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Education and childcare during coronavirus

Department for Education

Guidance

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

Updated 27 July 2020

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Main changes to previous guidance

We have updated this guidance as follows:

- included content from the planning guide for early years and childcare settings so that all coronavirus (COVID-19) information for early years settings is in one place - the planning guide has now been removed
- included an autumn funding update and hyperlink to updated local authority guidance
- updated information on the validity of paediatric first-aid certificates
- updated information on wraparound care
- updated information on managing requests for site visits from parents and carers for admissions in September
- updated information about data collection changes
- updated information about reporting to Ofsted when there is a confirmed case of coronavirus in a setting
- updated information to reflect the removal of the requirement to keep children in small, consistent groups within settings but still minimising mixing where possible
- updated information to reflect changes in legislation to the 30 hours free entitlement

Since 1 June, early years settings, including childminders, have been able to welcome back children of all ages. We are continuing to work with the early years sector to understand how they can best be supported to ensure that sufficient safe, appropriate and affordable childcare is available for those returning to work now, and for all families who need it in the longer term.

We will keep this guidance under review as we continue to monitor the situation over the summer.

This guidance should be read alongside the following guidance:

Guidance on infection prevention and control

- Safe working in education, childcare and children's social care settings, including the use of personal protective equipment (PPE)

Guidance on funding

- Financial support for education, early years and children's social care
- Check if you can claim for your employees' wages through the Coronavirus Job Retention Scheme
- Use of free early education entitlements funding during coronavirus (COVID-19)

Other relevant guidance

- Supporting vulnerable children and young people during the coronavirus outbreak
- Guidance on the temporary early years foundation stage (EYFS) coronavirus (COVID-19) disapplications
- Ofsted's response to coronavirus (COVID-19)
- EYFS reforms: government consultation response

1. Who this guidance is for

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

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

This guidance does not apply to:

- nannies or au pairs, as they work in the child's/children's family home
- providers caring for children over the age of 5 and registered with Ofsted on either the compulsory or voluntary childcare register. Providers caring for children over the age of 5 should refer to the guidance on Protective measures for out-of-school settings during the coronavirus (COVID-19) outbreak.

2. Responsibilities

2.1 What are early years and childcare settings responsible for?

Since 1 June, early years settings have been able to welcome back children of all ages.

We understand that in some areas, it may not be possible for all settings to open more widely or re-open at this time. Early years settings should work together with local authorities to agree the provision needed locally to support the needs identified. Settings are expected to be flexible and work together where required.

We understand that in some areas, shared provision through early years hubs and clusters is in place and separate guidance is available for early years settings on cluster and hub provision.

Early years settings are responsible for safeguarding and caring for, and supporting the development of, children who attend as set out in the early years foundation stage statutory (EYFS) framework. Local agencies, services and settings should work together to actively look for signs of harm given the greater risk of harm some children may have been exposed to through the coronavirus (COVID-19) outbreak. In the case of vulnerable children and particularly those with social workers, early years providers should continue to encourage those children to attend regularly and notify their social worker if they stop attending. Settings are also responsible for planning and implementing the 'system of controls', building on the hierarchy of protective measures that have been in use throughout the coronavirus (COVID-19) outbreak. Section 3 of this guidance sets out the public health advice which early years settings must follow.

From 20 July, early years settings are no longer required to keep children in small, consistent groups within settings but can return to normal group sizes. Settings should still consider how they can minimise mixing within settings, for example where they use different rooms for different age groups, keeping those groups apart as much as possible.

This change does not extend to cover provision for children over the age of 5. Where early years settings are also caring for children over the age of 5, they should ensure they are also following guidance on Protective measures for out-of-school settings during the coronavirus (COVID-19) outbreak which includes guidance on group sizes.

Providers that care for children both under the age of 5 and over the age of 5 separately, where it is possible to do so, may choose to apply the measures outlined in this guidance to those children under the age of 5, and the measures outlined in the protective measures guidance for out-of-school settings to those over the age of 5. Where providers have mixed age groups together they will need to, as far as possible, keep all children irrespective of age in small consistent groups of no more than 15 with at least one staff member, or with more staff members to meet relevant ratio requirements.

In light of the removal of bubbles from 20 July, early years settings and local authorities should continue to keep risk assessments for children with special educational needs and disabilities (SEND) up-to-date and should look to bring back more children with SEND in accordance with the SEND risk assessment guidance. Their return should be informed by their risk assessment, to help settings and local authorities ensure that the right support is in place for them to come back.

All other protective measures must remain in place.

This change is possible because we are continuing to make significant progress in tackling coronavirus (COVID-19). On 19 June the UK Chief Medical Officer changed the UK alert level from 4 to 3 based on the recommendation of the Joint Biosecurity Centre, and we continue to meet the 5 tests supporting the government's roadmap. The prevalence of the coronavirus (COVID-19) is down, and our NHS Test and Trace system is up and running. In addition, early years settings are on average much smaller than schools. This allows a less restrictive approach to mixing, and operating within strict space and ratio requirements, within settings than schools.

2.2 Is it mandatory for all registered early years settings to open in some form now?

No. We are asking settings to open more widely so that more children can be welcomed back. We understand however that some settings may be unable to open, especially if they are experiencing staff shortages due to self-isolation and sickness, or particularly low levels of demand. Local authorities will work with local settings to determine 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 and carers who are critical workers.

2.3 What are local authorities responsible for?

Local authorities are responsible for monitoring demand and capacity for childcare and should work with early years settings to ensure there are sufficient places to cater for those in priority groups as well as meeting local need. This may involve providing places in alternative settings if necessary or working with neighbouring local authorities to coordinate provision while keeping in mind the impact on children and families.

Local authorities' duties to safeguard and promote the welfare of all children in their area, working with partner organisations and agencies, continue to apply throughout the coronavirus (COVID-19) period (as set out in Working together to safeguard children). Local authorities are also responsible for supporting early years settings to assess the risks for children whose education, health and care (EHC) plans they maintain, and ensuring those children are safely cared for whether in a setting or at home. Local agencies and services should work together to actively look for signs of harms given the greater risk of harm some children may have been exposed to through the coronavirus (COVID-19) outbreak.

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

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

Local authorities should develop an understanding of any gaps in childcare supply, as well as the barriers individual providers are experiencing and where they might temporarily be unable to open more widely or re-open (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 3- and 4- year olds, and then younger age groups. This may include:

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

In exceptional circumstances during the outbreak, and when all other options have been exhausted, local authorities may consider using their flexibility to re-distribute funding for the free early education entitlements in a clearly focused and targeted way from providers that have closed, to those that are open and caring for eligible children, where necessary. This should only be done in order to secure childcare for the children of critical workers, and for vulnerable children, where their usual arrangements are no longer possible until the start of the 2020 autumn term.

Further information, including funding for providers from the autumn term, can be found in the guidance on the Use of free early education entitlements funding during coronavirus.

