



Department  
for Education

# **Early years foundation stage statutory framework**

**For childminders**

**Setting the standards for learning,  
development and care for children from  
birth to five**

**Dated: 11 October 2024**

**Effective: 01 November 2024**

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# Summary

## About this statutory framework

This Early Years Foundation Stage (EYFS) framework for early years **childminders** is mandatory<sup>1</sup> for all persons registered in England with Ofsted in the early years register, or with an early years childminder agency (CMA), as:

- an early years childminder immediately before 1 November 2024<sup>2</sup>;
- an early years childminder with domestic premises<sup>3</sup>; or
- an early years childminder without domestic premises<sup>4</sup>

This EYFS framework refers to all of the above collectively as ‘childminders’ unless otherwise stated.

The learning and development requirements are in Section 1, the assessment requirements are in Section 2, and the safeguarding and welfare requirements are in Section 3 of this framework. This framework uses the word “must” where the requirement is mandatory. Some of the items in the framework provide information that childminders “should” take into account when delivering the requirements and should not ignore them without a good reason.

Ofsted carry out inspections of Ofsted-registered childminders. Childminder agencies (CMAs) carry out quality assurance visits of CMA-registered childminders. They both assess how childminders meet and deliver the EYFS framework and report on the quality and standards of the childminder’s early years provision. Ofsted publishes inspection reports at [www.gov.uk/ofsted](http://www.gov.uk/ofsted). CMAs are required to produce a written report following a quality assurance visit and to make this available to the provider, who is the subject of the report, and to the parents or carers of any child receiving registered childcare provision from them. CMAs can also be asked to make it available to Ofsted upon request for inspection.

Ofsted may issue actions if a childminder fails to meet a requirement set out in this

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<sup>1</sup> Section 40 of the Childcare Act 2006 (the ‘2006 Act’) requires early years providers, including early years childminders, to secure that the early years provision meets the learning and development requirements and complies with welfare requirements set out in the EYFS.

<sup>2</sup> A person who was registered, or who had applied to be registered, as an “early years childminder” before 1 November 2024 is deemed to be registered as an “early years childminder with domestic premises”.

<sup>3</sup> “Early years childminder with domestic premises” means a person who provides early years provision, at least some or all of which is on domestic premises, for reward, with up to three other people and who is registered (or deemed to be registered) as an “early years childminder with domestic premises” under section 37(1) or section 37A(1) of the 2006 Act.

<sup>4</sup> “Early years childminder without domestic premises” means a person who provides early years provision, none of which is on domestic premises, for reward, with up to three other people and is registered as an “early years childminder without domestic premises” under section 37(2A) or section 37A(1A) of the 2006 Act.

document, and/or may issue a welfare requirements notice if the failure relates to a requirement set out in Section 3. It is an offence for a childminder not to comply with a welfare requirements notice. If a childminder is registered with a CMA, it is for the CMA to determine the shape and content of their quality assurance arrangements. They will consider how to support childminders to comply with requirements set out in this document, and what action to take against childminders who fail to comply. For further details on CMAs please see: [Childminder agencies: a guide - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

**This framework remains in force until further notice.**

## What legislation is this framework based on?

- The learning and development requirements are given legal force by an Order<sup>5</sup> made under section 39(1)(a) of the Childcare Act 2006.
- The safeguarding and welfare requirements are given legal force by Regulations<sup>6</sup> made under section 39(1)(b) of the Childcare Act 2006.

Providers can apply for exemptions in certain circumstances, such as where their established principles are in conflict with the EYFS requirements<sup>7</sup>. Further information can be found on [gov.uk](http://gov.uk).

## Who is this framework for?

**This framework is for all childminders in England caring for early years children (aged from 0 until the 31 August after their 5th birthday) who are registered on the Early Years Register<sup>8</sup> or with an early years childminder agency (CMA).**

Childminders caring for children exclusively between the ages of 5-7 must register on the Ofsted General Childcare Register (GCR) or with a later years CMA. Childminders are not required to register with Ofsted or a CMA if they exclusively care for children aged 8+, though they can apply to register on the voluntary part of the GCR if they want to enable parents to use Tax Free Childcare or the childcare element of Universal Credit.

This framework “for childminders” only applies to childminders. Early years providers other than childminders should refer to the [statutory framework for group and school-based providers](#).

## Before/after school care and holiday provision

Childminders who only provide care before and after school, or during the school holidays, for children who normally attend reception (or older) classes during the school day do not need to meet or be guided by the learning and development and assessment

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<sup>5</sup> [The Early Years Foundation Stage \(Learning and Development Requirements\) Order 2007 \(legislation.gov.uk\)](http://legislation.gov.uk)

<sup>6</sup> [The Early Years Foundation Stage \(Welfare Requirements\) Regulations 2012 \(legislation.gov.uk\)](http://legislation.gov.uk)

<sup>7</sup> Section 46 of the 2006 Act allows the Secretary of State to give exemptions from the learning and development requirements in certain prescribed circumstances.

<sup>8</sup> The Childcare (Exemptions from Registration) Order 2008 (S.I.2008/979) specifies the circumstances in which providers are not required to register.

requirements set out in Sections 1 and 2.

However, childminders providing this type of wraparound care for children younger than those in the reception class age range should continue to be guided by, but do not have to meet, the learning and development and assessment requirements. All such childminders should discuss with parents and/or carers (and other practitioners/providers as appropriate, including school staff/teachers) the support they intend to offer.

All settings that provide care for children aged 0-5 must meet safeguarding and welfare requirements as set out in Section 3.

## Introduction

1. All children deserve the care and support they need to have the best start in life. Children learn and develop at a faster rate from birth to five years old than at any other time in their lives, so their experiences in early years have a major impact on their future life chances. A secure, safe, and happy childhood is important in its own right. Good parenting and high-quality early learning provide the foundation children need to fulfil their potential.
2. The EYFS sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe. It promotes teaching and learning to ensure children's 'school readiness' and gives children the right foundation for good future progress through school and life.
3. The EYFS is about what children learn, as well as how they learn. Effective practice is a mix of different approaches. Children learn through play, by adults modelling, by observing each other, and through adult-guided learning.
4. The EYFS seeks to provide:
  - **Quality and consistency** in all early years settings, so that every child makes good progress, and no child gets left behind.
  - **A secure foundation** through planning for the learning and development of each individual child and assessing and reviewing what they have learned regularly.
  - **Partnership working** between practitioners and with parents and/or carers.
  - **Equality of opportunity** and anti-discriminatory practice, ensuring that every child is included and supported.

## Overarching principles

5. Four guiding principles should shape practice in early years. These are:
  - Every child is a **unique child**, who is constantly learning and can be resilient, capable, confident, and self-assured.
  - Children learn to be strong and independent through **positive relationships**.

- Children learn and develop well in **enabling environments with teaching and support from adults**, who respond to their individual interests and needs and help them to build their learning over time. Children benefit from a strong partnership between practitioners and parents and/or carers.
- Importance of **learning and development**. Children develop and learn at different rates. (See “the characteristics of effective teaching and learning” at paragraph 1.13). The framework covers the education and care of all children, including children with special educational needs and disabilities (SEND).

## Section 1 – The learning and development requirements

- 1.1 This section sets out what childminders must do, working in partnership with parents and/or carers, to promote the learning and development of all children in their care, and to ensure their entire early years' experience contributes positively to their brain development and readiness for Key Stage 1. The learning and development requirements are informed by the best available evidence on how children learn. They also reflect the broad range of skills, knowledge, and attitudes children need as foundations for life now and in the future. Childminders must guide the development of children's capabilities to help ensure that children in their care will fully benefit from future opportunities.
- 1.2 The EYFS learning and development requirements for childminders are made up of the seven areas of learning and development, as set out in the educational programmes described below.

### The areas of learning and development

- 1.3 There are seven areas of learning and development that set out what childminders must teach the children in their settings. All areas of learning and development are important and inter-connected.
- 1.4 Three prime areas are particularly important for learning and forming relationships. They build a foundation for children to thrive and provide the basis for learning in all areas.

