

# Requirements for written documents: childminders delivering the Early Years Foundation Stage

A childcare factsheet

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The Childcare Act 2006 says childcare is 'any form of care for a child including education or any other supervised activity'.

Most childcare providers caring for children under eight years old must register with Ofsted unless the law says they do not need to.

We register childcare providers on the following two registers:

- The Early Years Register
- The Childcare Register.

You can find more information in *Registering childcare providers from September 2008*, which is on our website ([www.ofsted.gov.uk/publications/080043](http://www.ofsted.gov.uk/publications/080043)).

## Introduction

All childcare providers on the Early Years Register must deliver the Early Years Foundation Stage. Those on the Childcare Register must meet the requirements of that register. The Early Years Foundation Stage and Childcare Register explain the records and policies you must keep to help you manage the provision and to ensure children's safety, development and wellbeing. Some providers, particularly childminders, have had questions about the forms they must fill in, especially about the Early Years Foundation Stage.

This factsheet sets out the records, policies and assessments that you must make and keep.

The Early Years Foundation Stage does not ask you to keep written policies and procedures unless the law covers both childminders and other childcare. These instances are listed in our booklet *Are you ready for your inspection*. (See note 1 below.) You should have a copy of this document. In general the requirements are no more difficult to meet than the previous national standards.

The Childcare Register says that you must have some policies and records in writing. If you are on that register or both registers, you must make sure that you hold that information.

## The Early Years Foundation Stage

We do not ask you to have extra documents to deliver the Early Years Foundation Stage except for those you must hold by law.

### Welfare requirements

You must keep the following written records.

- The name, home address and date of birth of each child.
- The name, home address and phone number of the child's parent.
- The name, home address and phone number of everyone living or working in the premises where the childcare is provided – or the part of the premises where the childcare is held.
- A daily record of the hours you care for the child.
- A record of accidents that happen on the premises.
- A record of any medicine given, including the date and details of any medicine given and who gave the medicine.
- A record for parents to sign, to say that staff can give medicines (see note 2 below).
- A record of your risk assessment.

You must have policies for the legal requirements you must meet but these do not have to be in writing. However, you must have policies in place and parents and assistants must know about these. Our inspectors will check this at your inspection using your self-evaluation form, and by talking to parents and assistants.

### Learning and development requirements

There are three legal requirements relating to children's learning and development in the Early Years Foundation Stage, which are:

- the early learning goals;
- the educational programme; and
- the assessment arrangements.

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2 Please see our factsheet *Administration of medication to children in registered childcare*, [www.ofsted.gov.uk/publications/080290](http://www.ofsted.gov.uk/publications/080290).

All registered providers, including childminders, must meet these unless they have an exemption. (See note 3 below.)

The learning and development requirements of the Early Years Foundation Stage are new to many childminders. However, good childminders will find that the type of play they have always provided is how children learn best, and this is the 'educational programme'. This programme should help children meet the early learning goals in the Early Years Foundation Stage. We do not expect you to have extensive written plans of your educational programme, but we do expect you to know children's abilities and where they need help, and to use this information when planning activities. Many childminders will find it helpful to note down what they will be doing, especially if they have children at different stages and with different abilities. It will also help you to show parents and others how you meet the welfare requirement to plan and provide experiences so that every child has an enjoyable and challenging learning and development environment.

The Early Years Foundation Stage says that everyone, including childminders, must make observations on the children. We do not expect long written notes or ask that you take time away from the children to make the observations. Simple notes can form part of the assessments you carry out and share with parents and other partners. Useful methods are ones that most childminders have always used, for example samples of children's work, photographs, shared diaries, notes of what children do and so on. Unless you are the main provider of the Early Years Foundation Stage to children in the term before they are of legal school age (see note 4 below), this is all we expect. If you are the main provider of the Early Years Foundation Stage to children of legal school age, by law you must complete the Early Years Foundation Stage profile for those children. (See note 5 below.) This is usually a very small number of childminders as most children are in school at this stage. If you are in this position, your local authority can help you.

## Self-evaluation form

We ask all providers, including childminders, to consider completing a self-evaluation form if they are on the Early Years Register. This is not the law but we believe it is important to help childminders improve and continue to provide the best possible care.

The self-evaluation form is just one tool for you to use for self-evaluation. It contains important questions to help you review what you do, and to continue improving the care as set out in the Early Years Foundation Stage.

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3 Please see our factsheet on learning and development exemptions, [www.ofsted.gov.uk/publication/080144](http://www.ofsted.gov.uk/publication/080144).

4 Statutory school age is defined as the compulsory age for a child to start full-time education. In the UK this is at the beginning of the school term after the child's fifth birthday.