3. Infection prevention and control

Keeping children and staff safe is our utmost priority. This section of the guidance sets out the public health advice that early years settings must follow to minimise the risks of coronavirus (COVID-19) transmission. It also includes the process that settings should follow if anyone develops coronavirus (COVID-19) symptoms while attending. This guidance has been developed with advice from Public Health England (PHE).

The public health advice in this guidance makes up a PHE-endorsed 'system of controls', building on the hierarchy of protective measures that have been in use throughout the coronavirus (COVID-19) outbreak. When implemented in line with a revised risk assessment, these measures create an inherently safer environment for children and staff where the risk of transmission of infection is substantially reduced for children and staff.

The 'system of controls' provides a set of principles that when followed will effectively minimise risks. All elements of the 'system of controls' are essential. All settings must cover them all, but the way different settings implement some of the requirements will differ based on their individual circumstances. Where something is essential for public health reasons, as advised by PHE, we have said 'must'. Where there is a legal requirement, we have made that clear. This guidance does not create any new legal obligations.

There cannot be a 'one size fits all' approach where the system of controls describes every scenario. Setting leaders will be best placed to understand the needs of their settings and communities, and to make informed judgments about how to balance delivering high quality care and education with the measures needed to manage risk. The 'system of controls' provides a set of principles to help them do this and, when followed, they will effectively minimise risks.

3.1 Risk assessment

Settings must comply with health and safety law, which requires them to assess risks and put in place proportionate control measures.

Settings should thoroughly review their health and safety risk assessment and draw up plans as part of their wider opening. Settings should have active arrangements in place to monitor that the controls are effective, working as planned, and updated appropriately, for example when any issues are identified, or when there are changes in public health advice.

For more information on what is required of employers in relation to health and safety risk assessments, please see Annex A of the Guidance for full opening: schools.

3.2 How should people who may be at increased risk from coronavirus (COVID-19) be supported?

Some people with particular characteristics may be at comparatively increased risk from coronavirus (COVID-19), as set out in the COVID-19: review of disparities in risks and outcomes report. The reasons are complex and there is ongoing research to understand and translate these findings for individuals in the future. If people with possible risk factors are concerned, we recommend settings discuss their concerns and explain the measures the setting is putting in place to reduce risks. Setting leaders should try as far as practically possible to accommodate additional measures.

People who live with those who have comparatively increased risk from coronavirus (COVID-19) can attend the workplace.

Settings have a legal obligation to protect their employees, and others, from harm and should continue to assess health and safety risks and consider how to meet equalities duties in the usual way. Following the steps in this guidance will mitigate the risks of coronavirus (COVID-19) to children and staff and help settings to meet their legal duties to protect employees and others from harm.

3.3 'System of controls': protective measures

Having assessed their risk, settings should work through the 'system of controls' below, adopting measures in a way that addresses the risk identified in their assessment, works for their setting, and in line with the learning and development needs of children in settings. This should include full educational and care support for those children who have SEND.

Settings should:

- ensure that all staff understand the 'system of controls' and how they are applied in settings. Time should be taken for staff to review the actions in the 'system of controls' and ask questions
- ensure that parents and carers are aware of the 'system of controls', how this impacts them and their responsibilities in supporting it

If settings follow the guidance on the 'system of controls' they will effectively reduce risks in their setting and create an inherently safer environment.

'System of controls'

This is the set of actions early years settings must take. They are outlined in more detail below.

Prevention:

1) minimise contact with individuals who are unwell by ensuring that those who have coronavirus (COVID-19) symptoms, or who have someone in their household who does, do not attend settings

2) clean hands thoroughly more often than usual

3) ensure good respiratory hygiene by promoting the 'catch it, bin it, kill it' approach

4) introduce enhanced cleaning, including cleaning frequently touched surfaces often using standard products, such as detergents and bleach

5) minimise contact between groups where possible

6) where necessary, wear appropriate personal protective equipment (PPE)

Numbers 1 to 4 must be in place in all settings, all the time.

Number 5 must be properly considered, and settings must put in place measures that suit their particular circumstances.

Number 6 applies in all specific circumstances.

Response to any infection:

7) engage with the NHS Test and Trace process

8) manage confirmed cases of coronavirus (COVID-19) amongst the setting community

9) contain any outbreak by following local health protection team advice

10) notify Ofsted

Numbers 7 to 10 must be followed in every case where they are relevant.

'System of controls': prevention

1. Minimise contact with individuals who are unwell by ensuring that those who have coronavirus (COVID-19) symptoms, or who have someone in their household who does, do not attend settings

Ensuring that children, staff and other adults do not come into settings if they have coronavirus (COVID-19) symptoms or have tested positive in the last 7 days and ensuring anyone developing those symptoms during the day is sent home, are essential actions to reduce the risk in settings and further drive down transmission of coronavirus (COVID-19). All settings must follow this process and ensure all staff are aware of it.

If anyone in the setting becomes unwell with a new, continuous cough or a high temperature, or has a loss of, or change in, their normal sense of taste or smell (anosmia), they must be sent home and advised to follow COVID-19 guidance for households with possible or confirmed coronavirus (COVID-19) infection', which sets out that they must self-isolate for at least 7 days and should arrange to have a test to see if they have coronavirus (COVID-19). Other members of their household (including any siblings) should self-isolate for 14 days from when the symptomatic person first had symptoms.

If a child is awaiting collection, they should be moved, if possible, to a room where they can be isolated behind a closed door with appropriate adult supervision. Ideally, a window should be opened for ventilation. If it is not possible to isolate them, move them to an area which is at least 2 metres away from other people. If they need to go to the bathroom while waiting to be collected, they should be taken to a separate bathroom if possible. The bathroom should be cleaned and disinfected using standard cleaning products before being used by anyone else.

PPE must be worn by staff caring for the child while they await collection if a distance of 2 metres cannot be maintained (such as for a very young child or a child with complex needs). More information on PPE use can be found in the Safe working in education, childcare and children's social care settings, including the use of personal protective equipment (PPE) guidance.

As is usual practice, in an emergency, call 999 if someone is seriously ill or injured or their life is at risk. Anyone with coronavirus (COVID-19) symptoms should not visit the GP, pharmacy, urgent care centre or a hospital.

Any members of staff who have helped someone with symptoms and any children who have been in close contact with them do not need to go home to self-isolate. However, they must self-isolate and arrange for a test if they develop symptoms themselves (in which case, they should arrange a test), if the symptomatic person subsequently tests positive (see below) or they have been requested to do so by NHS Test and Trace.

Everyone must wash their hands thoroughly for 20 seconds with soap and running water or use hand sanitiser after any contact with someone who is unwell. The area around the person with symptoms must be cleaned with normal household disinfectant after they have left to reduce the risk of passing the infection on to other people. See the COVID-19: cleaning of non-healthcare settings outside the home guidance.

PHE is clear that routinely taking the temperature of children is not recommended as this is an unreliable method for identifying coronavirus (COVID-19).

2. Clean hands thoroughly more often than usual

Coronavirus (COVID-19) is an easy virus to kill when it is on the skin. This can be done with soap and running water or hand sanitiser.

