EYFS Audit 2023/24

Early Years Foundation Stage statutory/legal requirements providers must fulfil

This Audit is to be used in conjunction with the [Statutory framework for the early years foundation stage](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974907/EYFS_framework_-_March_2021.pdf)  (Effective 1st September 2023) including footnotes and annexes for additional information.

Contents

Section 1 – The Learning and Development Requirements…………………………………………………………………………3

Section 2 – Assessment…………………………………………………………………………………………………………………7

Section 3 – The Safeguarding and Welfare Requirements………………………………………………………………………….14

The Early Years Foundation Stage (EYFS) sets the standards that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe.

The learning and development requirements cover:

* the areas of learning and development which must shape activities and experiences (educational programmes) for children in all early years settings
* the early learning goals that providers must help children work towards (the knowledge, skills and understanding children should have at the end of the academic year in which they turn five)
* assessment arrangements for measuring progress (and requirements for reporting to parents and/or carers)

The safeguarding and welfare requirements cover the steps that providers must take to keep children safe and promote their welfare.

It provides an opportunity for you to evidence and evaluate your practice in relation to the EYFS statutory requirements.

Please note, some items may not be relevant for your setting.

# Section 1 – The Learning and Development Requirements

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| **Paragraph** | **Learning and Development requirements** | **Checked & Date** | **Location of evidence** | **Action required** |
| 1.1 | Providers must work in partnership with parents and/or carers, to promote the learning and development of all children in their care, and to ensure they are ready for Year 1. |  |  |  |
| 1.1 | Early years providers mustguide the development of children’s capabilities with a view to ensuring that children in their care complete the EYFS ready to benefit fully from the opportunities ahead of them. |  |  |  |
| **Paragraph** | **Areas of Learning and Development** | **Checked & Date** | **Location of evidence** | **Action required** |
| 1.3 | The seven areas of learning and development must shape educational programmes in early years settings. All areas of learning and development are important and inter-connected. |  |  |  |
| 1.4 | Providers must help children work towards the early learning goals (the knowledge, skills and understanding children should have at the end of the academic year in which they turn five)  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 * personal, social and emotional development |  |  |  |
| 1.4 | Providers must also support children in four specific areas, through which the three prime areas are strengthened and applied. The specific areas are:   * Literacy * Mathematics * Understanding the World * Expressive Arts and Design |  |  |  |
| **Paragraph** | **Educational Programmes** | **Checked & Date** | **Location of evidence** | **Action required** |
| 1.6 | Educational programmes must involve activities and experiences for children, as set out under each of the areas of learning. |  |  |  |
| **Paragraph** | **Early Learning Goals** | **Checked & Date** | **Location of evidence** | **Action required** |
| 1.8/9 | 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, from being read to frequently to playing with friends. The ELGs should support teachers to make a holistic, best-fit judgement about a child’s development, and their readiness for year 1. |  |  |  |
| 1.10 | 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. |  |  |  |
| **Paragraph** | **Learning and Development Considerations** | **Checked & Date** | **Location of evidence** | **Action required** |
| 1.11 | Practitioners must consider the individual needs, interests and development of each child in their care, and must use this information to plan a challenging and enjoyable experience for each child in all areas of learning and development. |  |  |  |
| 1.11 | Practitioners working with the youngest children are expected to focus strongly on the three prime areas, which are the basis for successful learning in the other four specific areas. |  |  |  |
| 1.12 | Throughout the early years, if a child’s progress in any prime area gives cause for concern, practitioners must discuss this with the child’s parents and/or carers and agree how to support the child. |  |  |  |
| 1.12 | Practitioners must consider whether a child may have a special educational need or disability which requires specialist support. They should link with, and help families to access, relevant services from other agencies as appropriate. |  |  |  |
| 1.13 | For children whose home language is not English, providers must take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development at home. |  |  |  |
| 1.13 | Providers must also ensure that 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 year 1. |  |  |  |
| 1.13 | When assessing communication, language and literacy skills, practitioners must assess children’s skills in English. |  |  |  |
| 1.13 | If a child does not have a strong grasp of English language, practitioners 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. |  |  |  |
| 1.14 | 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. |  |  |  |
| 1.14 | 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. |  |  |  |
| 1.15 | 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:  • **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. |  |  |  |
| 1.16 | Each child must be assigned a key person (also a Safeguarding and Welfare requirement 3.27). Providers must inform parents and/or carers of the name of the key person, and explain their role, when a child starts attending a setting. |  |  |  |
| 1.16 | The key person must help ensure that every child’s learning and care is tailored to meet their individual needs. |  |  |  |
| 1.16 | The key person must seek to engage and support parents and/or carers in guiding their child’s development at home. |  |  |  |
| 1.16 | They should also help families engage with more specialist support if appropriate. |  |  |  |