5 You can find more information about the Early Years Foundation Stage profile at [www.standards.dfes.gov.uk/eyfs/site/profile/index.htm](http://www.standards.dfes.gov.uk/eyfs/site/profile/index.htm).

If you choose not to fill in the self-evaluation form we will check to see what self-evaluation you do and decide how good this is in line with the guidance set out in *Are you ready for your inspection*.

There is no fixed time for doing a self-evaluation form. You do not have to describe everything you do. Instead, you should write about your strengths and areas for development, in terms of the effect on the children. The self-evaluation form is a working document, which you can fill in as often as you like and when it best suits you. For example, you can fill in the self-evaluation form when you normally plan and review. However, we recommend that when you do use the form, you need to update it at least once a year.

## **Childcare Register**

If you are on the Childcare Register, you must keep the following three written policies.

- A statement on keeping children safe.
- A statement on dealing with complaints.
- A written record of any complaints, the results of the investigation and any action taken.

If you are on the Childcare Register you do not have to have an educational programme or make assessments. However, you must still tell parents about the service and activities for children.

## **Childminders on both registers**

The Early Years Register and Childcare Register are covered by two different sets of regulations. Mostly the requirements are the same for each register, but in some cases they are not. If you are on both registers, you must meet the requirements for each of the registers.

If you are on both registers, you must meet the requirements of both registers all the time. One register does not take priority over the other. For example, if you are on the Early Years Register, you do not have to have a written policy for complaints and keeping children safe. However, if you are also registered on the Childcare Register, you must have a written policy if you care for children in this age group.

The requirements of one register do not take priority over the other. We have no power to let providers have differences between the two registers.

## Common questions

### Question 1

**There are many forms on sale to record information about the children I care for. What form would you prefer me to use?**

We do not have one form that we would like you to use. However you choose to keep the information as set out in Early Years Foundation Stage will be acceptable. You can use your own system or buy a form if you prefer. You do not have to buy extra forms and you should think carefully about whether any particular form will help you look after the children you care for.

### Question 2

**I have some children I care for after school who are in their final year of Early Years Foundation Stage. Who needs to fill in the final Early Years Foundation Stage profile?**

The provider who must fill in the Early Years Foundation Stage profile is the one who has the child most in their final year of the Early Years Foundation Stage – between the hours of 8am and 6pm. You must use the child's records, as well as talking to parents and any others who cared for the child in that year. Most often this will be a child's school as this is where they spend most of their time. For a small number of children – who have not started school in their final year of Early Years Foundation Stage and where you mostly cared for them – you will complete the Early Years Foundation Stage.

### Question 3

**Having read through Early Years Foundation Stage I believe that I must keep a record of visitors. Is this true and if so, who needs to sign the visitor book?**

You do not have to keep a record of visitors. Keeping a record of visitors is mentioned in the statutory guidance of the Early Years Foundation Stage but is not a legal requirement. The statutory guidance says this is good practice because it is one way that you can keep children safe.

You must decide how to use the guidance. If you choose not to keep a visitors' record, you must show how you keep children safe when strangers visit. If the number of visitors is small and easy to control, such as with a childminder, we would look at how you treat visitors who have not been checked by Ofsted and how you watch the children in your care at all times.

You do not have to keep a written record of visitors to your home or ask them to 'sign in' when they arrive. However, you must take action to stop intruders from entering the premises.

For group care providers a 'sign-in system' would be useful, and you must make sure that no unchecked adults are alone with the children.

## More information from Ofsted

You can find further information and guidance about self-evaluation at [www.ofsted.gov.uk/publications/080104](http://www.ofsted.gov.uk/publications/080104).

You can find out more information about the learning and development requirement exemptions at [www.ofsted.gov.uk/publication/080144](http://www.ofsted.gov.uk/publication/080144).

You can find out about the requirements for the Childcare Register here [www.ofsted.gov.uk/publications/080161](http://www.ofsted.gov.uk/publications/080161).

You can find further information about record-keeping at [www.ofsted.gov.uk/publications/090001](http://www.ofsted.gov.uk/publications/090001).

## Further information

You can find out more information about the requirements in the EYFS pack at <http://publications.everychildmatters.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00261-2008&>.

You can find out more about the learning and development exemptions at [www.qca.org.uk/qca\\_18407.aspx](http://www.qca.org.uk/qca_18407.aspx).

Your local family information service (FIS) will help you. You can get their contact details from [www.familyinformationservices.org.uk/index.php?option=com\\_comprofiler&task=userslist&listid=7&Itemid=72](http://www.familyinformationservices.org.uk/index.php?option=com_comprofiler&task=userslist&listid=7&Itemid=72), or from your local phone book.

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