor announced extending changes to the CJRS. These changes include a new flexibility meaning that, from 1 July, employers can bring furloughed employees back to work for any amount of their normal hours, and still be able to claim the CJRS grant for the hours not worked. This applies where employers have previously submitted a claim for the employee in relation to a furlough period of at least 3 consecutive weeks, and the last furlough period ended on or after 30 June 2020. Please refer to HMRC guidance case for a reopened claim coronavirus job retention scheme.

DfE's guidance on financial support for education, early years and children's social care will be updated accordingly.

Childcare providers can furlough staff employees, and therefore seek support through the CJRS, where they are furloughed as set out in the HMRC guidance.

- the employee works in one of business where services are temporarily not required and where their salary is wholly or mainly paid from public funding
- the employee would otherwise be made redundant or laid off
- the employee was furloughed and is returning previous that has already been furloughed for 3 weeks
- the employee is not required to deliver government or public services
- the grant from the CJRS would cover a substantial part of a furloughed employee's salary, not least as those nurseries are being

Childcare providers can furlough staff who are furloughed because of the coronavirus (COVID-19) outbreak. Childcare providers can furlough staff who are furloughed because of the coronavirus (COVID-19) outbreak. Childcare providers can furlough staff who are furloughed because of the coronavirus (COVID-19) outbreak.

3.9 Can childcare settings charge parents if they are not able to take up their child's place?

We are working hard to mitigate the impact of the coronavirus (COVID-19) outbreak on parents, and childcare providers. We have provided additional funding to local authorities and early years providers to ensure that they can continue to pay their staff and meet their fixed costs, in light of these unprecedented circumstances, and to communicate any arrangements clearly with them.

The Competition and Markets Authority (CMA) has established a COVID-19 Taskforce to ensure that markets and consumers are fair and competitive during the coronavirus (COVID-19) and that the measures taken to contain it do not leave businesses who have seen an experienced business behaving unfairly during the coronavirus (COVID-19) outbreak. Please see the CMA's guidance for consumers and businesses. Where there is evidence that businesses have breached competition or consumer protection law, the CMA will take enforcement action if warranted.

3.10 Can settings continue to charge for consumables such as nappies?

Settings may charge for consumables in line with the entitlements statutory guidance. As per this guidance, they should consider the impact of charges on disadvantaged families.

3.11 What arrangements do settings need to make about providing meals?

Where maintained nursery schools are open, 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 provided during childcare provision. Settings and catering providers should consider the impact of charges on disadvantaged families.

3.12 Are settings covered by their insurance during the coronavirus (COVID-19) outbreak?

Business Interruption Insurance

For childcare providers which have a policy that covers government ordered closure and unspecified infectious diseases, the government's social distancing measures may result in a claim being made. Insurance companies are agreed that business interruption other terms and conditions in their policy are met.

The Financial Conduct Authority (FCA) rules require insurers to treat customers fairly, including handling claims fairly and promptly. Insurance companies have agreed to a voluntary protocol, which is fair, not rejecting a claim unreasonably, and settling claims promptly and reasonably where they can. The FCA has also made it clear to insurers that the FCA is ensure that new claims are being upheld during this time and expects firms to be mindful of the interests of the Association of British Insurers (ABI) and Financial Conduct Authority (FCA) guidance for insurers' business interruption claims.

Customers who feel they have not been treated fairly should first make a formal complaint to their insurer. If they do not receive a response or are not treated satisfactorily, they can refer the matter to the Financial Ombudsman Service, which also helps small businesses with turnover below £6.5 million.

However, businesses that have not purchased business interruption cover will sadly unfortunately be disappointed. Insurance is a private sector supplied market and there is no government scheme to offer business interruption insurance.

