

Out of School Alliance

Statutory Framework for the Early Years Foundation Stage 2025:

Quick Reference Guide for Out of School Clubs

UPDATED IN LINE WITH SAFEGUARDING AMENDMENTS TO EYFS FOR SEPTEMBER 2025

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EYFS 2024 Safeguarding and Welfare Requirements:

Quick Reference Guide for Out of School Clubs

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Introduction

In this *Quick Reference Guide for Out of School Clubs* we have extracted all the safeguarding and welfare requirements that are relevant to out of school clubs from the current version of the *Statutory Framework for the Early Years Foundation Stage (2025)* which came into effect on 1st September. ~~Significant safeguarding amendments will come into effect on 1st September 2025 which are reflected in this guide. At the time of release, the full EYFS framework has not been amended to incorporate these safeguarding amends, but this document includes them.~~

The relevant requirements are set out in a clear format to make them quick and easy to refer to.

This is not a replacement for a thorough understanding of the whole EYFS framework and how the relevant parts apply within your own setting. Please do familiarise yourself with the EYFS itself!

Layout of this Guide

The numbers shown in brackets after each requirement refer to the appropriate paragraph in the *Statutory Framework* so that you can quickly refer back to the main document if necessary.

Small amendments to wording or additions from previous versions have been highlighted in [blue text](#).

Our commentary is shown in *red italics* after the paragraphs to which it applies.

Each section is divided into **Specific legal requirements** (things that you *must* do) and **Guidance for practitioners** (things that you must take account of and which you are expected to do unless you have a good reason not to).

Template policies

At the end of each section of this *Quick Reference Guide* we have also included a list of our template policies that are affected by the requirements in that section. This is for your convenience when updating your policies if you use any of our template documentation sets.

Other early years settings

We have not included any safeguarding and welfare requirements that apply only to childminders, nurseries, pre-schools or reception classes. If your out of school club is run in conjunction with a setting of this type you will need to refer to the main *Statutory Framework* document to check for the specific requirements that apply to that type of setting.

Note on Framework Versions

Since November 2024, there are now two separate EYFS frameworks: one for childminders and one for group and school-based providers. Out of school clubs should refer to the **group and school-based providers framework**.

Safeguarding Policies and Procedures

Specific legal requirements

Lead practitioner Designated Safeguarding Lead for safeguarding

- Every setting must have a **designated safeguarding lead** responsible for safeguarding children. This designated person is responsible for liaison with local statutory children's services agencies, and with the LSP. All practitioners must be alert to any issues of concern in the child's life at home or elsewhere [3.4]

Note: The terminology has changed from 'lead practitioner' to 'designated safeguarding lead' in 2025 to align with best practice.

Safeguarding policy

- Providers must have and implement a written Safeguarding Policy which should be in line with the guidance and procedures of the relevant Local Safeguarding Partners (LSP). [3.5]
- The Safeguarding policy must include an explanation of the action to be taken if there are safeguarding concerns about a child, and the action to be taken in the event of an allegation being made against a member of staff. [3.6]
- The Safeguarding policy must cover how mobile phones, cameras and other electronic devices with imaging and sharing capabilities are used in the setting. [3.6]
- **Safeguarding policies must include procedures to check the suitability of new recruits and record specific information as part of the setting's safer recruitment processes, including qualifications, identity checks and vetting. (NEW 2025)** [3.6]
- **Safeguarding policies must include details of how safeguarding training is delivered, including how practitioners are supported to put it into practice. (NEW 2025)** [3.6]
- **Providers/Childminders must put appropriate whistleblowing procedures in place for staff to raise concerns about poor or unsafe practice in the setting's safeguarding provision, including when and how to report concerns and the process that will be followed after staff report concerns. [3.7 - 3.8] (NEW 2025)**

Concerns about children's safety and welfare

- If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities immediately. This means the local children's social care team in line with local reporting processes and, in emergencies, the police. [3.9]
- Registered providers must inform Ofsted 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). [3.10]
- Registered providers must notify Ofsted 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. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence..[3.10]
- **Providers must follow up on prolonged or unexplained absences to keep children safe. (NEW 2025)** [3.11, 3.12]