These are the **prime areas**:

- Communication and language
- Physical development
- Personal, social and emotional development

- 1.5 Childminders must also support children in four specific areas, which help strengthen and develop the three prime areas, and ignite children's curiosity and enthusiasm.

The **specific** areas are:

- Literacy
- Mathematics
- Understanding the world
- Expressive arts and design

### Educational Programmes

- 1.6 The educational programmes are high level curriculum summaries which set out



what should be taught in settings for each area of learning. They must involve activities and experiences that enable children to learn and develop, as set out under each of the seven areas of learning.

## **Communication and Language**

The development of children's spoken language underpins all seven areas of learning and development. Children's back-and-forth interactions from an early age form the foundations for language and cognitive development. The number and quality of the conversations they have with adults and peers throughout the day in a language-rich environment is crucial. By commenting on what children are interested in or doing, and echoing back what they say with new vocabulary added, practitioners will build children's language effectively. Reading frequently to children, and engaging them actively in stories, non-fiction, rhymes and poems, and then providing them with extensive opportunities to use and embed new words in a range of contexts, will give children the opportunity to thrive. Through conversation, storytelling and role play, where children share their ideas with support and modelling from their teacher, and sensitive questioning that invites them to elaborate, children become comfortable using a rich range of vocabulary and language structures.

## **Personal, Social and Emotional Development**

Children's personal, social and emotional development (PSED) is crucial for children to lead healthy and happy lives and is fundamental to their cognitive development. Underpinning their personal development are the important attachments that shape their social world. Strong, warm and supportive relationships with adults enable children to learn how to understand their own feelings and those of others. Children should be supported to manage emotions, develop a positive sense of self, set themselves simple goals, have confidence in their own abilities, to persist and wait for what they want and direct attention as necessary. Through adult modelling and guidance, they will learn how to look after their bodies, including healthy eating, and manage personal needs independently. Through supported interaction with other children, they learn how to make good friendships, co-operate and resolve conflicts peaceably. These attributes will provide a secure platform from which children can achieve at school and in later life.

## **Physical Development**

Physical activity is vital in children's all-round development, enabling them to pursue happy, healthy and active lives<sup>9</sup>. Gross and fine motor experiences develop incrementally throughout early childhood, starting with sensory explorations and the development of a child's strength, co-ordination and positional awareness through tummy time, crawling and play movement with both objects and adults. By creating games and providing opportunities for play both indoors and outdoors, adults can support children to develop

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<sup>9</sup> Guidance on physical activity from the Chief Medical Officer is available at: <https://www.gov.uk/government/publications/physical-activity-guidelines-uk-chief-medical-officers-report>.

their core strength, stability, balance, spatial awareness, co-ordination and agility. Gross motor skills provide the foundation for developing healthy bodies and social and emotional well-being. Fine motor control and precision helps with hand-eye co-ordination, which is later linked to early literacy. Repeated and varied opportunities to explore and play with small world activities, puzzles, arts and crafts and the practice of using small tools, with feedback and support from adults, allow children to develop proficiency, control and confidence.

## **Literacy**

It is crucial for children to develop a life-long love of reading. Reading consists of two dimensions: language comprehension and word reading. Language comprehension (necessary for both reading and writing) starts from birth. It only develops when adults talk with children about the world around them and the books (stories and non-fiction) they read with them, and enjoy rhymes, poems and songs together. Skilled word reading, taught later, involves both the speedy working out of the pronunciation of unfamiliar printed words (decoding) and the speedy recognition of familiar printed words. Writing involves transcription (spelling and handwriting) and composition (articulating ideas and structuring them in speech, before writing).

## **Mathematics**

Developing a strong grounding in number is essential so that all children develop the necessary building blocks to excel mathematically. Children should be able to count confidently, develop a deep understanding of the numbers to 10, the relationships between them and the patterns within those numbers. By providing frequent and varied opportunities to build and apply this understanding - such as using manipulatives, including small pebbles and tens frames for organising counting - children will develop a secure base of knowledge and vocabulary from which mastery of mathematics is built. In addition, it is important that the curriculum includes rich opportunities for children to develop their spatial reasoning skills across all areas of mathematics including shape, space and measures. It is important that children develop positive attitudes and interests in mathematics, look for patterns and relationships, spot connections, 'have a go', talk to adults and peers about what they notice and not be afraid to make mistakes.

## **Understanding the World**

Understanding the world involves guiding children to make sense of their physical world and their community. The frequency and range of children's personal experiences increases their knowledge and sense of the world around them – from visiting parks, libraries and museums to meeting important members of society such as police officers, nurses and firefighters. In addition, listening to a broad selection of stories, non-fiction, rhymes and poems will foster their understanding of our culturally, socially, technologically and ecologically diverse world. As well as building important knowledge, this extends their familiarity with words that support understanding across domains.

Enriching and widening children's vocabulary will support later reading comprehension.

## **Expressive Arts and Design**

The development of children's artistic and cultural awareness supports their imagination and creativity. It is important that children have regular opportunities to engage with the arts, enabling them to explore and play with a wide range of media and materials. The quality and variety of what children see, hear and participate in is crucial for developing their understanding, self-expression, vocabulary and ability to communicate through the arts. The frequency, repetition and depth of their experiences are fundamental to their progress in interpreting and appreciating what they hear, respond to and observe.

## **Learning and Development Considerations**

- 1.7 Childminders should be ambitious for all children. To do this, they must consider the individual needs, interests, and development of each child in their care. They must use this information to plan a challenging and enjoyable experience for each child in all areas of learning and development. Childminders working with the youngest children are expected to ensure a strong foundation for children's development in the three prime areas. The specific areas of learning provide children with a broad curriculum and with opportunities to strengthen and apply the prime areas of learning. This is particularly important in developing language and extending vocabulary.

### **Acting on concerns**

- 1.8 Throughout the early years, if a childminder is worried about a child's progress in any prime area, childminders must discuss this with the child's parents and/or carers and agree how to support the child. Childminders must consider whether a child needs any additional support, including whether they may have a special educational need or disability which requires specialist support.

## **English as an Additional Language**

- 1.9 For children whose home language is not English, childminders may take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development at home.
- 1.10 Childminders must ensure children have sufficient opportunities to learn and reach a good standard in English language during the EYFS, ensuring children are ready to benefit from the opportunities available to them when they begin Key Stage 1. When assessing communication, language and literacy skills, childminders must assess children's skills in English. If a child does not have a strong grasp of English language, childminders must explore the child's skills in the home language with parents and/or carers, to establish whether there is cause for concern about

language delay.

## Approaches to teaching and learning

- 1.11 This framework does not prescribe a particular teaching approach. Play is essential for children's development, building their confidence as they learn to explore, relate to others, set their own goals and solve problems. Children learn by leading their own play, and by taking part in play and learning that is guided by adults. Childminders need to decide what they want children to learn in their setting, and the most effective ways to teach it. Childminders must stimulate children's interests, responding to each child's emerging needs and guiding their development through warm, positive interactions coupled with secure routines for play and learning.
- 1.12 If childminders are providing care to reception-age children, there should be a greater focus on teaching the essential skills and knowledge in the specific areas of learning. This will help children to prepare for Key Stage 1.
- 1.13 In planning and guiding what children learn, childminders must reflect on the different rates at which children are developing and adjust their practice appropriately. Three characteristics of effective teaching and learning are:
- **Playing and exploring** - children investigate and experience things, and 'have a go'.
  - **Active learning** - children concentrate and keep on trying if they encounter difficulties and enjoy achievements.
  - **Creating and thinking critically** - children have and develop their own ideas, make links between ideas, and develop strategies for doing things.