Public liability insurance

Providers must use the appropriate insurance (for example, public liability insurance) to cover all premises from which they provide childcare or childminding. Some existing policies may be invalidated if they are not being used for the purpose for which they were originally taken out, for example, coronavirus (COVID-19) risks, or, some providers may choose to exclude coronavirus (COVID-19) from offering public liability policy. Providers will need to check their existing insurance policies, contact their insurance policies and consult with their insurance providers to ensure they obtain their coverage for coronavirus (COVID-19). It is worth noting that different insurers may offer different policies and providers are encouraged to shop around to find the most suitable cover at the best price.

For general advice on insurance matters (not on specific policies) including those related to coronavirus (COVID-19), DfE can be contacted by phone on 0207 930 3333 or email at info@dfe.gov.uk.

4. Infection prevention and control

Keeping children and staff safe is our utmost priority. DfE's guidance on implementing protective measures in education and childcare settings, Risk assessment for education and childcare settings, Keeping the early years of coronavirus (COVID-19) safe, contain detailed advice for settings on:

- infection prevention and control
- PPE
- shielding
- cleaning and hygiene
- testing and contact tracing
- what to do if someone becomes unwell with symptoms of coronavirus (COVID-19)

The Ofsted's guide for early years and childcare settings includes key objectives for settings to ensure children are safe and healthy:

- practical measures to keep a child
- staff availability
- protocol for responding to a case of coronavirus (COVID-19)
- communicating with parents and carers
- cleaning regimes
- resources to help children learn about hygiene and coronavirus

Settings should refer to these guidance and contribute to follow the advice from Public Health England. These measures should be implemented in conjunction with the

ethnicity, gender and geography. This review will inform the government's approach, including how it will work with the sector to offer support, training and guidance to settings and providers to meet the needs and aspirations of children who may be more severely affected by coronavirus (COVID-19).

4.3 How many children can be in one group in a setting?

Alongside good hygiene and cleaning, one of the main protective measures settings can put in place is to keep children in small groups. Ideally, these groups should be ensured that there are no more than 15 children in a single group at any one time or setting. Providers can have several groups of 15 children (FTE) unless and EYFS space requirements are met. Providers can also have more than one group of children aged 5 to 8 children, while delivering EYFS ratios, is preferable to a group mixed with younger children.

Reception is subject to school admissions (Infant class size) regulations. Therefore, schools should follow the primary guidelines for reception which sets a limit of 30 children per group.

4.4.1 Staff and children in the early years

4.2.1 What should settings do if separate groups cannot be maintained over the course of the day due to changes in children's attendance between the morning and afternoon?

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

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

Wherever possible, settings are encouraged to use their existing staff for wider opening hours and to provide additional activities and support. However, some early years settings may rely on other external professionals such as staffing from other agency staff, speech and language therapists or counsellors, settings should assess the risk of bringing these people into their setting and how they will keep children and others present, they should closely follow the protective measures in place, and the number of attendances should be kept to a minimum.

Where possible, the presence of additional members of staff should be spread on a weekly basis, rather than a daily basis to limit contacts.

Settings that use additional staff members to sessions which are not directly required for ratios should also follow the guidance in section 4.2.

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

4.4 Do early years and childcare settings need PPE?

The majority of adult education settings will not require PPE beyond what they would normally need for their work, even if they are not always able to maintain a distance of 2 metres from others. PPE is needed in a very small number of cases such as:

- children, young people and students where non-routine intimate care is the nature of the work, and where the nature of the work means it is not possible to keep a 2 metre gap
- if a child, young person, or other learner, becomes unwell with symptoms of coronavirus (COVID-19) while in your setting and you are caring for them until they can return home. A face mask should be worn by the supervising adult if a distance of 2 metres cannot be maintained. If contact with the child or young person is of a longer duration or closer than 2 metres (for example, if it is a small supervised group), it is not considered feasible that there is a low risk of exposure to the virus, for example from coughing, or sneezing, then eye protection should also be worn.

4.5 Are children in early years eligible for coronavirus (COVID-19) testing?

Asymptomatic and members of their households can access testing if they display symptoms of coronavirus (COVID-19) and attending children under 5. Children under 11 must have the test performed by a parent or carer.

