STATUTORY INSTRUMENTS

2025 No. 841

CHILDREN AND YOUNG PERSONS, ENGLAND

The Childcare (Miscellaneous Amendments) (England) Regulations 2025

Made - - - -	*10th July 2025*
Laid before Parliament	*14th July 2025*
Coming into force	
All provisions except regulation 4(3)(d)	*1st September 2025*
Regulation 4(3)(d)	*1st January 2027*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 1(3), 39(1), 41(2)(c), 42(1) and (6C), 43(1), 44, 99(1) and 104(2) of the Childcare Act 2006(**a**).

In respect of the provision in regulation 3, in accordance with section 42(A1) of the Childcare Act 2006, the Secretary of State has consulted the Office of Qualifications and Examinations Regulation and other appropriate persons. In respect of the provision in regulation 5, in accordance with section 43(2) of that Act, the Secretary of State has consulted His Majesty's Chief Inspector of Education, Children's Services and Skills and other appropriate persons.

Citation, commencement and extent

1.—(1) These Regulations—

(a) may be cited as the Childcare (Miscellaneous Amendments) (England) Regulations 2025,

(b) subject to paragraph (2), come into force on 1st September 2025, and

(c) extend to England and Wales.

(2) Regulation 4(3)(d) comes into force on 1st January 2027.

(**a**) 2006 c. 21. Relevant amendments were made to section 41 by paragraph 39 of Schedule 12 to the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22). Relevant amendments were made to section 42 by section 160 of, paragraph 1 of Schedule 16 to and paragraph 40 of Schedule 12 to that Act. Relevant amendments were made to section 44 by paragraph 41 of Schedule 12 to that Act and by paragraph 11 of Schedule 4(2) to the Children and Families Act 2014 (c. 6). Relevant amendments were made to section 99 by paragraph 63 of Schedule 4(6) to the Children and Families Act 2014, section 3(1) of the Childcare Act 2016 (c. 5) and section 75(4) of the Small Business, Enterprise and Employment Act 2015 (c. 26).

Amendment of the Local Authority Targets (Well-Being of Young Children) Regulations 2007

2.—(1) The Local Authority Targets (Well-Being of Young Children) Regulations 2007(**a**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 1 (citation, commencement and interpretation)—

(a) for the heading, substitute "Citation and commencement";

(b) omit paragraph (2).

(3) For regulation 3, substitute—

"3. A target must be set by reference to children's attainment of one or more of the early learning goals specified under section 41(2)(a) of the Childcare Act 2006.".

Amendment of the Early Years Foundation Stage (Learning and Development Requirements) Order 2007

3.—(1) The Early Years Foundation Stage (Learning and Development Requirements) Order 2007(**b**) is amended in accordance with paragraphs (2) to (7).

(2) In article 2 (interpretation)—

(a) before the definition of "the Document", insert—

""the childminder EYFS" means the document entitled "Early Years Foundation Stage statutory framework for childminders" dated 14th July 2025 and published by the Secretary of State on the gov.uk website;";

(b) in the definition of "the Document"—

(i) in sub-paragraph (a), for the words from "the document" to the end, substitute "the childminder EYFS;";

(ii) in sub-paragraph (b), for the words from "the document" to the end, substitute "the group and school-based provider EYFS;";

(c) before the definition of "reception baseline assessment", insert—

""the group and school-based provider EYFS" means the document entitled "Early Years Foundation Stage statutory framework for group and school-based providers" dated 14th July 2025 and published by the Secretary of State on the gov.uk website;";

(d) in the definition of "reception baseline assessment", for "Document" substitute "group and school-based provider EYFS";

(e) in the definition of "the relevant provisions of the Document", after "Document" (the second time it occurs), insert "and in Annex B to the childminder EYFS".

(3) In article 3D (delegated supplementary provisions: reception baseline assessments), in paragraph (3), after "provisions" insert "on the gov.uk website(**c**)".