## A quality workforce focused on learning and development and health and safety

- 1.14 All children deserve high-quality early education and care. This requires a quality workforce. A well-trained, skilled childminder can help every child achieve the best possible educational outcomes. Children need to build an attachment with their key person for their confidence and wellbeing. The key person also promotes children's learning by developing a deep understanding of their individual needs and children can particularly benefit from their modelling and support. The requirements in relation to workforce training and responsibilities, including that of the key person, are outlined in Section 3 but they are equally important for children's learning and development as they are for their safety and welfare.

## Curriculum Guidance

- 1.15 [Development Matters](#), government curriculum guidance for the EYFS, can support childminders to deliver the EYFS learning and development requirements. It can be used to design an effective early years curriculum. This guidance is non-statutory, so

Ofsted and CMAs will not take this into account when carrying out inspections or quality assurance visits. It is up to childminders to decide how they deliver the learning and development requirements.

## Section 2 – Assessment

- 2.1 Assessment plays an important part in helping parents, carers, and practitioners to recognise children’s progress, understand their needs, and to plan activities and support. This section sets out the assessment requirements childminders must meet, as well as guidance on assessment.
- 2.2 Assessment should not involve long breaks from interaction with children or require excessive paperwork. When assessing whether an individual child is at the expected level of development, childminders should draw on their knowledge of the child and their own expert professional judgement. Childminders are not required to prove this through collection of any physical evidence.
- 2.3 Childminders should keep parents and/or carers up to date on their child’s progress and development. Childminders should address any learning and development needs in partnership with parents and/or carers, and any relevant professionals. This is to ensure their entire early years experience contributes to their readiness for Key Stage 1.

### Ongoing assessment

- 2.4 Ongoing assessment (also known as formative assessment) is an integral part of the learning and development process. It involves practitioners understanding children’s interests and what they know and can do, and then shaping teaching and learning experiences for each child reflecting that knowledge. In their interactions with children, childminders should make and act on their own day-to-day observations about children’s progress and observations that parents and carers share. However, there is no requirement to keep written records in relation to this.

### Progress check at age two

- 2.5 When a child is aged between two and three, childminders must review their progress, and provide parents and/or carers with a short, written summary of their child’s development in the prime areas.
- 2.6 Beyond the prime areas, it is for practitioners to decide what the written summary should include, reflecting the development level and needs of the individual child.
- 2.7 The summary must:
  - Highlight areas in which a child is progressing well.
  - Highlight areas in which some additional support might be needed.
  - Focus particularly on any areas where there is a concern that a child may have a developmental delay, which may indicate a special educational need or disability.
  - Describe the activities and strategies the childminder intends to adopt to address any issues or concerns. This plan should involve parents and carers

and other professionals (for example, the child's health visitor) as appropriate.

- 2.8 If a child moves settings between the ages of two and three, it is expected that the progress check would usually be undertaken by the setting where the child has spent most time. Childminders must discuss with parents and/or carers how the summary of development can be used to support learning at home. Non-statutory guidance, [Progress check at age 2](#), is available to support childminders in completing the progress check.
- 2.9 Childminders should encourage parents and/or carers to share information from the progress check with other relevant professionals, including their health visitor and the staff of any new provision the child may move to. Childminders must agree with parents and/or carers when will be the most useful point to provide a summary. Where possible, the progress check and the Healthy Child Programme health and development review at age two (when health visitors gather information on a child's health and development) should inform each other and support integrated working. This will allow health and education professionals to identify strengths as well as any developmental delay and any particular support from which they think the child/family might benefit. Childminders must have the consent of parents and/or carers to share information directly with other relevant professionals.

## **Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)**

- 2.10 In the final term of the academic year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile must be completed for each child. This is therefore usually undertaken by reception teachers, but on rare occasions it could be undertaken in other settings too.
- 2.11 A childminder must complete the EYFS Profile only where a child they are caring for has not started school by the final term of the year in which the child reaches age 5 and will complete the EYFS in their setting. Therefore, it is very rare that a childminder would need to complete the EYFS Profile assessment. Childminders that are in this position must refer to Annex B and C to view the early learning goals (ELGs) and requirements of the Profile assessment. The ELGs are not intended for use prior to the age at which children can attend the reception year of school.

## Section 3 – The safeguarding and welfare requirements

### Introduction

- 3.1 Children learn best when they are healthy, safe, secure, when their individual needs are met, and when they have positive relationships with the people caring for them.
- 3.2 This section of the framework sets out the safeguarding and welfare requirements childminders must meet. They are designed to help childminders create a high-quality, welcoming, and safe setting where children can enjoy learning and grow in confidence.
- 3.3 Childminders must take all necessary steps to keep children safe and well. The requirements in this section explain what childminders must do to:
  - Safeguard children.
  - Ensure the people who have contact with children are suitable.
  - Promote good health.
  - Support and understand behaviour.
  - Maintain records, policies and procedures.

Childminders solely registered on the early years register or with an early years CMA are not required to have written policies and procedures. However, they must be able to explain their policies and procedures to parents, carers, and others (for example Ofsted inspectors or the CMA with which they are registered) and ensure any assistants<sup>10</sup> follow them.

### Safeguarding policies and procedures

- 3.4 Childminders working alone or with assistants must take lead responsibility for safeguarding children in their setting. Childminders must know how to contact the local statutory children's services and the LSPs (local safeguarding partners). All practitioners must be alert to any issues of concern in the child's life at home or elsewhere.
- 3.5 In the case of childminders working together, each childminder is responsible for meeting the requirements of their own registration. Childminders must know that they have a shared responsibility when working together for the wellbeing of all the children present. Therefore, where childminders work together, each childminder also has a responsibility to refer any concerns where another childminder does not

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<sup>10</sup> Assistant means any person who assists a registered childminder with childminding of one or more children to whom they are not related, regardless of whether the assistant is paid or not. Students and apprentices working with a registered childminder are also assistants.



continually meet the requirements of their registration.

3.6 Childminders must have and implement policies and procedures to keep children safe and meet EYFS requirements. Childminders solely registered on the early years register or with an early years CMA are not required to have written policies and procedures. However, they must be able to explain their policies and procedures to parents, carers, and others (for example Ofsted inspectors or the CMA with which they are registered). Childminders must ensure any assistants follow these policies and procedures. Policies and procedures should be in line with the guidance and procedures of the relevant LSP.

3.7 Safeguarding policies must include:

- The action to be taken when there are safeguarding concerns about a child.
- The action to be taken in the event of an allegation being made against anyone living, working or looking after children at the premises from which the childcare/childminding is provided.
- How mobile phones, cameras and other electronic devices with imaging and sharing capabilities are used in the setting.

Childminders may find it helpful to read '[Safeguarding children and protecting professionals in early years settings: online safety considerations](#)'.

## Concerns about children's safety and welfare

3.8 If childminders have concerns about a child's safety or welfare, they must immediately notify their local authority children's social care team in line with local reporting procedures, and, in emergencies, the police. Childminders must also take into account the government's statutory guidance '[Working Together to Safeguard Children](#)' and '[Prevent duty guidance for England and Wales](#)'<sup>11</sup>. Childminders may also find it useful to look at the government's '[Keeping Children Safe in Education](#)' guidance.

3.9 Depending on how they are registered, childminders must inform Ofsted or their CMA of any allegations of serious harm or abuse by anyone living, working, or looking after children at the premises. This must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Childminders must also notify Ofsted or their CMA of the action they have taken in response to the allegations. Ofsted/the CMA must be notified as soon as is reasonably practicable, but, in any event, within 14 days of allegations being made. A childminder who without a reasonable excuse fails to do this commits an offence.

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<sup>11</sup> The 2015 Counter Terrorism and Security Act places a duty on early years providers "to have due regard to the need to prevent people from being drawn into terrorism" (the Prevent duty).

## Suitable people

3.10 Childminders and any assistants must be deemed suitable by Ofsted or their CMA; they must have the relevant training and have passed any required checks to fulfil their roles. Childminders must also ensure any person who may have regular contact with children (for example, someone living or working on the same premises where the childminding<sup>12</sup> is being provided), must also be suitable<sup>13</sup>.

