

Early Years Foundation Stage Statutory Framework Updates July 2026

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Document: Early years foundation stage statutory framework for group and school-based providers Effective: 1 September 2026	
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	- Complaints - Inspections and quality assurance visits - Information about the provider - Changes that must be notified to Ofsted - Other Legal Duties
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Summary	
Current Version (July 2025)	Updated Version (September 2026)
Ofsted and CMAs assess how providers meet and deliver the EYFS framework and report on the quality and standards of provision. Ofsted carry out inspections of all providers, including Ofsted-registered providers of CoDP. Childminder agencies (CMAs) carry out quality assurance visits of CMA-registered providers of CoDP. They both assess how those providers meet and deliver the EYFS framework and report on the quality and standards of their early years provision. Ofsted publishes inspection reports at www.gov.uk/ofsted. CMAs are required to produce a written report following a quality assurance visit and to make this available to the provider, who is the subject of the report, and to the parents or carers of any child receiving registered childcare provision from them. CMAs can also be asked to make it available to Ofsted upon request for inspection.	Ofsted and CMAs assess how providers meet and deliver the EYFS framework and report on the quality and standards of provision. Ofsted carry out inspections of all providers, including Ofsted-registered providers of CoDP. CMAs carry out quality assurance visits of CMA-registered providers of CoDP. They both assess how those providers meet and deliver the EYFS framework and report on the quality and standards of their early years provision. Ofsted publishes inspection reports at www.gov.uk/ofsted. CMAs are required to produce a written report following a quality assurance visit and to make this available to the provider, who is the subject of the report, and to the parents and/or carers of any child receiving registered childcare provision from them. CMAs can also be asked to make it available to Ofsted upon request for inspection.

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Section 1 – The learning and development requirements	
Current Version (July 2025)	Updated Version (September 2026)
No changes	

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Section 2: Assessment	
Current Version (July 2025)	Updated Version (September 2026)
Ongoing assessment 2.5 Ongoing assessment (also known as formative assessment) is an integral part of the learning and development process. It involves practitioners understanding children’s interests and what they know and can do, and then shaping teaching and learning experiences for each child reflecting that knowledge. In their interactions with children, practitioners should make and act on their own day-to-day observations about children’s progress and observations that parents and carers share. However, there is no requirement to keep written records in relation to this.	2.5 Ongoing assessment (also known as formative assessment) is an integral part of the learning and development process. It involves practitioners understanding children’s interests, what they know and can do, and then shaping teaching and learning experiences for each child reflecting that knowledge. In their interactions with children, practitioners should make and act on their own day-to-day observations about children’s progress and observations that parents and/or carers share. However, there is no requirement to keep written records in relation to this.
Assessment at the end of the EYFS – the Early Years Foundation Stage Profile (EYFSP) 2.14 The Profile provides parents and carers, practitioners and teachers with a well- rounded picture of a child’s knowledge, understanding and abilities, their attainment against expected levels, and their readiness for year 1. The Profile must reflect practitioners’ own knowledge and professional judgement of a child to inform discussions with parents and carers, and any other person whom the teacher, parent or carer judges can offer a useful contribution.	2.14 The Profile provides parents and/or carers, practitioners and teachers with a well-rounded picture of a child’s knowledge, understanding and abilities, their attainment against expected levels, and their readiness for year 1. The Profile must reflect practitioners’ own knowledge and professional judgement of a child to inform discussions with parents and/or carers, and any other person whom the teacher, parent and/or carer judges can offer a useful contribution.

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Section 3: The safeguarding and welfare requirements	
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Safeguarding policies and procedures 3.4 In every setting, a practitioner must be designated to take lead responsibility for safeguarding children. The designated safeguarding lead (DSL) is responsible for liaison with local statutory children's services agencies, and with the Local Safeguarding Partners (LSPs). All practitioners must be alert to any issues of concern in the child's life at home or elsewhere.	3.4 In every setting, a practitioner must be designated to take lead responsibility for safeguarding children. The designated safeguarding lead (DSL) is responsible for liaison with local statutory children's services agencies, and with the Local Safeguarding Partners. Every person looking after children must be alert to any issues of concern in the child's life at home or elsewhere.
3.5 Providers must have and implement policies and procedures to keep children safe and meet EYFS requirements. Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing policy. Where providers are required to have policies and procedures as specified below, these policies and procedures should be recorded in writing. Policies and procedures should be in line with the guidance and procedures of the relevant LSP.	3.5 Providers must have and implement policies and procedures to keep children safe and meet EYFS requirements. Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing policy. Where providers are required to have policies and procedures as specified below, these policies and procedures should be recorded in writing. Policies and procedures should be in line with the guidance and procedures of the relevant Local Safeguarding Partners.

