

EYFS statutory framework for group and school-based providers:

Effective: 4 January 2024

Audit of **musts** to be used in conjunction with the Statutory Framework for the Early Years Foundation Stage (EYFS) 2024. Please refer to the EYFS Statutory Framework document when completing this audit.

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 the framework. The framework uses the word **must** where the requirement is mandatory. Some of the items in the framework provide information that providers **should** take into account when delivering the requirements and **should** not ignore them without a good reason.

	Section 1 – The learning and development requirements	Checked
1.1	This section defines what providers 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 early years' experience contributes positively to their brain development and readiness for Key Stage 1... Early years providers must guide the development of children's capabilities to help ensure that children in their care will fully benefit from future opportunities.	
	The areas of learning and development	Checked
1.4	There are seven areas of learning and development that set out what providers must teach the children in their settings. All areas of learning are important and inter-connected.	
1.5	Three areas are particularly important for building a foundation for igniting children's curiosity and enthusiasm for learning, forming relationships and thriving. These are the prime areas: communication and language, physical development and personal, social and emotional development.	

1.6	Providers 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 and expressive arts and design.	
	Educational programmes	Checked
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...	
	Early learning goals	
1.7	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.	
1.8	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.	
1.9	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.	
1.11	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...	
	Learning and Development Considerations	Checked
1.12	Providers 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...	

	Acting on concerns	Checked
1.13	Throughout the early years, if a provider is worried about a child's progress in any prime area, providers must discuss this with the child's parents and / or carers and agree how to support the child. Providers 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	Checked
1.14	For children whose home language is not English, providers may take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development in play and learning, supporting their language development at home.	
1.15	Providers 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, practitioners must assess children's skills in English. If a child does not have a strong grasp of English language, providers 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	Checked
1.16	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 which is guided by adults. Practitioners need to decide what they want children to learn in their setting, and the most effective way to teach it. Practitioners 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.	
1.17	As children grow older and move into the reception year, 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.	

1.18	<p>In planning and guiding what children learn, practitioners must reflect on the different rates at which children are developing and adjust their practice appropriately. Three characteristics of effective teaching and learning are:</p> <ul style="list-style-type: none"> • 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	Checked
1.19	<p>All children deserve high-quality early education and care. This requires a quality workforce. A well-trained, skilled provider can help every child achieve the best possible educational outcomes ...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.</p>	
	Curriculum guidance	Checked
1.15	<p>Development Matters - GOV.UK (www.gov.uk) government curriculum guidance for the EYFS, can support providers to deliver the EYFS learning and development requirements. It can be used as an effective early years curriculum. This guidance is non-statutory ... It is up to providers to decide how they deliver the learning and development requirements.</p>	
	Section 2 – Assessment	Checked
2.1	<p>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 group and school-based providers must meet, as well as guidance on assessment.</p>	
2.2	<p>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, practitioners should draw on their</p>	

	knowledge of the child and their own expert professional judgement. Providers are not required to prove this through collection of any physical evidence.	
2.3	Practitioners should keep parents and / or carers up to date on their child's progress and development. Practitioners should address any learning and development needs in partnership with parents and / or carers, and any relevant professionals.	
2.4	Assessment should inform an ongoing dialogue between practitioners and year 1 teachers about each child's learning and development, to support a successful transition to Key Stage 1.	
	Ongoing assessment	Checked
2.5	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, providers 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	Checked
2.6	When a child is aged between two and three, providers must review their progress, and provide parents and/or carers with a short-written summary of their child's development in the prime areas.	
2.7	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.	
2.8	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 provider intends to adopt to address any issues or concerns. This plan should involve parents and carers and other professionals (e.g. the SENCo or the health professionals) as appropriate.	
2.9	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. Providers 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 - GOV.UK (www.gov.uk) is available to support providers in completing the progress check.	
2.10	Practitioners 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 transfer to. Practitioners 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 educational professionals to identify strengths as well as any developmental delay and any particular support from which they think the child/family might benefit. Providers must have the consent of parents and/or carers to share information directly with other relevant professionals.	
	Assessment at the start of the reception year – the Reception Baseline Assessment (RBA)	Checked
2.11	The Reception Baseline Assessment (RBA) is a short assessment, taken in the first six weeks in which a child starts reception. This information is therefore only relevant to reception teachers in school-based provision.	
2.12	The statutory guidance for the administration of the RBA is set out in Annex B. The guidance covers all intakes in reception within an academic year including during autumn, spring and summer terms.	

	Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)	Checked
2.13	In the final term of the year in which the child reaches age five, and no later than 30th 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. A provider other than a reception teacher 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.	
2.14	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 adults whom the teacher, parent or carer judges can offer a useful contribution.	
2.15	Each child’s level of development must be assessed against the early learning goals. Practitioners must note whether children are meeting expected levels of development, or if they are not yet reaching expected levels (“emerging”).	
2.16	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 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 1.18). 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.	
2.17	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 early learning goals 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.	

2.18	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...	
Information to be provided to the local authority		Checked
2.19	Early years providers must report EYFS Profile results to local authorities, upon request. Local authorities are under a duty to return this data to the relevant Government department.	

Sections 3 – The Safeguarding and Welfare Requirements (2024)

	Introduction	Checked
3.2	This section of the framework sets out the safeguarding and welfare requirements providers must meet. They are designed to help providers create a high quality, welcoming, and safe setting where children can enjoy learning and grow in confidence.	
3.3	Providers must take all necessary steps to keep children safe and well. The requirements in this section explain what providers must do to: safeguard children; ensure the adults who have contact with children are suitable; promote good health; support and understand behaviour; maintain records, policies and procedures.	

	Safeguarding policies and procedure	Checked
3.4 & 3.5	In every setting, a practitioner must be designated to take lead responsibility for safeguarding children. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSP (Local Safeguarding Partners). All practitioners must be alert to any issues of concern in the child's life at home or elsewhere.	
3.6	Providers must have and implement policies and procedures to keep children safe and meet EYFS requirements. Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing policy. Where providers are required to have policies and procedures as specified below, these policies and procedures should be recorded in writing. Policies and procedures should be in line with the guidance and procedures of the relevant LSP.	
3.7	Safeguarding policies must include: <ul style="list-style-type: none"> • 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 a member of staff. • How mobile phones, cameras and other electronic devices with imaging and sharing capabilities are used in the setting. Providers may find it helpful to read Safeguarding children and protecting professionals in early years settings: online safety considerations - GOV.UK (www.gov.uk)	
	Concerns about children's safety and welfare	Checked
3.8	If providers have concerns about children'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. Providers must also take into account the government's statutory guidance Working together to safeguard children - GOV.UK (www.gov.uk) and Prevent duty guidance: England and Wales (2023) - GOV.UK (www.gov.uk) . All schools are required to have regard to the government's statutory guidance, and other childcare providers may also find it helpful to read this guidance. Keeping children safe in education - GOV.UK (www.gov.uk)	

3.9	Registered providers must inform Ofsted, or the agency with which a provider of CoDP is registered, 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. Registered providers must also notify Ofsted/ their agency of the action they have taken in response to the allegations. Ofsted/the agency must be notified as soon as is reasonably practicable, but in any event within 14 days of the allegations being made. A registered provider who, without a reasonable excuse, fails to do this commits an offence.	
	Suitable people	Checked
3.10	Providers must ensure that people looking after children are suitable; they must have the relevant qualifications, training and have passed any required checks to fulfil their roles. Providers must take appropriate steps to verify qualifications, including in cases where physical evidence cannot be produced. Providers must also ensure that any person who may have regular contact with children (for example, someone living or working on the same premises the early years provision is provided), is suitable	
3.12	Registered group and school-based providers, except CoDP providers, must obtain an enhanced criminal records check for every person aged 16 and over (including for unsupervised volunteers, and supervised volunteers who provide personal care ¹¹) who: <ul style="list-style-type: none"> • Works directly with children. • Lives on the premises on which the childcare is provided (unless there is no access to the part of the premises when and where children are cared for) and/or • Works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present). 	
3.13	An additional criminal records check (or checks if more than one country) should also be made for anyone who has lived or worked abroad	
3.14	Providers must tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at	

