Guidance and regulation

Early years and childcare during coronavirus (COVID-19)

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or another suitable level 6 qualification is not working directly with the children

(See EYFS para 3.34)

Current requirement:

- there must be at least one member of staff for every 8 children
- at least one member of staff must hold a full and relevant level 3 qualification
- at least half of all other staff must hold a full and relevant level 2 qualification

Change for coronavirus (COVID-19)

Providers should use their 'reasonable endeavours' to ensure that at least half of other staff, excluding the member of staff who holds a level 3 qualification, hold at least a full and relevant level 2 qualification but meeting this will not be a legal requirement.

All other requirements remain.

7.7 Independent schools (including in nursery classes in free schools and academies) caring for children aged 3 and over where a person with qualified teacher status, early years professional status, early years teacher status or another suitable level 6 qualification, an instructor, or another suitably qualified overseas trained teacher, is working directly with the children.

(See EYFS para 3.35)

Current requirement:

- for classes where the majority of children will reach the age of 5 or older within the school year, there must be at least one member of staff for every 30 children
- for all other classes there must be at least one member of staff for every 13 children
- at least one other member of staff must hold a full and relevant level 3 qualification

Change for coronavirus (COVID-19)

Providers should use their 'reasonable endeavours' to ensure that at least one other member of staff, excluding the member of staff who holds a suitable level 6 qualification, an instructor, or another suitably qualified overseas trained teacher, holds at least a full and relevant level 3 qualification but meeting this will not be a legal requirement.

Requirements placed on these providers remain subject to any permitted exceptions under The Schools Admissions (Infant Class Sizes) Regulations 2012 S.I. 2012/10.

All other requirements remain.

7.8 Independent schools (including in nursery classes in academies) caring for children aged 3 and over where there is no person with qualified teacher status, early years professional status, early years teacher status or another suitable level 6 qualification, no instructor, and no suitably qualified overseas trained teacher, working directly with the children

(See EYFS para 3.36)

Current requirement:

- there must be at least one member of staff for every 8 children
- at least one member of staff must hold a full and relevant level 3 qualification
- at least half of all other staff must hold a full and relevant level 2 qualification

Change for coronavirus (COVID-19)

Providers should use their 'reasonable endeavours' to ensure that at least half of other staff, excluding the member of staff who holds a level 3 qualification, hold at least a full and relevant level 2 qualification but meeting this will not be a legal requirement.

All other requirements remain.

7.9 Maintained nursery schools and nursery classes in maintained schools caring for children aged 3 and over

(See EYFS para 3.37)

Current requirement:

- there must be at least one member of staff for every 13 children
- at least one member of staff must be a school teacher as defined by section 122 of the Education Act 2002
- at least one other member of staff must hold a full and relevant level 3 qualification

Change for coronavirus (COVID-19)

Providers should use their 'reasonable endeavours' to ensure that at least one member of staff is a school teacher as defined by section 122 of the Education Act 2002.

In instances where this is not possible, providers should follow the requirements for providers where there is not someone with a suitable level 6 qualification working directly with the children (for example, there must be at least one member of staff for every 8 children, at least one member of staff who holds at least a full and relevant level 3 qualification and 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).

Where at least one member of staff is a school teacher, providers should use their 'reasonable endeavours' to ensure that at least one other member of staff holds at least a full and relevant level 3 qualification but meeting this will not be a legal requirement.

All other requirements remain.

Is this page useful? Yes No Is there anything wrong with this page?

Coronavirus (COVID-19)

Coronavirus (COVID-19): guidance and support

The UK has left the EU

Check the new rules for January 2021

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Business and self-employed
Childcare and parenting
Citizenship and living in the UK
Crime, justice and the law
Disabled people
Driving and transport
Education and learning
Employing people
Environment and countryside
Housing and local services
Money and tax
Passports, travel and living abroad
Visas and immigration
Working, jobs and pensions

Departments and policy

How government works
Departments
Worldwide
Services
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