

EYFS Statutory Framework

1st September 2026

(Group provisions and Childminders)

About this Briefing



**Safeguarding
is everyone's
responsibility.**

Every member of staff plays a vital role in keeping children safe and promoting their welfare. A child-centred approach should underpin all decisions and actions.

Introduction

The Department for Education has published updated EYFS Statutory Frameworks that come into force on 1 September 2026. There are two separate frameworks: one for group and school-based providers and one for childminders. While there are some differences in how certain requirements apply, particularly for those operating on domestic premises, the majority of the safeguarding and welfare changes are consistent across both frameworks. This briefing provides an overview of the key changes affecting early years providers and childminders and highlights any areas where requirements may differ.

Overview

The 2026 EYFS Statutory Framework is primarily an evolution rather than a complete rewrite of the 2025 framework. The learning and development requirements, educational programmes, Early Learning Goals, assessment arrangements and most ratio requirements remain unchanged.

The most significant amendments are concentrated within the Safeguarding and Welfare Requirements.

Section 1: Learning and Development Requirements

No substantive changes identified. The seven areas of learning, educational programmes, Early Learning Goals and characteristics of effective teaching and learning remain materially unchanged.

Section 2: Assessment

No significant policy changes. Assessment requirements remain largely unchanged.

Section 3: Safeguarding and Welfare Requirements

This is where the majority of changes have been introduced.

Section 3: Safeguarding and Welfare Requirements

01. Volunteer DBS & Barred List Checks

In 2025, Enhanced DBS checks were required for, staff, unsupervised volunteers, supervised volunteers providing personal care.

2026 - New requirements now state that:

Enhanced DBS and barred list checks are required for a significantly wider range of volunteer activity. Crime and Policing Act 2026 changes remove the previous exemption for supervised unpaid activity.

Activities become regulated activity when undertaken:

- Frequently.
- On more than three days within a 30-day period.
- Overnight.

Additional New Requirement

Providers and childminders must not permit individuals to start working or volunteering until enhanced criminal records and barred list checks have been received (except occasional supervised volunteers).

Actions:

- Audit all volunteer roles.
- Review visitor arrangements.
- Update recruitment procedures.
- Review DBS policies.
- Consider regular parent volunteers.

02. New Banned Dog Breed Requirement

In 2025 - No equivalent requirement.

In 2026 - A completely new section has been inserted:

Banned dog breeds, including XL Bully type dogs, must not be kept or present on childcare premises at any time, even where exemption certificates exist.

Actions:

- Audit all volunteer roles.
- Review visitor arrangements.
- Update recruitment procedures.
- Review DBS policies.
- Consider regular parent volunteers.

03. Expansion of Sleep Safety Requirements

In 2025 - Only broad requirements existed covering: Frequent checks, Safe bedding, NHS guidance.

2026 - A substantial safer sleep framework has been introduced. The updated framework strengthens expectations and provides greater clarity on what safer sleep practice should look like.

New requirements include:

- Babies under 12 months must sleep in a cot.
- Babies should be placed on their backs to sleep.
- Firm, flat waterproof mattresses should be used.
- Restrictions on blankets and loose bedding.
- No pillows, cot bumpers, wedges or soft toys.
- A recommended room temperature of 16–20°C.
- Babies under six months should sleep in the same room as an adult who can monitor them appropriately.
- Sleeping children should remain within sight and/or hearing of staff.
- Explicit reference to The Lullaby Trust guidance.

Actions:

- Update safer sleep policies.
- Undertake staff training.
- Review sleep record systems.
- Review cot arrangements.
- Update risk assessments.

05. Stronger Disqualification Requirements

In 2025 - Focused primarily on provider and staff disqualification.

2026 - The framework provides greater clarification regarding disqualification arrangements, including:

- Circumstances where individuals may be affected by living with a disqualified person.
- Waiver arrangements through Ofsted.
- Expanded references to domestic premises
- Greater clarity for providers operating from home environments.

Particularly relevant for:

- Childminders.
- Childcare on domestic premises.
- Childminder agencies.
- Providers operating from residential settings

06. Changes to Suitable People Requirements

New Expectations for 2026 strengthens requirements regarding suitability declarations.

Providers must:

- Inform staff and prospective staff must disclose information affecting suitability.
- Consider arrests and charges in addition to convictions and cautions.
- Strengthen recruitment checks before employment begins
- Consider regular parent volunteers.