	the setting). Providers must not allow anyone whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for.	
3.15	Providers must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records check reference number, the date a check was obtained and details of who obtained it).	
3.16	Providers are required to make a referral to the Disclosure and Barring Service if a member of staff 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.	
	Disqualification	Checked
3.17	A provider or a practitioner may be disqualified from registration. Providers may find guidance about disqualification under the Childcare Act 2006 helpful. If a provider is disqualified, they must not continue as an early years provider or be directly involved in the management of any early years provision. When a person is disqualified, providers must not employ that person in connection with early years provision.	
3.18	A registered provider must notify Ofsted, or the agency with which a provider of CoDP is registered, 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 employee could be an example of a significant event.	
3.19	The registered provider must give Ofsted, or the agency with which a provider of CoDP is registered, the following information about themselves or about any person who lives or is employed in the same household as the registered provider: <ul style="list-style-type: none"> • 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	A setting's registered person must provide this information to Ofsted/the agency as soon as reasonably practicable, but, in any event within 14 days of the date the provider became aware of the information or should have reasonably become aware of it if they had made reasonable enquiries.	
3.21	If a provider becomes aware of relevant information that may lead to an employee being disqualified, the provider must take appropriate action to ensure the safety of children.	
	Staff taking medication / other substances	Checked
3.22	Staff members 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. Practitioners 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	Checked
3.23	Providers 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 providers should consider Use of e-cigarettes in public places and workplaces - GOV.UK (www.gov.uk)	
	Qualifications, training, support and skills	Checked
3.24	Providers must follow their legal responsibilities under the Equality Act 2010 including the fair and equal treatment of practitioners regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.	
	Safeguarding training	Checked

3.25	<p>Providers must train all staff to understand their safeguarding policy and procedures and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:</p> <ul style="list-style-type: none"> • Significant changes in children's behaviour. • 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 practitioners, 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 - GOV.UK (www.gov.uk). <p>Providers may find it helpful to read Child abuse concerns: guide for practitioners - GOV.UK (www.gov.uk)</p>	
3.26	<p>The lead practitioner must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described at paragraph 3.8).</p>	
	Training and skills	Checked
3.27	<p>Providers must ensure that all staff 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. Providers must support staff to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves.</p>	
	Supervision of staff	
3.28	<p>Providers must put appropriate arrangements in place for the supervision of staff who have contact with children and families. Effective supervision provides support, coaching, and training for the practitioner and promotes the interests</p>	

	of children. Supervision should foster a culture of mutual support, teamwork, and continuous improvement, which encourages the confidential discussion of sensitive issues.	
3.29	Supervision should provide opportunities for staff to: <ul style="list-style-type: none"> • Discuss any issues – particularly concerning children’s development or wellbeing, including child protection concerns. • Identify solutions to address issues as they arise. • Receive coaching to improve their personal effectiveness. 	
	Paediatric first aid	Checked
3.30	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 must be renewed every three years and be relevant for people caring for young children and babies.	
3.31	Providers should take into account the number of children, staff, and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly.	
3.32	All staff who obtained a level 2 and/or level 3 qualification since 30 June 2016 must obtain a PFA qualification within three months of starting work in order to be included in the required staff:child ratios at level 2 or level 3 in an early years setting. To continue to be included in the ratio requirement the certificate must be renewed every 3 years.	
3.33	Providers should display (or make available to parents) staff PFA certificates or a list of staff who have a current PFA certificate.	
	English language skills	Checked
3.34	Providers must ensure that staff have sufficient understanding and use of English to ensure the well-being of children in their care. For example, settings must be able to: <ul style="list-style-type: none"> • Keep records in English. • Liaise with other agencies in English. • Summon emergency help. • Understand instructions. For example, about the safety of medicines or food hygiene. 	