OOSA relevant policies: Safeguarding Policy, Staff Induction Policy, Internet Safety Policy, No Platform Policy, Arrivals, Departures & Attendance Policy, Whistleblowing Policy

Suitable people

Specific legal requirements

Safer recruitment

- Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. [3.13]
- Providers must ensure that staff have the relevant qualifications, training and have passes any required checks to fulfil their roles. [3.13]
- Providers must take appropriate steps to verify qualifications, including in cases where physical evidence cannot be produced. [3.13]
- Providers must ensure that practitioners, and any other person who may have regular contact with children (including those living or working on the premises) is suitable. [3.13]
- Providers must obtain an enhanced Disclosure and Barring Service (DBS) criminal records disclosure in respect of 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); and/or
 - works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present) [3.15]
 - an additional criminal record check(s) should also be made for anyone who has lived or worked abroad. [3.16]
- Providers must tell staff that they have to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the setting). [3.17]
- 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. [3.17]
- Providers must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records check reference number, the date a disclosure was obtained and details of who obtained it). [3.18]
- Providers must also meet their responsibilities under the *Safeguarding Vulnerable Groups Act 2006* which includes a duty to make a referral to the DBS where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm. [3.15] [3.19]
- **Providers must obtain a reference from the applicant's current employer (or training provider) before employment commences. (NEW 2025) [3.20]**
-

Disqualification

- A provider or childcare worker may become disqualified from registration. In the event of the disqualification of a provider, the provider must not continue as an early years provider - nor be directly involved with the management of such provision. [3.22]
- Where a person is disqualified, the employer must not employ that person in connection with early years provision. [3.22]
- Where an employer becomes aware of relevant information which may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children. [3.26]

- A registered provider must inform Ofsted of any significant event which is likely to affect the suitability of any person who is in regular contact with the children who attend the setting. The disqualification of an employee could be an instance of a significant event. [3.23]
- The registered provider must give Ofsted the following information about themselves or about any person who lives in the same household as the registered provider or who is employed in the household:
 - details of any order, determination, conviction, or other ground for disqualification from registration under regulations made under section 75 of the *Childcare Act 2006*;
 - the date of the order, determination or conviction, or the date when the other ground for disqualification arose
 - the body or court which made the order, determination or conviction, and the sentence (if any) imposed
 - a certified copy of the relevant order (in relation to an order or conviction). [3.24]
- The information must be provided to Ofsted as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries. [3.25]

Staff taking medication / other substances

- Staff members must not be under the influence of alcohol or any other substance which may affect their ability to care for children. [3.27]
- If staff members are taking medication which may affect their ability to care for children, those practitioners should seek medical advice. Providers must ensure that those 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. [3.27]
- All medication on the premises (including staff members' medication) must be securely stored, and out of reach of children, at all times. [3.27]

Smoking and Vaping

- Providers must not allow smoking in or on the premises when children are present or about to be present. [3.28]
- Practitioners should not vape or use e-cigarettes when children are present. [3.28]
- Providers should consider Public Health England advice on their use in public places and workplaces. [3.28]

OOSA relevant policies: Safe Recruitment policy, Smoking Alcohol & Drugs policy, Staff Disciplinary policy

Qualifications, training, support and skills

Specific legal requirements

Equalities

- Providers must follow their legal responsibilities under the Equalities 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. [3.29]

Safeguarding training

- Providers must **ensure that all practitioners are trained in line the criteria set out in Annex C.** [3.30]
- **Providers must ensure that practitioners are supported and confident to implement the setting's safeguarding policy and procedures on an ongoing basis (NEW 2025)** [3.30]