3.11 Ofsted, or a childminder's CMA, is responsible for checking the suitability of:

- The childminder.
- Every other person looking after children on the premises.
- For childminders with domestic premises, every other person aged 16 and over living or working on any domestic premises where the childminding is being provided.<sup>14</sup>

3.12 Enhanced criminal records checks and barred list checks are required by Ofsted or a childminder's CMA, for any relevant people. If a person has lived or worked outside the UK an additional criminal records check should be made (or multiple "checks" if they have lived in more than one country)<sup>15</sup>.

3.13 Childminders must tell assistants that they must disclose any convictions, cautions, court orders, reprimands and warnings<sup>16</sup> that may affect their suitability to work with children (whether received before or during their employment at the setting). Childminders must not allow anyone whose suitability has not been checked by Ofsted or their CMA, including through a criminal records check, to have unsupervised contact with the children being cared for.

3.14 Relevant information about identity checks, the vetting process completed (including the criminal records check reference number, the date a check was obtained and details of who at the setting obtained it) will be kept by Ofsted or the CMA with which the childminder is registered.

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<sup>12</sup> "Childminding" means early years provision in respect of which a person is required to be registered by section 33(1) or section 34(1)(b) of the 2006 Act

<sup>13</sup> To allow Ofsted or the relevant CMA to make these checks, childminders are required to supply information to Ofsted or the relevant CMA, as set out in Schedule 2, Part 2 of the Childcare (Early Years Register) Regulations 2008, amended by the Childcare (Early Years Register) (Amendment) Regulations 2012. The requirements relating to people who live and work on childminder premises are in Schedule 1, Part 1.

<sup>14</sup> The requirement for a criminal records check will be deemed to have been met in respect of all people living or working in childcare settings, whose suitability was checked by Ofsted or their local authority before October 2005

<sup>15</sup> For more information see: [www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants](http://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants).

<sup>16</sup> Except convictions or cautions that are protected for the purposes of the Rehabilitation of Offenders Act 1974.

3.15 Childminders are required to make a referral to the Disclosure and Barring Service if an assistant is dismissed (or would have been, had they not left the setting first) because they have harmed a child or put a child at risk of harm<sup>17</sup>.

## Disqualification

3.16 A childminder or assistant may be disqualified from registration. Childminders may find [guidance](#) about disqualification under the Childcare Act 2006 helpful. If a childminder or assistant is disqualified, they must not continue as an early years provider or assistant, or be directly involved in the management of any early years provision. When a person is disqualified, childminders must not employ that person in relation to early years provision.

3.17 A childminder or childminder's assistant may also be disqualified because they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed. If a childminder or childminder assistant is disqualified they may, in some circumstances, be able to obtain a 'waiver' from Ofsted.

3.18 Depending on how they are registered, a childminder must notify Ofsted, or their CMA, of any significant event which is likely to affect the suitability of any person who is in regular contact with children on the premises where childcare is provided. The disqualification of an assistant is an example of a significant event<sup>18</sup>.

3.19 Depending on how they are registered, the childminder must give Ofsted, or their CMA, the following information about themselves or about any person who lives with, or is employed in the same household, as the registered childminder:

- Details of any order, determination, conviction, or other ground for disqualification from registration under regulations made under section 75 of the Childcare Act 2006.
- The date of the order, determination or conviction, or the date when the other ground for disqualification arose.
- The body or court which made the order, determination or conviction, and the sentence (if any) imposed.
- A certified copy of the relevant order (in relation to an order or conviction).

3.20 Childminders must provide this information to Ofsted, or their CMA, as soon as reasonably practicable, but in any event within 14 days of the date the childminder became aware of the information or should have reasonably become aware of it if they had made reasonable enquiries<sup>19</sup>.

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<sup>17</sup> This is a legal requirement as per section 35 of the Safeguarding Vulnerable Groups Act 2006.

<sup>18</sup> Childminders may find it helpful to read the Ofsted guidance on significant events: [Childcare: significant events to notify Ofsted about - GOV.UK \(www.gov.uk\)](#)

<sup>19</sup> This requirement is set out in Regulation 12 of The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. (S.I. 2018/794)

3.21 If a childminder becomes aware of relevant information that may lead to an assistant being disqualified, the childminder must take appropriate action to ensure the safety of children.

### **Staff taking medication/other substances**

3.22 Childminders and childminders' assistants must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If a practitioner is taking medication which may affect their ability to care for children, they should seek medical advice. Childminders and their assistants must only work directly with children if the medical advice received confirms that the medication is unlikely to impair that person's ability to look after children properly. All medication on the premises must be stored securely, and out of reach of children at all times.

### **Smoking and Vaping**

3.23 Childminders must not allow smoking in or on the premises when children are present or about to be present. Practitioners should not vape or use e-cigarettes when children are present, and childminders should consider [Public Health England advice on their use in public places and workplaces](#).

### **Training, support and skills**

3.24 What childminders and childminder assistants know, plan for, and do, matters for children's learning, development, safety, and happiness in settings. Childminders must have appropriate skills, knowledge, and a clear understanding of their role and responsibilities in order to provide good quality early years provision.

3.25 Childminders must follow their legal responsibilities under the Equality Act 2010 including the fair and equal treatment of any assistants regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **Safeguarding training**

3.26 Childminders must demonstrate that they have knowledge and understanding of the EYFS, including how to implement it, as part of their registration with Ofsted or a CMA.

3.27 Childminders must attend a child protection training course<sup>20</sup> that helps them to identify, understand and respond appropriately to signs of possible abuse and neglect at the earliest opportunity. These may include:

- Significant changes in children's behaviour.

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<sup>20</sup> Taking account of any advice from the LSP or local authority on appropriate training courses.

- A decline in children’s general well-being.
- Unexplained bruising, marks or signs of possible abuse or neglect.
- Concerning comments from children.
- Inappropriate behaviour from assistants, or any other person working with the children. This could include inappropriate sexual comments; excessive one-to-one attention beyond what is required through their role; or inappropriate sharing of images.
- Any reasons to suspect neglect or abuse outside the setting, for example in the child’s home, or that a girl may have been subjected to (or is at risk of) [female genital mutilation](#).

Childminders may find it helpful to read [What to do if you’re worried a child is being abused: Advice for practitioners](#).

3.28 Childminders must provide support, advice, and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. Childminders must make sure any assistants understand their safeguarding policies and procedures and have up to date knowledge of safeguarding issues. Any training provided to assistants must enable them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described in paragraph 3.27).

## Qualifications

3.29 An approved qualification is defined by the Department for Education as meeting the criteria set out in the [Early Years Qualification Requirements and Standards](#) document. Childminders interested in an early years qualification may find it useful to read the Early Years Qualifications List, published on GOV.UK.<sup>21</sup>

## Training and supervision of assistants’ skills

3.30 Childminders are accountable for the quality of the work of anyone working for them and must be satisfied that they are competent to meet their roles and responsibilities.

3.31 Childminders must ensure that assistants receive induction training to help them understand their roles and responsibilities. Induction training must include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues. Childminders must support assistants to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves.

3.32 Childminders must put appropriate arrangements in place for the supervision of assistants who have contact with children, families, and carers. Effective supervision

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<sup>21</sup> <https://www.gov.uk/guidance/early-years-qualifications-finder>.

provides support, coaching, and training for the assistant and promotes the best interests of children. Supervision should foster a culture of mutual support, teamwork, and continuous improvement, which encourages the confidential discussion of sensitive issues.

3.33 Supervision should provide opportunities for staff to:

- Discuss any issues – particularly concerning children’s development or well-being, including child protection concerns.
- Identify solutions to address issues as they arise.
- Receive coaching to improve their personal effectiveness.

## Paediatric first aid

3.34 Childminders are required to have a paediatric first aid (PFA) certificate to register and must continue to hold this at all times that they are registered<sup>22</sup>. At least one person who has a current paediatric first aid (PFA) certificate must be on the premises and available at all times when children are present, and must accompany children on outings. The certificate must be for a full course consistent with the criteria set out in Annex A. PFA training<sup>23</sup> must be renewed every three years and be relevant for people caring for young children and babies.