	Key person	Checked
3.35	Each child must be assigned a key person. 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	Checked
3.36	Staffing arrangements must meet the needs of all children and ensure their safety. Providers must ensure that children are adequately supervised, including whilst eating, and decide how to use staff to ensure children's needs are met. Providers must inform parents and/or carers about how staff are organised, and, when relevant and practical, aim to involve them in these decisions.	
3.37	Children must usually be within sight and hearing of staff and always within sight or hearing. Whilst eating, children must be within sight and hearing of a member of staff.	
3.38	In settings on the early years register, the manager of the setting must hold an approved qualification of level 3 or above and at least half of all other staff must hold at least an approved level 2 qualification. Managers appointed on or after 1 January 2024 must have already achieved a suitable level 2 qualification in maths or must do so within two years of starting in the position. Managers are responsible for ensuring staff have the right level of maths knowledge to effectively deliver the EYFS curriculum. Managers should have at least two years' experience of working in an early years setting, or have at least two years' other suitable experience. The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the manager's absence.	
3.39	To count within the ratios at level 3, staff holding an Early Years Educator qualification must also have achieved a suitable level 2 qualification in English. An approved qualification is defined by the Department for Education as	

	meeting the criteria set out in the Early years qualification requirements and standards (publishing.service.gov.uk) . Approved qualifications will be published on the Early Years Qualifications List published on GOV.uk.	
3.40	The ratio requirements below apply to the total number of staff available to work directly with children. Exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made. For settings providing overnight care, the relevant ratios continue to apply and at least one member of staff must be awake at all times.	
3.41	For children aged under two: • There must be at least one member of staff for every three children. • At least one member of staff must hold an approved level 3 qualification and be suitably experienced in working with children under two. • At least half of all staff must hold an approved level 2 qualification. • At least half of all staff must have received training that specifically addresses the care of babies. • Where there is a room for under two-year-olds, the member of staff in charge of that room must , in the judgement of the provider, have suitable experience of working with under twos.	
3.42	For children aged two • There must be at least one member of staff for every five children. • At least one member of staff must hold an approved level 3 qualification. • At least half of all staff must hold an approved level 2 qualification.	
3.43	For children aged three and over in registered early years provision at any time where a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status, or another approved level 6 qualification is working directly with children: • There must be at least one member of staff for every 13 children. • At least one other member of staff must hold an approved level 3 qualification.	
3.44	For children aged three and over in registered early years provision where a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status, or another approved level 6 qualification is not working directly with children: • There must be at least one member of staff for every eight children. • At least one other member of staff must hold an approved level 3 qualification. • At least half of all other staff must hold an approved level 2 qualification.	

3.45	<p>For children aged three and over in independent schools (including in nursery classes in free schools and academies) where a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another approved level 6 qualification, an instructor, or another suitably qualified overseas trained teacher, is working directly with children: • For classes where the majority of children will reach the age of five or older within the school year, there must be at least one member of staff for every children. • For all other classes there must be at least one other member of staff for every 13 children. • At least one other member of staff must hold an approved level 3 qualification.</p>	
3.46	<p>For children aged three and over in independent schools (including in nursery classes in free schools and academies) where there is no person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another approved level 6 qualification, no instructor, and no suitably qualified overseas trained teacher, working directly with children: • There must be at least one member of staff for every eight children. • At least one member of staff must hold an approved level 3 qualification. • At least half of all other staff must hold an approved level 2 qualification.</p>	
3.47	<p>For children aged three and over in maintained nursery schools and nursery classes in maintained schools • There must be at least one member of staff for every 13 children. • At least one member of staff must be a schoolteacher as defined by section 122 of the Education Act 2002 • At least one other member of staff must hold an approved level 3 qualification.</p>	
3.48	<p>Reception classes in maintained schools and academies are subject to infant class size legislation, which is limited to 30 pupils per schoolteacher (subject to permitted exceptions) while an ordinary teaching session is conducted. ‘School teachers’ do not include teaching assistants, higher level teaching assistants, or other support staff. Consequently, in an ordinary teaching session, a school must employ sufficient schoolteachers to enable it to teach its infant classes in groups of no more than 30 per schoolteacher.</p>	

