

Looking after 2 children under the age of 1 - the rules

The rules have changed since the introduction of the EYFS 2012 - whatever you used to do or whatever Ofsted used to say is no longer relevant. For example, some established childminders used to have 2 under 1s on their registration certificates and sometimes Ofsted would give ongoing permission for 2 under 1 to experienced childminders.

Since Sept 2012 and the release of the revised EYFS, childminders have been in charge of deciding their own variations. You cannot ring or email Ofsted any more to ask for advice - they will tell you to read the EYFS. You cannot check variations with Ofsted - they are not responsible for doing this any more. If you had variations noted on your Ofsted registration certificate prior to September 2012 they will have been removed. You can continue current variations as long as they are needed - then each new variation must be decided on its own merits.

You can have 2 babies under the age of 1 for continuity of care in exceptional circumstances such as -

- If your own new baby is born and you want to take back a baby who was in your care before you had your baby...
- OR if you have 2 spaces in your under 5s and you want to take on sibling babies (twins)...
- OR if you have space in your under 5s, your own baby and an older child's sibling (baby brother or sister) starts with you...
- OR if you work with an assistant and have checked your floor space and gained planning permission from your Local Authority. You can find information about floor space requirements here - <http://www.childmindinghelp.co.uk/freeresources/Free%20downloads/spacerequirementseyfs2012.html>.

And information about planning permission here -

<http://www.childmindinghelp.co.uk/forum/registered-assistants-co-minders/123081-planning-permission.html>

In **all** the above examples you **must** be able to demonstrate clearly to Ofsted that you can manage the increase in numbers, involve parents in making the decision to change your ratios and write a risk assessment. You will find help with this here -

<http://www.childmindinghelp.co.uk/freeresources/Free%20downloads/changestoconditionsofregistration.html>.

Important – please note - if you work on your own (no assistant or co-childminder) you CANNOT EVER take on an under 1 for new business if it takes you to 2 babies under 1 - that is not allowed in the EYFS 2012. It is illegal and you will be downgraded during your Ofsted inspection.

More help and advice

There are a number of useful guidance documents including Ofsted document number 120117 -

<http://www.ofsted.gov.uk/resources/factsheet-childcare-numbers-and-ages-of-children-providers-early-years-and-childcare-registers-may-c>

This document on the Childminding Forum which was proofed by Ofsted -

<http://www.childmindinghelp.co.uk/freeresources/Free%20downloads/variations2012.html>

We have to be very careful with this one because Ofsted are grading very harshly if childminders go over ratios and do not follow the rules.