

## PART 2

### Modification of learning and development requirements

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

3. The Early Years Foundation Stage (Learning and Development Requirements) Order 2007(a) is amended as follows.

4. In article 3 (specification of the learning and development requirements)(b), at the beginning insert “Subject to article 3A,”.

5. After article 3 insert—

#### **“Temporary modification of learning and development requirements in the Document**

**3A.**—(1) During the relevant period, the learning and development requirements prescribed in Section 1 of the Document(c) are to be treated as discharged if a provider uses its reasonable endeavours to discharge the requirement during the relevant period.

(2) The relevant period starts when this regulation comes into force and ends on 25th September 2020.

(3) The learning and development requirements prescribed in Section 2 of the Document and specified in the first column of the table in paragraph (4) do not apply to the extent specified in the second column of that table.

(4)

| <i>Learning and Development Requirement</i>                               | <i>Extent specified</i>   |
|---|---|
| Paragraphs 2.3 to 2.5 (progress check at age 2)                           | in relation to the carrying out of any progress check before 25 <sup>th</sup> September 2020.   |
| Paragraphs 2.6 to 2.11 (assessment at the end of the EYFS – the EYFSP)(d) | in relation to an assessment which would, but for this provision, have been undertaken in the academic year commencing with 1st August 2019 and ending with 31st July 2020.”. |

6. After article 6A (matters to be considered by early years childminder agencies)(e) insert—

#### **“Matters to be considered by early years childminder agencies: effect of temporary closure directions**

**6B.**—(1) In relation to a period during which a temporary closure direction has effect in relation to an early years provider, an early years childminder agency must, in exercising functions under Part 3 of the Act, take account of the direction in dealing with any allegation under article 6A(a) or (b).

(2) In paragraph (1) “temporary closure direction” means a direction issued under section 37(1) and paragraph 3(2)(b) of Schedule 16 to the Coronavirus Act 2020(f).”.

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(a) S.I. 2007/1772; relevant amending instruments are S.I. 2012/937, S.I. 2014/913 and S.I. 2017/361.

(b) Article 3(1) was inserted by S.I. 2017/361. Article 3(2) was substituted by S.I. 2017/361.

(c) [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/596629/EYFS\\_STATUTORY\\_FRAMEWORK\\_2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf).

(d) The Early Years Foundation Stage Profile (EYFSP) is referred to in paragraphs 2.6 to 2.11 of the Statutory Framework for the Early Years Foundation Stage (EYFS).

(e) Article 6A was inserted by S.I. 2014/913 and substituted by S.I. 2017/361.

(f) Coronavirus Act 2020 (c.7).