For further information, please see:

5. Attendance

The following principles apply to the wider opening of settings:

- children should not attend if they have symptoms or are self-isolating due to symptoms in their household
- all children who normally access childcare are strongly encouraged to attend so that they can benefit from the educational and wider offer of their setting
- vulnerable children continue to be encouraged to attend where it is judged that it is best to do so (the children with education health and care (EHC) plans little will be the most common and expected approach), further details on vulnerable children can be found below
- children who have been classed as clinically extremely vulnerable due to pre-existing medical conditions have been advised not to attend school or other settings
- for vulnerable children who are deemed clinically extremely vulnerable but not clinically extremely vulnerable, including those who are pregnant, and other children who are too young to be able to understand and adhere to instructions on shielding, the decision on their attendance should be based on their assessed clinically vulnerable and shielding are advised not to attend school or other settings

Settings should be mindful that many parents may be anxious about sending their child back to school or other settings and should be prepared to work with them to ease their child back into the school or other setting when it is necessary. Including the use of virtual tours, they are, or parents, in the safe operating procedures.

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

5.1 Are vulnerable children still encouraged to attend settings?

The government continues to encourage vulnerable children and young people to attend educational settings, unless they have underlying health conditions that put them at risk of illness from coronavirus (COVID-19) or live in a household with a family member who is clinically extremely vulnerable and cause people during the coronavirus (COVID-19) outbreak. Kickstart summary of attendance expectations, across the different groups of children and young people, including those who are:

- for vulnerable children who have a social worker, attendance is encouraged unless this is appropriate in line with the advice set out by Public Health England
- for vulnerable children who have an education, health and care (EHC) plan, attendance is encouraged unless it is deemed not. Following risk assessment, the school, college, or other setting, and the child's family should agree on attendance. Please see information on risk assessments for guidance on supporting children and young people with EHC plans
- for vulnerable children who are deemed clinically extremely vulnerable, or clinically vulnerable, attendance is encouraged unless the child or household is shielding or isolating due to a recent positive test or has been identified as at risk of exposure to coronavirus (COVID-19) in the last 10 days and should not attend. Please see information on risk assessments for guidance on supporting children and young people with EHC plans
- for vulnerable children who are deemed clinically extremely vulnerable, or clinically vulnerable, attendance is encouraged unless the child or household is shielding or isolating due to a recent positive test or has been identified as at risk of exposure to coronavirus (COVID-19) in the last 10 days and should not attend. Please see information on risk assessments for guidance on supporting children and young people with EHC plans

For all these groups, we encourage settings (generally led by their designated safeguarding lead (DSL) or deputy) to work with local welfare partners approaches to work together closely to ensure, such as:

- the balance of risk, including clinical vulnerabilities
- family circumstances
- risks outside the home
- the child's assessed educational needs, where relevant

Settings should also work to ensure adequate and appropriate arrangements are in place to support those children who are not attending school or other setting, attending, such as physical, and or further information on attendance in the Kickstart guidance on recording attendance in the school attendance register during the coronavirus (COVID-19) outbreak.

5.2 Will children attend their usual childcare setting?

We have asked settings to open more widely to welcome all children back, but we acknowledge they may not always be possible. Our priority is ensuring safety for children for those that need it.

If a child's usual setting is not by open or reopen, local authorities will work with settings to determine the best ways to support children including transition, and how different provider who has spaces, where one provider has closed, or operating through clusters and hubs to maintain educational provision.

Where necessary, settings should prioritise providing places to vulnerable children and children of parents who are key workers. Local authorities should also be facilitating transitioning in Reception 1 September, followed by younger age groups.

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

Local authorities should work with settings which are closed to identify alternative provision, including providers in other areas, if necessary, and ensure children know that such provision is in place. If a child knows settings, important information should be promoted by the parent or carer to the new setting on day one, including emergency contact details, medical requirements and medical needs to ensure the safety and welfare of the child.