# Section 2 – Assessment

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| **Paragraph** | **Assessment** | **Checked & Date** | **Location of evidence** | **Action required** |
| 2.1 | In their interactions with children, practitioners should respond to their own day-to-day observations about children’s progress and observations that parents and carers share. |  |  |  |
| 2.2 | Assessment should not entail prolonged breaks from interaction with children, nor require excessive paperwork. Paperwork should be limited to that which is absolutely necessary to promote children’s successful learning and development. |  |  |  |
| 2.2 | When assessing whether an individual child is at the expected level of development, practitioners should draw on their knowledge of the child and their own expert professional judgement and should not be required to prove this through collection of physical evidence. |  |  |  |
| 2.3 | Parents and/or carers should be kept up-to-date with 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. |  |  |  |
| 2.3 | 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. |  |  |  |
| **Paragraph** | **Progress check at age 2** | **Checked & Date** | **Location of evidence** | **Action required** |
| 2.4 | When a child is aged between two and three, practitioners mustreview their progress, and provide parents and/or carers with a short, written summary of their child’s development in the prime areas. This progress check must identify the child’s strengths, and any areas where the child’s progress is less than expected. |  |  |  |
| 2.4 | If there are significant emerging concerns, or an identified special educational need or disability, practitioners should develop a targeted plan to support the child’s future learning and development involving parents and/or carers and other professionals (for example, the provider’s Special Educational Needs Co-ordinator (SENCO) or health professionals) as appropriate. |  |  |  |
| 2.5 | 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). |  |  |  |
| 2.5 | The summary must describe the activities and strategies the provider intends to adopt to address any issues or concerns. |  |  |  |
| 2.5 | Practitioners must discuss with parents and/or carers how the summary of development can be used to support learning at home. |  |  |  |
| 2.6 | 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. |  |  |  |
| 2.6 | 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. |  |  |  |
| 2.6 | Providers must have the consent of parents and/or carers to share information directly with other relevant professionals. |  |  |  |

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| **Assessment at the start of the reception year – the Reception Baseline Assessment (RBA) (Annex B)**  [**Reception Baseline Assessment Framework**](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/868099/2020_Assessment_Framework_Reception_Baseline_Assessment.pdf) |
| Providers must have regard to statutory guidance from the Department for Education when administering Reception Baseline Assessments (RBAs). Schools must administer the assessment in accordance with administration guidance and the assessment and reporting arrangements. |

