

EYFS Statutory Framework

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SECTION 1 - INTRODUCTION

Purpose and aims

1. Every child deserves the best possible start in life and the support to fulfil their potential. A child's experience in the early years has a major impact on their future life chances. A secure, safe and happy childhood is important in its own right, and it provides the foundation for children to make the most of their talents as they grow up. When parents choose to use early years services they want to know that provision will keep their children safe and help support them to thrive. The Early Years Foundation Stage (EYFS) is the framework that provides that assurance.

2. The overarching aim of the EYFS is to help young children achieve the five *Every Child Matters* outcomes of staying safe, being healthy, enjoying and achieving, making a positive contribution, and achieving economic well-being by:

- **setting the standards** for the learning, development and care young children should experience when they are attending a setting outside their family home, ensuring that every child makes progress and that no child gets left behind;
- **promoting equality of opportunity** and anti-discriminatory practice and ensuring that every child is included and not disadvantaged because of ethnicity, culture or religion, home language, family background, learning difficulties or disabilities, gender or ability;
- **creating the framework for partnership working** between parents and professionals, and between all the settings that the child attends;
- **improving quality and consistency** in the early years sector through setting a universal set of standards which apply to all settings, ending the distinction between care and learning in the existing frameworks, and providing the basis for the inspection and regulation regime; and
- **laying a secure foundation for future learning** through learning and development which is planned around the individual needs of the child, and informed by the use of ongoing observational assessment.

Context and legal responsibilities

3. The EYFS is part of a comprehensive package flowing from the ten year childcare strategy *Choice for parents, the best start for children* and the landmark Childcare Act 2006. The Act provides the context for the delivery of the EYFS and taken together with the other elements of the strategy, the EYFS will be central to the delivery of the new duties on improving outcomes and reducing inequalities.

4. The EYFS builds on the significant recent developments in early years curriculum and standards. Practitioners will recognise continuity with the

principles, pedagogy and approach of the *Curriculum Guidance for the Foundation Stage*, the *Birth to Three Matters* framework, and the *National Standards for Under 8s Day Care and Childminding*. These three frameworks are replaced by the EYFS and will be repealed.

5. The EYFS will be given legal force through an Order and Regulations made under the Childcare Act 2006. From September 2008 it will be mandatory for all schools and providers in Ofsted registered settings attended by young children – that is children from birth to end of the academic year in which a child has his or her fifth birthday. The term “early years provider” includes maintained schools, non-maintained schools, independent schools, and childcare registered by Ofsted on the Early Years Register, all of which are required to meet the EYFS requirements.

6. It is the legal responsibility of these providers to ensure that their provision meets the learning and development requirements, and complies with the welfare regulations, as required by section 40 of the Childcare Act 2006.

About this document

7. This document forms part of the statutory framework for the EYFS. It sets out the learning and development requirements (the early learning goals; the educational programmes; and the assessment arrangements) in Section 2 and the welfare requirements (safeguarding and promoting children’s welfare; suitable people; suitable premises, equipment and environment; organisation; and documentation) in Section 3. The learning and development requirements are given legal force by the Early Years Foundation Stage (Learning and Development Requirements) Order 2007 made under section 39 (1) (a) of the Childcare Act 2006. The welfare requirements are given legal force by Regulations made under section 39 (1) (b) of the Childcare Act 2006. Together, the Order, the Regulations and the Statutory Framework document make up the legal basis of the EYFS. This document has statutory basis by virtue of section 44(1) of the Childcare Act 2006.

8. Providers must ensure that their early years provision complies with the learning and development requirements, and the welfare requirements. In addition, this document contains statutory guidance issued pursuant to Section 44 (4) of the Childcare Act 2006. All providers must have regard to this guidance, which means they must take it into account and, if they decide to depart from it, they must have clear reasons for doing so and be able to demonstrate to the Chief Inspector of Schools in England (Ofsted) that their alternative approach achieves the same ends as the guidance conveys.

9. This document is referred to as the EYFS Statutory Framework and is part of a package of materials which comprise:

- this document (legal requirements including the Learning and Development Requirements Order and the Welfare Regulations and statutory guidance);

- EYFS Practice Guidance (contains the learning and development grids, non-statutory guidance, additional advice and information); and
- EYFS resources for providers and practitioners (CD-ROM, poster and Principles into Practice cards).

A Principled Approach

10. The EYFS principles which guide the work of all practitioners are grouped into four distinct but complementary themes, as set out below:

- A Unique Child
- Positive Relationships
- Enabling Environments
- Learning and Development

11. These four guiding themes underpin effective practice in the EYFS, put the requirements into context, and describe how practitioners should support the development, learning and care of young children. Each theme is supported by four commitments which describe how the principles can be put into practice, and these are expanded on in the EYFS Principles into Practice cards.

12. The four themes also underpin the five aspirations set out in paragraph two which tie into the *Every Child Matters* Outcomes.

Setting the standards

13. The EYFS sets the standards for providers to enable them to reflect the experience which many parents give their children at home. As parents do, providers should deliver individualised learning, development and care which enhances their child's development and gives them the best possible start in life. Every child should be supported individually to make progress at their own pace and children who need extra support to fulfil their potential should receive special consideration. All providers have an equally important role to play in children's early years experiences – for example a childminder who sees a child for two hours a day should consider what a child's individual needs are at that time of day, and ensure that the provision they deliver is both appropriate to those needs and complementary to the education and care which the child receives in its other setting(s). All types of providers have the potential to deliver the EYFS to an excellent standard.

Providing for equality of opportunity

14. Providers have a responsibility to promote positive attitudes to diversity and difference – not only so that every child is included and not disadvantaged, but also so that they learn from the earliest age to value diversity in others and grow up making a positive contribution to society in this respect. Practitioners should focus on each child's individual learning, development and care needs:

- removing or helping to overcome barriers for children where these already exist;
- the early identification of and response to needs which could lead to development of difficulties; and
- stretching and challenging all children.

15. All children, irrespective of ethnicity, culture or religion, home language, family background, learning difficulties or disabilities, gender or ability have the opportunity to experience a challenging and enjoyable programme of learning and development.

Creating the framework for partnership working

16. Partnership working underpins successful delivery of the entire EYFS. Many children will receive education and care in more than one setting and in these cases practitioners must ensure effective continuity and coherence by sharing relevant information both with each other and with parents. Patterns of attendance should be a key factor in practitioners' planning. Early years practitioners also have a vital role to play in working with parents to identify learning needs and to respond quickly to any area of particular difficulty. It will regularly be appropriate for practitioners to work together with professionals from other agencies, such as local and community health services, or where children are in care to identify needs and use their knowledge and advice to provide the best learning opportunities and environments for all children.

Improving quality and consistency

17. The EYFS brings together and simplifies the learning and development and welfare requirements, in addition to ending the distinction between care and learning and between birth-to-three and three-to-five provision. Most requirements are applicable to all types of setting so that, wherever they send their children, parents can be assured that they can expect the same standards. We also believe that the revised ratio requirements for 3 and 4 year olds will help to drive up standards by providing an incentive to improve the qualifications of those caring for children.

Laying a secure foundation for future learning

18. It is crucial to their future success that children have a secure foundation for learning throughout their school years and beyond so that they can achieve their maximum potential. Practitioners must be sensitive to the individual development of each child to ensure that the activities they undertake are suitable for their stage of development. Children need to be stretched, but not pushed beyond their capabilities, so that they can continue to enjoy learning. The keys to achieving this are:

- ongoing observational assessment which informs planning for each child's continuing development through play-based activities;

- a flexible approach that responds quickly to children’s learning and development needs; and
- coherence of learning and development across different settings and related to the child’s experience at home.

SECTION 2 – THE LEARNING AND DEVELOPMENT REQUIREMENTS

Overview of the learning and development requirements

19. Children are competent learners from birth and develop and learn in a wide variety of ways. All practitioners should, therefore, look carefully at the children in their care, consider their needs, their interests, their stages of development and use all of this information to help plan a challenging and enjoyable experience across the areas of learning and development.

20. The learning and development requirements comprise three elements:

- the early learning goals – the knowledge, skills and understanding which young children should have acquired by the end of the academic year in which they reach age 5 (young children);
- the educational programmes – the matters, skills and processes which are required to be taught to young children; and
- the assessment arrangements – the arrangements for assessing young children to ascertain their achievements.