In the case of a vulnerable children, the school or setting should notify the local authority social care and provide information about the child's attendance and safeguarding concerns. The school or setting should work with the homes of children with EHC plans, local authorities (and social workers, where relevant) to support this.

Where a setting has closed, and a vulnerable child moves to a different early years setting. The closed provider should do whatever it reasonably can to provide the receiving provider with information about the child's attendance and safety. Receiving setting should be aware of the reason the child is vulnerable and any arrangements in place to support them. As a minimum, the receiving setting should: - Ensure they have the child's contact details, and the contact details of the social worker, if the child has one. - Obtain information, from previous education, about what arrangements are in place the child's and whether is (just, for looked after children, who the responsible authority is for the child).

The transfer of necessary information should ideally happen before, or on, the child's new setting and, where that is not possible, as soon as reasonably practicable. Any information exchange should take place between the receiving provider and the previous provider (or between local authorities) wants to confirm that arrangements are in place for individual with oversight of special educational needs provision for children with EHC plans.

Which providers must continue to have appropriate regard to data protection and GDPR when sharing information. Schools should ensure they have a clear and robust information for the purposes of keeping children safe. For more information please read DfE's guidance - information sharing advice for practitioners providing safeguarding services to children, young people, parents and carers, section 5.

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

If the demand for places is higher than the setting's capacity when protective measures are in place. It may be necessary to have a temporary cap on numbers of children attending the setting, while ensuring that children who are most in need of support and support children attending nearby settings on a consistent basis. Freeservices, settings should prioritise providing places to vulnerable children and children of critical workers, and children who are in Reception 1 September, followed by younger age groups.

5.5 Can children go to 2 different settings?

Children should attend just one setting wherever possible and providers should be encouraged to minimise as far as possible the number of education and childcare settings they are attending. Children who are in Reception 1 September, followed by younger age groups, should be prioritised for a place in a school setting. Children who are in Reception 1 September, followed by younger age groups, should be prioritised for a place in a school setting. Registered childminders can already do this under the SCR02 registration flexibility they have. Wherever possible, children should be encouraged to remain at a single provider, rather than a daily basis, in order to limit contacts.

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

Since 1 June, community centres, village halls and places of worship have been able to reopen for providers on the early years register which usually use those premises. Providers should contact their local authority, who will be working closely with early years settings to ensure we are the previous locations of early years and childcare provision. They should also ensure they are managing risks related to other users of the premises.

6.3 Are before and after school clubs and other providers of wraparound care allowed to operate?

Wraparound providers which are registered with Ofsted or with a Childminder Agency can't operate and other school clubs or childcare providers can operate if they are providing childcare for children who are attending school or other setting.

We are hoping to amend the Health Protection (Coronavirus Restrictions) (England) Regulations 2020, as part of Step 2 of the government's recovery strategy (which is expected to no earlier than 4 July), to enable registered wraparound childcare providers, who do not currently have premises, to operate from other premises. This will enable providers to operate for longer periods. We also anticipate adjustments to the requirements for unregulated provision of school settings, who are currently required to keep children in groups of 15 or less, to be made, so that they can also, if they are unable to operate further from detailed scientific advice. We will provide further measures guidance to providers as soon as possible.

Subject to the parliamentary process, wraparound providers who do not operate on the same premises as the school or early years setting that children attend during the day, will need to be registered with Ofsted or a childminder agency, if they want to operate. Providers who do not operate, that include ensuring that, as far as possible, children do not mix with children who are not in their group, and that they do not come into close contact with children who are not in their group. Providers should also ensure that their children attend to ensure that children do not mix with children who are not in their group and that children do not stay in throughout the day. If that is not possible, children should be kept in small, consistent groups from one day to the next whenever possible.

6.4 Can early years providers take groups of children to outdoor public places, for example if there is not private outdoor space in the setting?