- Providers should read '[What to do if you're worried a child is being abused](#)' helpful. (NEW 2025 - requirement that providers should read) [3.30]
- The **Lead practitioner** Designated Safeguarding Lead must provide support advice and guidance to **all practitioners** on an ongoing basis, and on any specific safeguarding issue as required. (NEW 2025) [3.31]
- The **Lead practitioner** Designated Safeguarding Lead must attend a child protection training course consistent with the criteria set out in Annex C. (NEW 2025) [3.31]
- Training must be renewed every two years and must cover the requirements set out in Annex C of the EYFS 2025. (NEW 2025) [3.32]
- Providers may consider whether any staff need to undertake annual refresher training during any two-year period to help maintain basic skills and keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting. (NEW 2025) [3.32]

Training and skills

- Providers must ensure that all staff receive induction training to help them understand their roles and responsibilities. [3.33]
- Induction training must include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues. [3.33]
- Providers must support staff to undertake appropriate training and professional development opportunities. [3.33]

Supervision

- Providers must put appropriate arrangements in place for the effective supervision of staff who have contact with children and families. [3.34]
 - Supervision should foster a culture of mutual support, teamwork and continuous improvement and should encourage the confidential discussion of sensitive issues. [3.34]
 - Supervision should provide opportunities for staff to:
 - discuss any issues - particularly concerning children's development or well-being, including child protection concerns
 - identify solutions to address issues as they arise
 - receive coaching to improve their personal effectiveness. [3.35]

Paediatric First Aid

- At least one person who has a current paediatric first aid certificate (PFA) must be on the premises and available at all times when children are present, and must accompany children on outings. The certificate must be for a full course consistent with the criteria set out in Annex A. [3.36]
- PFA training must be renewed every three years and be relevant for workers caring for young children and where relevant, babies. [3.36]
- Providers are responsible for identifying and selecting a competent training provider to deliver their training. (New 2025) [3.36 Footnote 26]
- 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. [3.37]
- All staff who obtained a level 2 and/or level 3 qualification since 30 June 2016, must obtain a full PFA qualification within three months of starting work in order to be included in the required staff:child ratios at level 2 or level 3 in an early years setting. To continue to be included in the ratio requirement the certificate must be renewed every three years. [3.38]
- Providers should display (or make available to parents) staff PFA certificates or a list of staff who have a current PFA certificate. [3.39]

- Students and staff working as apprentices must hold a valid and current PFA qualification to be counted in ratios at the level below their level of study. (NEW 2025) [3.56]

However, if all the children at your out of school club are of reception age or older, you are exempt from the staffing ratios (see para 3.57 below) therefore you don't need to have any Level 2 or Level 3 staff, hence you don't need to ensure that they have a PFA certificate in order to be counted in your ratios.

- Providers can make an exception to the requirement [for staff to have a PFA certificate] where a newly qualified entrant to the workforce is unable to gain a PFA certificate if a disability would prevent them from doing so. Such a newly qualified entrant can still be included in the staff:child ratios if otherwise competent to carry out their childcare duties. Where possible, such staff should attend a relevant PFA training course and obtain written evidence of attendance. [3.43 footnote 27 and 28].

English Language Skills

- Providers must ensure that staff have sufficient understanding and use of English to ensure the well-being of children in their care. For example, settings must be 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. [3.40]

Key person

- Each early years child must be assigned a key person. [3.41]
- 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. [3.97]
- The key person's role is to:
 - ensure that every child's care is tailored to meet their individual needs. [3.41]
 - help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. [3.41]
 - help families engage with more specialist support if appropriate. [3.41]
 - Providers should maintain a record of the name of each child's key person [3.101]

Staff: child ratios

- Staffing arrangements must meet the needs of all children and ensure their safety. [3.42]
- Providers must ensure that children are adequately supervised *including whilst eating* and decide how to deploy staff to ensure children's needs are met. [3.42]
- Providers must inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. [3.42]
- Children must usually be within sight *and* hearing of staff and always within sight *or* hearing. [3.43]
- When eating, children must be within sight and hearing of a member of staff. [3.43]
- The ratio and qualification requirements apply to the total number of staff available to work directly with children. Exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made. [3.46]

Qualifications

- *If the out of school club takes children who are younger than reception age* the manager must hold at least an approved level 3 qualification and at least half of all other staff must hold at least an approved level 2 qualification (as defined by the DfE's Early Years Qualifications List). [3.44]

But if the out of school club only takes children who are of reception age or older, there are no minimum qualifications for managers or staff [see para 3.57].