21. There are six areas covered by the early learning goals and educational programmes:

- personal, social and emotional development
- communication, language and literacy
- problem solving, reasoning and numeracy
- knowledge and understanding of the world
- physical development, and
- creative development

22. None of these areas of learning and development can be delivered in isolation from the others. They are equally important and depend on each other to support a rounded approach to child development. All the areas must be delivered through planned, purposeful play, with a balance of adult-led and child-initiated activities.

The early learning goals and educational programmes

23. The statutory early learning goals (detailed below) establish expectations for most children to reach by the end of the EYFS. They provide the basis for planning throughout the EYFS, so laying secure foundations for future learning. By the end of the EYFS, some children will have exceeded the goals. Other children, depending on their individual needs, will be working towards some or all of the goals – particularly some younger children, some children with learning difficulties and disabilities and some learning English as an additional language. Detailed guidance on the early learning goals and how to work with children to achieve them is set out in the EYFS Practice

Guidance. The section below lists the education programmes followed by the early learning goals for each of the six areas of learning.

Personal, Social and Emotional Development

Educational programme

24. Children must be provided with experiences and support which will help them to develop a positive sense of themselves and of others; respect for others; social skills; and a positive disposition to learn. Providers must ensure support for children's emotional well-being to help them to know themselves and what they can do.

Early learning goals

- Continue to be interested, excited and motivated to learn.
- Be confident to try new activities, initiate ideas and speak in a familiar group.
- Maintain attention, concentrate, and sit quietly when appropriate.
- Dress and undress independently and manage their own personal hygiene.
- Select and use activities and resources independently.
- Form good relationships with adults and peers.
- Work as part of a group or class, taking turns and sharing fairly, understanding that there needs to be agreed values and codes of behaviour for groups of people, including adults and children, to work together harmoniously.
- Understand that people have different needs, views, cultures and beliefs that need to be treated with respect.
- Understand that they can expect others to treat their needs, views, cultures and beliefs with respect.
- Respond to significant experiences, showing a range of feelings when appropriate.
- Have a developing awareness of their own needs, views and feelings, and be sensitive to the needs, views and feelings of others.
- Have a developing respect for their own cultures and beliefs and those of other people.
- Understand what is right and wrong and why.
- Consider the consequences of their words and actions for themselves and others.

Communication, Language and Literacy

Educational programme

25. Children's learning and competence in communicating, speaking and listening, being read to and beginning to read and write must be supported. They must be provided with opportunity and encouragement to use their skills in a range of situations and for a range of purposes, and be supported in developing the confidence and disposition to do so.

Early learning goals

- Interact with others, negotiating plans and activities and taking turns in conversation.
- Extend their vocabulary, exploring the meanings and sounds of new words.
- Speak clearly and audibly with confidence and control and show awareness of the listener, for example, by their use of conventions such as greetings, “please” and “thank you”.
- Use language to imagine and recreate roles and experiences.
- Use talk to organise, sequence and clarify thinking, ideas, feelings and events.
- Hear and say sounds in words in the order in which they occur.
- Link sounds to letters, naming and sounding the letters of the alphabet.
- Show an understanding of the elements of stories, such as main character, sequence of events, and openings, and how information can be found in non-fiction texts to answer questions about where, who, why and how.
- Use their phonic knowledge to read simple regular words and make phonetically plausible attempts at more complex words.
- Explore and experiment with sounds, words and texts.
- Read a range of familiar and common words and simple sentences independently.
- Know that print carries meaning and, in English, is read from left to right and top to bottom.
- Attempt writing for different purposes, using features of different forms such as lists, stories and instructions.
- Write their own names and other things such as labels and captions and begin to form simple sentences, sometimes using punctuation.
- Use a pencil and hold it effectively to form recognisable letters, most of which are correctly formed.
- Enjoy listening to and using spoken and written language, and readily turn to it in their play and learning.
- Sustain attentive listening, responding to what they have heard by relevant comments, questions or actions.
- Listen with enjoyment, and respond to stories, songs and other music, rhymes and poems and make up their own stories, rhymes and poems
- Retell narratives in the correct sequence, drawing on language patterns of stories.
- Use their phonic knowledge to write simple regular words and make phonetically plausible attempts at more complex words.

Problem Solving, Reasoning and Numeracy

Educational programme

26. Children must be supported in developing their understanding of problem solving, reasoning and numeracy in a broad range of contexts in which they can explore, enjoy, learn, practise and talk about their developing

understanding. They must be provided with opportunities to practise these skills and to gain confidence and competence in their use.

Early learning goals

- Say and use number names in order in familiar contexts.
- Count reliably up to 10 everyday objects.
- Recognise numerals 1 to 9.
- Use developing mathematical ideas and methods to solve practical problems.
- In practical activities and discussion, begin to use the vocabulary involved in adding and subtracting.
- Use language such as 'more' or 'less' to compare two numbers.
- Find one more or one less than a number from one to 10.
- Begin to relate addition to combining two groups of objects and subtraction to 'taking away'.
- Use language such as 'circle' or 'bigger' to describe the shape and size of solids and flat shapes.
- Use everyday words to describe position.
- Use developing mathematical ideas and methods to solve practical problems.
- Talk about, recognise and recreate simple patterns
- Use language such as 'greater', 'smaller', 'heavier' or 'lighter' to compare quantities.

Knowledge and Understanding of the World

Educational programme

27. Children must be supported in developing the knowledge, skills and understanding that help them to make sense of the world. Their learning must be supported through offering opportunities for them to use a range of tools safely; encounter creatures, people, plants and objects in their natural environments and in real-life situations; undertake practical 'experiments'; and work with a range of materials.

Early learning goals

- Investigate objects and materials by using all of their senses as appropriate.
- Find out about, and identify, some features of living things, objects and events they observe.
- Look closely at similarities, differences, patterns and change.
- Ask questions about why things happen and how things work.
- Build and construct with a wide range of objects, selecting appropriate resources and adapting their work where necessary.
- Select the tools and techniques they need to use to shape, assemble and join materials they are using .
- Find out about and identify the use of everyday technology and use

information and communication technology and programmable toys to support their learning.

- Find out about past and present events in their own lives, and in those of their families and other people they know.
- Observe, find out about and identify features in the place they live and the natural world.
- Find out about their environment, and talk about those features they like and dislike.
- Begin to know about their own cultures and beliefs and those of other people

Physical Development

Educational programme

28. The physical development of babies and young children must be encouraged through the provision of opportunities for them to be active and interactive and to improve their skills of coordination, control, manipulation and movement. They must be supported in using all of their senses to learn about the world around them and to make connections between new information and what they already know. They must be supported in developing an understanding of the importance of physical activity and making healthy choices in relation to food.

Early learning goals

- Show awareness of space, of themselves and of others.
- Move with confidence, imagination and in safety.
- Move with control and coordination.
- Travel around, under, over and through balancing and climbing equipment.
- Recognise the importance of keeping healthy, and those things which contribute to this.
- Recognise the changes that happen to their bodies when they are active.
- Handle tools, objects, construction and malleable materials safely and with increasing control.
- Use a range of small and large equipment

Creative Development

Educational programme

29. Children's creativity must be extended by the provision of support for their curiosity, exploration and play. They must be provided with opportunities to explore and share their thoughts, ideas and feelings, for example through a variety of art, music, movement, dance, imaginative and role-play activities, mathematics, and design and technology.

Early learning goals

- Respond in a variety of ways to what they see, hear, smell, touch and feel.
- Express and communicate their ideas, thoughts and feelings by using a widening range of materials, suitable tools, imaginative and role-play, movement, designing and making, and a variety of songs and musical instruments.
- Explore colour, texture, shape, form and space in two or three dimensions.
- Recognise and explore how sounds can be changed, sing simple songs from memory, recognise repeated sounds and sound patterns and match movements to music.
- Use their imagination in art and design, music, dance, imaginative and role play and stories.