Settings should use their outdoor space wherever possible, and should keep children and staff away from other groups. Childminders and early years providers may take children to other outdoor locations, such as parks, if they can do so in a way that is in line with guidance that they can stay 2 metres apart from people outside their group at all times. This should be restricted to small groups and should be in line with the guidance on travelling to work. Providers should not use public transport or outdoor public areas. Providers should not take larger groups of children to public outdoor spaces at one time.

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

Settings should be in touch with parents and carers of children who are not at school or are home and are potentially risk. Settings should consider how to maintain support the learning of children who do not attend settings including how these children can access the education they are entitled to. Settings should also be in touch with their home parents and carers and be supportive in providing educational support to home learning.

DfE's Factsheet for parents provides important factsheet for parents and carers. Settings should also be in touch with parents and carers who are vulnerable or who are shielding and provide support to them. Settings should consider how to maintain support the learning of children who do not attend settings including how these children can access the education they are entitled to. Settings should also be in touch with their home parents and carers and be supportive in providing educational support to home learning.

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Ofsted's Parents Online Portal, campaign Northern Ears and practical activities that parents can do at home with children to support their early learning. There are many simple ideas for supporting children's learning at home, such as: - Reading and talking about conversations, make phone play and reading together at home is a big difference to children's development. Settings can also direct parents to the BBC's Tiny Happy People website, which has lots of ideas for 0-5 year olds. Parents and carers can also be pointed further to Ofsted's How to help children aged 3 to 5 at home across the curriculum, which includes ideas for parents.

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.

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

DfE launched a data collection process in April 2020 to ensure there is up-to-date information on early years and childcare provision during the coronavirus (COVID-19) outbreak. We have published a summary of attendance in education and early years settings during the coronavirus (COVID-19) outbreak, which includes data on early years, and we have information on which childcare providers are open and how many children are sufficiently issues in particular areas.

All local authorities have mandatory information on how to access the data collection, the frequency of collection and how to contact DfE with any queries. This process is not mandatory for childcare providers, but participation at this stage helps the sector and data collection process is stable.

DfE has also asked Ofsted to monitor which providers on the early years register are open and which are closed during the outbreak. Ofsted will contact providers, and local authorities providers, to find out why providers (COVID-19) outbreak and what support local data it requires to fulfill its safeguarding requirements as a regulator.

We understand that most local authorities are already collecting the data requested by DfE, as the majority of cases, providers will not need to do anything different or new. Local authorities will be in touch with providers if they need to. We ask that local authorities and relevant bodies are proactive and responding quicker on providers.

7. Safeguarding and welfare

Settings must continue to follow all relevant laws to keep children safe and well during this period and have regard to the government's statutory guidance on safeguarding children and children who may be vulnerable to abuse (KCSIE) and, and apply, including requirements relating to child protection arrangements. Settings should work closely with local authorities.

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

Settings should consider whether it is necessary to update their child protection arrangements in response to signs of coronavirus (COVID-19). This could take the form of a coronavirus (COVID-19) addendum which includes:

- how to identify and act on new safeguarding concerns, and vulnerable children and young people
- DSL (and deputy) arrangements
- any updated advice received from the local safeguarding partners
- modification to staff training and induction, including for staff DSL (plan not assessment) attendance and keeps in touch mechanisms
- working arrangements with children's social workers and the local authority virtual school head (VSH)
- what staff and volunteers should do if they have concerns about a vulnerable or volunteer who keeps a safeguarding risk to the children
- how the updated policy links to the school's risk assessment to be reviewed before opening, described in the guidance on actions for educational and childcare settings to prepare for wider opening

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

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

Ofsted's Parents Online Portal campaign Northern Ears and practical activities that parents can do at home with children to support their early learning. There are many simple ideas for supporting children's learning at home, such as: - Reading and talking about conversations, make phone play and reading together at home is a big difference to children's development. Settings can also direct parents to the BBC's Tiny Happy People website, which has lots of ideas for 0-5 year olds. Parents and carers can also be pointed further to Ofsted's How to help children aged 3 to 5 at home across the curriculum, which includes ideas for parents.