- Managers appointed on or after 4th January 2024 must have already achieved a suitable level 2 maths qualification or must do so within two years of starting in the position [3.44].

- Managers should have at least two years experience of working in an early years setting, or have at least two years other suitable experience [3.44].

- 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. [3.44]

It is for providers to determine deputy suitability. 'Capable and qualified' includes having the necessary skills and knowledge to deputise. There is no specific qualification to deputise [3.44 footnote 33]

- To count in the ratios at level 3, staff holding an Early Years Educator qualification, and those who have received approval to be included in the ratios at level 3 after attaining experienced-based route status, must also have achieved a suitable level 2 qualification in English as defined by the Department for Education on the [Early Years Qualifications Requirements and Standards Document](#) published on GOV.UK. [3.45, footnote 34]
- 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 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; or have received approval to be included in the ratios at level 3 after attaining experience-based route status.
 - at least half of all other staff must hold an approved level 2 qualification. [3.50]

However, if all the children at your out of school club are of Reception age or older, you are exempt from the staffing ratios set out in paragraph 3.57

Before/after school care and holiday provision

- 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. [3.57]
- It is for providers to determine how many staff are needed to ensure the safety and welfare of children, bearing in mind the type(s) of activity and the age and needs of the children. [3.57]
- It is also for providers to determine what qualifications, if any, the manager and/or staff should have. [3.57]

The statutory minimum staff:child ratio for out of school clubs is therefore 1:30 if the children are of Reception age or older. However, you still need to meet all the other EYFS welfare requirements, for example ensuring the safety of the children, meeting the needs of all the children, ensuring they are adequately supervised and keeping them within sight or hearing at all times. Few settings will be able to meet these requirements if they operate at a staff:ratio of 1:30.

Some insurance companies expect childcare settings to employ a qualified manager, however most simply require you to follow the statutory framework.

Note that if you care for any children who are younger than Reception age, you must meet the standard early years qualification requirements [see paras 3.38] in respect of staff caring for those children.

- See paragraph on page 8 for the learning and development requirements for providers offering care exclusively before/after school or during the school holidays. [3.57]
- Providers offering care exclusively before and after school or during the school holidays for children who normally attend Reception (or older) class during the school day (see paragraph 3.57) do not need to meet the learning and development requirements. However, providers offering care exclusively before and after school or during the school holidays for children younger than those in the Reception class age range, should continue to be guided by, but do not have to meet, the learning and development requirements. All such providers should discuss with parents and/or carers (and other practitioners/providers as appropriate, including school staff/teachers) the support they intend to offer. [page 8]

Out of school clubs are therefore exempt from meeting the learning and development goals for children of Reception age. If you care for children younger than Reception you still do not need to meet the requirements, but you do need to be 'guided by them'.

Students and volunteers

- Providers must not allow anyone aged under 17 to care for children unsupervised at any time **(NEW 2025) [3.56]**
- Suitable students on long term placements and volunteers if they are suitable (aged 17 or over) and staff working as apprentices in early education (aged 16 or over) may be included in ratios at a level below their level of study, if the provider is satisfied that they are competent and responsible **and if they hold a valid and current PFA qualification. (NEW 2025) [3.56]**

OOSA relevant policies: Staff Induction policy, Illness and Accidents policy, Emergency Evacuation policy, Safeguarding policy, Health and Safety policy, EYFS policy

Health

Specific legal requirements

Medicines

- The provider must promote the good health, including the oral health, of children attending the setting. [3.58]
- The provider must
 - have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious,
 - take necessary steps to prevent the spread of infection [3.59].
- 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. [3.60].
- Training must be provided for staff where the administration of medicine requires medical or technical knowledge. [3.60].
- 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). [3.60].