3.35 Childminders should take into account the number of children, assistants, and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly.

3.36 Childminders should make PFA certificates, or a list of staff who have a current PFA certificates, available to parents on request.

## English language skills

3.37 Childminders and assistants must have sufficient understanding and use of English to ensure the well-being of children in their care. For example, childminders must be able to:

- Keep records in English.
- Liaise with other agencies in English.

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<sup>22</sup> [The Childcare \(Early Years Register\) Regulations 2008 \(legislation.gov.uk\)](http://legislation.gov.uk)

<sup>23</sup> Childminders are responsible for identifying and selecting a competent training provider to deliver their PFA training. Training is available from a wide range of providers including: those who offer regulated qualifications; or the Voluntary Aid Societies (St John Ambulance, the British Red Cross and St Andrew’s First Aid who together are acknowledged by the Health and Safety Executive (HSE) as one of the standard-setters for currently accepted first aid practice for first aid at work training courses); or those who operate under voluntary accreditation schemes; or one that is a member of a trade body with an approval and monitoring scheme; or those who operate independently of any such accreditation scheme. The Register of Regulated Qualifications may help providers identify PFA providers, which can be found at: <http://register.ofqual.gov.uk/qualification>. It may also be helpful to read HSE’s guidance about choosing a first aid training provider, which can be found at: [www.hse.gov.uk/pubns/geis3.htm](http://www.hse.gov.uk/pubns/geis3.htm)

- Summon emergency help.
- Understand instructions. For example, about the safety of medicines or food hygiene.

## Key person

3.38 Each child must be assigned a key person. In childminding settings, the key person is the childminder, or can be an assistant where appropriate. Their role is to help ensure that every child's care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents and/or carers. They should also help families engage with more specialist support if appropriate.

## Staff: child ratios

3.39 Staffing arrangements must meet the needs of all children and ensure their safety. Childminders must ensure that children are adequately supervised, including whilst eating, and decide how to use any assistants to ensure children's needs are met. Childminders must inform parents and/or carers about how any assistants are organised, and, when relevant and practical, aim to involve them in these decisions.

3.40 Children must usually be within sight and hearing of the childminder and or/assistants and always within sight or hearing. Whilst eating, children must be within sight and hearing of the childminder and/or assistants.

3.41 The ratio requirements below apply to the total number of people available to work directly with children<sup>24</sup>. Exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made, but childminders cannot have more than six children under the age of eight per person providing care.

3.42 At any one time, childminders (whether providing the childminding on domestic or non-domestic premises) may care for a maximum of six children under the age of eight. This includes the childminder's own children and any other children for whom they are responsible, such as those being fostered.

3.43 Of these six children:

- A maximum of three may be young children (i.e. a child is a young child until 1<sup>st</sup> September following his or her fifth birthday).
- There should only be one child under the age of one.

3.44 Any care provided for older children must not adversely affect the care of children

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<sup>24</sup> Ofsted or their childminder's agency, depending on how they are registered, may determine that childminders must observe a higher staff: child ratio than outlined here to ensure the safety and welfare of children.

receiving early years provision.

3.45 If a childminder can demonstrate to parents and/or carers and, depending on how they are registered, Ofsted inspector or their CMA, that the individual needs of all the children are being met, exceptions to the usual ratios can be made. Examples of permissible exceptions include, but are not limited to:

- When childminders are caring for siblings, or
- when caring for their own child, or
- to maintain continuity of care, or
- if children aged three to five only attend the childminding setting before and/or after a normal school day<sup>25</sup>, and/or during school holidays, they may be cared for at the same time as three other young children.

In all circumstances, the total number of children under the age of eight being cared for must not exceed six per person.

3.46 If a childminder employs an assistant or works with another childminder, each childminder (or assistant) may care for the number of children permitted by the ratios specified above<sup>26</sup>.

3.47 Children may be left in the sole care of childminders' assistants for up to two hours in a single day.<sup>27</sup> Childminders must obtain parents' and/or carers' permission to leave children with an assistant, including for very short periods of time.

3.48 For childminders providing overnight care, the ratios set out above continue to apply and the childminder must always be able to hear the children (this may be via a monitor). Childminders are required to notify Ofsted or their CMA if they intend to provide overnight care<sup>28</sup>.

3.49 Suitable students on long term placements and volunteers (aged 17 or over), and those working as apprentices in early education (aged 16 or over), may be included in the ratios if the childminder is satisfied that they are competent and responsible. Except in the case of apprentices, only those aged 17 or over may be included in ratios and only if they are suitable, as in paragraphs 3.10 to 3.13. All staff under 17 should be supervised at all times).

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<sup>25</sup> Can be defined as 9 am to 3 pm or the normal full day applicable to the school the child attends.

<sup>26</sup> Subject to any restrictions imposed by Ofsted or the relevant childminder agency on registration.

<sup>27</sup> The Childcare (Exemptions from Registration) Order 2008 specifies that where provision is made for a particular child for two hours or less a day, the carer is exempt from registration as a childminder.

<sup>28</sup> See paragraph 3 of the Schedule to the EYFS (Welfare Requirements) Regulations 2012.



## Health

### Medicines

- 3.50 Childminders must promote the good health, including the oral health, of the children they look after.
- 3.51 They must have a procedure, which must be discussed with parents and/or carers, for taking appropriate action if children are ill or infectious. This procedure must also cover the necessary steps to prevent the spread of infection<sup>29</sup>.
- 3.52 Childminders must have and implement a policy, and procedures, for administering medicines to children. It must include systems for obtaining information about a child's needs for medicines, and for keeping this information up to date. Childminders and assistants must have training if the administration of medicine requires medical or technical knowledge. Prescription medicines must not be administered unless they have been prescribed for a child by a doctor, dentist, nurse, or pharmacist (medicines containing aspirin should only be given if prescribed by a doctor).
- 3.53 Medicine (both prescription and non-prescription<sup>30</sup>) must only be administered to a child where written permission for that particular medicine has been obtained from the child's parent and/or carer. Childminders must keep a written record each time a medicine is administered to a child, and inform the child's parents and/or carers on the same day the medicine has been taken, or as soon as reasonably practicable.

### Food and drink

- 3.54 Where children are provided with meals, snacks, and drinks, these must be healthy, balanced and nutritious. Before a child is admitted to the setting the childminder must obtain information about any special dietary requirements, preferences, and food allergies that the child has, and any special health requirements. Fresh drinking water must always be available and accessible to children. Childminders must record and act on information from parents and carers about a child's dietary needs.

### Food and drink facilities

- 3.55 There must be an area adequately equipped to provide healthy meals, snacks and drinks for children as necessary. There must be suitable facilities for the hygienic

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<sup>29</sup> Guidance on health protection in schools and other childcare facilities which sets out when and for how long children need to be excluded from settings, when treatment/medication is required and where to get further advice can be found at <https://www.gov.uk/government/publications/health-protection-in-schoolsand-other-childcare-facilities>

<sup>30</sup> Non-prescription medicines can include those that can be purchased from pharmacies (including some over the counter medicines which can only be purchased from a pharmacy), health shops and supermarkets. See also BMA advice: [Prescribing over-the-counter medicines in nurseries and schools \(bma.org.uk\)](https://www.bma.org.uk/prescribing-over-the-counter-medicines-in-nurseries-and-schools)

preparation of food for children, if necessary, including suitable sterilisation equipment for babies' food. Childminders must be confident that they, or any assistants responsible for preparing and handling food, are competent to do so. Section 4 of '[Example menus for early years settings in England](#)' includes guidance on menu planning, food safety, managing food allergies and reading food labels, which childminders and assistants preparing food will find helpful in ensuring that children are kept safe.