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8. Early years foundation stage

8.1 Does the early years foundation stage still apply?

The early years foundation stage (EYFS) statutory framework sets the standards that all early years providers must meet to keep children safe and promote their development. Ofsted will continue to inspect against the framework.

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's safety and welfare. The amendments to the EYFS are set out in the EYFS.

Full details of the amendments can be found in the statutory guidance on the early years foundation stage (coronavirus (COVID-19)), which also includes details about how the amendments should be implemented. The guidance also sets out that providers should facilitate transitions with their children and ensure that they are aware of the flexibilities available to them and are making the modified requirements, especially in relation to assessment, fit for purpose. Coronavirus (COVID-19) outbreak.

8.2 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 implement the learning and development requirements in paragraphs 1 and 2 of section 1 of the EYFS. We understand that these are established in a manner and the priority at this time is keeping children safe and cared for. As far as possible, children should benefit from a broad and balanced curriculum.

8.3 Which assessments children against the EYFS profile this academic year?

The Secretary of State for Education has announced that there will be no tests or assessments in schools this summer. This includes no assessment of children in Reception against the early years foundation stage goals from the EYFS profile. This also means no moderation by local authorities.

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

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

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

The requirements in the EYFS in paragraphs first aid certification have been modified and indicators guidance of EYFS have published setting out what this means.

The existing requirement remains in place where children are present, and at least one who has paragraph 3.25 and Annex A of the EYFS set out the requirements, including that at least one person who has paediatric first aid training must be on the premises and available at all times when children are present, and must be in immediate sight or hearing of children and children's safety. The existing requirements also remain unchanged for childminders who are required to have paediatric first aid training.

The requirement in paragraph 3.25 and Annex A of the EYFS, that a childminder must have paediatric first aid training, is not expected to have someone with a paediatric first aid certificate, or childminders, to be in immediate sight or hearing of children and children's safety. The existing requirements also remain unchanged for childminders who are required to have paediatric first aid training.

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.

8.6 What happens if staff need to renew their paediatric first aid (PFA) 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. If, exceptionally requalification training is still unavailable, a further extension is possible to no later than 30 September 2020. If asked to do so, providers should be able to explain why the first aider hasn't been able to requalify and demonstrate what steps have taken to access the training. Employers or certificate holders must do their best to arrange requalification training at the earliest opportunity.

8.7 Can settings vary staff to child ratios and qualifications?

Paragraph 3.30 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.

8.8 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.

8.9 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.

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

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

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

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

9. Ofsted

9.1 What are the notifications requirements for settings providing childcare?

We have asked Ofsted to work with us and local authorities to find out which early years providers, including childminders, are open or temporarily closed. This is to help find out if there is sufficient and accessible childcare available to meet demand.

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

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

9.2 Will Ofsted still carry out inspections?

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

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

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

9.3 What is Ofsted doing about unregistered provision?

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

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

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

10. Childminders

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

10.1 Will early years entitlement funding continue for childminders?

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

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

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

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

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

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

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

10.4 Are childminder agencies required to carry out quality assurance visits during coronavirus (COVID-19)?

The Parliamentary Under Secretary of State for Children and Families, Vicky Ford MP, has written to HMCI about supporting childminder agencies to retain their registration where the minimum number of quality assurance visits required has not been met as a result of the coronavirus (COVID-19) outbreak. This will ensure that childminder agencies (and their childminders) can continue to adhere to the government's protective measures guidance and reduce external visitors.

The safeguarding responsibilities of childminder agencies and their childminders have not changed. Childminder agencies must continue to prioritise visits to any of their registered childminders if they have concerns about the quality of a provider or wish to check any registered non-domestic premises (as set out in section 3.4 of the government's Guidance for childminder agencies).

For more information about this change, please visit the Foundation Years website.

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Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

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Citizenship and living in the UK
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Education and learning
Employing people
Environment and countryside
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