The assessment arrangements

Assessment during the EYFS

30. Ongoing assessment is an integral part of the learning and development process. Providers must ensure that practitioners are observing children and responding appropriately to help them make progress towards the early learning goals. Assessments should be based on practitioners' observation of what children are doing in their day-to-day activities. As judgements are based on observational evidence gathered from a wide range of learning and teaching contexts, it is expected that all adults who interact with the child should contribute to the process, and that account will be taken of information provided by parents. An essential feature of parental involvement is an ongoing dialogue, continuing from the partnership already begun by previous practitioners. There should be an ongoing sharing of information about progress with parents and settings should report progress and achievements to parents or carers throughout the EYFS.

31. The Practice Guidance, which is part of the EYFS package, sets out detailed formative assessment suggestions in the 'Look, Listen and Note' sections of the Learning and Development grids. Practitioners should:

- Make systematic observations and assessments of each child's achievements, interests and learning styles;
- Use these observations and assessments to identify learning priorities and plan relevant and motivating learning experiences for each child;
- Match their observations to the expectations of the early learning goals.

Assessment at the end of the EYFS – the Early Years Foundation Stage Profile

32. The EYFS Profile is a way of summing up each child's development and learning achievements at the end of the Early Years Foundation Stage. It

is based on practitioners' ongoing observation and assessments in all six areas of learning and development. Each child's level of development should be recorded against the 13 assessment scales derived from the Early Learning Goals. Judgements against these scales, which are set out in Appendix 1, should be made from observation of consistent and independent behaviour, predominately children's self-initiated activities.

33. Some children will have experienced a range of settings during the final year of the EYFS and may have a number of carers. In these cases the EYFS Profile must be completed by the Provider where the child spends the majority of time between 8am and 6pm. Providers should take account of all available records and of any formal or informal discussions with the parents and with those involved with children in the previous year.

34. There will be a variety of ways of assessing the progress made by children with special educational needs, who are working below the level of the scales. In these instances, such children may be assessed against the systems of their local authority or other systems according to the needs of the children.

35. At the end of the EYFS providers must ensure that children are assessed against the 13 scales in the Early Years Foundation Stage Profile and that the data has been returned to their local authority by the date specified by the local authority. Local authorities are under a duty to return this data to the DfES. Providers may use the EYFS optional Scales booklet (published by the QCA), the e Profile (available from LAs) or their own records.

36. Local authorities have a duty to monitor and moderate the EYFS Profile judgements to ensure that providers are making assessments that are consistent across settings. Providers must take part in these arrangements.

Assessment requirements

37. The assessment requirements are set out below.

- All providers must make arrangements for each child within the final year of the EYFS to be assessed throughout the year by a practitioner. Practitioners must use the 13 scales and have regard to the scale points as set out in Appendix 1 to enable an EYFS profile and a record of attainment to be completed in the final term.
- For every child in the final year of EYFS, providers must notify the local authority in writing of the following details:
 - The results of the assessment (or the reason why an assessment has not been carried out)
 - Details where the assessment was carried out
- Providers must permit the relevant local authority to enter the premises

at all reasonable times in order to observe the implementation of the arrangements for the completion of the EYFS Profiles;

- Providers must permit the relevant local authority to inspect and take copies of documents and other articles relating to EYFS Profiles and assessments; and
- Providers must provide the relevant local authority such information relating to the EYFS Profile and assessment as they may reasonably request.
- All providers must offer the parent of a child in relation to whom the EYFS Profile has been completed:
 - A written summary reporting the child's progress against the early learning goals and the assessment scales;
 - Where the parent requests it, a copy of the EYFS Profile; and
 - Details of the arrangements under which the EYFS Profile and its results may be discussed between a practitioner and the parent giving a reasonable opportunity for the parent to discuss the EYFS Profile and its results with that practitioner.
- Where a child moves to a new provider during the academic year, the provider should send the following information to the new provider within 15 days of a request from the new provider:–
 - Any EYFS Profile data carried out by the EYFS provider;
 - The provider's assessment made in respect of the child; or
- If no EYFS Profile of the child has been carried out by the EYFS provider, the reason why it has not been carried out.

SECTION 3 – THE WELFARE REQUIREMENTS

Overview of the welfare requirements

38. Children learn best when they are healthy, safe and secure, when their individual needs are met and when they have positive relationships with the adults caring for them. The welfare requirements are designed to support providers in creating a setting which is welcoming, safe and stimulating, and where children are able to enjoy, to grow in confidence and to fulfil their potential. The general requirements are listed here and are then expanded with more detailed specific requirements in the following grids.

Safeguarding and promoting children’s welfare

The provider must take necessary steps to safeguard and promote the welfare of children in the setting.

The provider must promote the good health of the children, take necessary steps to prevent the spread of infection, and take appropriate action when they are ill.

Children’s behaviour must be managed effectively and in a manner appropriate for their stage of development and particular individual needs.

Suitable people

Adults looking after children, or having unsupervised access to them, must be suitable to do so. Adults looking after children must have appropriate qualifications, training, skills and knowledge. Staffing arrangements must be organised to ensure safety and to meet the needs of the children.

Suitable premises, environment and equipment

Outdoor and indoor spaces, furniture equipment, and toys must be safe and suitable for their purpose.

Organisation

Providers must plan and organise their systems to ensure that every child receives an enjoyable and challenging learning and development experience.

Documentation and reporting

Records, policies and procedures required for the safe and efficient management of the settings and to meet the needs of the children must be maintained.

Meeting the requirements

39. The requirements are set out in three sections:

- overarching general requirements;
- specific requirements;
- guidance

40. Providers must comply with all the requirements set out and should have regard to the guidance. Ofsted will base its regulatory and inspection judgements on whether a provider has met the general and specific requirements, and had regard to the guidance. Whilst this guidance gives examples of action providers are likely to have to take in order to meet the general and specific requirements, they may be able to comply by using other methods, in which case they can depart from the guidance provided that they are able to demonstrate their alternative approach achieves the same ends.

41. Where it is specified that a registered person must notify Ofsted of the occurrence of events or changes, written notification must be made:

- where it is reasonably practicable to do so, in advance of the event occurring, and
- in all other cases as soon as reasonably practicable, but not later than 14 days, after the event has occurred.

42. Where it is specified that providers should have “policies and procedures” for example safeguarding children, equal opportunities etc, group settings will be expected to have written copies of these policies and procedures. Providers should ensure that all members of staff have been given copies of these policies and procedures as part of their induction, and that they are explained to, and accessible to, all parents.

43. Childminders will not be expected to have written copies of these policies and procedures but will be expected to ensure that any assistants are aware of these policies and procedures, and that they are able to clearly define them for parents and others as and when requested.

44. Schools will not be required to have separate policies for the EYFS provided that the requirements are met through their policies which cover children of statutory school age.

Safeguarding and promoting children's welfare

The provider takes necessary steps to safeguard and promote the welfare of children in the setting
<i>Specific requirements</i>
<p>An effective safeguarding children policy and procedure are implemented.</p> <p>All registered providers inform Ofsted and other required statutory bodies of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether that allegation relates to harm or abuse committed on the premises or elsewhere), or any abuse which is alleged to have taken place on the premise.</p> <p>In group settings, a practitioner is designated to take lead responsibility for safeguarding children within the setting, attend a child protection training course, and to liaise with local statutory children's services agencies (the local authority's children's social care department, the police, the NSPCC)</p>
<i>Guidance to which providers should have regard</i>
<p>All practitioners have an up to date understanding of safeguarding children issues and are able to implement the safeguarding children policy and procedure appropriately.</p> <p>Staff are able to respond appropriately to:</p> <ul style="list-style-type: none">■ significant changes in children's behaviour;■ deterioration in their general well-being;■ unexplained bruising, marks or signs of possible abuse;■ neglect;■ the comments children make which give cause for concern
<i>Specific requirements</i>
<p>Providers must engage with, and provide the following information for, parents:</p> <ul style="list-style-type: none">● the type of activities provided for the children● the daily routines of the setting● the staffing of the setting● food and drinks provided for the children● the setting's policies and procedures, for example admissions policies, equal opportunities policy, safeguarding children policy● the complaints procedure (copies provided by the provider on request)● details for contacting Ofsted and explain that parents can make a complaint to Ofsted should they wish

- the procedure to be followed in the event of a parent failing to collect a child
- the procedure to be followed in the event of a child going missing

Providers must actively seek necessary information from parents in advance of a child entering care on the premises, such as

- emergency contact numbers
- special dietary requirements, preferences or food allergies the child may have
- special health requirements
- information about who has legal access to a child

Providers must maintain a regular two-way flow of information with parents and between providers (e.g. where the childminder regularly collects the child from nursery).