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| **Paragraph** | **Assessment Administration** | **Checked & Date** | **Location of evidence** | **Action required** |
| B.3 | The RBA and its data should not be used for any other purpose apart from the progress measure. |  |  |  |
| B.5 | The assessment must be carried out within a window of six weeks, commencing as soon as each child starts reception, within the school day. (The six-week period applies for autumn, winter and summer intakes, or any pupil that joins a school mid-term and hasn’t previously taken the RBA). |  |  |  |
| B.9 | Headteachers must ensure that confidentiality of assessment materials is maintained so that no child has an unfair advantage. Schools must follow guidance on how to keep materials secure and treat them as confidential when they are received. |  |  |  |
| B.10 | Assessment materials must not be used for any other purpose but for delivering the assessment. |  |  |  |
| **Paragraph** | **Inclusion and Participation** | **Checked & Date** | **Location of evidence** | **Action required** |
| B.11 | All maintained schools and academies with a reception cohort will be required to participate in the assessment. The RBA is to be administered to all pupils registered in a reception class in the schools specified. |  |  |  |
| B.12 | The reception to key stage 2 progress measure will be applicable to the vast majority of schools in the primary phase - those where pupils enter in reception and leave in year 6. Other school types - infant, first, junior and middle schools - will be expected to ensure their pupils’ make good progress and, like all schools, to be able to explain to Ofsted how they have planned and implemented their curriculum and what impact that is having for pupils. |  |  |  |
| B.14 | All assessments are required to meet Ofqual’s regulatory framework which states ‘assessment should minimise bias, differentiating only on the basis of each pupil’s level of attainment. A pupil should not be disadvantaged by factors that do not relate to what is being tested.’ |  |  |  |
| B.16 | Headteachers must ensure that the confidentiality of the assessment is maintained while any modifications for pupils with visual and hearing impairments are being made. |  |  |  |
| B.17 | Disapplication is permitted for individual pupils who are unable to participate, even when using suitable access arrangements. Headteachers must make the final decision about whether it is appropriate for a pupil to take the RBA, and this decision should be discussed with the pupil’s parents and teachers. |  |  |  |
| B.21 | Headteachers must sign a Headteacher Declaration Form (HDF). This must be completed once each academic year, as is currently the case for all National Curriculum assessments in key stages 1 and 2. All requirements of the HDF must be adhered to. |  |  |  |
| **Paragraph** | **Responsibilities** | **Checked & Date** | **Location of evidence** | **Action required** |
| B.22 | Headteachers must ensure that the RBA is being delivered in accordance with the [Statutory framework for the early years foundation stage](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974907/EYFS_framework_-_March_2021.pdf)  (Sept 2021) and the assessment and reporting arrangements which are published annually. |  |  |  |
| **Paragraph** | **Interaction with other assessments** | **Checked & Date** | **Location of evidence** | **Action required** |
| B.28 | Schools must continue to carry out both the RBA and Early Years Foundation Stage Profile statutory assessments. |  |  |  |
| B.29 | Schools asked to take part in statutory trialling of the RBA must administer the assessment according to the trialling instructions provided. |  |  |  |
| **Paragraph** | **Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP)** | **Checked & Date** | **Location of evidence** | **Action required** |
| 2.9 | In the final term of the year in which the child reaches age five, and no later than 30 June in that term, the EYFS Profile must be completed for each child. This includes those children who complete the EYFS in an Ofsted or childminder agency registered setting and who are due to start school in year 1 in the following academic year. |  |  |  |
| 2.10 | 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. |  |  |  |
| 2.11 | Each child’s level of development must be assessed against the early learning goals (see Section 1 [Statutory framework for the early years foundation stage](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974907/EYFS_framework_-_March_2021.pdf) ) |  |  |  |
| 2.11 | Practitioners must indicate whether children are meeting expected levels of development, or if they are not yet reaching expected levels (‘emerging’). |  |  |  |
| 2.12 | Year 1 teachers must be given a copy of the Profile report. Providers 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 |  |  |  |
| 2.12 | These should inform a dialogue 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. |  |  |  |
| 2.13 | Schools, or the relevant provider, 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 teacher/practitioner who completed it. |  |  |  |
| 2.13 | For children attending more than one setting, the Profile must be completed by the school where the child spends most time. |  |  |  |
| 2.13 | If a child moves to a new school during the academic year, the original school 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. |  |  |  |
| 2.13 | If a child moves during the summer term, relevant providers must agree which of them will complete the Profile. |  |  |  |
| 2.14 | The Profile must be completed for all children, including those with special educational needs or disabilities. |  |  |  |
| 2.14 | Reasonable adjustments to the assessment process for children with special educational needs and disabilities must be made as appropriate. Providers should consider whether they may need to seek specialist assistance to help with this. |  |  |  |
| **Paragraph** | **Information to be provided to the Local Authority** | **Checked & Date** | **Location of evidence** | **Action required** |
| 2.11 | Early years providers must report EYFS Profile results to local authorities, upon request. |  |  |  |

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# Section 3 – The Safeguarding and Welfare Requirements

**Providers must ensure that their arrangements for safeguarding children comply with current guidance from government and the Oxfordshire Safeguarding Children Board.** This audit should be used in addition to theSafeguarding Audit for EY Providers and / or School Safeguarding Audit. Please contact [early.years@oxfordshire.gov.uk](mailto:early.years@oxfordshire.gov.uk) if you require further information.