Settings must ensure that children clean their hands regularly, including:

- when they arrive at the setting
- when they return from breaks
- when they change rooms
- before and after eating

Regular and thorough hand cleaning is needed for the foreseeable future.

Points to consider and implement:

- ensure the setting has enough hand washing or hand sanitiser 'stations' available so that all children and staff can clean their hands regularly
- supervise use of hand sanitiser use, given risks around ingestion. Small children and those with complex needs should continue to be helped to clean their hands properly. Skin friendly skin cleaning wipes can be used as an alternative
- build these routines into setting culture, and ensure younger children and those with complex needs understand the need to follow them

3. Ensure good respiratory hygiene by promoting the 'catch it, bin it, kill it' approach

The 'catch it, bin it, kill it' approach continues to be very important, so settings must ensure they have enough tissues and bins available in the setting to support children and staff to implement this routine. As with hand cleaning, settings must ensure younger children are helped to get this right, and all children understand that this is now part of how the setting operates.

PHE does not (based on current evidence) recommend the use of face coverings in schools. The evidence will be kept under review. PHE advises that for safety reasons, face masks should not be used for children under three. In addition, misuse may inadvertently increase the risk of transmission and there may also be negative effects on communication and thus children's development.

Face coverings are required at all times on public transport (for children over the age of 11), or when attending a hospital as a visitor or outpatient.

4. Introduce enhanced cleaning, including cleaning frequently touched surfaces often using standard products, such as detergents

In order to facilitate cleaning, remove unnecessary items from learning environments where there is space to store them elsewhere. Public health advice is to remove all soft toys, and any toys that are hard to clean, such as those with intricate parts. Where practicable, remove soft furnishings, for example pillows, bean bags and rugs.

Points to consider and implement:

- in line with the risk assessment and timetabling of the day, putting in place a cleaning schedule that ensures cleaning is generally enhanced and includes:
  - more frequent cleaning of rooms that are used by different groups
  - frequently touched surfaces being cleaned more often than normal
  - ensuring that there are clear procedures for maintaining cleaning processes for food preparation areas, dining areas and table coverings
- Different groups don't need to be allocated their own toilets, but toilets will need to be cleaned regularly and children must be encouraged to clean their hands thoroughly after using the toilet

PHE has published revised guidance for cleaning non-healthcare settings to advise on general cleaning required in addition to the current advice on COVID-19: cleaning of non-healthcare settings guidance.

5. Minimise contact between individuals where possible

Early years settings are no longer required to arrange children and staff in small, consistent groups so can return to normal group sizes.

Settings should still consider how they can minimise mixing within settings, for example where they use different rooms for different age groups, keeping those groups apart as much as possible. Minimising contact between groups can reduce the number of children and staff required to self-isolate in the event of children or staff testing positive for coronavirus (COVID-19).

Returning to normal group sizes is based on the fact that the overall risk to children from coronavirus (COVID-19) is low. It also recognises that early years settings are typically smaller than schools. Adopting the 'system of controls' set out here in a robust way will ensure there are proportionate safeguards for children as well as staff and reduce the chance of transmission.

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

6. Where necessary, wear appropriate personal protective equipment (PPE)

The majority of staff in early years settings will not require PPE beyond what they would normally need for their work. PPE is only needed in a very small number of cases, including:

- where an individual child becomes ill with coronavirus (COVID-19) symptoms while at a setting, and only then if a distance of 2 metres cannot be maintained
- where a child already has routine intimate care needs that involves the use of PPE, in which case the same PPE should continue to be used

Read the guidance on Safe working in education, childcare and children's social care for more information about preventing and controlling infection, how PPE should be used, what type of PPE to use, and how to source it.

7. Engage with the NHS Test and Trace process

Settings must ensure they understand the NHS Test and Trace process and how to contact their local PHE health protection team. Settings must ensure that staff members and parents/carers understand that they will need to be ready and willing to:

- book a test if they are displaying symptoms. Staff and children must not come into the setting if they have symptoms and must be sent home to self-isolate if they develop them in the setting. All children can be tested, including children under 5, but children under 11 will need to be helped by their parents or carers if using a home testing kit
- provide details of anyone they have been in close contact with if they were to test positive for coronavirus (COVID-19) or if asked by NHS Test and Trace
- self-isolate if they have been in close contact with someone who tests positive for coronavirus (COVID-19) symptoms

Anyone who displays symptoms of coronavirus (COVID-19) can and should get a test. Tests can be booked online through the NHS website, or ordered by telephone via NHS 119 for those without access to internet. Essential workers, which includes anyone involved in education or childcare, have priority access to testing.

The government will ensure that it is as easy as possible to get a test through a wide range of routes that are locally accessible, fast and convenient. We will release more details on new testing avenues as and when they become available and we will work with early years settings, so they understand the easiest route to get a test.

Settings should ask parents, carers and staff to inform them immediately of the results of the test:

- if someone tests negative, and they feel well and no longer have symptoms similar to coronavirus (COVID-19), they can stop self-isolating. They could still have another virus, such as a cold or flu – in which case it is still best to avoid contact with other people until they are better. Other members of their household can also stop self-isolating
- if someone tests positive, they should follow COVID-19: guidance for households with possible coronavirus infection and must continue to self-isolate for at least 7 days from the onset of their symptoms and then return to the setting only if they do not have symptoms other than cough or loss of sense of smell or taste. This is because a cough or anosmia can last for several weeks once the infection has gone. The 7-day period starts from the day when they first became ill. If they still have a high temperature, they should keep self-isolating until their temperature returns to normal. Other members of their household should continue self-isolating for the full 14 days.

8. Managing confirmed cases of COVID-19 in the setting

Children who have been diagnosed with COVID-19 and their contacts can remain at home (or other suitable place of residence) to COVID-19. Settings should contact the local health protection team. This team will also contact settings directly if they have identified a confirmed case in a child who attends the setting. The local health protection team will be in touch with the setting's lead for COVID-19.

The local health protection team will work with settings to carry out a risk assessment to confirm the risk to been in close contact with the person who has tested positive and that they were infectious, and ensure they are asked to self-isolate.

The local health protection team will work with settings to the contacts to guide them through self-isolation. The local health protection team will be the point of contact for the protection team, settings should never know those people who have been in close contact with a case. The local health protection team will provide advice to the setting on how to support those who are self-isolating, and arrange testing for those who are Close contact means:

- direct close contact - face to face contact with an infected individual for any length of time, within 1 metre, including being coughed on, a face to face conversation, or touching (including sexual contact)
- proximity contact - extended close contact (within 2.5m for more than 15 minutes) with an infected individual
- travelling in a small vehicle, like a car, with an infected person

Close contacts will be identified by the local health protection team. Close contacts will be tested. To support these close contacts, we recommend settings keep records:

- children and staff in specific groupings/zones (where applicable)
- close contact of those who have contacted with other children and staff groups/zones

They should be a private home, healthcare facility or prison. Settings do not need any staff or children who are not close contacts to self-isolate.

