

## The SEND Code of Practice (2015) and the EYFS Statutory Framework for childminders (2025): at a glance

Area	SEND Code of Practice	EY Foundation Stage Statutory Framework
Key principles	<ul style="list-style-type: none"> <li>The participation of children, their parents and young people in decision-making.</li> <li>The early identification of children and young people's needs and early intervention to support them.</li> <li>Greater choice and control for young people and parents over support.</li> <li>Collaboration between education, health and social care services to provide support.</li> <li>High quality provision to meet the needs of children and young people with SEN.</li> <li>A focus on inclusive practice and removing barriers to learning.</li> <li>Successful preparation for adulthood, including independent living and employment.</li> </ul>	<ul style="list-style-type: none"> <li>Every child is a unique child, who is constantly learning and can be resilient, capable, confident, and self-assured. Children learn to be strong and independent through positive relationships.</li> <li>Children learn and develop well in enabling environments with teaching and support from adults, who respond to their individual interests and needs and help them to build their learning over time. Children benefit from a strong partnership between practitioners and parents and/or carers.</li> <li>Importance of learning and development. Children develop and learn at different rates.</li> </ul>
SENCO	<p><b>Section 5.52</b>  A maintained nursery school must ensure that there is a qualified teacher designated as the SENCO in order to ensure the detailed implementation of support for children with SEN. This individual should also have the prescribed qualification for SEN Co-ordination or relevant experience.</p> <p><b>Section 5.53</b>  The EYFS framework requires other early years providers to have arrangements in place for meeting children's SEN. Those in group provision are expected to identify a SENCO.</p>	<p><b>Section 3.76</b>  Childminders must have arrangements in place to support children with Special Education Needs and Disabilities (SEND). Childminders are encouraged to identify a person to act as a SENCO (SEND coordinator). Childminders who are registered with a CMA, or who are part of a network, may wish to share the role between them.</p> <p>Childminders who are funded by the local authority to deliver early education places are required to have regard to the 0-25 SEND Code of Practice. Other childminders may find it helpful to familiarise themselves with the early years section of the 0-25 SEND Code of Practice.</p>

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Parents and carers	<p><b>Section 5.7</b>            Early years providers must provide information for parents on how they support children with SEN and disabilities, and should regularly review and evaluate the quality and breadth of the support they offer or can access for children with SEN or disabilities. Maintained nursery schools and all providers of relevant early education to children with SEN must co-operate with the local authority in reviewing the provision that is available locally (see Chapter 3), and in developing the Local Offer (see Chapter 4). Providers should work in partnership with other local education providers to explore how different types of need can be met most effectively.</p> <p><b>Section 6.20</b>            For some children, SEN can be identified at an early age. However, for other children and young people difficulties become evident only as they develop. All those who work with children and young people should be alert to emerging difficulties and respond early. In particular, parents know their children best and it is important that all professionals listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children and young people themselves.</p>	<p><b>Section 1.7</b>            Throughout the early years, if a childminder is worried about a child's progress in any prime area, childminders must discuss this with the child's parents and/or carers and agree how to support the child. Childminders must consider whether a child needs any additional support, including whether they may have a special educational need or disability which requires specialist support.</p> <p><b>Section 2.3</b>            Childminders should keep parents and/or carers up to date on their child's progress and development. Childminders should address any learning and development needs in partnership with parents and/or carers, and any relevant professionals. This is to ensure their entire early years experience contributes to their readiness for Key Stage 1.</p> <p><b>Section 3.97</b>            Childminders must share the following information with parents and/or carers: How the setting supports children with special educational needs and disabilities.</p>
Assessment	<p><b>Section 5.38</b>            Where a setting makes special educational provision for a child with SEN, they <b>should</b> inform the parents and a maintained nursery school <b>must</b> inform the parents. All settings should adopt a graduated approach with four stages of action: assess, plan, do and review.</p> <p><b>Section 5.44</b>            This cycle of action should be revisited in increasing detail and with increasing frequency, to identify the best way of securing</p>	<p><b>Section 2.1</b>            Assessment plays an important part in helping parents, carers and practitioners to recognise children's progress, understand their needs, and to plan activities and support.</p> <p><b>Section 2.2</b>            Assessment should not involve long breaks from interaction with children or require excessive paperwork. When assessing whether an individual child is at the expected level of development, childminders should draw on their knowledge of the</p>

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	<p>good progress. At each stage parents should be engaged with the setting, contributing their insights to assessment and planning. Intended outcomes should be shared with parents and reviewed with them, along with action taken by the setting, at agreed times.</p>	<p>child and their own expert professional judgement. Childminders are not required to prove this through collection of any physical evidence.</p> <p><b>Section 2.4</b></p> <p>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, childminders 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.</p>
EAL	<p><b>Section 5.30</b></p> <p>Identifying and assessing SEN for young children whose first language is not English requires particular care. Early years practitioners should look carefully at all aspects of a child's learning and development to establish whether any delay is related to learning English as an additional language or if it arises from SEN or disability. Difficulties related solely to learning English as an additional language are not SEN.</p>	<p><b>Section 1.8</b></p> <p>For children whose home language is not English, childminders may take reasonable steps to provide opportunities for children to develop and use their home language in play and learning, supporting their language development at home.</p> <p><b>Section 1.9</b></p> <p>Childminders must ensure that children have sufficient opportunities to learn and reach a good standard in English language during the EYFS, ensuring children are ready to benefit from the opportunities available to them when they begin Key Stage 1. When assessing communication, language, and literacy skills, childminders must assess children's skills in English. If a child does not have a strong grasp of English language, childminders must explore the child's skills in the home language with parents and/or carers, to establish whether there is cause for concern about language delay.</p>