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Whistleblowing 3.7 Providers must put appropriate whistleblowing procedures in place for all staff (including students and volunteers) to raise concerns about poor or unsafe practice in the setting's safeguarding provision. This must include when and how to report concerns and the process that will be followed after staff report concerns. Providers must ensure staff are aware of the setting's whistleblowing procedures and must ensure all staff feel able to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously by the senior leadership team.	3.7 Providers must put appropriate whistleblowing procedures in place for all staff (including students and volunteers) to raise concerns about poor or unsafe practice in the setting's provision. This must include when and how to report concerns and the process that will be followed after staff report concerns. Providers must ensure staff are aware of the setting's whistleblowing procedures and must ensure all staff feel able to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously by the senior leadership team.
Concerns about children's safety and welfare 3.9 If providers have concerns about children's safety or welfare, they must immediately notify their local authority children's social care team, in line with local reporting procedures, and, in emergencies, the police. Providers must also take into account the government's statutory guidance 'Working Together to Safeguard Children' and 'Prevent duty guidance for England and Wales'. All schools are required to have regard¹⁴ to the government's statutory guidance 'Keeping Children Safe in Education', and other childcare providers may also find it helpful to read this guidance.	3.9 If providers have concerns about children's safety or welfare, they must immediately notify their local authority children's social care team, in line with local reporting procedures, and, in emergencies, the police. Providers must also take into account the government's statutory guidance 'Working Together to Safeguard Children' and 'Prevent duty guidance for England and Wales'¹⁴. All schools are required to have regard to the government's statutory guidance 'Keeping Children Safe in Education', and other childcare providers may also find it helpful to read this guidance. ¹⁴ The Counter-Terrorism and Security Act 2015 places a duty on early years providers "to have due regard to the need to prevent people from being drawn into terrorism" (the Prevent duty).
3.10 Registered providers must inform Ofsted, or the CMA with which a provider of CoDP is registered, of any allegations of serious harm or abuse by anyone living, working, or looking after children at the premises. This must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Registered	3.10 Registered providers must inform Ofsted, or the CMA with which a provider of CoDP is registered, of any allegations of harm¹⁵ or abuse by anyone living, working, or looking after children at the premises. This must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Registered providers

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providers must also notify Ofsted/ their CMA of the action they have taken in response to the allegations. Ofsted/the CMA must be notified as soon as is reasonably practicable, but in any event within 14 days of the allegations being made. A registered provider who, without a reasonable excuse, fails to do this, commits an offence¹⁵.	must also notify Ofsted/their CMA of the action they have taken in response to the allegations. Ofsted/the CMA must be notified as soon as is reasonably practicable, but in any event within 14 days of the allegations being made. A registered provider who, without a reasonable excuse, fails to do this, commits an offence¹⁷. ¹⁶ “Harm” is as defined by section 31(9) of the Children Act 1989 and means ill-treatment (including sexual abuse and forms of ill-treatment which are not physical), or impairment of physical or mental health, or impairment of physical, intellectual, emotional, social or behavioural development. It also includes, for example, impairment suffered from seeing or hearing the ill-treatment of another.
Suitable people 3.15 Registered group and school-based providers, except CoDP providers, must obtain an enhanced criminal records check for every person aged 16 and over (including for unsupervised volunteers, and supervised volunteers who provide personal care¹⁸) 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). ¹⁸ Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing.	3.15 Registered group and school-based providers, except CoDP providers, must obtain an enhanced criminal records check and barred list check for every person aged 16 and over including all volunteers²⁰ 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). ²⁰ Except supervised volunteers who only help out occasionally, such as parents or carers helping out on a trip (but not overnight or if providing personal care). The Crime and Policing Act 2026 amended the Safeguarding Vulnerable Groups Act 2006 to remove the previous exemption for supervised unpaid activity. This means that paid and unpaid activities such as teaching, training, instructing, caring for or supervising children are now considered to be regulated activity if carried out frequently, or if carried out on more than 3 days in a 30-day period or overnight.