(4) In article 5 (requirement on Chief Inspector and early years childminder agencies), after "requirements" insert "prescribed in Sections 1 and 2 of the Document and in Annex B to the childminder EYFS".

(5) In article 6 (matters to be considered by the Chief Inspector), in paragraph (1)(a), after "Document" insert ", or in Annex B to the childminder EYFS".

(**a**) S.I. 2007/1415, amended by S.I. 2008/1437.

(**b**) S.I. 2007/1772. Relevant amending instruments are S.I. 2014/913, 2017/361, 2021/432, and 2024/1019. There are other amending instruments, but none are relevant.

(**c**) Assessment and Reporting Arrangements for the reception baseline assessment published on the gov.uk website at https ://www.gov.uk/government/publications/reception-baseline-assessment-assessment-and-reporting-arrangements-ara.

(6) In article 6A (matters to be considered by early years childminder agencies), in sub-paragraph (a), after "Document" insert ", or in Annex B to the childminder EYFS".

(7) In article 7 (proceedings under Part 3 of the Act), in paragraph (1)(a), after "Document" insert ", or in Annex B to the childminder EYFS".

Amendment of the Childcare (Provision of Information About Young Children) (England) Regulations 2009

4.—(1) The Childcare (Provision of Information About Young Children) (England) Regulations 2009(**a**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation), after the definition of "special educational needs", insert—

> ""special educational needs provision type" means the type of special educational needs provision forming part of the graduated approach adopted pursuant to the "Special educational needs and disability code of practice: 0 to 25 years" published on 29th January 2015(**b**) under section 77 of the Children and Families Act 2014.".

(3) In the Schedule—

(a) in paragraph 1, for the words from "total" to the end, substitute "assessment rating for each of the early learning goals specified under section 41(2)(a) of the Act.";

(b) for paragraph 2, substitute—

"2. In this Part of the Schedule, the "assessment rating" is specified in the left-hand column of the table in relation to a child who meets the corresponding description in the right-hand column of the table in relation to an early learning goal.

Assessment rating	**Judgement in relation to an early learning goal**
1	A child who is at the 'emerging' level.
2	A child who is at the 'expected' level.
A	A child who has been granted an exemption under Part 3 of the Early Years Foundation Stage (Exemptions from Learning and Development Requirements) Regulations 2008(**c**).";

(c) for paragraph 8, substitute—

"8. Sex.";

(d) for paragraph 9, substitute—

"9. Where the child has special educational needs, the type of special educational needs that child has and the primary and secondary ranking of those types if there is more than one type, and which special educational needs provision type is being made for them.".

(**a**) S.I. 2009/1554. Relevant amending instrument is S.I. 2014/2103. There are other amending instruments but none are relevant.
(**b**) The code of practice is published at https://assets.publishing.service.gov.uk/media/5a7dcb85ed915d2ac884d995/SEND_Code_of_Practice_January_2015.pdf.
(**c**) S.I. 2008/1743.

Amendment of the Early Years Foundation Stage (Welfare Requirements) Regulations 2012

5.—(1) The Early Years Foundation Stage (Welfare Requirements) Regulations 2012(**a**) are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2 (interpretation), in the definition of "the Document", for "11th October 2024", in both places it occurs, substitute "14th July 2025".

(3) In regulation 3 (specification of the welfare requirements)—

(a) in paragraph (2A)—

(i) in sub-paragraph (a), for "3.9, 3.18, 3.19, 3.20, 3.56, 3.58, 3.62 and 3.86" substitute "3.11, 3.25, 3.26, 3.27, 3.72, 3.74, 3.78 and 3.102";

(ii) in sub-paragraph (b), for "3.8, 3.17, 3.18, 3.19, 3.59, 3.63, 3.64, 3.87 and 3.89" substitute "3.10, 3.15, 3.23, 3.24, 3.25, 3.74, 3.78, 3.79, 3.102 and 3.104";

(b) in paragraph (4), for "10th February 2025" substitute "14th July 2025"(**b**).