3.49	Some schools may choose to mix their reception classes with groups of younger children (for example, nursery pupils, non-pupils, or younger children from a registered provider). In such cases they must determine ratios within mixed groups, guided by all relevant ratio requirements and by the needs of individual children within the group. In exercising this discretion, the school must comply with the statutory requirements relating to the education of children of compulsory school age and infant class sizes. Schools' partner providers must meet the relevant ratio requirements for their provision.	
Before/after school care and holiday provision		Checked
3.51	Where the provision is solely before/after school care or holiday provision for children who normally attend reception class (or older) during the school day, there must be sufficient staff as for a class of 30 children. the learning and development requirements for providers offering care exclusively before/after school or during the school holidays...	
Health		Checked
Medicines		
3.52	Providers must promote the good health, including the oral health, of the children they look after.	
3.53	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.	
3.54	Providers 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. Staff 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).	
3.55	Medicine (both prescription and non-prescription ²³) 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. Providers 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	Checked
3.56	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 provider 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. Providers must record and act on information from parents and carers about a child's dietary needs.	
	Food and drink facilities	Checked
3.57	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 preparation of food for children, if necessary, including suitable sterilisation equipment for babies' food. Providers must be confident that they, or any assistants responsible for preparing and handling food, are competent to do so. All staff involved in preparing and handling food must receive training in food hygiene. Section 4 of Example menus for early years settings in England - GOV.UK (www.gov.uk) includes guidance on menu planning, food safety, managing food allergies and reading food labels, which staff preparing food will find helpful in ensuring that children are kept safe.	
	Food poisoning	Checked
3.58	Registered providers must notify Ofsted, or the agency with which a provider of CoDP is registered, 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 registered provider who, without reasonable excuse, doesn't meet this requirement commits an offence.	

	Supporting and understanding children's behaviour	Checked
3.59	Providers are responsible for supporting, understanding, and managing children's behaviour in an appropriate way.	
3.60	Providers must not give or threaten corporal punishment or any punishment which could negatively affect a child's well-being. Providers 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 care is provided. Any early years provider who does not 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 ⁴² 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.	
3.61	Providers 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	Checked
3.62	Providers must have arrangements in place to support children with Special Education Needs and Disabilities (SEND). Maintained schools, maintained nursery schools and all providers who are funded by the local authority to deliver early education places must take into account the Special Educational Needs Code of Practice. Maintained schools and maintained nursery schools must identify a member of staff to act as Special Educational Needs Co-ordinator (SENCO) and other providers (in group provision) are expected to identify a SENCO. Providers may find it helpful to familiarise themselves with the early years section of the SEND Code of Practice .	

	Safety and suitability of premises, environment and equipment Please refer to the EYFS Statutory Framework when completing this section.	
	Accident or injury	Checked
3.63	Providers must ensure a first aid box with appropriate items for use on children is always accessible. Providers must keep a written record of accidents or injuries and first aid treatment. Providers 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, of any first aid treatment given.	
3.64	Registered providers must notify Ofsted, or the agency with which a provider of CoDP is registered, 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 registered provider who, without reasonable excuse, does not meet this requirement commits an offence. Providers 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	Checked
3.65	Providers 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. Providers must comply with requirements of health and safety legislation, including fire safety and hygiene requirements.	
3.66	Providers 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. Providers must have: <ul style="list-style-type: none"> • 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 are free of obstruction and easily opened from the inside.	