Registered providers must put in place a written procedure for dealing with concerns and complaints from parents and keep a written record of complaints and their outcome.

Providers must investigate all written complaints relating to the requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.

The provider must provide Ofsted, on request, with a list of all complaints made during any specified period, and the action which was taken as a result of each complaint.

Guidance to which providers should have regard

Parents are allowed access to all written records about their children (except in exceptional cases where data protection laws stipulate it is against the best interests of the child to do so) and, where requested, comments from parents are incorporated into children's records.

The record of complaints is kept for three years.

Specific requirements

The premises, indoors and outdoors, must be safe and secure and providers must notify Ofsted of any change in the facilities to be used for care that may affect the space available to children and the level of care available to them.

Providers must only release children into the care of individuals named by the parent.

The provider must ensure that children do not leave the premises unsupervised

The provider must take steps to prevent intruders entering the premises..

Guidance to which providers should have regard

The provider takes into account where relevant:

- general indoors and outdoors security, such as which doors are locked or unlocked, door alarms, the use of security systems, intercoms and name badges
- staff awareness of the whereabouts of other people in the building and of other users on the premises
- information about the need for security and the systems in place, for example, posters and reminders displayed for parents and visitors
- what additional security measures may be necessary where children stay overnight
- the use of a system to verify the identity of any visitors, record their names, the purpose of the visit, and details of arrival and departure times
- arrival and departure procedures for staff, children, parents and visitors
- except where there is reasonable excuse, obtaining written permission from parents where children are to be picked up by another adult

Specific requirements

Children must be kept safe whilst on outings

Guidance to which providers should have regard

For each specific outing, providers should carry out a full risk assessment, which includes adult: child ratios. This assessment takes account of the nature of the outing, and consideration should be given to whether it is appropriate to exceed the normal ratio requirements (as set out in this document).

Providers should obtain written parental permission for children to take part in outings.

Providers should take essential records and equipment on outings, for example contact telephone numbers for the parents of children on the outing, first aid kit, a mobile phone.

Specific requirements

All providers must have and implement an effective policy about equal opportunities and for supporting children with learning difficulties and disabilities.

Guidance to which providers should have regard

The policy includes:

- information about how the individual needs of all children will be met;
- information about how all children, including those who are disabled or have special educational needs, will be included valued and supported, and how reasonable adjustments will be made for them;
- a commitment to working with parents and other agencies;
- information about how the Special Educational Needs Code of Practice is put into practice in the setting;
- the name of the Special Educational Needs Co-ordinator (in group settings);
- how all children will be included and valued;
- arrangements for reviewing, monitoring and evaluating the effectiveness of inclusive

practices;

- how the setting will promote and value diversity;
- how inappropriate attitudes and practices will be challenged;
- how the setting will encourage children to value and respect others.

The provider must promote the good health of the children, take necessary steps to prevent the spread of infection and take appropriate action when they are ill

Specific requirements

Providers must implement an effective policy on administering medicines. The policy must include effective management systems to support individual children with medical needs.

Providers must keep written records of all prescribed medicines administered to children, and inform parents.

Providers must obtain prior written permission for each and every medicine from parents before any medication is given.

Guidance to which providers should have regard

Providers should ensure that they have sufficient information about the medical condition of any child with long-term medical needs.

Providers should ask parents about the medicines that their child needs to take and provide details of any changes to the prescription or the support required.

Medicines should only be taken to a setting when this is essential and settings should only accept medicines that have been prescribed by a doctor, dentist, nurse or pharmacist. It is for the registered person to arrange who should administer medicines within a setting, either on a voluntary basis or as part of a contract of employment.

Providers should keep prescribed medicines in a locked non-portable container and only named individuals should have access. A record should be kept for audit and safety purposes.

Specific requirements

Providers must notify Ofsted and other statutory bodies of any serious accident or injury to, or serious illness of, or the death of, any child whilst in the care of a registered person.

At least one person who has a current paediatric first aid certificate must be on the premises at all times when children are present. There must be at least one person on outings who has a current paediatric first aid certificate.

Providers must have a first aid box with appropriate content to meet the needs of children.

Providers must keep a record of accidents and first aid treatment. Providers must inform parents of any accidents or injuries sustained by the child whilst in the care of the providers and of any first aid treatment that was given.

Providers must have procedures for instances in which a child receives minor injuries or becomes ill whilst on the premises.

Guidance to which providers should have regard

First aid training undertaken by practitioners should be approved by the local authority and consistent with the requirements set out in Appendix 2 of this document.

Specific requirements

Providers must notify Ofsted and other required statutory bodies about any cases of food poisoning affecting two or more children looked after at the premises and notifiable diseases in registered settings.

Guidance to which providers should have regard

If someone on the premises contracts a notifiable disease, the Local Health Protection Unit will be able to provide advice on any action or precautions that need to be taken.

Specific requirements

Providers must ensure that children are in a smoke-free environment.

Guidance to which providers should have regard

Providers should have a no smoking policy which ensures that no one smokes in a room, or outside play area, when children are present or about to be present. If children are expected to use any space that has been used for smoking, providers should ensure that there is adequate ventilation to clear the atmosphere.

Specific requirements

Where children are provided with a midday meal, snacks and drinks, these must be healthy, balanced and nutritious. Those responsible for the preparation and handling of food must be competent to do so.

Fresh drinking water must be available at all times.

Guidance to which providers should have regard

Children should be provided with a healthy midday meal and other healthy snacks and drinks as appropriate.

Providers should record and act on any information given by parents about a child's dietary needs.

Providers should be aware of their responsibilities under food hygiene legislation including registration with the relevant Local Authority Environmental Health Department.

In group settings, food hygiene matters should be included in induction and on-the-job training, which is available to all staff.

If parents provide packed lunches, providers should inform them about what can be stored safely and about appropriate food content.

Children’s behaviour is managed effectively and in a manner appropriate for their stage of development and particular individual needs
<i>Specific requirements</i>
<p>Providers must not use, or threaten to use, physical/ corporal punishments^{1,2} or any form of punishment which could have an adverse impact on the child’s well-being.</p> <p>Providers must have an effective behaviour management policy which is adhered to by all members of staff.</p>
<i>Guidance to which providers should have regard</i>
<p>Physical intervention is only used to manage a child’s behaviour if it is necessary to prevent personal injury to the child, other children or an adult or to prevent serious damage to property. Any occasion where physical intervention is used, to manage a child’s behaviour, is recorded and parents are informed about it on the day.</p> <p>Except in childminding settings, a named practitioner is responsible for behaviour management issues and is supported in acquiring the skills that will enable her/him to support other staff and to access expert advice if ordinary methods are not effective with a particular child.</p>

¹ The use of physical or corporal punishment is an offence under regulations made under the Childcare Act 2006 and may lead to prosecution.

²Physical punishment also includes shaking, which will be considered unacceptable.

Suitable people

Adults looking after children or having unsupervised access to them are suitable to do so
<i>Specific requirements</i>
<p>Providers must obtain an enhanced Criminal Records Bureau (CRB) Disclosure, which includes a Protection Of Children Act list /List 99 check, in respect of all people who work directly with children or who are likely to have unsupervised access to them.</p> <p>Providers must only allow unsupervised contact with children on the premises for people who have undergone an enhanced CRB check.</p> <p>Providers must keep records to demonstrate to Ofsted that the checks have been done, including the number and date of issue of the enhanced CRB Disclosure.</p>
<i>Guidance to which providers should have regard</i>
Disclosures should be handled in accordance with the CRB's Code of Practice and Explanatory Guide.
<i>Specific requirements</i>
Providers must have effective systems in place to ensure that practitioners and others likely to have unsupervised access to the children (including those living or working on the premises) are suitable to do so.
<i>Guidance to which providers should have regard</i>
<p>Providers should make decisions of suitability using evidence from:</p> <ul style="list-style-type: none"> ■ references; ■ full employment history; ■ qualifications; ■ interviews; ■ identity checks; ■ any other checks undertaken e.g. medical suitability. <p>The provider expects and notifies all people connected with their provision who work directly with children to declare to them all convictions and/or cautions; as well as court orders which may disqualify them from working with children or affect their suitability to do so.</p> <p>Further information about responsibility for carrying out CRB checks and about disqualification is provided in the EYFS Practice Guidance.</p>
<i>Specific requirements</i>
<p>Registered providers must notify Ofsted of:</p> <ul style="list-style-type: none"> ● any change of provider or person in charge ● any change of persons of 16 years or over living or working on childminding premises ● any change proposed in the hours during which childcare is provided which will

entail the provision of overnight care

- any significant event which is likely to affect the suitability of the registered person or any person caring for the children on the premises to look after children
- any change in their name or address
- any change in the name of a body, the registered number of a company, or any change in the name or registration number of a charity
- any change in the childcare category applicable to a registered person
- any change in the address of premises

Where there is a change of provider or person in charge, or of any change in persons of 16 years or over living or working on childminding premises, the information to be provided is the new person's date of birth, name, any former names or aliases and home address.