A testable setting will be asked to self-isolate, on the advice of the local health protection team. to send to parents, carers and staff if needed. Settings must not share information about any cases with other coronavirus (COVID-19) cases, or anyone who is ill.

Household members of those who are sent home do not need to self-isolate themselves unless the child or staff member who is self-isolating subsequently becomes ill. Household if someone in a group that has been asked to self-isolate develops symptoms https://www.gov.uk/government/publications/coronavirus-covid-19-guidance-for-households-with-possible-coronavirus-infection. They should stay at home.

If the test delivers a negative result, they must remain in isolation for the remainder of the isolation period. The wider household may then could still return to school (COVID-19) while the remaining day.

If the test result is positive, they should inform their setting immediately, and must remain in isolation for 10 days (from the start of their initial illness or positive test if asymptomatic) and follow all other isolation requirements of their household. The household should self-isolate for at least 10 days from when the symptomatic person first developed coronavirus (COVID-19) guidance for household with possible coronavirus (COVID-19).

Settings should not request evidence of negative test results or other medical evidence before admitting children or returning them back after a period of self-isolation.

Further guidance is available on Testing and tracing for coronavirus.

9. Contact any outbreak by following local health protection team advice

Settings should be prepared to close bubbles, year groups, or the setting if advised to do so by the local health protection team. Closure may be advised on a temporary or outbreak, and must contact their local health protection team who will be able to advice if additional measures are required.

In some cases, health protection teams may recommend that a larger number of children and staff should self-isolate as a precautionary measure. This will be based on a group. If settings are implementing the controls from this list, and protection teams have identified and therefore reducing transmission risks, whole setting closure based on local health protection team advice is not expected to be required, or considered except on the advice of health protection teams.

10. Notify Ofsted

Also confirmed cases of coronavirus (Covid-19) in the setting (either child or staff member), and/or if the setting is advised to close as a result, should be swiftly reported to Ofsted through our notification channels.

3.4 Can childminders and other early years settings do pick-ups and drop-offs at school or other settings?

Childminders and other settings should consider how they can work with parents and carers to agree how best to manage any necessary journeys, for example pick-ups and drop-offs at schools, to reduce the need for a parent to travel with a pre-school child.

If it is necessary for a childminder to pick up or drop off a child at school, walking to school if this is not practicable, then a private vehicle is preferable to public transport.

3.5 Are settings allowed to invite visitors and non-staff members such as speech and language therapists, parents and carers for skip and play into settings?

Wherever possible, settings are encouraged to avoid visitors entering their premises.

In instances where settings need to use other essential professionals such as social care professionals, or where they need to provide essential services such as childcare delivery to children in EYFS settings, settings should assess whether the professional needs to attend in person or can do so virtually. If they need to attend in person, they should follow the guidance on visitors to schools. Any visitors to the setting in the meantime should be kept to a minimum. Where possible to do so, social distancing should be maintained.

Settings should consider how to manage other visitors to the site, such as contractors, and ensure the guidance on social distancing and hygiene is adhered to when they are before arrival. Where visits can happen outside of setting hours, a record should be kept of who enters where this is practical.

Where possible, the presence of any additional members of staff should be spread on a weekly basis, other than back-to-back contracts.

Sessions in settings that use external providers, which are not directly required for delivering the EYFS curriculum, should not be prioritised.

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

Settings should communicate with parents and carers to manage these arrangements and carers working to visit the setting for September admissions.

3.6 Further guidance

Read the guidance on Safe working in education, childcare and children's social care for more information on how to minimise contacts and infections. Note PPE should be used, what type of PPE to use, and how to source it.

4. Attendance

4.1 The following principles apply to the wider opening of settings

As children who normally access childcare are strongly encouraged to attend so that children's learning and wellbeing benefits of early education.

We now have much more about coronavirus (COVID-19) and so in the future there will be fewer children who are shielded if some underlying transmission risks become less and the majority of children will be able to return to settings.

Settings should ensure that:

- a small number of children will still be unable to attend in line with public health advice because they are shielding or have a family member who is shielding (or who is vulnerable for other reasons) they are a close contact of someone who has coronavirus (COVID-19)
- shielding advice for all adults and children will cease on 1 August. Until this date, children who are shielding should not attend childcare settings (COVID-19) This means that even the small number of children who will remain on the shielded patient list (CSP) should be able to return to childcare provision from this date onwards, presenting. Their clinicians will provide a reminder of Coronavirus (COVID-19): protecting people who are clinically extremely vulnerable from Covid-19
- if only of pressure that is not great, children, or family members in their household, are ill with a new cough, high temperature or a loss of sense of smell or taste, children should therefore may be temporarily absent (see below)
- some children no longer required to shield but are generally more vulnerable to other illnesses, for example those with a long-term health condition, may be more anxious about coronavirus (COVID-19) than others. Settings, usually of their wider pastoral circumstances, should be sensitive to this when welcoming children back to their setting. Guidance for the mental health and wellbeing of children and young people is available.

Settings should be mindful that many parents and carers may be anxious about sending their child back to childcare. Effective communication with parents and carers about the measures being taken to ensure the safety of their children will be necessary. Settings may want to offer a specific set of parents and carers, in the weeks before and after.

Settings should consider how to ensure communications are accessible to specific groups of parents and carers such as those with English as an additional language, parents and carers of vulnerable children, to encourage attendance of these groups.

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

Local authorities should work with settings which are closed to identify alternative provision for children who need places. Parents and carers can also approach authorities if their usual provider is not open. If a child moves settings, important information should be shared with the new setting, including information about any including emergency contact details, dietary requirements and medical information, including information about any EHC plan in place.

In the case of vulnerable children, the closed setting should notify the local authority (post-code) prior, where required. Local authorities will then make arrangements for provision. The closed setting should work with the families of vulnerable children and local authorities (post-code) prior, where required to support.

Where a setting has closed, and a vulnerable child moves to a different early years setting, the closed setting should share information with the new setting, including requesting safety-critical medical and child protection information. The receiving setting should be aware of the reason the child is vulnerable and any necessary safeguarding or medical information. The receiving setting should, as appropriate, have access to vulnerable child's EHC plan, child in need plan, child protection plan or, for looked-after children, their personal education plan, and know the child's social worker and the virtual school head for looked-after children.

The transfer of necessary information should always happen before a child arrives at the new setting, but in the case of an emergency it may happen on the child's first day. The exchange of information will develop happen between the designated safeguarding lead (or deputy), and/or between special educational needs co-ordinators (SENCOs) or inclusion leaders, and staff of special educational needs and disabilities (SEND) with EHC plans.

Which providers must continue to have appropriate regard to data protection and the General Data Protection Regulation (GDPR), that does not prevent the sharing of information for the purposes of keeping children safe. For more information please read the Information sharing: advice for practitioners providing safeguarding services to children, young people, parents and carers guidance.

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

From 20 July, normal group sizes no longer apply as all children should be able to attend on a full-time basis, if this is what their parents and carers request.