Note that this does not mean that you can't give a child medicine, only that if it is prescription medication it must have been prescribed for that child by an appropriate person. Non-prescription medicines do not need a GP prescription before providers can administer them. [3.61 - see footnote 52]

- 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. [3.61].
- 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. [3.61].

Food and drink

- Where children are provided with meals, snacks and drinks, they must be healthy, balanced and nutritious. [3.62]
- Fresh drinking water **must always be** available and **accessible to children**. [3.62]
- **Whilst children are eating there should always be a member of staff in the room with a valid paediatric first aid certificate (NEW 2025)** [3.63]
- Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences, food allergies **and intolerances** that the child has, and any special health requirements. **Information this information must be shared by the provider with all staff involved in the preparing and handling of food. (NEW 2025)** [3.64]
- **At each meal time and snack time providers must be clear about who is responsible for checking that the food being provided meets all the requirements for every child. (NEW 2025)** [3.64]
- Providers must have ongoing discussions with parents and or carers and, where appropriate, health professionals to develop allergy action plans for managing any known allergies and intolerances. This information must be kept up to date by the provider and shared with all staff. Provide may find it helpful to refer to the BSACI allergy action plan. **(NEW 2025)** [3.65]
- Providers must ensure that all staff are aware of the symptoms and treatments for allergies and anaphylaxis, the differences between allergies and intolerances, and that children can develop allergies at any time. **(NEW 2025)** [3.65]

The EYFS also provides useful links for providers to the NHS around food allergies and treatment of anaphylaxis. These references are within the EYFS amendments and Out of School Alliance's Food Safety policy

- Providers must prepare food in a way to prevent choking. There is guidance on food safety for young children which includes advice on food and drink to avoid, how to reduce the risk of choking and links to other useful resources for early settings. (NEW 2025) [3.67]
- Children must always be within sight and hearing of a member of staff whilst eating. Choking can be completely silent therefore it is important for providers to be alert to when a child may be starting to choke. Where possible, providers should sit facing children whilst they eat so they can make sure children are eating in a way to prevent choking and so that they can prevent food sharing and be aware of any unexpected allergic reactions. (NEW 2025) [3.69]
- When a child experiences a choking incident that requires intervention, providers should record details of where and how the child choked and parents and slash or carers are made aware. The record should be reviewed periodically to identify if there are trends or common features of incidents that could be addressed to reduce the risk of choking. Appropriate action should be taken to address any identified concerns. (NEW 2025) [3.70]

Food and drink facilities

- 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. [3.71].
- Providers must be confident that those responsible for preparing and handling food are competent to do so. All staff involved in preparing and handling food must receive training in food hygiene. [3.71]
- Registered providers must notify Ofsted of any food poisoning affecting two or more children looked after on the premises. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. [3.72]

OOSA relevant policies: Illness and Accidents policy, Health and Safety policy, Emergency Evacuation policy, Administering Medication policy, Healthy Eating policy

Supporting and understanding children's behaviour

Specific legal requirements

Behaviour management

- Providers are responsible for supporting, understanding and managing children's behaviour in an appropriate way. [3.73]

Corporal punishment

- Providers must not give or threaten corporal punishment to a child, or any punishment which could adversely affect a child's wellbeing [3.74]
- 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, living or working in the premises where care is provided. [3.74]
- Any early years provider who fails to meet these requirements commits an offence. [3.74]
- A person will not be taken to have used corporal punishment (and therefore will not have committed an offence), where physical intervention was taken for the purposes of averting immediate danger of personal injury to any person (including the child) or to manage a child's behaviour if absolutely necessary. [3.74]
- Providers must keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable. [3.75]

OOSA relevant policies: Behaviour Management policy, Suspensions and Exclusions policy

Special educational needs

Specific legal requirements

- Providers must have arrangements in place to support children with SEN and Disabilities. [3.76]
- Providers are expected to identify a SENCO. [3.76]