Specific requirement

When working directly with children, practitioners must not be under the influence of alcohol or any other substance which may affect their ability to care for children. Practitioners taking medication which they believe may affect their ability to care for children should seek medical advice and only work directly with children if that advice is that the medication is unlikely to impair their ability to look after children.

Adults looking after children have appropriate qualifications, training, skills and knowledge
<i>Specific requirements</i>
<p>Childminders must have attended a training course within six months of registration and must hold a current paediatric first aid certificate at the point of registration.</p> <p>Other providers must meet the requirements for qualifications set out at the end of this section.</p> <p>In registered settings, all supervisors and managers must be qualified to at least level 3 and half of all other staff must be qualified to at least level 2.</p>
<i>Guidance to which providers should have regard</i>
<p>Wherever possible, childminders should have attended a training course prior to or shortly after registration. The training should be approved by the local authority and provides support for childminders in meeting and putting into practice the requirements of the EYFS.</p> <p>The manager should have at least two years experience of working in an early years setting, or has at least two years other suitable experience.</p> <p>All practitioners should have a clear understanding of their roles and responsibilities.</p> <p>Providers should support their staff in improving their qualification levels. In particular, those staff with no qualifications are supported in obtaining a relevant qualification at a minimum of level 2.</p> <p>Induction training should be provided for new staff to help them understand how the setting operates and their role within it. Induction training includes matters such as evacuation procedures and child protection and health and safety issues.</p> <p>Regular staff appraisals should be carried out to identify the training needs of staff. A programme of continuing professional development is applied so that these needs are met.</p> <p>Use is made of training made available by the local authority and through other sources.</p>

Staffing arrangements are organised to ensure safety, and to meet the needs of children
<i>Specific requirements</i>
<p>Providers must meet the requirements for adult:child ratios set out in Appendix 2.</p> <p>For childminders providing night time care, required ratios continue to apply. The children must be close by and within easy hearing distance (this may be via a monitor).</p> <p>For other settings providing night time care, the ratios set out in these requirements continue to apply. At least one member of staff must be awake at all times.</p>
<i>Guidance to which providers should have regard</i>
<p>Children should be supervised at all times, with staffing arrangements organised to meet the individual needs of all children.</p> <p>Exceptions to the ratios requirements should only be made in limited circumstances, such as when the children are sleeping or resting. In these circumstances all the adults need not be present in the room with the children, but should be available nearby on the premises should they be needed.</p> <p>Providers should put in place contingency arrangements for staff absences and emergencies. When there is staff absence or an emergency occurs suitable arrangements might include drawing on a pool of suitable staff, re-grouping of children, re-organising rooms and activities and re-deploying other suitable staff. When such disruptions occur there should continue to be a consistent experience for the child.</p> <p>Where children in nursery classes and reception classes attend school for longer than the normal school day, in provision run directly by the governing body, we recommend that outside the school day the adult:child ratio is held at 1:8 with one member of staff qualified to level 3 and half of all others to level 2</p> <p>At times when teachers are undertaking preparation, planning and assessment and are out of the classroom/ not interacting directly with the children, the ratios should be adjusted accordingly.</p> <p>In registered settings other than childminding settings, there is a named deputy who is able to take charge in the absence of the manager.</p> <p>Students under the age of 17 cannot count towards the ratio and should be supervised at all times. Students aged 17 and over who are on long term placements may be included in the ratios if the provider is satisfied they are competent and responsible.</p> <p>Some schools may choose to mix their reception classes with groups of younger children, in which case they should use their discretion in establishing ratios for these mixed groups based on the EYFS welfare requirements (i.e. 1:30 for the reception group and 1:13, 1:8 etc for the younger children). However, in exercising that discretion the school must comply with the statutory requirements relating to the education of children of compulsory school age children and infant class sizes. At all times it is necessary to meet the needs of individual children and it may be appropriate to exceed these minimum requirements.</p>

Suitable premises, equipment and environment

Outdoor and indoor spaces, and furniture, equipment and toys, must be safe and suitable for their purpose

Specific requirements

The provider must conduct a risk assessment and review it regularly – annually at a minimum and/or where the need arises.

The risk assessment will identify aspects of the environment which need to be checked on a regular basis – providers must maintain a record of these particular aspects and when and by whom they have been checked. Providers must determine the regularity of these checks according to their assessment of the significance of individual risks.

The provider must take reasonable steps to ensure that hazards to children – both indoors and outdoors – are minimised.

Guidance to which providers should have regard

The risk assessment should cover anything which a child may come into contact with.

Providers should be aware of the requirements of health and safety legislation (including hygiene requirements).

A health and safety policy should be in place and includes procedures for identifying, reporting and dealing with accidents, hazards and faulty equipment.

Specific requirements

Registered providers must inform Ofsted of any significant changes or events relating to the premises.

Significant changes or events which must be reported to Ofsted include:

- significant changes to the premises, for example structural alterations or an extension
- something which adversely affects the smooth running of the setting over a sustained period of time
- changes to the outside of the premises such as adding a pond or taking down fencing

Specific requirements

Providers must take reasonable steps to ensure the safety of children, staff and others on the premises in the case of fire, and must have a clearly defined procedure for the emergency evacuation of the premises.

Providers must have appropriate fire detection and control equipment (for example fire alarms, smoke detectors, fire extinguishers and fire blankets) which are in working order.

Guidance to which providers should have regard

Where children stay overnight, it may be appropriate for the Fire Safety Officer to inspect the sleeping area.

Staff should understand their roles and responsibilities in the event of a fire.

Fire exits should be clearly identifiable; fire doors are not obstructed and are easily opened from the inside.

Regular evacuation drills should be carried out and details such as any problems encountered and how they were resolved recorded in a fire log book.

Specific requirements

The premises and equipment must be organised in a way that meets the needs of children.

In registered settings, providers must meet the following space requirements:

- children under 2 years: 3.5m² per child
- 2 year olds: 2.5 m² per child
- children aged 3 to 5 years: 2.3 m² per child

The provider must ensure that, so far as is reasonable, the facilities, equipment and access to the premises are suitable for children with disabilities.

Guidance to which providers should have regard

The premises should be adequately ventilated and lit. Daylight should be the main source of light. Where, in exceptional circumstances this is not possible, the provider should ensure that lighting is of good quality and children have adequate access to daylight.

Calculations of available indoor space should be based on the net or useable areas of the rooms used by the children (i.e. not including storage areas, thoroughfares, dedicated staff areas, cloakrooms, utility rooms, kitchens and toilets).

Wherever possible, there should be access to an outdoor play area. Where, in exceptional circumstances, outdoor play space cannot be provided, outings should be planned and taken on a daily basis (unless circumstances make this inappropriate, e.g. inclement weather).

There should be adequate space to give scope for free movement and well spread out activities.

Rooms should be maintained at a temperature which ensures the comfort of the children and staff, including non-mobile children.

Except in childminding settings, there should be a separate base room for children under the age of two, but they should be able to have contact with older children and be transferred to the older age group after the age of 18 months or as appropriate for their individual stage of development.

There should be an area which is adequately equipped to provide healthy meals, snacks

and drinks for the children as necessary. Ideally, the setting will have a full kitchen. Where this is not possible, appropriate alternative arrangements are made for the hygienic preparation and storage of food and drinks.