If there is a need to prioritise places (for example, where a school is oversubscribed, and unable to operate at full capacity), settings should give priority to vulnerable children and children of parents who, for the time being, are critical to the COVID-19 response and will be transitioning to reception in September, followed by younger age groups.

5. considerations for settings

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

Childcare settings that are experiencing staff shortages should work with their local authority to identify how appropriate provision can be put in place while keeping children and staff safe. Local authorities will be able to provide advice to childcare staff with another setting, or take on qualified and Disclosure and Barring Service checked staff from other educational settings (including suspended independent schools) to temporarily work in childcare settings, if this is necessary to keep the setting open and safe. Registered childminders can already do this under the EYFS framework and flexibility they have. Wherever possible, ensure clothing arrangements are consistent on a weekly basis, rather than having to change on a daily basis.

5.2 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 open for childcare provision, if they are being used by a registered childcare provider. Providers should ensure they are fully in line with the DfE guidance on opening childcare and children's social care settings business. They should also ensure they are managing risks related to the use of premises.

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

Independent of wraparound childcare, and other out-of-school settings, are able to operate for staff-time and outdoor provision, provided they keep safety measures in place.

Wraparound providers will also be able to operate from 1 June. Providers of childcare should continue to follow this guidance, and implement the protective measures set out for early years settings.

Where wraparound providers are caring for children over the age of 5, they should follow the guidance for schools. Providers should also follow the guidance for children attending school during the coronavirus (COVID-19) outbreak, including the guidance for Covid-19: PE and sport guidance for schools (COVID-19). Providers caring for children over the age of 5 should ensure, as far as possible, that children remaining children over the age of 5 or school-aged children are kept separate from other children.

In cases where providers care for both children under the age of 5 and over the age of 5, they should ensure that the measures in place for children under the age of 5 do not prevent those over the age of 5 from following the guidance for schools. Providers should set out of school settings during the coronavirus (COVID-19) outbreak to those children who are in their care, and should ensure that children do not mix with other children or staff as far as possible. Providers should also ensure that children are kept in small groups of no more than 15 with at least one staff member or with more staff members to meet relevant ratio requirements.

5.4 Can early years providers take groups of children to outdoor public places, for example if there is no private outdoor space in the setting?

Settings should maximise use of private outdoor space. Early years providers, including childminders, may take children to other outdoor locations, such as parks or open spaces, provided they can implement demonstrate that they can keep children separate from other people wherever possible. This should be restricted to small groups and should be in line with the guidance on social distancing. Childminders and other providers can meet in outdoor public spaces. Providers should take larger groups of children to public outdoor spaces of one time.

5.5 What are the expectations on settings regarding staying in touch with parents or carers whose child is at home for a long period?

From 20 July, normal group sizes no longer apply as all children should be able to attend on a normal, with the exception of those children who may still have to shield until 1 August.

We recognise that many settings have already shared measures they are taking to keep children safe at home and are grateful for this. Settings should consider how to continue to support children who are at home, for example by providing educational resources, and maintain contact with the children's parents through the school day, for example, and how parents and carers can be supported to provide a positive learning environment at home.

The Ofsted EYFS inspection framework and practice activities that parents can undertake with their children. Settings may also wish to share information about how children learn and play and how to be formal. Having a dedicated area for learning, make bedtime play and reading together all make a big difference to children's development. Ofsted's Parent Portal, the Early Years Alliance's Home Learning Environment and the National Literacy Trust's Family Zone, the Early Years Alliance's Home Learning Environment and the National Literacy Trust's Family Zone are useful sites. Ofsted's Covid-19: PE and sport at home during coronavirus (COVID-19).

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.

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

The Department for Education (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. This information is used to inform decisions about education and early years provision during the coronavirus (COVID-19) outbreak. The schools data collection has ended. However, we will continue to run the early years and childcare provision data collection for the foreseeable future. We will use this data to ensure every children are accounted and if there are sufficient early years and childcare provision, the frequency and end date of the data collection at the end of September.

Ofsted authorities have collected information on how to access the data collection, the frequency of collection and how to contact the DfE with any queries. This process is not linked to the Ofsted inspection framework and Ofsted will not use the data from the data collection process in place.

DfE has asked Ofsted to monitor which providers in the early years register are open or closed, and to share information with DfE. Ofsted will contact providers to request providers during the coronavirus (COVID-19) outbreak will give the relevant information 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. Providers should be prepared to share information with their local authority and Ofsted authorities and should not be expecting requiring burden or complaints.

In addition, any confirmed cases of coronavirus (COVID-19) in the setting (either child or staff member), and/or if the setting is advised to close as a result, should be swiftly reported to Ofsted through the usual notification channels.

6. Safeguarding and welfare

Settings must continue to take reasonable steps to keep children safe and working with local authorities and other agencies to ensure vulnerable children. Read the guidance on safeguard.

Settings must also ensure that they have appropriate arrangements in place for DBS checks and other safeguarding arrangements. Ofsted will be sensitive to DBS checks and other safeguarding arrangements. Ofsted will be sensitive to DBS checks and other safeguarding arrangements.

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

Settings should consider whether any refresh or review of their child protection policies and procedures is needed as a result of the coronavirus (COVID-19). Such a review may be form of a coronavirus (COVID-19) addendum and include:

- how to identify and act on new safeguarding concerns about individual children as a result of the outbreak
- designated safeguard and lead deputy arrangements
- any updated advice received from the local safeguarding partners
- any updated advice received from local authorities, for example EHC plan risk assessment, attendance and keep-in-touch mechanisms
- the use of online platforms to support children and staff and the local authority virtual school head (VSH)
- what additional safeguard issues and IT issues have concerns about a staff member or volunteer who is working from home
- how the updated policies may be filed/sent. Link suggestions are not clear. described in Annex A of the guidance for schools.

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

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

Settings must continue to have a practitioner designated to take lead responsibility for safeguarding. It is acceptable for the safeguarding lead not to be based on site if this is not practical, for example they may be working from home or be based at another school. In such cases, the safeguarding lead should be available by phone or video call. It is important that all children and all volunteers have access to a designated safeguarding lead practitioner and know at any given day who that person is and how to speak to them.

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

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

- ensuring children are being taught online safety lessons
- supervising children when accessing the internet

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

This advice is also relevant for parents and carers.

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

Staying at home for a prolonged period and the disruption of routine may have caused difficulties for some children, such as changes in behaviour or mood.

As more children return to settings, settings should consider how mental health, positive or negative wellbeing support children may need. Including with bereavement, loss, peer-on-peer abuse, and increased exposure to online bullying and harassment.

Settings may want to refer to the following advice to support children: Supporting parents and carers as supporters children and young people's mental health and wellbeing during the coronavirus pandemic.

Staff may require appropriate instruction and training on identifying and supporting children's mental health and wellbeing issues. Staff may also need to be aware of how signposting them to appropriate local services such as mental health services and drug or substance abuse services. Providers should contact their local authority to discuss what services are available in their area. Staff and parents and carers together by carrying back for signs of any concerns.