## Food poisoning

3.56 Depending on how they are registered, childminders must notify Ofsted or their CMA of any food poisoning affecting two or more children cared for on the premises. This must be done as soon as is reasonably practical, but in any event within 14 days of the incident. A childminder who, without reasonable excuse, doesn't meet this requirement commits an offence.

## Supporting and understanding children's behaviour

3.57 Childminders are responsible for supporting, understanding, and managing children's behaviour in an appropriate way.

3.58 Childminders must not give or threaten corporal punishment or any punishment which could negatively affect a child's well-being. Childminders must take reasonable steps to ensure that corporal punishment is not given by anyone who is caring for or is in regular contact with a child, or by anyone living or working in the premises where the childminding is taking place. Any childminder who doesn't meet these requirements commits an offence. A person will not be considered to have used corporal punishment (and therefore will not have committed an offence), if physical intervention<sup>31</sup> was taken to avert immediate danger of personal injury to any person (including the child) or to manage a child's behaviour if absolutely necessary.

3.59 Childminders must keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable.

## Special educational needs

3.60 Childminders must have arrangements in place to support children with Special Educational Needs and Disabilities (SEND). Childminders are encouraged to identify a person to act as a SENCO (SEND coordinator). Childminders who are registered with a CMA, or who are part of a network, may wish to share the role between them.

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<sup>31</sup> Physical intervention is where practitioners use reasonable force to prevent children from injuring themselves or others or damaging property.

Childminders who are funded by the local authority to deliver early education places are required<sup>32</sup> to have regard to the [0-25 SEND Code of Practice](#). Other childminders may find it helpful to familiarise themselves with the early years section of the 0-25 SEND Code of Practice.

## **Safety and suitability of premises, environment and equipment**

### **Accident or injury**

- 3.61 Childminders must ensure a first aid box with appropriate items for use on children is always accessible. Childminders must keep a written record of accidents or injuries and first aid treatment. Childminders must inform parents and/or carers of any accident or injury sustained by the child on the same day as, or as soon as reasonably practicable after, and of any first aid treatment given.
- 3.62 Depending on how they are registered, childminders must notify Ofsted or their CMA of any serious accident, illness, or injury to, or death of, any child while in their care, and of the action taken. This must be done as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A childminder who, without reasonable excuse, doesn't meet this requirement commits an offence. Childminders must notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and must act on any advice from those agencies.

### **Safety of premises**

- 3.63 Childminders must ensure that their premises, including overall floor space and outdoor spaces, are fit for purpose and suitable for the age of children cared for and the activities provided on the premises. Childminders must comply with requirements of health and safety legislation, including fire safety and hygiene requirements.
- 3.64 Childminders must take reasonable steps to ensure the safety of children, assistants, and others on the premises in the case of fire or any other emergency. Childminders must have:
- An emergency evacuation procedure.
  - Appropriate fire detection and control equipment (for example, fire alarms, smoke detectors, fire blankets and/or fire extinguishers) which is in working order.

Fire exits must be clearly identifiable, and fire doors free of obstruction and easily opened

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<sup>32</sup> Section 77 of the Children and Families Act 2014 requires childminders (and others) delivering early years provision funded by the Local Authority to have regard to the SEND Code of Practice in exercising their functions under Part 3 of the Act.

from the inside.

## Indoor space requirements

3.65 The premises and equipment must be organised in a way that meets the needs of children. Providers must meet the following indoor space requirements where indoor activity in a building(s) forms the main part of (or is integral to) the provision:

- Children under two years: 3.5m<sup>2</sup> per child.
- Two-year-olds: 2.5m<sup>2</sup> per child.
- Children aged three to five years: 2.3m<sup>2</sup> per child.

3.66 These judgements should be based on useable areas of the rooms used by the children, not including storage areas, thoroughfares, dedicated staff areas, cloakrooms, utility rooms, and toilets. Childminders should consider what areas within their kitchens are safely usable.

3.67 Where the space standards are applied, childminders cannot increase the number of children on roll because they additionally use an outside area.

## Outdoor access

3.68 Childminders must provide access to an outdoor play area. If that is not possible, they must ensure that outdoor activities are planned and taken daily (unless circumstances make this inappropriate, for example unsafe weather conditions). Childminders must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments).

## Sleeping arrangements

3.69 Sleeping children must be frequently checked to ensure that they are safe. Being safe includes ensuring that cots and bedding are in good condition and suited to the age of the child, and that babies are placed down to sleep safely in line with the latest government safety guidance: [Sudden infant death syndrome \(SIDS\) - NHS \(www.nhs.uk\)](https://www.nhs.uk). Childminders may also find it helpful to read NHS advice on safety of sleeping babies: [Reduce the risk of sudden infant death syndrome \(SIDS\) - NHS \(www.nhs.uk\)](https://www.nhs.uk).

## Toilets and intimate hygiene

3.70 Childminders must ensure:

- There is an adequate number of toilets and hand basins available.
- There are suitable hygienic changing facilities for changing any children who are in nappies.

- There is an adequate supply of clean bedding, towels, spare clothes, and any other necessary items.

## Organising premises for confidentiality and safeguarding

3.71 Childminders must ensure that:

- On request, they can make available an area where they may talk to parents and/or carers confidentially.
- Children are only released into the care of individuals of whom the parent has explicitly notified the childminder.
- Children do not leave the premises unsupervised.
- They take all reasonable steps to prevent unauthorised persons entering the premises<sup>33</sup>, and have an agreed procedure for checking the identity of visitors.
- They consider what additional measures are necessary when children stay overnight.

## Insurance

3.72 Childminders must carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childminding.

## Safety on outings

3.73 Children must be kept safe while on outings. Childminders must assess potential risks or hazards for the children and must identify the steps to be taken to remove, minimise, and manage those risks and hazards. The assessment must include consideration of staff to child ratios. The risk assessment does not necessarily need to be in writing; this is up to childminders.

3.74 Vehicles transporting children, and the driver of those vehicles, must be adequately insured.

## Risk assessment

3.75 Childminders must ensure that they take all reasonable steps to ensure that children in their care, and any assistants, are not exposed to risks and must be able to demonstrate how they are managing risks<sup>34</sup>. Childminders must determine where

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<sup>33</sup> Where childminders are operating in non-domestic premises which is routinely accessed by members of the public (e.g. a hotel or community centre), childminders must take all reasonable steps to prevent unauthorised persons entering the part of those premises where children are being cared for.

<sup>34</sup> Guidance on risk assessments, including where written ones may be required or where five or more staff are employed, is available at: [Managing risks and risk assessment at work – Overview -HSE](#)

it is helpful to make some written risk assessments in relation to specific issues, to inform their practice, and to demonstrate how they are managing risks if asked by parents and/or carers or inspectors. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised.

## Information and record keeping

- 3.76 Childminders must maintain records, obtain and share relevant information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or their CMA) as appropriate. This is to ensure their setting is safe and efficiently managed, and the needs of all children are met<sup>35</sup>. Childminders must enable a regular two-way flow of information with parents and/or carers (and between other providers if a child is attending more than one setting). If requested, childminders should incorporate parents' and/or carers' comments into children's records.
- 3.77 Records must be easily accessible and available (these may be kept securely off the premises). Confidential information and records about staff and children must be held securely and only accessible and available to those who have a right or professional need to see them<sup>36</sup>. Childminders must be aware of their responsibilities under the Data Protection Legislation<sup>37</sup> and, where relevant, the Freedom of Information Act 2000.
- 3.78 Childminders must ensure that they and any assistants understand the need to protect the privacy of the children in their care, as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. Parents and/or carers must be given access to all records about their child, provided that no relevant exemptions apply to their disclosure under the Data Protection Act<sup>38</sup>.
- 3.79 Records relating to individual children must be retained for a reasonable period of time after they have left the provision<sup>39</sup>.