OOSA relevant policies: Equalities policy

Safety and suitability of premises, environment and equipment

Specific legal requirements

Accident or injury

- Providers must ensure there is a first aid box accessible at all times with appropriate content for use with children. [3.77]
- Providers must keep a written record of accidents or injuries and first aid treatment. [3.77]
- Providers must inform parents and/or carers of any accident or injury sustained by the child on the same day as the incident or as soon as reasonably practicable after, and of any first aid treatment given. [3.77]
- Providers must notify Ofsted of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. [3.78]
- Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. [3.78]
- 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. [3.78]

Safety of premises

- Providers must ensure that their premises, including overall floor space and outdoor space, are fit for purpose and suitable for the age of children cared for and the activities provided on the premises. [3.79]
- Providers must comply with requirements of health and safety legislation (including fire safety and hygiene requirements). [3.79]

Although not explicitly specified in EYFS, employers need to have a health and safety policy under the Health and Safety at Work Act. If you have more than five members of staff the policy must be in writing. Employers also need to have a designated health and safety officer.

For more information see: <https://www.hse.gov.uk/pubns/books/lawposter.htm>

- 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. [3.80]
- 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. [3.80]
- Fire exits must be clearly identifiable, and fire doors must be free of obstruction and easily opened from the inside. [3.80]

Indoor space requirements

- The premises and equipment must be organised in a way that meets the needs of children. Providers must meet the following indoor space requirements... for children aged three to five years: 2.3 m² per child. [3.81]
- Where the space standards are applied, providers cannot increase the number of children on roll because they additionally use an outside area. [3.82]
- Forest and other exclusively (or almost exclusively) outdoor provision is not required to meet the space standards as long as children's needs can be met. For this type of provision, indoor space requirements can be used as a guide for minimum area needed. [3.82]

Outdoor access

- 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). [3.83]
- Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments). [3.83]

Toilets and intimate hygiene

- Providers must ensure there is an adequate number of toilets and hand basins available. There should usually be a separate toilet for adults. [3.86]
- Providers must ensure there are suitable hygienic changing facilities for changing any children who use nappies. [3.86]
- **Children's privacy is considered and balanced with safeguarding and support needs when changing nappies and toileting. (NEW 2025) [3.86]**
- There should be an adequate supply of clean bedding, towels, spare clothes and any other necessary items. [3.86]

Due to the age range of the children attending out of school clubs it is wise to not only have a small supply of pull-ups and spare clothes but also some sanitary towels.

Organising premises for confidentiality and safeguarding

- Providers must also ensure that there is an area where staff may talk to parents and/or carers confidentially, as well as an area in group settings for staff to take breaks away from areas being used by children. [3.87]
- Providers must only release children into the care of individuals who have been expressly notified to the provider by the parent. [3.87]
- Providers must ensure that children do not leave the premises unsupervised. [3.87]
- Providers must take all reasonable steps to prevent unauthorised persons entering the premises and have an agreed procedure for checking the identity of visitors. [3.87]

Insurance

- Providers must carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childcare. [3.88]

Outings

- Children must be kept safe while on outings. [3.89]
- 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 assessment must include consideration of adult to child ratios. The risk assessment does not necessarily need to be in writing; this is for providers to judge. [3.89]

Whilst written permission for outings is no longer explicitly required by EYFS, it is certainly best practice to obtain it, both from the point of view of keeping parents informed and to protect settings from complaints or even litigation. For regular outings, eg to a local play park, consider obtaining a blanket permission at the start of the school year.

- Vehicles in which children are being transported, and the driver of those vehicles, must be adequately insured. [3.90]

Risk assessment

- 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. [3.91]
- 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 if asked by parents and/or carers or inspectors. [3.91]

- Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised. [3.91]

Although EYFS no longer specifies the need for a risk assessment policy, it may still be helpful for your staff to have one.

Whilst EYFS does not require you to have written risk assessments, under the Health and Safety at Work Act, if you have more than five members of staff you must have written risk assessments.

In addition, EYFS does still require you to show how you are managing risks, and you may find that having a risk assessment policy and written risk assessments is a good way of doing this.