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

6.5 What provisions should be made for children with SEND?

Particular care will be needed in supporting children with special educational needs and disabilities (SEND) to return to settings. Settings should consider how best to support some children with SEND that others, and consideration and preparation will need to be given as to how to support children to settle back into their setting.

Settings may want to prioritise the first days back for children with additional or exceptional pastoral and mental health needs as a result of coronavirus (COVID-19) and the lockdown. Settings may need to consider how to support children who have lost sight of due of their previous settings, or missed diagnosis as a result of coronavirus (COVID-19) and the lockdown.

Settings will need to ensure they have the staffing needed to support children with SEND, or who are at risk that they have a number of staff designated as a SENCO, and that SENCOs have the time and capacity to carry out their statutory responsibilities pressure for children with SEND.

Since May, as a result of the outbreak, it has been necessary to modify Section 42 of the Children and Families Act 2014 in order to ensure that children and young people must use their 'reasonable endeavours' to secure or arrange the provision and services in educational health care provision in EHC plans. We are committed to removing these modifications as soon as it is safe to do so, and we will consult on the timetable for return to settings. Unless the evidence changes, we will look to remove the modifications to modify the EHC duties but will consider whether any such flexibilities may be required locally to respond to outbreaks.

We will also continue to monitor the need for the temporary changes to the law on EHC assessments and plans, and will consider whether any such flexibilities may be required. We expect provisions to be flexibility in responding to the disruption to children's learning and to ensure children and young people's needs are met. These changes are only in force until 25 September. For children and young people with EHC plans, local authorities will be notified by the Secretary of State for SEND duties remain in place during the period.

7 Early years foundation stage

7.1 What the early years foundation stage still apply?

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

We have amended legislation to allow for the temporary disapplying and modifying of certain requirements of the EYFS. We have made these changes to allow for changes to workforce availability and practicality in providing the EYFS. We have made these changes in response to the coronavirus (COVID-19) outbreak.

Full details of the amendments can be found in the guidance on the EYFS: coronavirus disapplications, which also includes details about how these flexible arrangements will be brought to an end. Settings and local authorities should fully implement the EYFS as soon as practicable after the end of the period of disapplication, subsidiary to them and in meeting the modified requirements, especially in relation to paediatric first aid, during the coronavirus (COVID-19) outbreak.

7.2 What planning should early years settings do to support children's learning?

Settings should prioritise helping young children to adapt to their new routines and supporting children to settle back into the setting, especially where there have been staffing changes. Continuing to support their early language and communication skills and their physical development. Children need to be encouraged to be active and interested in exploring their environment physically. Consider how stories, songs and games can be used to help children to socialise and wrestle with familiar everyday routines

assessments in schools in summer 2020. This includes no assessment of children in reception against the early years profile but does have the EYFS profile. This also means no moderation by local authorities.

7.5 Will schools assess children against the EYFS profile next academic year, 2020-21?

Yes, this will go ahead next year, in summer 2021.

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

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

7.7 Will returns to the EYFS be going ahead?

We have published the guidance on the arrangements for assessment against EYFS profiles.

This response confirms what changes will be made to the EYFS. Primary schools have been instructed to carry out baseline assessments at the start of the reforms in 2020-21, should a statutory rollout of early years settings in the 2021-22 academic year. Please read the consultation response for more information.

7.8 Will the Reception Baseline Assessment be statutory in September 2020?

In response to the impact of coronavirus (COVID-19) on schools, the statutory implementation of the Reception Baseline Assessment has been postponed until the academic year beginning in September 2021. The Reception Baseline Assessment will take place in the second half of the 2021 autumn term to Reception classes with the assessment and training materials before the Reception Baseline Assessment becomes statutory.

7.9 Does someone with a paediatric first aid (PFA) certificate still need to be on site?

The requirements in the EYFS on PFA certification have been modified and the EYFS coronavirus disapplications guidance has been published setting out what this means.

The existing requirements in place where children aged 0 to 5 are cared for on premises, paragraph 3.25 and Annex E of the statutory framework for the EYFS will not be enforced temporarily. Childminders should ensure that at least one person who is on the premises and available at all times when children are present, should have a paediatric first aid certificate. This will ensure that childminders can care for children because they are already required to have full PFA certification.

The requirement to ensure children aged 2 to 5 are on site (with at least one adult aged below 24 months) is to ensure childcare providers can continue to provide childcare for children who are vulnerable or children of key workers. Childcare providers can be sure to children, with at least one person who is qualified in paediatric first aid, and ensure that someone with a current First Aid at Work or emergency PFA certificate is on site. Childcare providers should ensure that staff who have completed their PFA course within their first 3 months in order to be counted in staff to child ratios.

7.10 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), then the requirement to renew the certificate, or to be in safety of current certificates can be extended by 30 November 2020 at the latest. This applies to certificates which expired on or after 16 March 2020. If it needs to be extended, providers should ensure that they have made every effort to arrange and demonstrate what steps have been taken to access the training. Providers should also keep records on their best to arrange requalification training at the earliest opportunity. The EYFS coronavirus disapplications guidance will be updated shortly to reflect the recent extension of the validity of PFA certificates.

7.11 Can settings vary staff to child ratios and qualifications?

Paragraph 3.28 of the EYFS states:

"Exceptionally, and where the quality of care and safety and security of children is not compromised, providers may vary ratios."

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 may be changed if necessary. Early years settings and schools, however, remain responsible for ensuring the safety and security of children in their care.

Amendments made to regulations from 20 April allow further exceptions to the made to ratios and qualifications for early years settings. Early years and childcare providers (including settings) must be satisfied that they can deploy staff to care for children (including the managers) held at least a full and relevant level 3 qualification to meet the requirements set out in the EYFS statutory framework.

In exceptional circumstances, providers, including the children and young people, reasonable endeavours should be used to ensure that at least one member of staff is present on the premises who is qualified in paediatric first aid. This will ensure providers can care for children who are vulnerable or children of key workers. Providers should use their reasonable endeavours to ensure 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: coronavirus disapplications.

7.12 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 requirements for children aged 0 to 5 years. Settings must obtain consents and ensure that children are cared for in safe and secure environments. 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: coronavirus disapplications.

7.13 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?

Where members of the early years and childcare workforce are already engaging in regular testing for coronavirus (COVID-19) in accordance with the guidance, providers that are a core DBS check should be allowed to their temporary to work in any setting in the early years and childcare workforce.

The core remains on the receiving settings to satisfy themselves that someone in their setting has the required checks. This is consistent with the safeguarding checks assessing from the current employer rather than requiring new checks.

8. Ofsted

8.1 What are the notifications requirements for settings providing childcare?

We have asked Ofsted to work with all childcare providers to find out what's being provided and what's being planned for children and young people. We'll use this to help find out if there is sufficient and accessible childcare available in the future.

Ofsted will require further information about whether some providers are open or closed, and if they are open, what they are providing and how many children they are caring for. This will help us to see if there are any gaps. Please check that the early years and childcare provision you are aware of, is open or closed.

