

APPENDIX C

CHANGES AT OFFICE FOR STANDARDS IN EDUCATION (OFSTED)

In April 2007, Ofsted brought together regulation of schools, childcare, adult learning and social care.

The Early Years Foundation Stage (EYFS) is due to come into force from September 2008. This is a central part of the Ten-year Childcare Strategy: choice for parents, the best start for children and the landmark Childcare Act 2006. It will be central to the delivery of the new duties under that Act to improve outcomes and reduce inequalities between those children under five who are not achieving well and the rest.

(The EYFS brings together the curriculum guidance for the foundation stage, the Birth to Three Matters framework, and the National Standards for Under Eights and day care and Childminding. These three frameworks are replaced by the EYFS.)

From September 2008 the EYFS will be mandatory for all schools and 'early years providers' in Ofsted registered settings attended by young children – (birth to end of the academic year in which a child has their fifth birthday).

'Early Years Provider' includes all maintained schools, non-maintained schools; independent schools; and childcare registered by Ofsted on the Early Years register.

From September 2008, 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 Act.

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.

As from September 2008 Ofsted is to operate new registers as follows:

- **Early Years Register (EYR)**

Compulsory for all looking after children from birth to the end of the Early Years Foundation Stage (0-5) – childminders, all group-based provisions – except schools (independent or school with governing body) only taking children aged 3 and over, crèches and home childcarers.

- **Compulsory Childcare Register (CR)**

Compulsory for all looking after children aged from the end of the foundation stage to 7 years old (5-7) – childminders, all group-based provisions - except schools (independent or school with governing body), crèches and home childcarers.

- **Voluntary Childcare Register (CR)**

Voluntary for providers looking after children over 7, home childcarers, crèches and activity based provision. Providers could begin to register for this from April 2007.

Being on any of the registers means the provision has the Ofsted mark of approval and parents can claim the childcare element of working tax credit (WTC) or childcare vouchers.

From October 2007, the fact that childcare services for children aged eight and over belonged to a quality assurance scheme no longer qualified them as childcare for which parents could claim tax credits or childcare vouchers. Providers of these services had to join the Voluntary Childcare Register in order to be entitled.

Other legal duties

Providers should ensure that they are aware of the requirements of the Safeguarding Vulnerable Groups Act 2006 and any guidance issued under this Act which lays the foundation for the introduction of a new vetting and barring scheme from Autumn 2008. Other duties on providers include: employment laws, anti-discriminatory legislation, health and safety legislation, data collection regulations and duty of care.

Legal requirements of qualifications and ratios of adults to children.

a. for children aged three and over in any registered early years provision,

Ratio of one staff member to 13 children - between the hours of 8am - 4pm where a qualified teacher status, early years professional status or another suitable level 6 qualified member of staff is working directly with the children.

The ratio of 1:8 must apply at any time outside the hours of 8am and 4pm, or between the hours of 8 am and 4 pm where a qualified teacher or equivalent is not working directly with the children.

At least one other member of staff must hold a level 3 qualification, and at least half the staff must hold a full and relevant level 2.

b. for children aged 3 and over in independent schools

Ratio of one staff member to 13 children where a qualified teacher status, early years professional status or another suitable level 6 qualification (which is full and relevant, and defined by CWDC) is working directly with the children.

The ratio of 1:8 must apply at any time where a qualified teacher or equivalent is not working directly with the children.

At least one other member of staff must hold a level 3 qualification (as defined by CWDC)