There should be suitable facilities for the hygienic preparation of babies' feeds if necessary. Suitable sterilisation equipment is used for the sterilisation of babies' feeding equipment and dummies.

There should be at least one toilet and one wash hand basin for every 10 children over the age of two. Except in childminding settings, there are normally separate toilet facilities for adults. There are adequate washing and toileting facilities for children who stay overnight.

There should be suitable hygienic changing facilities for changing any children who are in nappies.

Where the early years provision takes place in a communal building such as a community centre or village hall, the part of the premises used by the early years provision should be for the sole use of the provision during the hours of operation. Ideally, the setting has its own kitchen and toilet facilities but, where this is not possible, the provider takes steps to ensure that other users do not have a negative impact on the quality and safety of provision.

Organisation

Providers must plan and organise their systems to ensure that every child receives an enjoyable and challenging learning and development experience.
<i>Specific requirements</i>
Providers must have effective systems to ensure that the individual needs of all children are met. Each child must be assigned a key person. In childminding settings, the childminder is the key person.
<i>Guidance to which providers must have regard</i>
The key person has special responsibilities for working with a small number of children, giving them reassurance to feel safe and cared for and building relationships with their parents. The key person should help the baby or child to become familiar with the setting and to feel confident and safe within it, developing a genuine bond with children and offering a settled, close relationship. The key person should meet the needs of each child in their care and respond sensitively to their feelings, ideas and behaviour, talking to parents to make sure that the child is being cared for appropriately for each family.
<i>Specific requirements</i>
Providers must promote equality of opportunity and anti-discriminatory practice and must ensure that every child is included and not disadvantaged because of ethnicity, culture or religion, home language, family background, learning difficulties or disabilities, gender or ability. Providers must ensure that there is a balance of adult-led and freely chosen or child-initiated activities, delivered through indoor and outdoor play.
Providers must undertake sensitive observational assessment must be undertaken in order to plan to meet young children's individual needs. Providers must plan and provide experiences which are appropriate to each child's stage of development as they progress towards the Early Learning Goals
<i>Guidance to which providers must have regard</i>
Practitioners should value linguistic diversity and provide opportunities for children to develop and use their home language in their play and learning. This is part of the respect for each child's cultural background that is central in all early years settings. Alongside support in the home language, practitioners should provide a range of meaningful contexts in which children have opportunities to develop English. As they move into the Key Stage 1 curriculum, English will be crucial as the language they use to access learning.

Documentation

Providers must record and maintain the following information.
<p style="text-align: center;"><i>Specific requirements</i></p> <p>Providers must record the following information on individual children.</p> <ul style="list-style-type: none">■ Full name■ Date of birth■ The name and address of every parent and carer (of that child) who is known to the setting■ Which of these parents or carers the child normally lives with■ Emergency contact details of the parents and carers <p>They must also record and submit the following information about individual children receiving the free entitlement to early years provision as part of the Early Years Census.</p> <ul style="list-style-type: none">■ Full name■ Date of birth■ Address■ Gender;■ Ethnicity;*■ Special Educational Needs status;■ The number of funded hours taken up during the census week.■ Total number of hours (funded and unfunded) taken up at the setting during the census week <p>* This data item can be collected on a voluntary basis. A child's ethnicity should only be recorded where parents have given their consent for this to happen.</p> <p>For maintained and independent schools, these requirements are in addition to the requirements of the Pupil Registration Regulations 2006</p>
<p style="text-align: center;"><i>Guidance to which providers should have regard</i></p> <p>Ethnicity, where collected, should be recorded according to the following categories:</p> <p>White – British</p> <ul style="list-style-type: none">– Irish– Traveller of Irish Heritage– Gypsy/Roma– Any other white background <p>Mixed – White and Black Caribbean</p> <ul style="list-style-type: none">– White and Black African– White and Asian– Any other mixed background <p>Asian or Asian British</p> <ul style="list-style-type: none">– Indian

- Pakistani
- Bangladeshi
- Any other Asian background

Black or Black British

- Caribbean
- African
- Any other Black background

Chinese

Any other ethnic background

A child’s learning difficulties and disabilities status should be recorded according to the following categories:

- No special educational need;
- Early Years Action/School Action;
- Early Years Action Plus/ School Action Plus;
- Statement.

Refer to the Special Educational Needs Code of Practice for an explanation of the terms used above.

Specific requirements

Providers must keep the following information and documentation:

- Name, home address, and telephone number of the provider and any other person living or employed on the premises (this requirement does not apply to childminders);
- 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 looked after on the premises, their hours of attendance and the names of the persons who looked after them.
- Registered providers must display their certificate of registration and show it to parents on request.
- A record of the risk assessment which clearly states when it was carried out, by whom, date of review and any action taken following a review or incident.

Records must be easily accessible and available for inspection by Ofsted (with prior agreement by Ofsted, these may be kept off the premises).

Where Ofsted notifies them in advance of the period in which an inspection will take place, registered providers must pass this information on to parents. [Section 6 of the Education Act 2005 places an equivalent requirement on schools.]

Registered providers must ensure that copies of the inspection report are provided to all parents. [Sections 5 and 15 of the Education Act 2005 place an equivalent duty on schools.]

Guidance to which providers should have regard

Providers are aware of their responsibilities under the Data Protection Act 1998 and Freedom of Information Act 2000.

Records relating to individual children are retained for a reasonable period of time after the children have left the provision.

There should be a suitable secure area for the storage of confidential information.

Records on staff and children should only be accessible to those who have a right or professional need to see them.

All staff are aware of the need for confidentiality.

SECTION 4 – OTHER INFORMATION

Other legal duties

45. The EYFS requirements do not supersede or replace any other legislation which providers must meet. For example, where provision is taking place in maintained schools there is a range of education legislation in place with which head teachers, teachers and other practitioners must comply.

Other duties on providers include:

- employment laws
- health and safety legislation
- data collection regulations
- duty of care

Competency in English

46. Parents may choose to have their children educated primarily in their home language and choose a provider specifically for this reason. Linguistic diversity should be valued and we do not want to take away from parents the choice of using a provider who can meet the requirements through languages other than English. However, it will be necessary for providers to demonstrate to Ofsted that their staff has a sufficient grasp of English to ensure the well-being of children in their care. For example, it must be clear to Ofsted that providers would be able to summon emergency help where necessary, keep certain records and share these with Ofsted, and read and understand instructions such as safety instructions, information on administering medication or on food allergies. As part of the learning and development requirements, providers should also be able to support children to develop their communication, language and literacy skills in English. Further information and advice on this issue is set out in the EYFS Practice Guidance.

Exemptions

47. The EYFS framework is fully inclusive of all children's needs, regardless of ethnicity, culture, religion or belief, home language, family background, SEN, disability, gender or ability. There is significant flexibility to provide the six areas of learning and development in a way that reflects the needs and circumstances of each child. In the majority of cases, therefore, it will be possible to deliver the EYFS in a way which is compatible with providers and parents' philosophies and beliefs. However, it is not possible to predict every circumstance that may arise; therefore section 46 of the Childcare Act 2006 enables the Secretary of State to confer exemptions from the learning and development requirements in certain prescribed circumstances. Such exemptions will only be granted in exceptional circumstances and where the provider can demonstrate that every effort has been made to comply with the requirements.

Inspection and regulation

48. From September 2008, providers will be inspected by Ofsted under Sections 49 and 50 of the Childcare Act 2006. Ofsted will have regard to the Statutory Framework document when they are carrying out their inspections. The EYFS replaces the *Curriculum Guidance for the Foundation Stage*, the Foundation Stage Profile handbook, and the national standards for under 8s day care and childminding.

49. With the exception of schools, all settings will be required to be registered by Ofsted in respect of all their provision for children from birth to the end of the foundation stage. Maintained, independent and non-maintained special schools will be required to be registered only in respect of any provision they offer for children below the age of 3. This is to ensure extra safeguards for the youngest and most vulnerable of children.

50. Provision in schools for registered pupils aged 3 and over will not be required to be registered because it is already taken account of by the main school inspection framework. It will, however, be expected to meet the same standards as other providers. All settings will be regularly inspected against the EYFS, and all provision made directly by schools will be inspected as part of a single inspection event with the main school inspection.