In the meantime, if you are providing childcare (in charge) (i.e. you open or close), please let Ofsted know by sending an email to enquiries@ofsted.gov.uk with 'Change in provision' in the subject line. Please include your name, your setting's name, your setting's reference number for each setting, and the details of the change. You can include URN or your registration, your inspection report(s), and/or your Ofsted inspector name.

In addition, any confirmed cases of coronavirus (COVID-19) in the setting (either children or staff members), and the setting has been advised to close as a result, should be verify reported to Ofsted through the usual notification process.

8.2 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 framework for early years provision, schools and colleges, as set out in the Education Inspection Framework (EIF) provides a framework for how we will inspect. We suspended inspections from 18 September 2020 Ofsted will begin carrying out inspections activity in providers that have been judged 'inadequate' or 'requires improvement' at their last inspection.

Please see Ofsted's statement of intents on the autumn years for further information about early years and the other Ofsted events.

8.3 When will Ofsted resume routine early years inspections?

For Ofsted registered early years provision, it is intended that routine inspections will begin from the autumn term 2020. Ofsted will begin carrying out inspections activity with the most timing of routine inspections being least under review.

Ofsted will continue to assess early years provision against the EYFS, which sets the standards for learning, development and care for children from birth to 5 years, and ensure develop well and are kept healthy and safe. This will include the requirement for leaders to ensure staff and children in their care are not exposed to risks and they must be able to demonstrate how risks are managed.

Ofsted will continue with its registration and regulatory work for early years and childcare providers. Ofsted will also continue to take enforcement and safeguarding activity in providers where been judged 'inadequate' or 'requires improvement' or have associated actions to fulfil. These visits will not result in a judgement. However, Ofsted will report on the quality of provision and leadership. Please see the Ofsted's Children's statement of intentions on the autumn years for further information.

8.4 What is Ofsted doing about unregistered provision?

The health, safety and welfare of children is our first consideration, and parents and carers continue to expect children to take place only within registered settings.

Ofsted will continue to work with local authorities and other partners to investigate unregistered provision and take appropriate action. It also continue to work with local authorities to. It including whether the person is previously known before completing a registration visit. Ofsted will prioritise the most appropriate cases and take action and enforcement action.

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

9. Childminders

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

9.1 Will early years entitlement funding continue for childminders?

On 17 March 2020, the Chancellor of the Exchequer confirmed the government would continue to pay childcare providers 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 during the coronavirus (COVID-19) outbreak. This includes how we will be distributing funding differently, stabilising it where their usual engagement is temporarily impossible, and exceptionally, and on a clearly focused and targeted way for the purpose of ensuring childcare for the children of critical workers, and for vulnerable children.

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

Eligibility for the scheme is based on employment structures and not professions. You may be eligible for the scheme if you are a self-employed or a member of a partnership. Our colleagues in HM Revenue and Customs (HMRC) will contact individuals who are eligible and invite them to apply online.

9.3 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 must be registered as a childcare provider at a non-domestic premises.

If registered for childcare on domestic premises, it is important that you take extra care of all in your childminders and assistants) can work together in the same domestic premises. However, if more than 3 childminders work together, they must be registered childcare providers at a non-domestic premises.

Further details of requirements for childminders and childcare on domestic premises is available.

9.4 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, wrote to childcare providers on 20 March 2020 to confirm that we would not be expecting where the minimum number of quality assurance visits required from childminders as a result of the coronavirus (COVID-19) outbreak. This will ensure that childminder agencies can focus their efforts on supporting their childminders to provide childcare for critical and vulnerable children and children of critical workers. Further information about funding for childminder agencies can be found in the guidance: Childminder agencies: supplement funding.

As more settings open, the need to redistribute funding from closed providers in a joint way with local authorities, to ensure that children can access the childcare they need. Childcare providers, in turn, will be required, settings may be asked by local authorities the CJRS to cover up to the proportion of their salary bill which could be considered to be attributable to the provision of childcare services, and the financial security of childcare providers and their staff.

10. Funding

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

On 17 March 2020, the Chancellor confirmed that the government would continue to pay childcare providers 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, stabilising it where their usual engagement is temporarily impossible, and exceptionally, and on a clearly focused and targeted way for the purpose of ensuring childcare for the children of critical workers, and for vulnerable children.

10.2 Given childcare funding to local authorities is based on the number of children aged 2, 3 and 4 in the early years entitlements by central government in 2020 to 2021 given the demand for childcare may be different to normal?

On 17 March, the Chancellor confirmed the government will continue to pay childcare providers for free early years entitlement places for 2- 3 and 4 year-olds, reassurance to the sector during the spread of the coronavirus (COVID-19) outbreak.

The initial early years dedicated schools grant (2020) allocations for 2020 to 2021, announced in December 2019, will be updated to reflect the January 2020 to January 2021 the usual way (that is, using the January 2020 early years census and schools census).

We have published guidance on the use of free early education entitlements funding which provides further details.

10.3 Can settings furlough their staff if, at they do not have enough staff to open, 5) there is no demand from parents or carers, or c) the setting needs to close due to confirmed cases of the coronavirus (COVID-19) outbreak?

We have provided further guidance on how the CJRS applies in the education and childcare sectors: Coronavirus: financial support for education, early years and children's social care.

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

We encourage parents and carers to continue to apply for, and claim, their 30 hours and Tax Free Childcare entitlement, even if childcare settings are closed or children are being cared for in a childcare setting that is operating under the coronavirus (COVID-19) arrangements. Please see the guidance: Claim a free childcare place and Tax Free Childcare and Tax Free childcare during coronavirus (COVID-19).

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

The Department for Education (DfE) had previously stated local authorities to use their discretion to make the validity dates for 30 hours codes, where local authorities or parents of vulnerable children were entirely eligible and expecting to take up a 30 hours place, but were unable to do so by 31 March 2020, because of the coronavirus, to reconfirmation or application deadline of 30 March 2020. This deadline has now passed, so their place in the summer term.

Previously, only the children of critical workers, and children who are vulnerable, were able to access childcare. Now that early years settings are free to open to all children, parents who are eligible for a 30 hours place, but who have not been able to secure a place since reconfirmed the 30 hours deadline, provided they meet the eligibility criteria and where there is capacity for providers to take them on. Providers and local authorities should be flexible and pragmatic in their approach. Parents who have not been before March 2020 to ensure they are eligible for a 30 hours place in the summer term.

We are encouraging parents to continue to apply for, and reconfirm, their 30 hours entitlement, even if childcare settings are closed or children are being cared for in a setting. To help them prepare for their transition into childcare in September.

10.7 What additional business support is available to early years and childcare settings during this period of disruption?

The government has announced a package of support for temporarily during coronavirus (COVID-19) for early years and childcare settings. We have provided further guidance on how the Coronavirus Job Retention Scheme can be used in Coronavirus: financial support for education, early years and children's social care.

