
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for an exemption to the learning and development requirements as set out in the Statutory Framework for the Early Years Foundation Stage (“the Framework Document”) for schools taking part in the Early Adopters Pilot.

Regulation 2 enables the Secretary of State to direct that the learning and development requirements set out in the Framework Document do not apply, or apply with modifications, to schools providing early years provision and which are taking part in the Early Adopters Pilot.

Regulation 3 prescribes the circumstances in which the Secretary of State may direct schools to be exempt as only those that have agreed to participate in the Early Adopters Pilot.

Regulation 4 provides that the exemption will only apply for two academic years, from 2018 to 2019 and 2019 to 2020, schools will only be exempt from section 1 and part of section 2 of the Statutory Framework for the Early Years Foundation Stage and that only the children in the reception class in those academic years will be within scope.

Regulation 5 provides for the Secretary of State to impose conditions to a direction to be exempt from the learning and development requirements.

Regulation 6 provides for an amendment to correct a typographical error (relating to the calculation for assessing eligibility for free early years provision for two years olds) in the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014.

Copies of the Statutory Framework for the Early Years Foundation Stage referred to in these Regulations (Reference DFE-00169-2017) can be inspected at the Department for Education, Sanctuary Buildings, 20 Great Smith Street, London, SW1P 3BT and can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sectors is foreseen.