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

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| **Paragraph** | **Introduction** |
| 3.2 | Providers must take all necessary steps to keep children safe and well. They must:   * safeguard children * ensure the suitability of adults who have contact with children * promote good health manage behaviour * maintain records, policies and procedures. |
| 3.3 | Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing policy. Where providers other than childminders are required to have policies and procedures as specified below, these policies and procedures should be recorded in writing. |
| 3.3 | Childminders are not required to have written policies and procedures. However, they must be able to explain their policies and procedures to parents, carers, and others (for example Ofsted inspectors or the childminder agency with which they are registered) and ensure any assistants follow them. |

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| **Paragraph** | **Child Protection** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.4 | Providers must be alert to any issues of concern in the child’s life at home or elsewhere. |  |  |  |
| 3.4 | Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant local safeguarding partners (LSP).  The safeguarding policy and procedures must include an explanation of the action to be taken:   * when there are safeguarding concerns about a child * in the event of an allegation being made against a member of staff   and cover the use of mobile phones and cameras in the setting. |  |  |  |
| 3.5 | A practitioner must be designated to take lead responsibility for safeguarding children in every setting.  Childminders must take the lead responsibility themselves.  The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the LSP. They 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. |  |  |  |
| 3.6 | 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. |  |  |  |
| 3.7 | Providers must have regard to the government's statutory guidance:   * [Working together to safeguard children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) * [Revised Prevent duty](https://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales)   All schools are required to have regard to the government’s [Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) statutory guidance.  If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities without delay. |  |  |  |
| 3.8 | Registered providers must inform Ofsted or their childminder agency of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere).  Registered providers must notify Ofsted or their childminder agency of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. |  |  |  |
| **Paragraph** | **Suitable People** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.9 | Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles.  Providers must have effective systems in place to ensure that practitioners, and any other person who may have regular contact with children (including those living or working on the premises), are suitable |  |  |  |
| 3.10 | Registered providers other than childminders and childcare on domestic premises must obtain an enhanced criminal records check for every person aged 16 and over (including unsupervised volunteers, and supervised volunteers who provide personal care) who:   * 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) * 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) |  |  |  |
| 3.11 | 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. |  |  |  |
| 3.11 | Providers must not allow people, whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for. |  |  |  |
| 3.12 | Providers other than childminders 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).  For childminders, the relevant information will be kept by Ofsted or the agency with which the childminder is registered |  |  |  |
| 3.13 | Providers must also meet their responsibilities under the [Safeguarding Vulnerable Groups Act 2006.](http://www.legislation.gov.uk/ukpga/2006/47/contents) |  |  |  |
| **Paragraph** | **Disqualification** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.14 | In the event of the disqualification of a provider, the provider must not continue as an early years provider nor be directly concerned in the management of such provision.  Where a person is disqualified, the provider must not employ that person in connection with early years provision.  Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children. |  |  |  |
| 3.16 | A registered provider must notify Ofsted or the agency with which the childminder 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. |  |  |  |
| 3.17 | The registered provider must give Ofsted or the childminder agency with which they are registered, the following information:   * 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 when the 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) |  |  |  |
| 3.18 | The information must be provided to Ofsted or the childminder agency with which they are registered as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information. |  |  |  |
| **Paragraph** | **Staff taking medication/other substances** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.19 | Staff members must not be under the influence of alcohol or any other substance which may affect their ability to care for children. |  |  |  |
| 3.19 | If a staff member is taking medication which may affect their ability to care for children, the staff member should seek medical advice. |  |  |  |
| 3.19 | Providers must ensure that staff members only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member’s ability to look after children properly. |  |  |  |