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	<i>Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing.</i>
3.17 Providers must tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings ²⁰ that may affect their suitability to work with children (whether received before or during their employment at the setting). Providers must not allow anyone whose suitability has not been checked, including through a criminal records check ²¹ , to have unsupervised contact with children being cared for.	3.17 Providers must tell staff and prospective staff that they must disclose any information which may affect their suitability to work with children including, but not limited to, arrests, charges, convictions, cautions, court orders, reprimands and warnings (whether received before or during their employment at the setting) ²² . Providers must not allow individuals to begin working or volunteering ²³ at the setting until they have received the applicant's enhanced criminal records and barred list check . Providers must not allow anyone whose suitability has not been checked, including through a criminal records and barred list check, to have unsupervised contact with children being cared for.
References 3.20 Providers must obtain a reference for any member of staff (including students and volunteers) before they are recruited.	3.20 Providers must obtain at least one written reference for any member of staff (including students and volunteers) before they are recruited.
3.21 References should be provided for previous employees upon request in a timely manner. When asked to provide references, providers should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold ²³ . They should not include information about concerns/allegations which are unsubstantiated, unfounded, false, or malicious.	3.21 References should be provided for current and previous employees upon request in a timely manner. When asked to provide a reference, providers should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold ²⁶ . They should not include information about concerns/allegations which are unsubstantiated, unfounded, false, or malicious.
Disqualification 3.22 A provider or a practitioner may be disqualified from registration. Providers may find guidance about disqualification under the Childcare Act 2006 helpful. If a provider is disqualified, they must not continue as an early	3.22 A person may be disqualified from registration. Providers may find guidance about disqualification under the Childcare Act 2006 helpful. If a person is disqualified, they must not continue as an early years provider or be

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years provider or be directly involved in the management of any early years provision. When a person is disqualified, providers must not employ that person in connection with early years provision.	directly involved in the management of any early years provision. When a person is disqualified, providers must not employ that person in connection with early years provision²⁷. ²⁷ Section 76(3) and (4) of the Childcare Act 2006 provides that it is an offence to employ a person who is disqualified from registration by regulations under section 75 in connection with the provision of early years provision.
	3.24 A person working at provision in a domestic premises (CoDP) will also be disqualified if they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed. If a person working in domestic premises becomes disqualified for this reason, they must apply to Ofsted to waive the disqualification if they wish to continue working in domestic childcare provision, and may, in some circumstances, be able to obtain a 'waiver' from Ofsted²⁹. ²⁹ Applying to waive disqualification: early years and childcare providers - GOV.UK
Smoking and vaping 3.28 Providers must not allow smoking in or on the premises when children are present or about to be present. Practitioners should not vape or use e-cigarettes when children are present, and providers should consider Public Health England advice on their use in public places and workplaces.	3.29 Providers must not allow smoking in or on the premises when children are present or about to be present. Practitioners should not vape or use e-cigarettes when children are present or about to be present, and providers should consider Public Health England advice on their use³¹ ³¹ Providers should also note that smoking in a vehicle with someone under the age of 18 present is prohibited under section 5 and section 8 of the Health Act 2006.