In addition:

- the Chancellor of the Exchequer announced that private early years and childcare providers will be able to access business rate relief. Local authorities will be contacting providers of childcare businesses with Ofsted registration (EYFS and Childcare) for Criminal Justice (eligible)
- the government has also announced a grant scheme aimed to rural sole retail self-employed from small business grants funding of £10,000 (which is the same as the small business grant scheme) (statutory sick pay) and eligible for small business rate relief and retail, hospitality and leisure business rates in 2020 to 2021
- some settings operate from shared spaces which may lose benefit from a 100% rates relief. Local authorities will be contacted to discuss how they can best use their powers to exercise discretion
- the Self-employment Income Support Scheme for those who are self-employed or members of a partnership. Eligible self-employed childcare providers (EYFS and Childcare) allows individuals to claim a taxable grant worth 80% of their profits up to a maximum of £2,550 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 be temporarily relaxed, meaning Universal Credit can be accessed at a rate to match Statutory Sick Pay
- the Business Interruption Loan Scheme will now be interest free for the first 12 months (Income Kate 8 months)
- HM Revenue and Customs will return between now and the end June 2020 will be paid promptly. UK VAT registered businesses can defer payments of VAT due between March 2020
- the Secretary of State for Business announced on 28 March 2020 that he would ask Business Rates Retail Relief and Small Business Rate Relief to be extended to childcare providers to help them avoid insolvency. This includes temporarily suspending the requirement for local authorities to carry out a review of the 12 months for company directors to have their salaries reduced to the minimum level of personal liability
- the Bank of England has lowered the interest rate to 0.25% a year
- the government also announced a £1.5 billion grant
- the government also announced a £1 billion grant increase to the Universal Credit standard allowance and Working Tax Credit basic element, and an increase in the Local Housing Allowance to cover the cheapest 30 per cent of rents in local areas that it covers the cheapest 30 per cent of rents
- some early years settings may be eligible for the Coronavirus Business Interruption Loans, details and eligibility criteria for this can be found in the guidance Apply for the Coronavirus Business Interruption Loans Page

10.8 How do early years settings access the CJRS?

The CJRS scheme opened for operation on 20 April and provides access to the scheme can be found at Claim for wages through the Coronavirus Job Retention Scheme. The government has published guidance on the CJRS which provides further help and guidance for using the CJRS.

The Claim for wages through the CJRS guidance, first published by HMRC on 26 March, states that where employers receive public funding for staff costs, and are required to continue paying, we expect employers to use that money to continue to pay staff in the usual way and not furlough employees. Public funding for staff costs, for example, means that employers are receiving public funding for staff costs. Employers should not claim for the receive public funding for staff cost and furlough payments for the same staff.

Further information on the CJRS can be found in the Coronavirus: financial support for education and childcare sectors (including support for education, early years and children's social care).

On 17 April, the Department for Education (DfE) published Coronavirus: financial support for education, early years and children's social care. It sets out how the CJRS applies in the education and childcare sectors. It also provides further information about the CJRS to cover up to the proportion of its salary bill which could be considered to have been paid for from that provider's private income.

On 17 April, the Chancellor of the Exchequer announced changes to the CJRS. These changes will allow employers to furlough their employees for part-time hours and employees to furlough back to work for any amount of time and any shift pattern, while still being able to claim a grant to cover 80% of their salary for the hours not worked. Employers have previously been able to furlough their employees for a minimum period of at least three consecutive weeks taking place any time between 1 March 2020 and 30 June 2020. Please refer to HMRC guidance Coronavirus (COVID-19): furlough.

A private provider should only furlough employees, and therefore seek support through the CJRS, if it is necessary to do so. Please refer to the Coronavirus: financial support for education and childcare sectors (including support for education, early years and children's social care).

- the workplace must exist in an area of business where services are temporarily not required because of the coronavirus (COVID-19) outbreak
- the employee would otherwise be made redundant or laid off
- the employee is not involved in delivering provision that has been funded (free entitlement funding)
- the employee is not required to deliver provision for a child
- the grant from CJRS would not exceed the salary and employer grants received, and would not lead to financial reserves being created

If it is difficult to delivery provision that is funded through free entitlement or private income for the purposes of meeting the three 31 conditions as listed above, then providers should consider furlough. Providers should also consider furlough if it is difficult which could not be considered to have been paid for from that provider's private income.

10.9 Can childcare settings charge parents and carers 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 all parts of our society, including individuals and businesses. We expect providers to comply with the law and take a reasonable and proportionate approach to parents' and carers' fees. We have published guidance on how providers can take a reasonable and proportionate approach with them.

The Competition and Markets Authority (CMA) established a COVID-19 Taskforce to ensure that markets work well for consumers during the coronavirus (COVID-19) outbreak and the measures taken to protect them. Regulators and enforcers who have seen or experienced businesses behaving unfairly during the coronavirus (COVID-19) outbreak should report it to the CMA's Coronavirus Taskforce. Consumers who have concerns about how they are being treated by a business during the coronavirus

protection law, the CMA will take enforcement action if warranted.

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

Settings may charge for consumables in line with the Early Education and Childcare: Statutory guidance for local authorities. As per this guidance, they should consider the impact of charges on disadvantaged families.

10.11 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 in line with national entitlements guidance. As per existing guidance, they should consider the impact of charges on disadvantaged families.

10.12 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 notifiable diseases, the government's social distancing measures may be sufficient to allow businesses to make a claim against their insurance, provided the 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; providing reasonable guidance to help a policyholder make a claim; not rejecting a claim unreasonably; and settling claims promptly once settlement terms are agreed. The government is working closely with the FCA to ensure that the rules are being upheld during this crisis and fully supports the regulator in its role. The Association of British Insurers (ABI) and its members have agreed a set of principles for handling business interruption claims to support and provide clarity to customers.

Customers who feel they have not been treated fairly should first make a formal complaint to their insurer. If they do not feel that their complaint has been dealt with satisfactorily, they can refer the matter to the Financial Ombudsman Service, who can also help small businesses who have turnover below £6.5 million.

Businesses that have not purchased the appropriate level of cover should seek assistance through the government's wider support package if they are in financial difficulty. This includes measures such as business rates holidays, small business grants, and the CJRS.

Public liability insurance

Providers must carry the appropriate insurance (for example, public liability insurance) to cover all premises from which they provide childcare, including childminding. Some existing public liability policies may have been written or adjusted during the term of the policy (where permitted) to exclude coronavirus (COVID-19) risks, and some insurers may choose to exclude coronavirus (COVID-19) when offering public liability policy renewals. Nurseries should check the terms and conditions of their public liability insurance policies and consult with their insurance providers and brokers to determine their coverage for coronavirus (COVID-19). It is worth noting that different insurers may take a different view, therefore nurseries are encouraged to shop around to seek the most suitable cover at the best price.

For general advice on insurance matters (but not on specific policies) including those related to coronavirus (COVID-19), the ABI can be contacted by phone on 0207 600 3333 or email at info@abi.org.uk.

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Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

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