| 3.19 | All medication on the premises must be securely stored, and out of reach of children, at all times. |  |  |  |
| **Paragraph** | **Staff qualifications, training, support and skills** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.20 | 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. |  |  |  |
| 3.21 | 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. |  |  |  |
| 3.22 | Providers must put appropriate arrangements in place for the supervision of staff who have contact with children and families. |  |  |  |
| 3.24 | Childminders must have completed training which helps them to understand and implement the EYFS before they can register with Ofsted or a childminder agency.  Childminders must be satisfied that assistants are competent in the areas of work they undertake. |  |  |  |
| 3.25 | 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 PFA certificate must be for a full course consistent with the criteria set out in Annex A. |  |  |  |
| 3.25 | Childminders, and any assistant who might be in sole charge of the children for any period of time, must hold a full current PFA certificate. |  |  |  |
| 3.25 | PFA training must be renewed every three years and be relevant for workers caring for young children and where relevant, babies. |  |  |  |
| 3.25 | 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. |  |  |  |
| 3.25 | All newly qualified practitioners who have completed a level 2 and/or level 3 qualification on or after 30 June 2016, must also have either a full PFA or an emergency PFA certificate within three months of starting work in order to be included in the required staff:child ratios. |  |  |  |
| 3.26 | Providers must ensure that staff have sufficient understanding and use of English to ensure the well-being of children in their care.  Settings must be in a position to keep records in English, to liaise with other agencies in English, to summon emergency help, and to understand instructions such as those for the safety of medicines or food hygiene. |  |  |  |
| **Paragraph** | **Key Person** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.27 | Each child must be assigned a key person. |  |  |  |
| **Paragraph** | **Staff:child ratios – all providers (including childminders)** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.28 | In settings on the early years register, the manager must hold an approved level 3 qualification or above and at least half of all other staff must hold at least an approved level 2 qualification.  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. |  |  |  |
| 3.29 | Staffing arrangements must meet the needs of all children and ensure their safety. |  |  |  |
| 3.29 | Providers must ensure that children are adequately supervised, including whilst eating, and decide how to deploy staff to ensure children’s needs are met. |  |  |  |
| 3.29 | Providers must inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. |  |  |  |
| 3.29 | Whilst eating, children must be within sight and hearing of a member of staff. |  |  |  |
| 3.29 | Children must usually be within sight and hearing of staff and always within sight or hearing. |  |  |  |
| 3.31 | For group settings providing overnight care, the relevant ratios continue to apply and at least one member of staff must be awake at all times. |  |  |  |
| **Paragraph** | **Staff:child ratios – early years providers (other than childminders)** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.32 | 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 must be suitably experienced in working with children under two * at least half of all other 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 have suitable experience of working with under twos |  |  |  |
| 3.33 | 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 other staff must hold an approved level 2 qualification |  |  |  |
| 3.34 | 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 **working directly with** the 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 |  |  |  |
| 3.35 | For children aged three and over at any time in registered early years provision when 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 the 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 |  |  |  |
| 3.36 | 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** the 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 30 children * for all other classes there must be at least one member of staff for every 13 children * at least one other member of staff must hold an approved level 3 qualification |  |  |  |
| 3.37 | For children aged three and over in independent schools (including in nursery classes in 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 the 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 |  |  |  |
| 3.38 | 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 school teacher * at least one other member of staff must hold an approved level 3 qualification |  |  |  |
| 3.39 | In an ordinary teaching session, a school must employ sufficient school teachers to enable it to teach its infant classes in groups of no more than 30 per school teacher |  |  |  |
| 3.40 | Where schools choose to mix their reception classes with groups of younger children, 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. |  |  |  |
| **Paragraph** | **Staff:child ratios before/after school care and holiday provision** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.41 | 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 |  |  |  |