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Safeguarding training 3.32 Training must be renewed every two years. 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.	3.33 Training must be renewed every two years. Providers may consider whether any staff need to undertake annual refresher training during any two-year period, to help maintain basic skills, keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting.
Paediatric First Aid 3.36 PFA training²⁶ must be renewed every three years and be relevant for people caring for young children and babies. ²⁶ Providers are responsible for identifying and selecting a competent training provider to deliver their PFA training. There is no hierarchy in relation to the range of Training Providers who offer Paediatric First Aid training, however you may want to consider one of the following: one that is a member of a Trade Body with an approval and monitoring scheme, the Voluntary Aid Societies and those who work under Ofqual Awarding organisations offering nationally regulated qualifications.	3.37 PFA training³² must be renewed every three years and be relevant for people caring for young children and babies. ³² Providers are responsible for identifying and selecting a competent training provider to deliver their PFA training. There are a range of Training Providers who offer Paediatric First Aid training, however you may want to consider one of the following: one that is a member of a Trade Body with an approval and monitoring scheme, the Voluntary Aid Societies and those who are accredited by an Ofqual Awarding Organisation to provide nationally regulated first aid qualifications.
Staff: child ratios 3.46 The ratio requirements below apply to the total number of staff available to work directly with children³⁶.	3.47 The ratio requirements below apply to the total number of staff available to work directly with children, across the whole provision, not just each room.⁴²
Safer eating The NHS has some advice providers should refer to: Weaning - Start for Life - NHS (www.nhs.uk).	The NHS has some advice providers should refer to: Weaning - Best Start in Life - NHS.
Food and drink facilities 3.71 There must be an area 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	3.72 There must be an area 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. Providers must be confident

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suitable sterilisation equipment for babies' food. 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.	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. CoDP providers may wish to refer to the guidance issued by the Food Standards Agency.
	Banned dog breeds 3.82 Banned dog breeds (meaning dogs to which section 1 of the Dangerous Dogs Act 1991 applies⁶⁵ including the XL Bully type), must not be kept or present on the premises at any time⁶⁶. ⁶⁵ The types of dogs to which Section 1 of the Dangerous Dogs Act 1991 applies are set out in the guidance at: <i>Controlling your dog in public: Banned dogs</i> - GOV.UK. ⁶⁶ This requirement still applies if the dog's owner has a certificate of exemption issued under the Dangerous Dogs Act 1991.
Sleeping arrangements 3.84 Sleeping children must be frequently checked to ensure that they are safe. Being safe includes ensuring that cots and bedding are in good condition and suited to the age of the child, and that babies are placed down to sleep safely in line with the latest government safety guidance: Sudden infant death syndrome (SIDS) – NHS (www.nhs.uk). Practitioners should read NHS advice on safety of sleeping babies: Reduce the risk of sudden infant death syndrome (SIDS) – NHS (www.nhs.uk).	3.86 Babies and children must be placed down to sleep safely. For children under 2 years old, the following requirements apply: • Children must be placed down on their back in their own separate sleep space on a firm flat surface such as a cot, bed or mattress on the floor. Babies aged 12 months and under must only be placed to sleep in a cot. • Sleep spaces must only contain a firm, flat, waterproof mattress and lightweight bedding which is firmly tucked in around the child below their shoulders to prevent head covering. Alternatively, a well fitted baby sleep bag may be used. Check the manufacturer recommendations before using a baby sleep bag. • Where blankets are used, the child must be placed feet-to-foot at the bottom of the cot, with blankets tucked in.

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	• Cots must not contain extra items such as toys, pillows, extra blankets, bumpers, wedges or straps. • Children should not get too hot or cold. The recommended room temperature for babies is 16 – 20°C. • Children’s heads must not be covered. • Babies under six months of age must always have an adult with them in the same room for every sleep. All children must be frequently checked when sleeping. • Children must always be within sight and hearing of staff when sleeping. ⁶⁸ Cots refer to: cots, carrycots, Moses baskets, travel cots. Providers may find it useful to refer to the British Standards. ⁶⁹ As forest and other exclusively outdoor provision (where children are outside all or almost all of the time) do not have ‘rooms’, there is no requirement for this kind of provision to have a separate baby room. However, the specific needs of babies still need to be taken into consideration by providers which will mean that a separate area should be provided for babies. This includes providing them with adequate space and suitable equipment for their physical development to allow them to learn how to roll, crawl and walk. Babies’ safe sleeping arrangements also need to be taken into account.
	Children’s screen use 3.94 Providers must have regard to the following guidance on children’s screen use in early years settings: Help for early years providers: Screen use.
Annex C: Criteria for effective safeguarding training	Annex C: Criteria for effective safeguarding training 4.The Department’s early years safeguarding training package can be accessed via the following page: Early years foundation stage (EYFS) statutory framework - GOV.UK.