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<sup>35</sup> Guidance on sharing information with relevant services when there are safeguarding concerns is available via: [Information sharing advice for safeguarding practitioners - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/information-sharing-advice-for-safeguarding-practitioners)

<sup>36</sup> The National Cyber Security Centre (NCSC) has published helpful guidance on cyber security: <https://www.ncsc.gov.uk/guidance/early-years-practitioners-using-cyber-security-to-protect-your-settings>.

<sup>37</sup> This includes the Data Protection Act 2018 and General Data Protection Regulation 2018 see: [Data protection: The Data Protection Act - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/data-protection-the-data-protection-act)

<sup>38</sup> The Data Protection Act 2018 (DPA) gives parents and carers the right to access information about their child that a childminder holds. However, the DPA also sets out specific exemptions under which certain personal information may, under specific circumstances, be withheld from release. For example, a relevant professional will need to give careful consideration as to whether the disclosure of certain information about a child could cause harm either to the child or any other individual. It is therefore essential that all practitioners in early years settings have an understanding of how data protection laws operate. Further guidance can be found on the website of the Information Commissioner's Office at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/>.

<sup>39</sup> Individual childminders should determine how long to retain records relating to individual children.

## Information about the child

3.80 Childminders must record the following information for each child in their care:

- Full name.
- Date of birth.
- Name and address of every parent and/or carer who is known to the childminder.
- Information about any other person who has parental responsibility for the child.
- Which parent(s) and/or carer(s) the child normally lives with.
- Emergency contact details for parents and/or carers.

## Information for parents and carers

3.81 Childminders must share the following information with parents and/or carers:

- How the EYFS is being delivered in the setting, and how parents and/or carers can access more information.
- The range and type of activities and experiences provided for children, the daily routines of the setting, and how parents and/or carers can share learning at home.
- How the setting supports children with special educational needs and disabilities.
- Food and drinks provided for children.
- Details of their policies and procedures, including the procedure to be followed in the event of a parent and/or carer failing to collect a child at the appointed time, or in the event of a child going missing at, or away from, the setting.
- How staffing at the setting is organised (for example, whether the childminder has an assistant).
- The name of the child's key person and their role.
- A telephone number for parents and/or carers to contact the childminder in an emergency.
- For anybody registered as a "childminder without domestic premises" – that they are not permitted to provide any provision under that registration from any domestic premises, which includes for the drop-off and/or collection of a child.

## Complaints

3.82 Childminders are not required to have a written procedure for handling complaints,

but they must keep a record of any complaints they receive and their outcome.

Childminders must:

- Investigate written complaints relating to how they are fulfilling the EYFS requirements.
- Notify the person who made the complaint of the outcome of the investigation within 28 days of having received the complaint.
- Make the record of complaint/s available to Ofsted or the relevant CMA on request.

3.83 Childminders must make available to parents and/or carers the details about how to contact Ofsted or their CMA as appropriate, if they believe the childminder is not meeting the EYFS requirements.

## **Inspections and quality assurance visits**

3.84 If a childminder becomes aware that they are to be inspected by Ofsted or have a quality assurance visit by the CMA, they must notify parents and/or carers. After an inspection by Ofsted or a quality assurance visit by their CMA, childminders must supply a copy of the report to parents and/or carers of children attending on a regular basis of the outcome.

## **Information about the childminder**

3.85 Childminders must hold the following documentation:

- Their name, home address and telephone number and any other person living or employed on the premises.
- Name, home address and telephone number of anyone else who will regularly be in unsupervised contact with the children attending the early years provision.
- A daily record of the names of the children being cared for on the premises, their hours of attendance, and the names of each child's key person (if this is not the childminder themselves).
- Their certificate of registration (which can be displayed digitally, for example on a childminder's website, and must be made available to parents and/or carers on request).

## **Changes that must be notified to Ofsted or the relevant childminder agency (CMA)**

3.86 Depending on how they are registered, all childminders must, as soon as reasonably practicable but in any event within 14 days of the change, notify either Ofsted or their



CMA of any change:

- In the address of the premises on which childcare is provided (and must obtain prior approval to operate from any non-domestic premises).
- To the premises which may affect the space available to children and the quality of childcare available to them.
- In the name or address of the childminder, or the childminder's other contact information.
- In the persons aged 16 years or older living or working on any domestic premises from which childminding is provided or to the persons caring for children on any premises where childminding is provided<sup>40</sup>.
- Any proposal to change the hours during which childcare is to be provided which will entail the provision of overnight care.
- Any significant event which is likely to affect the suitability of the childminder to look after children.
- Any significant event which is likely to affect the suitability of any person who cares for, or/is in regular contact with, children on the premises on which childminding is provided.

## Other Legal Duties

3.87 The EYFS requirements sit alongside other legal obligations and do not supersede or replace any other legislation which childminders must still meet.

Other duties on providers include:

- Employment laws.
- Anti-discrimination legislation.
- Health and safety legislation.
- Data collection regulations<sup>41</sup>.
- Duty of care.

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<sup>40</sup> A person is not considered to be working on the premises if none of their work is done in the part of the premises in which children are cared for, or if they do not work on the premises at times when children are there.

<sup>41</sup> Refer also to: [Victims and Prisoners Act 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

## Annex A: Criteria for effective Paediatric First Aid (PFA) training

1. Training is designed for workers caring for young children in the absence of their parents and is appropriate to the age of the children being cared for.
2. Following training an assessment of competence leads to the award of a certificate.
3. The certificate must be renewed every three years.
4. Adequate resuscitation and other equipment including baby and junior models must be provided, so that all trainees are able to practice and demonstrate techniques.
5. The **emergency PFA** course should be undertaken face-to-face<sup>42</sup> and last for a minimum of 6 hours (excluding breaks) and cover the following areas:
  - Be able to assess an emergency situation and prioritise what action to take.
  - Help a baby/child who is unresponsive and breathing normally.
  - Help a baby/child who is unresponsive and not breathing normally.
  - Help a baby/child who is having a seizure.
  - Help a baby/child who is choking.
  - Help a baby/child who is bleeding.
  - Help a baby/child who is suffering from shock caused by severe blood loss (hypovolemic shock).
6. The **full PFA** course should last for a minimum of 12 hours (excluding breaks) and cover the elements listed below in addition to the areas set out in paragraph 5 (the emergency PFA training elements outlined in paragraph 5 should be delivered face to face).
  - Help a baby/child who is suffering from anaphylactic shock.
  - Help a baby/child who has had an electric shock.
  - Help a baby/child who has burns or scalds.
  - Help a baby/child who has a suspected fracture.
  - Help a baby/child with head, neck or back injuries.
  - Help a baby/child who is suspected of being poisoned.
  - Help a baby/child with a foreign body in eyes, ears or nose.
  - Help a baby/child with an eye injury.
  - Help a baby/child with a bite or sting.
  - Help a baby/child who is suffering from the effects of extreme heat or cold.
  - Help a baby/child having: a diabetic emergency; an asthma attack; an allergic reaction; meningitis; and/or febrile convulsions.

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<sup>42</sup> Face to face means trainers are physically present with their trainees. This excludes the use of online platforms.

- Understand the role and responsibilities of the paediatric first aider (including appropriate contents of a first aid box and how to record accidents and incidents).
7. Childminders should consider whether paediatric first aiders need to undertake annual refresher training, during any three-year certification period to help maintain basic skills and keep up to date with any changes to PFA procedures.