Local Authorities

51. Section 13 of the Childcare Act 2006 requires local authorities to secure the provision of information, advice and training, whether delivered by themselves or by others, that meets the needs of local providers and supports the sufficiency of childcare.

52. Regulations made under Section 13 require that, within the context of the Early Years Foundation Stage (EYFS), this includes:

- meeting the needs of disabled children and those with special educational needs and the use of effective safeguarding and child protection procedures;
- support in entering the childcare market and in meeting the registration and regulatory requirements; and
- training and support in meeting the requirements of the EYFS.

53. In addition, local authorities must secure information, advice and training to all childcare providers which have been deemed inadequate by Ofsted; and to those which have been granted an exemption for a specific period of time to give them an opportunity to develop their provision before meeting the learning and development requirements of the EYFS.

54. Local authorities have the responsibility for assuring that EYFS Profile assessments judgements are moderated. Local authorities will:

- appoint moderators with appropriate experience of the EYFS and the Early Learning Goals to secure consistent standards in assessment judgements;
- ensure that the moderators are trained and participate regularly in LA and cross LA moderation activities;
- ensure that all providers are visited regularly as part of a cycle of moderation visits by an LA moderator and that providers with identified problems or other particular circumstances are visited more frequently;
- in the light of the moderation visit, to notify the provider whether the EYFS Profile assessment is being carried out in accordance with requirements;
- whether the moderator judges that the assessment is not in line with the exemplified standards, to require the provider to arrange for practitioner to participate in further training/moderation activities and to reconsider their assessments as advised by the moderator.

Where to go for help

55. Further copies of this document are available from **xxx**. The EYFS statutory framework document is designed to be used together with the EYFS Practice Guidance, which contains further information and advice, and the EYFS resources (the CD-ROM, the Principles into Practice cards, and the poster). The various components of the overall EYFS package may be ordered separately from **xxx**.

Assessment scales

1. The early learning goals in the EYFS were not devised as assessment criteria in their own right. The EYFS profile captures the early learning goals as a set of 13 assessment scales, each of which has nine points. Early learning goals are presented individually or have been split or combined, where appropriate, for ease of use. The assessment scales have been highlighted in the learning and development grids in the Practice Guidance which forms part of the EYFS package. They are also set out in the EYFS scales booklet which practitioners may use

2. The first three points describe a child who is still progressing towards the achievements described in the early learning goals. Most children will achieve all of these three points before they achieve any of the early learning goals, but there may be some exceptions to this pattern. Where it is not possible to record assessments in relation to items 1-3 of the Profile scales, attainment at the end of the EYFS could be recorded in an appropriate alternative way.

3. The next five points are drawn from the early learning goals themselves. These are presented in approximate order of difficulty, according to evidence from trials. However, the points are not necessarily hierarchical and a child may achieve a later point without having achieved some or all of the earlier points.

4. The final point in each scale describes a child who has achieved all the points from 1-8 on that scale, has developed further both in breadth and depth, and is working consistently beyond the level of the early learning goals.

Personal, social and emotional development

Dispositions and attitudes

1. Shows an interest in classroom activities through observation or participation
2. Dresses, undresses and manages own personal hygiene with adult support
3. Displays high levels of involvement in chosen activities
4. Dresses and undresses independently and manages own personal hygiene
5. Selects and uses activities and resources independently
6. continues to be interested, motivated and excited to learn
7. Is confident to try new activities, initiate ideas and speak in a familiar group.
8. Maintains attention and concentrates
9. Sustains involvement and perseveres, particularly when trying to solve a problem or reach a satisfactory conclusion

Social development

1. Plays alongside others
2. Builds relationships through gesture and talk
3. Takes turns and shares with adult support
4. Works as part of a group or class taking turns and sharing fairly
5. Forms good relationships with adults and peers
6. Understands that there needs to be agreed values and codes of behaviour for groups of people, including adults and children, to work together harmoniously
7. Understands that people have different needs, views, cultures beliefs that need to be treated with respect.

8. Understands that s/he can expect others to treat her or his needs, view, cultures and beliefs with respect.
9. Takes account of ideas of others

Emotional development

1. Separates from main carer with support
2. Communicates freely about home and community.
3. Expresses needs and feelings in appropriate ways
4. Responds to significant experiences, showing a range of feelings when appropriate.
5. Has a developing awareness of own needs, views and feelings and is sensitive to the needs, vies and feelings of others.
6. Has a developing respect for own culture and beliefs and those of other people.
7. Considers the consequences of words and actions for self and others.
8. Understands what is right, what is wrong and why.
9. Displays a strong and positive sense of self-identity and is able to express a range of emotions fluently and appropriately.

Communication, Language and Literacy

Language for communication and thinking

1. Listens and responds.
2. Initiates communication with others, displaying greater confidence in more informal contexts.
3. Talks activities through, reflecting on and modifying actions.
4. Listens with enjoyment to stories, songs, rhymes and poems, sustains attentive listening and responds with relevant comments, questions or actions.
5. Uses language to imagine and recreate roles and experiences.
6. Interacts with others in a variety of contexts, negotiating plans and activities and taking turns in conversation.
7. Uses talk to organise, sequence and clarify thinking, ideas, feelings and events, exploring the meanings and sounds of new words.
8. Speaks clearly and with confidence and control, showing awareness of the listener.
9. Talks, listens confidently and with control, consistently showing awareness of the listener by including relevant detail. Uses language to work out and clarify ideas, showing control of a range of appropriate vocabulary.

Linking sounds and letters

1. Joins in with rhyming and rhythmic activities.
2. Shows an awareness of rhyme and alliteration.
3. Links some sounds to letters.
4. Links sounds to letters, naming and sounding letters of the alphabet.
5. Hears and says sounds in words.
6. Blends sounds in words
7. Uses phonic knowledge to read simple regular words.
8. Attempts to read more complex words, using phonic knowledge.
9. Uses knowledge of letters, sounds and words when reading and writing independently.

Reading

1. Is developing an interest in books.
2. Knows that print conveys meaning.
3. Recognises a few familiar words.
4. Knows that, in English, print reads from left to right and top to bottom.
5. Shows an understanding of the elements of stories, such as main character, sequence of events and openings.
6. Reads a range of familiar and common words and simple sentences independently.
7. Retells narratives in the correct sequence, drawing on language patterns of stories.
8. Shows an understanding of how information can be found in non-fiction texts to answer questions about where, who, why and how.
9. Reads books of own choice with some fluency and accuracy.

Writing

1. Experiments with mark-making, sometimes ascribing meaning to the marks.
2. Uses some clearly identifiable letters to communicate meaning.
3. Represents some sounds correctly in writing.
4. Writes own name and other words from memory.
5. Holds a pencil and uses it effectively to form recognisable letters, most of which are correctly formed.
6. Attempts writing for a variety of purposes, using features of different forms.
7. Uses phonic knowledge to write simple regular words and make phonetically plausible attempts at more complex words.
8. Begins to form captions and simple sentences, sometimes using punctuation.
9. Communicates meaning through phrases and simple sentences with some consistency in punctuating sentences.

Problem solving, Reasoning and Numeracy

Numbers as labels and for counting

1. Says some number names in familiar contexts, such as nursery rhymes.
2. Counts reliably up to three everyday objects.
3. Counts reliably up to six everyday objects.
4. Says numbers in order.
5. Recognises numerals 1 to 9.
6. Counts reliably up to 10 everyday objects.
7. Orders numbers, up to 10.
8. Uses developing mathematical ideas and methods to solve practical problems.
9. Recognises, counts, orders, writes and uses numbers up to 20.

Calculating

1. Responds to vocabulary involved in addition and subtraction in rhymes and games.
2. Recognises differences in quantity when comparing sets of objects.
3. Finds one more or one less from a group of up to five objects.
4. Relates addition to combining two groups.
5. Relates subtraction to taking away.

6. In practical activities and discussion, begins to use the vocabulary involved in adding and subtracting.
7. Finds one more or one less than a number from 1 to 10.
8. Uses developing mathematical ideas and methods to solve practical problems.
9. Uses a range of strategies for addition and subtraction, including some mental recall of number bonds.