Stephen Morgan
Parliamentary Under-Secretary of State (Minister for Early Education)
Department for Education

10th July 2025

(**a**) S.I. 2012/938. Relevant amending instruments are S.I. 2014/912, 2015/1562, 2017/361, 2023/1338, 2024/1019 and 2025/132.

(**b**) Regulation 3(4) of S.I. 2012/938 defines the "Qualifications Document" which is published by the Secretary of State on the gov.uk website at https://www.gov.uk/government/publications/early-years-qualification-requirements-and-standards.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authority Targets (Well-Being of Young Children) Regulations 2007 (S.I. 2007/1415) ("the Targets Regulations"), the Early Years Foundation Stage (Learning and Development Requirements) Order 2007 (S.I. 2007/1772) ("the Learning and Development Order"), the Childcare (Provision of Information About Young Children) (England) Regulations 2009 (S.I. 2009/1554) ("the Census Regulations") and the Early Years Foundation Stage (Welfare Requirements) Regulations 2012 (S.I. 2012/938) ("the Welfare Regulations").

Regulation 2 amends the Targets Regulations to update a reference to the Early Years Foundation Stage ("EYFS") assessment scales, which no longer exist. The amendment means that targets can be set by reference to children's attainment of one or more of the early learning goals specified under section 41(2)(a) of the Childcare Act 2006 (c. 21) ("the Act").

Regulation 3 amends the Learning and Development Order to give effect to revised versions dated 14th July 2025 of sections 1 and 2 of and Annex B to the documents entitled "Early Years Foundation Stage Statutory Framework for Childminders" (the "childminder EYFS") and the "Early Years Foundation Stage Statutory Framework for Group and School-Based Providers" (the "group and school-based provider EYFS"). The amendments in regulation 3(4) to (7) ensure that the provision in Annex B to the childminder EYFS (which relates to the EYFS Profile assessment, carried out in the final term of the year the child reaches age 5) is within the inspection and enforcement powers applicable to registered early years providers in Part 3 of the Act. Annex B to the group and school-based provider EYFS relates to the reception baseline assessment, which is administered by schools exempt from the requirement to register under Part 3 by virtue of section 34(2) of the Act.

Regulation 4 amends the Census Regulations to update a reference to the EYFS assessment scales. Regulation 4(3)(c) replaces "gender" with "sex" to reflect the data which is collected. Regulation 4(3)(d) amends the special educational needs data required to be provided by early years providers to align with that collected from schools under paragraph 8 of Schedule 1 to the Education (Information about Individual Pupils) (England) Regulations 2013 (S.I. 2013/2094).

Regulation 5 amends the Welfare Regulations as follows:

- To give effect to revised versions dated 14th July 2025 of section 3 of the EYFS statutory frameworks. The changes to the frameworks include: strengthening safeguarding requirements; amending the staff:child ratios in consequence of the introduction of the Experience-Based Route ('EBR') for early years practitioners to gain status to work at level 3 within staff:child ratios; implementing nutrition changes and other minor clarificatory changes.
- To give effect to a revised version of the "Qualifications Document", which is the document entitled "Early years qualification requirements and standards" dated 14th July 2025 and published by the Secretary of State on the gov.uk website. This document specifies qualifications and training requirements to be met by early years providers (other than early years childminders) who are required by section 40 of the Act to comply with the EYFS statutory framework. These changes are made in consequence of the introduction of the EBR.

The EYFS statutory framework documents are available on the gov.uk website at this link: https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2. Full impact assessments of the effect that these Regulations will have on the costs of business, the voluntary sector and the public sector (in relation to the changes to safeguarding provisions in the EYFS statutory frameworks and to the introduction of the EBR) are available on the legislation.gov.uk

website. Hard copies of these documents can be viewed at the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London SW1P 3BT.

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