## **Annex B: Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)**

1. In the final term of the year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile must be completed for each child. This is therefore usually undertaken by reception teachers, but on rare occasions it could be undertaken in other settings too.
2. The Profile provides parents and carers, practitioners and teachers with a well-rounded picture of a child's knowledge, understanding and abilities, their attainment against expected levels, and their readiness for year 1. The Profile must reflect practitioners' own knowledge and professional judgement of a child to inform discussions with parents and carers, and any other person whom the teacher, parent or carer judges can offer a useful contribution.
3. Each child's level of development must be assessed against the early learning goals (ELGs). Practitioners must note whether children are meeting expected levels of development, or if they are not yet reaching expected levels ('emerging').
4. Year 1 teachers must be given a copy of the Profile report. Reception teachers, or early years practitioners where the Profile has been completed for a child who has remained in an Ofsted or CMA registered early years provision, may choose to provide a short commentary on each child's skills and abilities in relation to the three key characteristics of effective teaching and learning (see paragraph 1.13). These should help inform a discussion between reception and year 1 teachers about each child's stage of development and learning needs and assist with the planning of activities in year 1.
5. Relevant providers must share the results of the Profile with parents and/or carers, and explain to them when and how they can discuss the Profile with the practitioner who completed it. For children attending more than one setting, the Profile must be completed by the setting where the child spends most time. If a child moves to a new setting during the academic year, the original setting must send their assessment of the child's level of development against the ELGs to the relevant school within 15 days of receiving a request. If a child moves during the summer term, relevant providers must agree which of them will complete the Profile.
6. The Profile must be completed for all children, including those with special educational needs or disabilities (SEND). Reasonable adjustments to the assessment process for children with SEND must be made as appropriate. Providers should consider whether they may need to seek specialist assistance to help with this.

Children will have differing levels of knowledge, skills and abilities across the Profile, and it is important that there is a full assessment of all areas of their development, to inform plans for future activities and to identify any additional support needs.

## Annex C: Early Learning Goals

1. The level of development children should be expected to have reached by the end of the EYFS is defined by the early learning goals (ELGs) as set out below.
2. The ELGs should not be used as a curriculum or in any way to limit the wide variety of rich experiences that are crucial to child development. Instead, the ELGs should support practitioners to make a holistic, best-fit judgement about a child's development at the end of the EYFS, and their readiness for year 1.
3. Practitioners working with children below reception age do not need to use the ELGs because, for the vast majority of children, the EYFSP assessment will be carried out by their school teacher at the end of the reception year. Childminders may need to use the ELGs to complete the EYFS Profile assessment for children aged 4-5 if this is not being done in reception year at school, however this is very rare.
4. When forming a judgement about whether an individual child is at the expected level of development, teachers should draw on their knowledge of the child and their own expert professional judgement. This is enough evidence to assess a child's individual level of development in relation to each of the ELGs. Sources of written or photographic evidence are not needed, and teachers are not required to record evidence.

## Communication and Language

### ELG: Listening, Attention and Understanding

Children at the expected level of development will:

- Listen attentively and respond to what they hear with relevant questions, comments and actions when being read to and during whole class discussions and small group interactions.
- Make comments about what they have heard and ask questions to clarify their understanding.
- Hold conversation when engaged in back-and-forth exchanges with their teacher and peers.

### ELG: Speaking

Children at the expected level of development will:

- Participate in small group, class and one-to-one discussions, offering their own ideas, using recently introduced vocabulary.
- Offer explanations for why things might happen, making use of

recently introduced vocabulary from stories, non-fiction, rhymes and poems when appropriate.

- Express their ideas and feelings about their experiences using full sentences, including use of past, present and future tenses and making use of conjunctions, with modelling and support from their teacher.

## **Personal, Social and Emotional Development**

### **ELG: Self-Regulation**

Children at the expected level of development will:

- Show an understanding of their own feelings and those of others and begin to regulate their behaviour accordingly.
- Set and work towards simple goals, being able to wait for what they want and control their immediate impulses when appropriate.
- Give focused attention to what the teacher says, responding appropriately even when engaged in activity, and show an ability to follow instructions involving several ideas or actions.

### **ELG: Managing Self**

Children at the expected level of development will:

- Be confident to try new activities and show independence, resilience and perseverance in the face of challenge.
- Explain the reasons for rules, know right from wrong and try to behave accordingly.
- Manage their own basic hygiene and personal needs, including dressing, going to the toilet and understanding the importance of healthy food choices.

### **ELG: Building Relationships**

Children at the expected level of development will:

- Work and play cooperatively and take turns with others.
- Form positive attachments to adults and friendships with peers.
- Show sensitivity to their own and to others' needs.

## Physical Development

### ELG: Gross Motor Skills

Children at the expected level of development will:

- Negotiate space and obstacles safely, with consideration for themselves and others.
- Demonstrate strength, balance and coordination when playing.
- Move energetically, such as running, jumping, dancing, hopping, skipping and climbing.

### ELG: Fine Motor Skills

Children at the expected level of development will:

- Hold a pencil effectively in preparation for fluent writing – using the tripod grip in almost all cases.
- Use a range of small tools, including scissors, paint brushes and cutlery.
- Begin to show accuracy and care when drawing.

## Literacy

### ELG: Comprehension

Children at the expected level of development will:

- Demonstrate understanding of what has been read to them by retelling stories and narratives using their own words and recently introduced vocabulary.
- Anticipate – where appropriate – key events in stories.
- Use and understand recently introduced vocabulary during discussions about stories, non-fiction, rhymes and poems and during role-play.

### ELG: Word Reading

Children at the expected level of development will:

- Say a sound for each letter in the alphabet and at least 10 digraphs.
- Read words consistent with their phonic knowledge by sound-blending.
- Read aloud simple sentences and books that are consistent with their phonic knowledge, including some common exception words.



## **ELG: Writing**

Children at the expected level of development will:

- Write recognisable letters, most of which are correctly formed.
- Spell words by identifying sounds in them and representing the sounds with a letter or letters.
- Write simple phrases and sentences that can be read by others.

## **Mathematics**

### **ELG: Number**

Children at the expected level of development will:

- Have a deep understanding of number to 10, including the composition of each number.
- Subitise (recognise quantities without counting) up to 5.
- Automatically recall (without reference to rhymes, counting or other aids) number bonds up to 5 (including subtraction facts) and some number bonds to 10, including double facts.

### **ELG: Numerical Patterns**

Children at the expected level of development will:

- Verbally count beyond 20, recognising the pattern of the counting system.
- Compare quantities up to 10 in different contexts, recognising when one quantity is greater than, less than or the same as the other quantity.
- Explore and represent patterns within numbers up to 10, including evens and odds, double facts and how quantities can be distributed equally.

## **Understanding the World**

### **ELG: Past and Present**

Children at the expected level of development will:

- Talk about the lives of the people around them and their roles in society.
- Know some similarities and differences between things in the past and now, drawing on their experiences and what has been read in class.

- Understand the past through settings, characters and events encountered in books read in class and storytelling.

## **ELG: People, Culture and Communities**

Children at the expected level of development will:

- Describe their immediate environment using knowledge from observation, discussion, stories, non-fiction texts and maps.
- Know some similarities and differences between different religious and cultural communities in this country, drawing on their experiences and what has been read in class.
- Explain some similarities and differences between life in this country and life in other countries, drawing on knowledge from stories, non-fiction texts and – when appropriate – maps.

## **ELG: The Natural World**

Children at the expected level of development will:

- Explore the natural world around them, making observations and drawing pictures of animals and plants.
- Know some similarities and differences between the natural world around them and contrasting environments, drawing on their experiences and what has been read in class.
- Understand some important processes and changes in the natural world around them, including the seasons and changing states of matter.

## **Expressive Arts and Design**

### **ELG: Creating with Materials**

Children at the expected level of development will:

- Safely use and explore a variety of materials, tools and techniques, experimenting with colour, design, texture, form and function.
- Share their creations, explaining the process they have used.
- Make use of props and materials when role playing characters in narratives and stories.

## **ELG: Being Imaginative and Expressive**

Children at the expected level of development will:

- Invent, adapt and recount narratives and stories with peers and their teacher.
- Sing a range of well-known nursery rhymes and songs.
- Perform songs, rhymes, poems and stories with others, and – when appropriate – try to move in time with music.

## **Information to be provided to the local authority**

Early years providers must report EYFS Profile results to local authorities, upon request.<sup>43</sup> Local authorities are under a duty to return this data to the relevant Government department.

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<sup>43</sup> Childcare (Provision of Information about Young Children (England) Regulations 2009.



Department  
for Education

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