Actions:

- Update recruitment forms.
- Update safer recruitment policies.
- Review induction processes.
- Ensure ongoing suitability monitoring arrangements are robust.

07. Attendance and Child Absence

There are minor adjustments within this section, including references to:

- Parent and/or carer vulnerability.
- Professional judgement.
- Welfare checks where children are absent

Although these changes are relatively small, providers and childminders may wish to review attendance procedures and escalation processes

08. Food Safety and Public Health

Additional references have been introduced covering:

- Significant public health incidents.
- Emergency planning guidance.
- Food Standards Agency guidance.
- Updated NHS weaning information

Providers and childminders should review:

- Food safety guidance.
- Allergy management arrangements.
- Weaning procedures.
- Emergency planning documentation

09. Outdoor Play Requirements

In 2025 – wording reflected providers must provide access to outdoor play.

2026 - New wording strengthens expectations:

Providers must provide all children with daily access to outdoor play or daily outdoor activities. This is a low-level clarification rather than a new duty.

Section 3: Continued

10. Additional Ofsted Notifications

New Requirement:

Providers must notify Ofsted where there is:

- A change to persons aged 16 or older living on domestic premises.
- A change to persons aged 16 or older working on domestic premises

Relevant primarily to:

- Childminders.
- Childcare on domestic premises (CoDP) providers.
- Other home-based childcare settings where applicable.

11. Safeguarding Training

Annex C now includes signposting to the DfE Early Years Safeguarding Training Package.

Providers may wish to:

- Incorporate this into induction.
- Use it for refresher training.
- Reference it in safeguarding policies

Summary of Change

Area	Level Of Change	Impact
Learning & Development	Minimal	No action
Assessment	Minimal	No action
Volunteer DBS Checks	Major	Review immediately
Safer Recruitment	Major	Review immediately
Safer Sleep	Major	Policy and training updates
Banned Dog Breeds	Major	New compliance requirement
Children's Screen Use	Moderate	Review technology use
Disqualification	Moderate	Update procedures
Emergency Planning	Moderate	Review plans
Food Safety	Moderate	Update guidance references
Ofsted Notifications	Moderate	Review domestic premises arrangements
Safeguarding Training	Minor	Consider implementation

Key Actions for September 2026

The highest-priority actions for providers are:

01. Review DBS and barred list procedures for volunteers.
02. Update safer recruitment documentation.
03. Review and update safer sleep policies.
04. Ensure banned dog breed requirements are addressed.
05. Review screen use practices.
06. Update safeguarding and welfare policies.
07. Brief leaders, governors and trustees on the new requirements.
08. Incorporate new guidance into safeguarding and induction training.

Areas Requiring Immediate Policy Review

For most nurseries, preschools and school-based early years settings, the following policies are most likely to require amendment before September 2026:

01. Safeguarding and Child Protection Policy.
02. Safer Recruitment Policy.
03. Volunteer Policy.
04. Safer Sleep Policy.
05. Health and Safety Policy.
06. Risk Assessment Procedures.
07. Animal and Visiting Dog Policy.
08. Attendance Policy.
09. Emergency Planning and Critical Incident Procedures

Overall Conclusion

The 2026 EYFS Framework is not a fundamental redesign of the EYFS. Learning, development, curriculum and assessment requirements remain essentially unchanged.

The most significant changes are concentrated within safeguarding and welfare requirements, particularly:

01. Volunteer vetting and DBS reform.
02. Enhanced safer recruitment expectations.
03. New banned dog breed provisions.
04. Comprehensive safer sleep requirements.
05. Screen use guidance.
06. Stronger disqualification procedures.
07. Enhanced emergency planning expectations.

Conclusion

Although many of the changes represent clarification and strengthening of existing safeguarding expectations rather than entirely new duties, providers and childminders should not underestimate their significance. Ofsted has already indicated that children's welfare, safer sleep, safer eating practices and safeguarding culture will continue to be important areas of focus during inspection.

For leaders, DSLs, nursery managers, childminders, governing bodies and proprietors, the key priority should be ensuring safeguarding arrangements, recruitment procedures, volunteer management processes and safer sleep practices are reviewed and updated ahead of implementation on 1 September 2026.