	Indoor space requirements	Checked
3.67	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 ² per child. • Two-year-olds: 2.5m ² per child. • Children aged three to five years: 2.3m ² per child.	
	Outdoor access	Checked
3.69	Providers 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). Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments).	
	Sleeping arrangements	Checked
3.70	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) Practitioners may also find it helpful to read NHS advice on safety of sleeping children: Reduce the risk of sudden infant death syndrome (SIDS) - NHS (www.nhs.uk)	
	Baby room	Checked
3.71	There should be a separate baby room for children under the age of two. However, providers must ensure that children in a baby room have contact with older children and are moved into the older age group when appropriate.	
	Toilets and intimate hygiene	Checked

3.72	Providers 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	Checked
3.73	Providers must ensure: • There is an area where staff may talk to parents and/or carers confidentially. • There is an area for staff to take breaks away from areas being used by children. • Children are only released into the care of individuals of whom the parent has explicitly notified the provider. • Children do not leave the premises unsupervised. • They take all reasonable steps to prevent unauthorised persons entering the premises and have an agreed procedure for checking the identity of visitors. • They consider what additional measures are necessary when children stay overnight.	
	Insurance	Checked
3.74	Providers must carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childcare.	
	Safety on outings	Checked
3.75	Children must be kept safe while on outings. Providers 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 adult to child ratios. The risk assessment does not necessarily need to be in writing; this is up to providers.	
3.76	Vehicles transporting children, and the driver of those vehicles, must be adequately insured.	
	Risk assessment	Checked

3.77	Providers 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. Providers must determine where 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	Checked
3.78	Providers 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. Providers 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, providers should incorporate parents' and/or carers' comments into children's records.	
3.79	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. Providers must be aware of their responsibilities under the Data Protection Legislation and, where relevant, the Freedom of Information Act 2000.	
3.80	Providers 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.	
3.81	Records relating to individual children must be retained for a reasonable period of time after they have left the provision.	
	Information about the child	Checked

3.82	Providers 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 provider. • 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	Checked
3.83	Providers 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 provider 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 provider in an emergency.	
	Complaints	Checked
3.84	Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers, and must keep a written record of any complaints, and their outcome. All providers 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 a record of complaints available to Ofsted, or the agency with which a provider of CoDP is registered, on request.	
3.85	Providers must make available to parents and/or carers the details about how to contact Ofsted, or the agency with which a provider of CoDP is registered, if they believe the provider is not meeting the EYFS requirements.	

	Inspections and quality assurance visits	Checked
3.86	If providers become 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, providers must supply a copy of the report to parents and/or carers of children attending on a regular basis.	
	Information about the provider	Checked
3.87	Providers must hold the following documentation: • Name, home address and telephone number of the provider 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. • Their certificate of registration (which must be displayed at the setting and shown to parents and/or carers on request).	
	Changes that must be notified to Ofsted	Checked
3.88	All registered early years providers must notify Ofsted of any change: • In the address of the premises (and seek approval to operate from those premises where appropriate). • 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 provider, or the provider's other contact information. • To the person who is managing the early years provision 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 early years provider to look after children. • Any significant event which is likely to affect the suitability of any person who cares for/is in regular contact with children on the premises. • Where the early years provision is provided by a company, any change in the name or registered number of the company. • Where the early years provision is provided by a charity, any change in the name or registration number of the charity. • Where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the "nominated individual". • Where the childcare is provided by a partnership, body corporate or unincorporated	

	association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body.	
3.89	Where providers are required to notify Ofsted about a change of person except for managers, as specified in paragraph 3.88 above, providers must give Ofsted the new person's name, any former names or aliases, date of birth, and home address. If there is a change of manager, providers must notify Ofsted that a new manager has been appointed. Where it is reasonably practical to do so, this must be done in advance of the change happening. In other cases, this must be made as soon as is reasonably practical but, in any event, within 14 days. A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence.	
3.90	Please note that where providers of CoDP are registered with a CMA the above notifications should be given to their CMA, not Ofsted.	
	Other legal duties	Checked
3.91	The EYFS requirements sit alongside other legal obligations and do not supersede or replace any other legislation which providers must still meet. For example, where provision is taking place in maintained schools there is other legislation in place with which headteachers, teachers and other practitioners must comply with. Other duties on providers include: • Employment laws. • Anti-discriminatory legislation. • Health and safety legislation. • Data collection regulations. • Duty of care.	