OOSA relevant policies: Health and Safety policy, Risk Assessment policy, Emergency Evacuation policy, Fire Safety & Risk Assessment policy, Smoking, Alcohol and Drugs policy, Arrivals and Departures policy, Intimate Care policy, Visitor policy

Information and record keeping

Specific legal requirements

Policies and procedures

- Where a policy is required under EYFS, it must be recorded in writing. [3.5]
- Schools don't need to have a separate policies in order to meet the requirements of EYFS, so long as the requirements are already met through existing policies. [3.5]

However, if a school-run club plans to re-use the school's policies, the manager of the provision should review the relevant policies carefully to ensure that they are still applicable in the context of a non-statutory, play-based setting. For example, a school's policy on admissions, behaviour management and payment of fees are likely to differ from those of a club.
- Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, and the police, social services and Ofsted as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. [3.92]
- 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. [3.92]
- Records must be easily accessible and available. These may be kept securely off the premises. [3.93]
- 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. [3.93]
- Providers must be aware of their responsibilities under the Data Protection legislation and where relevant the Freedom of Information Act 2000. [3.93]
- Providers must ensure that all staff understand the need to protect the privacy of the children in their care as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. [3.94]
- 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 DPA. [3.94]
- Records relating to individual children must be retained for a reasonable period of time after they have left the provision. It is for providers to determine the length of time to retain children's records [3.95 footnote 61].

Note however that the requirements of the Compulsory Childcare Register state that you should keep child records for at least two years, and records of complaints for at least three years. Also the principles of the GDPR require you to retain data for no longer than necessary. See our article on retaining records for more information: <https://www.outofschoolalliance.co.uk/retaining-records>

Information about the child

- 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
 - emergency contact details for parents and/or carers. [3.96]

Emergency contact requirements

- **Where possible, setting should hold more than two emergency contacts from parents/carers for each child. (NEW 2025) [3.96]**

Information for parents and carers

- 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;

Although out of school clubs do not need to deliver the learning and development requirements they still need to share with parents the support they intend to offer, for example activities and experiences that support development. In addition clubs still need to meet all the other requirements of EYFS. You can refer parents to the DfE website if they require more information about EYFS.
 - 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, how it is organised and the name of their child's key person and their role
 - telephone number for parents and/or carers to contact in an emergency. [3.97]

Complaints

- 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. [3.98]
- 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 on request. [3.98]
- Providers must make available to parents and/or carers details about how to contact Ofsted, if they believe the provider is not meeting the EYFS requirements. [3.98]

Inspections and Quality Assurance Visits

- If providers become aware that they are to be inspected, they must notify parents and/or carers. After an inspection, providers must supply a copy of the report to parents and/or carers of children attending on a regular basis. [3.100]

Information about the provider

- Providers must hold the following documentation:
 - name, home address and telephone number of the provider and any other person living or employed on the premises
 - name, home address and telephone number of anyone else who will regularly be in unsupervised contact with the children attending the early years provision
 - a daily record of the names of the children being cared for on the premises, their hours of attendance and the names of each child's key person
 - their certificate of registration (which must be displayed at the setting and shown to parents and/or carers on request). [3.101]

Changes that must be notified to Ofsted

- All registered early years providers must notify Ofsted of any change:
 - in the address of the premises (and seek approval to operate from those premises where appropriate); to the premises which may affect the space available to children and the quality of childcare available to them
 - the name or address of the provider, or the provider's other contact information, to the person who is managing the early years provision
 - any proposal to change the hours during which childcare is 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;
 - where the early years provision is provided by a company, any change in the name or registered number of the company;
 - where the early years provision is provided by a charity, any change in the name or registration number of the charity;
 - where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual';
 - where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body. [3.102]
- Where providers are required to notify Ofsted about a change of person except for managers, as specified above, providers must give Ofsted the new person's name, any former names or aliases, date of birth, and home address. [3.103]
- If there is a change of manager, providers must notify Ofsted that a new manager has been appointed. [3.103]
- 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. [3.103]
- A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence. [3.103]