| **Paragraph** | **Staff:child ratios – childminders** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.42 | At any one time, childminders (whether providing the childminding on domestic or non-domestic premises) may care for a maximum of six children under the age of eight.  Of these six children, a maximum of three may be young children, and there should only be one child under the age of one. (A child is a young child up until 1st September following his or her fifth birthday).  Any care provided for older children must not adversely affect the care of children receiving early years provision |  |  |  |
| 3.43 | In all circumstances, the total number of children under the age of eight being cared for must not exceed six per adult. |  |  |  |
| 3.44 | Childminders must obtain parents and/or carers’ permission to leave children with an assistant, including for very short periods of time.  For childminders providing overnight care, the ratios continue to apply and the childminder must always be able to hear the children (this may be via a monitor) |  |  |  |
| **Paragraph** | **Health: medicines** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.45 | The provider must promote the good health, including the oral health, of children attending the setting. |  |  |  |
| 3.45 | Practitioners must have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious. |  |  |  |
| 3.45 | Practitioners must take necessary steps to prevent the spread of infection, and take appropriate action if children are ill |  |  |  |
| 3.46 | Providers must have and implement a policy, and procedures, for administering medicines. It must include systems for obtaining information about a child’s needs for medicines, and for keeping this information up-to-date. |  |  |  |
| 3.46 | Training must be provided for staff where the administration of medicine requires medical or technical knowledge. |  |  |  |
| 3.46 | 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. |  |  |  |
| 3.47 | Medicine (both prescription and non-prescription) 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. |  |  |  |
| 3.47 | 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, or as soon as reasonably practicable. |  |  |  |
| **Paragraph** | **Health: food and drink** | **Checked & Date** | **Location of evidence** | **Action required** |
| 3.48 | Where children are provided with meals, snacks and drinks, they must be healthy, balanced and nutritious. |  |  |  |
| 3.48 | Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements. |  |  |  |
| 3.48 | Fresh drinking water must be available and accessible to children at all times. Providers must record and act on information from parents and carers about a child's dietary needs. |  |  |  |
| 3.49 | There must be an area which is 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. |  |  |  |
| 3.49 | Providers must be confident that those responsible for preparing and handling food are competent to do so. In group provision, all staff involved in preparing and handling food must receive training in food hygiene. |  |  |  |
| 3.50 | Registered providers must notify Ofsted or the childminder agency with which they are registered of any food poisoning affecting two or more children cared for on the premises.  Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident.  A named practitioner must have the skills to advise other staff. |  |  |  |
| **Paragraph** | **Health: accident or injury** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.51 | Providers must ensure there is a first aid box accessible at all times with appropriate content for use with children. |  |  |  |
| 3.51 | Providers must keep a written record of accidents or injuries and first aid treatment. |  |  |  |
| 3.51 | 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, and of any first aid treatment given. |  |  |  |
| 3.52 | Registered providers must notify Ofsted or the childminder agency with which they are registered of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. |  |  |  |
| 3.52 | 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. |  |  |  |
| **Paragraph** | **Managing children’s behaviour** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.54 | Providers must not give or threaten corporal punishment to a child and must not use or threaten any punishment which could adversely affect a child's well-being. |  |  |  |
| 3.54 | Providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. |  |  |  |
| 3.54 | Providers, including childminders, must keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable. |  |  |  |
| **Paragraph** | **Safety and suitability of premises, environment and equipment** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.55 | 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. |  |  |  |
| 3.55 | Providers must comply with requirements of health and safety legislation (including fire safety and hygiene requirements). |  |  |  |
| 3.56 | Providers must take reasonable steps to ensure the safety of children, staff and others on the premises in the case of fire or any other emergency and must have an emergency evacuation procedure. |  |  |  |
| 3.56 | Providers must have 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 must be free of obstruction and easily opened from the inside. |  |  |  |
| 3.57 | Providers must not allow smoking in or on the premises when children are present or about to be present. |  |  |  |
| **Paragraph** | **Safety and suitability: premises** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.58 | The premises and equipment must be organised in a way that meets the needs of children.  Providers must meet the following indoor space requirements59 where indoor activity in a building(s) forms the main part of (or is integral) to the provision:   * Children under two years: 3.5 m2 per child * Two year olds: 2.5 m2 per child * Children aged three to five years: 2.3 m2 per child |  |  |  |