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EYFS Profile	<p><b>Section 5.26</b></p> <p>The EYFS profile provides parents, practitioners and teachers with a well-rounded picture of a child's knowledge, understanding and abilities. A profile is usually completed for children in the final term of the year in which they turn five. It is particularly helpful for children with SEN and should inform plans for future learning and identify any additional needs for support.</p>	<p><b>Annex B: 8</b></p> <p>The Profile must be completed for all children, including those with special educational needs or disabilities (SEND). Reasonable adjustments to the assessment process for children with SEND must be made as appropriate. Providers should consider whether they may need to seek specialist assistance to help with this.</p> <p><b>Annex B: 9</b></p> <p>Children will have differing levels of knowledge, skills and abilities across the Profile, and it is important that there is a full assessment of all areas of their development, to inform plans for future activities and to identify any additional support needs.</p>
Records	<p><b>Section 5.50</b></p> <p>Practitioners <b>must</b> maintain a record of children under their care as required under the EYFS framework. Such records about their children <b>must</b> be available to parents and they must include how the setting supports children with SEN and disabilities.</p>	<p><b>Section 3.92</b></p> <p>Childminders must maintain records, obtain and share relevant information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or their CMA, as appropriate). This is to ensure their setting is safe and efficiently managed, and the needs of all children are met. Childminders must enable a regular two-way flow of information with parents and/or carers (and between other providers, if a child is attending more than one setting). If requested, childminders should incorporate parents' and/or carers' comments into children's records.</p>
Key Person	<p><b>Section 5.27</b></p> <p>In addition to the formal checks, early years practitioners working with children should monitor and review the progress and development of all children throughout the early years.</p> <p><b>Section 5.28</b></p> <p>Where a child appears to be behind expected levels, or where a child's progress gives cause for concern, practitioners should</p>	<p><b>Section 3.46</b></p> <p>Each child must be assigned a key person. In childminding settings, the key person is the childminder, or can be an assistant where appropriate. Their role is to help ensure that every child's care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents and/or carers.</p>

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	<p>consider all the information about the child's learning and development from within and beyond the setting, from formal checks, from practitioner observations and from any more detailed assessment of the child's needs. From within the setting practitioners should particularly consider information on a child's progress in communication and language, physical development and personal, social and emotional development. Where any specialist advice has been sought from beyond the setting, this should also inform decisions about whether or not a child has SEN. All the information should be brought together with the observations of parents and considered with them.</p>	<p>They should also help families and engage with more specialist support if appropriate.</p>
Areas of Need/ Learning	<p><b>Section 5.32</b>        Special educational provision should be matched to the child's identified SEN. Children's SEN are generally thought of in the following four broad areas of need and support:</p> <ul style="list-style-type: none"> <li>• communication and interaction</li> <li>• cognition and learning</li> <li>• social, emotional and mental health</li> <li>• sensory and/or physical needs</li> </ul> <p><b>Section 5.33</b>        These areas give an overview of the range of needs that provider should plan for. However, individual children often have needs that cut across all these areas and their needs may change over time. For instance speech, language and communication needs can also be a feature of a number of other areas of SEN, and children with an autism spectrum disorder may have needs across all areas.</p>	<p><b>Section 1.4</b>        Three prime areas are particularly important for learning and forming relationships. They build a foundation for children to thrive and provide the basis for learning in all areas.        These are the prime areas:</p> <ul style="list-style-type: none"> <li>• Communication and language</li> <li>• Physical development</li> <li>• Personal, social and emotional development</li> </ul> <p><b>Section 1.5</b>        Providers must also support children in four specific areas, which help strengthen and develop the three prime areas and ignite children's curiosity and enthusiasm. The specific areas are:</p> <ul style="list-style-type: none"> <li>• literacy</li> <li>• mathematics</li> <li>• understanding the world</li> <li>• expressive arts and design</li> </ul>
Progress Check Age 2	<p><b>Section 5.23</b>        When a child is aged between 2 and 3, early years practitioners <b>must</b> review progress and provide parents with a short written summary of their child's development, focusing in particular on</p>	<p><b>Section 2.5</b>        When a child is aged between 2 and 3, childminders must review their progress, and provide parents and/or carers with a short written summary of their child's development in the prime areas.</p>

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	<p>communication and language, physical development, and personal, social and emotional development. This progress check <b>must</b> identify the child's strengths and any areas where the child's progress is slower than expected. If there are significant emerging concerns (or identified SEN or disability) practitioners should develop a targeted plan to support the child, involving other professionals such as, for example, the setting's SENCO or the Area SENCO, as appropriate. The summary must highlight areas where:</p> <ul style="list-style-type: none"> <li>• good progress is being made</li> <li>• some additional support might be needed</li> <li>• there is a concern that a child may have a developmental delay (which may indicate a SEN or disability)</li> </ul>	<p><b>Section 2.6</b> Beyond the prime areas, it is for practitioners to decide what the written summary should include, reflecting the development level and needs of the individual child.</p> <p><b>Section 2.7</b> The summary must:</p> <ul style="list-style-type: none"> <li>• highlight areas in which a child is progressing well.</li> <li>• highlight areas in which some additional support might be needed.</li> <li>• focus particularly on any areas where there is a concern that a child may have a developmental delay (which may indicate a special educational need or disability).</li> <li>• describe the activities and strategies the childminder intends to adopt to address any issues or concerns. This plan should involve parents and carers and other professionals (for example, the child's health visitor) as appropriate.</li> </ul>

**Links:**

[SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25-years)

[Early years foundation stage \(EYFS\) statutory framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/early-years-foundation-stage-eysf-statutory-framework)