Other Legal Duties

- The EYFS requirements sit alongside other legal obligations and do not supersede or replace any other legislation which providers must still meet
- Other duties include:
 - Employment law;
 - Anti-discriminatory legislation;

- Health and safety legislation;
- Data collection regulations;
- Duty of care. [3.105]

OOSA relevant policies: Data Protection policy, EYFS policy, Equalities policy, Uncollected Child policy, Missing Child policy, Complaints policy, Privacy Policy

Annex A: Criteria for effective PFA training

Annex A of the Statutory Framework sets out the criteria for paediatric first aid training that is deemed suitable for registered early years settings.

1. Training is designed for workers caring for young children in the absence of their parents and is appropriate to the age of the children being cared for.
2. Following training an assessment of competence leads to the award of a certificate.
3. The certificate must be renewed every three years.
4. Adequate resuscitation and other equipment including baby and junior models must be provided, so that all trainees are able to practice and demonstrate techniques.
5. **The emergency PFA course** should be undertaken face-to-face and last for a minimum of 6 hours (excluding breaks) and 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)
6. **The full PFA course** should last for a minimum of 12 hours (excluding breaks) and cover the areas set out in paragraph 5 as well as the following areas:
 - 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)

Note that the full PFA course is required for the designated first aider at your club, and for any other members of staff who are fulfilling the role of the first aider on duty at any of your sessions.

The Emergency PFA elements of a full PFA course should be delivered face to face. This means trainers are physically present with their trainees and excludes the use of online platforms for the emergency skills element (para 6 footnote 71)

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.

Annex C: Criteria for effective Safeguarding training

Annex A of the Statutory Framework sets out the criteria for effective safeguarding training which must be covered for all staff including DSL.

1. General Requirements

Training is designed for staff caring for 0 - 5 year olds and is appropriate to the age of the children being cared for.

2. Safeguarding training for ALL practitioners/childminders and assistants must cover:

- What is meant by the term safeguarding.
- The main categories of abuse, harm and neglect.
- The factors, situation and actions that could lead or contribute to abuse, harm or neglect.
- How to work in ways that safeguard children from abuse, harm and neglect.
- How to identify signs of possible abuse, harm and neglect at the earliest opportunity. These may include:
 - Significant changes in children's behaviour.
 - A decline in children's general well-being.
 - Unexplained bruising, marks or signs of possible abuse or neglect.
 - Concerning comments or behaviour from children.
 - Inappropriate behaviour from [practitioners/childminders and assistants or household members], or any other person working with the children. This could include inappropriate sexual comments; excessive one-to-one attention beyond what is required through their role; or inappropriate sharing of images.
 - Any reasons to suspect neglect or abuse outside the setting, for example in the child's home or that a child may experience emotional abuse or physical abuse because of witnessing domestic abuse or coercive control or that a girl may have been subjected to (or is at risk of) female genital mutilation.
- How to respond, record and effectively refer concerns or allegations related to safeguarding in a timely and appropriate way.
- The setting's safeguarding policy and procedures.
- Legislation, national policies, codes of conduct and professional practice in relation to safeguarding.
- Roles and responsibilities of [practitioners/childminders and assistants] and other relevant professionals involved in safeguarding.

3. Additional training for Designated Safeguarding Lead (DSL):

Training for the DSL should take account of any advice from the local safeguarding partners or local authority on appropriate training courses. In addition to the areas set out in paragraph 2, training for the DSL must cover the elements listed below:

- How to build a safer organisational culture.
- How to ensure safer recruitment.
- How to develop and implement safeguarding policies and procedures.
- If applicable, how to support and work with [other practitioners/assistants] to safeguard children.
- Local child protection procedures and how to liaise with local statutory children's services agencies and with the local safeguarding partners to safeguard children.
- How to refer and escalate concerns (including as described at paragraph [3.9] of the EYFS).
- How to manage and monitor allegations of abuse against other staff.
- How to ensure internet safety.