| 3.59 | Providers must provide access to an outdoor play area or, if that is not possible, ensure that outdoor activities are planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions). |  |  |  |
| 3.59 | Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments). |  |  |  |
| 3.60 | Sleeping children must be frequently checked to ensure that they are safe, this includes ensuring that cots/bedding are in good condition and suited to the age of the child, and that infants are placed down to sleep safely in line with latest government safety guidance. |  |  |  |
| 3.60 | Except in childminding settings, 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. |  |  |  |
| 3.61 | Providers must ensure there is an adequate number of toilets and hand basins available. Except in childminding settings, there should usually be separate toilet facilities for adults. |  |  |  |
| 3.61 | Providers must ensure there are suitable hygienic changing facilities for changing any children who are in nappies. |  |  |  |
| 3.62 | Providers must ensure that there is an area where staff may talk to parents and/or carers confidentially  Providers must ensure that there is an area in group settings for staff to take breaks away from areas being used by children. |  |  |  |
| 3.63 | Providers must only release children into the care of individuals who have been notified to the provider by the parent. |  |  |  |
| 3.63 | Practitioners must ensure that children do not leave the premises unsupervised. |  |  |  |
| 3.63 | Providers must take all reasonable steps to prevent unauthorised persons entering the premises and have an agreed procedure for checking the identity of visitors. |  |  |  |
| 3.63 | Providers must consider what additional measures are necessary when children stay overnight. |  |  |  |
| 3.64 | Providers must carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childcare or childminding. |  |  |  |
| **Paragraph** | **Safety and suitability: risk assessment** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.65 | Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks. |  |  |  |
| 3.65 | Providers must determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff practice, and to demonstrate how they are managing risks. |  |  |  |
| **Paragraph** | **Safety and suitability: outings** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.66 | Children must be kept safe while on outings.  Providers must assess the risks or hazards which may arise for the children and must identify the steps to be taken to remove, minimise and manage those risks and hazards. The risk assessment must include consideration of adult to child ratios. |  |  |  |
| 3.67 | Vehicles in which children are being transported, and the driver of those vehicles, must be adequately insured. |  |  |  |
| **Paragraph** | **Special Educational Needs** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.68 | Providers must have arrangements in place to support children with SEN or disabilities. |  |  |  |
| 3.68 | Maintained schools, maintained nursery schools and all providers who are funded by the local authority to deliver early education places must have regard to the Special Educational Needs Code of Practice. |  |  |  |
| 3.68 | 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. |  |  |  |
| **Paragraph** | **Information and records** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.69 | Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or the childminder agency with which they are registered, as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. |  |  |  |
| 3.69 | Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. |  |  |  |
| 3.70 | Records must be easily accessible and available (these may be kept securely off the premises). |  |  |  |
| 3.70 | 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. |  |  |  |
| 3.70 | Providers must be aware of their responsibilities under [Data Protection legislation](file:///C:\Users\catherine.hayward\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\5AA55V5A\Data%20Protection%20legislation) and where relevant the Freedom of Information Act 2000 |  |  |  |
| 3.71 | Providers must ensure that all staff understand the need to protect the privacy of the children in their care |  |  |  |
| 3.71 | Providers must ensure that all staff understand the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. |  |  |  |
| 3.72 | 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. |  |  |  |
| 3.72 | Records relating to individual children must be retained for a reasonable period of time after they have left the provision. |  |  |  |
| **Paragraph** | **Information about the child** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.73 | 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 (and information about any other person who has parental responsibility for the child) * which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers. |  |  |  |
| **Paragraph** | **Information for parents and carers** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.74 | Providers must make the following information available to 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 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 the provider's policies and procedures (all providers except childminders must make copies available on request) 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 * staffing in the setting * the name of their child’s key person and their role * a telephone number for parents and/or carers to contact in an emergency |  |  |  |
| **Paragraph** | **Complaints** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.75 | 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.  Childminders are not required to have a written procedure for handling complaints, but they must keep a record of any complaints they receive and their outcome. |  |  |  |