Shape, space and measure

1. Experiments with a range of objects and materials showing some mathematical awareness.
2. Sorts or matches objects and talks about sorting.
3. Describes shapes in simple models, pictures and patterns.
4. Talks about, recognises and recreates simple patterns.
5. Uses everyday words to describe position.
6. Uses language such as 'circle' or 'bigger' to describe the shape and size of solids and flat shapes.
7. Uses language such as 'greater', 'smaller', 'heavier' or 'lighter' to compare quantities.
8. Uses developing mathematical ideas and methods to solve practical problems.
9. Uses mathematical language to describe solid (3D) objects and flat (2D) shapes.

Knowledge and understanding of the world

1. Shows curiosity and interest by exploring surroundings.
2. Observes, selects and manipulates objects and materials. Identifies simple features and significant personal events.
3. Identifies obvious similarities and differences when exploring and observing. Constructs in a purposeful way, using simple tools and techniques.
4. Investigates places, objects, materials and living things by using all the senses as appropriate. Identifies some features and talks about those features s/he likes and dislikes.
5. Asks questions about why things happen and how things work. Looks closely at similarities, differences, patterns and change.
6. Finds out about past and present events in own life, and in those of family members and other people s/he knows. Begins to know about own culture and beliefs and those of other people.
7. Finds out about and identifies the uses of everyday technology and uses information and communication technology and programmable toys to support his/ her learning.
8. Builds and constructs with a wide range of objects, selecting appropriate resources, tools and techniques and adapting her/his work where necessary.
9. Communicates simple planning for investigations and constructions and makes simple records and evaluations of her/his work. Identifies and names key features and properties, sometimes linking different experiences, observations and events. Begins to explore what it means to belong to a variety of groups and communities.

Physical Development

1. Moves spontaneously, showing some control and coordination.
2. Moves with confidence in a variety of ways, showing some awareness of

- space.
3. Usually shows appropriate control in large- and small-scale movements.
 4. Moves with confidence, imagination and safety. Travels around, under, over and through balancing and climbing equipments. Shows awareness of space, of self and others.
 5. Demonstrates fine motor control and coordination.
 6. Uses small and large equipments, showing a range of basic skills.
 7. Handles tools, objects, construction and malleable materials safely and with basic control.
 8. Recognises the importance of keeping healthy and those things which contribute to this. Recognises the changes that happen to her/his body when s/he is active.
 9. Repeats, links and adapts simple movements, sometimes commenting on her/ his work. Demonstrates coordination and control in large and small movements, and in using a range of tools and equipment.

Creative Development

1. Explores different media and responds to a variety of sensory experiences. Engages in representational play.
2. Creates simple representations of events, people and objects and engages in music making.
3. Tries to capture experiences, using a variety of different media.
4. Sings simple songs from memory.
5. Explores colour, texture, shape, form and space in two or three dimensions.
6. Recognises and explores how sounds can be changed. Recognises repeated sounds and sound patterns and matches movements to music.
7. Uses imagination art and design, music, dance, imaginative and role-play and stories. Responds in a variety of ways to what s/he sees, hears, smells, touches and feels.
8. Expresses and communicates ideas, thoughts and feelings using a range of materials, suitable tools, imaginative and role-play, movement, designing and making, and a variety of songs and musical instruments.
9. Expresses feelings and preferences in response to artwork, drama and music and makes some comparisons and links between different pieces. Responds to own work and that of others when exploring and communicating ideas, feelings and preferences through art, music, dance, role-play and imaginative play.

Specific requirements for qualifications and ratios of adults to children

A Nursery classes in maintained and independent schools and registered early years providers, except for childminders

In addition to the requirements below, there must be at least two adults on duty in a setting at any time when children are present.

The ratios include any children of staff or volunteers. Any care provided for older children must not adversely affect the care of children receiving early years provision.

The ratio requirements set out the minimum numbers of staff that are required to be present with the children at any time. However it may, according to circumstances, be necessary to exceed these minimum requirements. The provider should consider at all times whether there is adequate supervision of children and ensure that the needs of the individual children being cared for are met. The ratio requirements for provision for three to five year olds in registered settings and independent schools allow for there to be fewer adults to children when a person holding Qualified Teacher Status, Early Years Professional Status or another suitable level 6 qualification is directly engaged in working with the children. However, providers must ensure that when such practitioners are not present, or are on site but not interacting with the children, the ratio and qualification requirements are adjusted suitably.

The ratios relate to staff time available to work directly with children. Sufficient suitable staff must be available to cover staff breaks, holidays, sickness and time spent with parents in order to ensure that the ratio and qualification requirements are always met in relation to the staff working directly with the children. Additional staff may be required to undertake management tasks, prepare meals, maintain premises and equipment, etc.

The numbers of children set out below represent the maximum numbers of children who may be provided for by early years providers. However, the maximum number of children who may be appropriately cared for by a particular provider may be fewer than the maximum numbers given here. In registered provision, Ofsted will make a judgement about the maximum numbers of children that a particular provider may be registered to care for which will be set out in the conditions of registration. This judgment will be based on factors such as the amount of space available.

Children aged under two

- There must be at least one member of staff for every three children;
- At least one member of staff must be qualified to at least level 3, and have suitable experience of working with children under two;
- At least half of all other staff must be qualified to at least level 2;
- At least half the staff must have received specific training in the care of

babies.

Children aged two years

- There must be at least one member of staff for every four children;
- At least one member of staff must be qualified to at least level 3;
- At least half of all other staff must be qualified to at least level 2.

Children aged three and over

Maintained nursery schools and nursery classes in maintained schools

- There must be at least one member of staff for every thirteen children;
- At least one member of staff must be a 'school teacher' as defined by Section 122 of the Education Act 2002 and the Education (School Teachers' Qualifications) (England) Regulations 2003;
- At least one other member of staff must be qualified to level 3.

These requirements apply only in respect of children aged 3 and over. Where 2 year olds attend a maintained nursery school or class, then the requirements above for two year olds apply in respect of those children. The requirements for maintained schools also apply to children's centres based on maintained schools.

Nursery classes in independent schools

Where a person with Qualified Teacher Status, Early Years Professional Status or another suitable level 6 qualification is assigned to the class, the following requirements apply:

- There must be at least one member of staff for every thirteen children;
- At least one other member of staff must be qualified to level 3.

Where a person with Qualified Teacher Status, Early Years Professional Status or another suitable level 6 qualification is not assigned to the class, the following requirements apply:

- There must be at least one member of staff for every eight children;
- At least one member of staff must be qualified to at least level 3;
- At least half of all other staff must be qualified to at least level 2.

Registered early years providers

A ratio of one member of staff for every thirteen children may apply between 8am and 4pm; only at times when:

- At least one member of staff holds Qualified Teacher Status or Early Years Professional Status or another suitable level 6 qualification;
- At least one other member of staff is qualified to level 3.

Outside the hours of 8am and 4pm, and at times when a suitably qualified member of staff is not present:

- There must be at least one member of staff for every eight children;
- At least one member of staff must be qualified to at least level 3;

B *Childminders*

The numbers of children for whom a childminder may care for are set out below. The numbers include the childminder's own children or any other children for whom they are responsible, e.g. children who the childminder is fostering. Any care provided for older children must not adversely affect the care of children receiving early years provision.

The numbers of children set out below represent the maximum number of children who may be cared for by a childminder at any one time. However, the maximum number of children who may be appropriately cared for by a particular childminder may be fewer than the maximum numbers given here. In all cases, Ofsted will make a judgement about the maximum numbers of children that a particular childminder may be registered to care for which will be set out in the conditions of registration. This judgment will be based on factors such as the amount of space available.

Where a childminder employs an assistant or works with another childminder, the same adult: child ratios apply for any additional children.

A childminder may care for:

- A maximum of six children under the age of 8;
- Of these six children, a maximum of three may be young children* (except where 4 and 5 year old children only attend the childminding setting for before and/or after school care care);and
- Normally, no more than one child may be under the age of 1, but
- A childminder may be registered to care for two children under the age of 1 where they are able to demonstrate that they can meet and reconcile the individual needs of all the children being cared for.

Exceptions to these ratios can be made for siblings and to provide continuity of care in certain circumstances approved by Ofsted, provided that the total number of children under the age of 8 being cared for does not exceed 6.