| 3.75 | All providers must investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint.  The record of complaints must be made available to Ofsted or the relevant childminder agency on request. |  |  |  |
| 3.76 | Providers must make available to parents and/or carers details about how to contact Ofsted or the childminder agency with which the provider is registered as appropriate, if they believe the provider is not meeting the EYFS requirements.  If providers become aware that they are to be inspected by Ofsted or have a quality assurance visit by the childminder agency, they must notify parents and/or carers.  After an inspection by Ofsted or a quality assurance visit by their childminder agency, providers must supply a copy of the report to parents and/or carers of children attending on a regular basis. |  |  |  |
| **Paragraph** | **Information about the provider** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.77 | 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 (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 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) |  |  |  |
| **Paragraph** | **Changes that must be notified to Ofsted or the relevant childminder agency** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| 3.78 | All registered early years providers must notify Ofsted or the CMA with which they are registered 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 * in the persons aged 16 years or older living or working on any domestic premises from which childminding is provided; or to the persons caring for children on any premises where childminding is provided * any proposal to change the hours during which childcare is provided; or to provide overnight care * any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children |  |  |  |
| 3.78 | Where the early years provision is provided by a company, Ofsted must be notified of any change in the name or registered number of the company.  Where the early years provision is provided by a charity, Ofsted must be notified of any change in the name or registration number of the charity.  Where the childcare is provided by a partnership, body corporate or unincorporated association, Ofsted must be notified of 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, Ofsted must be notified of any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body |  |  |  |
| 3.79 | Where providers are required to notify Ofsted or their CMA about a change of person **except for managers**, as specified in paragraph 3.78, providers must give Ofsted or their CMA:   * the new person's name, and any former names or aliases * date of birth * home address. |  |  |  |
| 3.79 | If there is a **change of manager**, providers must notify Ofsted or their CMA that a new manager has been appointed. Where it is reasonably practicable to do so, notification must be made in advance. In other cases, notification must be made as soon as is reasonably practicable, but always within 14 days. |  |  |  |
| **Paragraph** | **Criteria for effective Paediatric First Aid (PFA) training (Annex A)** | **Checked &**  **Date** | **Location of evidence** | **Action required** |
| A.2&3 | Following PFA training, an assessment of competence leads to the award of a certificate. The certificate must be renewed every three years. |  |  |  |
| A.4 | Adequate resuscitation and other equipment including baby and junior models must be provided as part of training, so that all trainees are able to practice and demonstrate techniques. |  |  |  |
| A.5 | The emergency PFA course should be undertaken face-to-face (trainers are physically present with their trainees) and last for a minimum of 6 hours (excluding breaks). It should cover the following areas:   * Be able to assess an emergency situation and prioritise what action to take * Help a baby or child who is unresponsive and breathing normally * Help a baby or child who is unresponsive and not breathing normally * Help a baby or child who is having a seizure * Help a baby or child who is choking * Help a baby or child who is bleeding * Help a baby or child who is suffering from shock caused by severe blood loss (hypovolemic shock) |  |  |  |
| A.6 | The full PFA course should be delivered face to face (trainers are physically present with their trainees), should last for a minimum of 12 hours (excluding breaks) and should cover the elements listed below in addition to the areas set out in the emergency PFA training elements:   * Help a baby or child who is suffering from anaphylactic shock * Help a baby or child who has had an electric shock * Help a baby or child who has burns or scalds * Help a baby or child who has a suspected fracture * Help a baby or child with head, neck or back injuries • Help a baby or child who is suspected of being poisoned * Help a baby or child with a foreign body in eyes, ears or nose * Help a baby or child with an eye injury * Help a baby or child with a bite or sting * Help a baby or child who is suffering from the effects of extreme heat or cold * Help a baby or child having: a diabetic emergency; an asthma attack; an allergic reaction; meningitis; and/or febrile convulsions * Understand the role and responsibilities of the paediatric first aider (including appropriate contents of a first aid box and the need for recording accidents and incidents) |  |  |  |
| A.7 | Providers should consider whether paediatric first aiders need to undertake annual refresher training, during any three-year certification period to help maintain basic skills and keep up to date with any changes to PFA procedures. |  |  |  |