



Department  
for Education

Guidance

# Establishing school-based nursery provision

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**Applies to England**

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# Summary

This publication provides non-statutory guidance from the Department for Education (DfE). It has been produced to help schools, governing bodies and childcare providers to establish nursery provision on school sites, in collaboration with local authorities and responsible bodies.

## Who this publication is for

This guidance is for:

- headteachers
- local authorities
- multi-academy trust leaders
- school governors or trustees
- private, voluntary and independent (PVI) childcare providers
- childminders
- faith-based education authorities

This guidance is orientated toward the establishment of new school-based nurseries (SBNs), though many aspects are applicable to schools seeking to expand existing provision.

## Contact Us

If you want to contact us about SBNs, [submit an enquiry on the Customer Help Portal \(https://customerhelpportal.education.gov.uk/\)](https://customerhelpportal.education.gov.uk/).

# Introduction

## What is a school-based nursery (SBN)?

A SBN is nursery provision located on a school site (or satellite site). SBNs can operate under different delivery models, such as:

- nursery classes which are an embedded part of a school where the nursery children are enrolled as pupils and included in the school age range
- nursery units which are governor run as a community facility in a maintained school
- provision run by a PVI nursery leasing space on a school premises or operating on the school's behalf
- provision run by a childminder, or group of childminders, leasing space on a school premises
- maintained nursery schools which are schools that only offer early education provision

The delivery model can impact on many factors, including but not limited to:

- registration requirements
- the age of children able to enrol
- the qualification make-up of staff needed
- Ofsted registration and inspection arrangements
- the regulatory and compliance standards that must be met
- funding sources
- operational flexibility
- the integration of nursery activities with the school's curriculum and resources

Some models may require separate registration with Ofsted or a childminder agency from the school (and associated fees and registration requirements). Schools are encouraged to consider this when deciding the most appropriate delivery model for the new provision.

## **Benefits of an SBN**

High-quality early education is essential for giving every child the best start in life and transforming their life chances. It is especially effective for children from disadvantaged families.

SBNs play a crucial role in this, making up 20% of registered early education places in 2023. School-based providers make up a greater share of places in the most deprived areas and have a greater proportion of children with special educational needs and disabilities (SEND) compared with private group-based providers.

SBNs could help establish and build relationships between families and schools ahead of formal education and offer convenience for parents and



carers with other children already attending the primary school. Additionally, opening or expanding SBN provision can be an effective use of surplus space in school buildings or on a school site, where this space is not needed in the immediate future for other provision.

## Establishing an SBN

This guidance details what you need to consider if you wish to open nursery provision at your school. It distinguishes between ‘must have’ statutory requirements covered in the [Early years foundation stage \(EYFS\) statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>), DfE technical standards for buildings and grounds, Ofsted or other school premises legislation, and suggests additional amenities for consideration based on best practice or sector expectations. This guidance provides an overview of key considerations and directs you to other guidance. It is not an exhaustive list and discretion should be used.

### Suggested checklist for establishing new SBN provision

- Identify education and childcare need and suitable space considering the context of the community
- Consult with the local authority and other relevant bodies
- Secure planning and other permissions, if needed
- Decide on delivery model, operating hours, number of places and curriculum design
- Create business plan identifying funding streams, and develop administrative and leadership capacity
- Ensure a high-quality learning environment is created
- Apply for a [prescribed alteration](https://www.gov.uk/government/publications/school-organisation-maintained-schools) (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>) or [significant change to an academy](https://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy) (<https://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy>), if needed
- If required, [register the new provision with Ofsted](https://www.gov.uk/government/publications/factsheet-childcare-registering-school-based-provision) (<https://www.gov.uk/government/publications/factsheet-childcare-registering-school-based-provision>)
- Develop a curriculum and purchase resources
- Recruit and train early years practitioners to deliver an ambitious curriculum
- Create or update policies including safeguarding and health and safety
- Advertise places to families

- Review and refine curriculum regularly

## Schools suitable for an SBN

### Need for additional childcare places

You should be confident there is, or will be, a need for additional early education places in the local area. While you may receive direct requests from families, it is essential to confirm this with the local authority. Local authorities actively collaborate with schools and other providers to encourage expansion in order to meet forecasted demand. Local authorities also receive data from the DfE on households that may be eligible for the [15 hours early education entitlement for disadvantaged 2-year-olds](https://www.gov.uk/help-with-childcare-costs/free-childcare-2-year-olds-claim-benefits) (<https://www.gov.uk/help-with-childcare-costs/free-childcare-2-year-olds-claim-benefits>). This is an additional source of information that may help to identify demand from families with children that stand to benefit the most from early education.

Local authorities have a legal duty to secure sufficient early education places for working parents and carers, as far as reasonably practicable ([sections 6 and 7 of the Childcare Act 2006](https://www.legislation.gov.uk/ukpga/2006/21/notes/division/6/1) (<https://www.legislation.gov.uk/ukpga/2006/21/notes/division/6/1>)), and to secure the provision of the free early education entitlements in accordance with regulations ([section 2 of the Childcare Act 2016](https://www.legislation.gov.uk/ukpga/2016/5/enacted) (<https://www.legislation.gov.uk/ukpga/2016/5/enacted>)).

#### [Early education and childcare statutory guidance](https://www.gov.uk/government/publications/early-education-and-childcare--2)

<https://www.gov.uk/government/publications/early-education-and-childcare--2>) places an expectation on local authorities to ‘identify and remove barriers that prevent existing providers from expanding their provision and new providers from entering the local childcare market if needed’. They play an important role in assessing overall market stability and determining suitability of SBN provision. For instance, they could advise on whether opening an SBN for 3- and 4-year-olds could lead to unintended consequences which could create a sufficiency issue. Your local authority early years lead and pupil place planning lead can provide further support.

School leaders or responsible bodies should also be aware of the [early years funding entitlements](https://www.childcarechoices.gov.uk/guidance-and-resources/childcare-entitlements-faqs) (<https://www.childcarechoices.gov.uk/guidance-and-resources/childcare-entitlements-faqs>) available to families, which may lead to increased demand in your local area. These could act as a source of income to your new provision. Parents and carers may also be eligible for

childcare support through Tax-Free Childcare or Universal Credit Childcare. Parents and carers can check what childcare support they are entitled to at [Childcare Choices](https://www.childcarechoices.gov.uk/) (<https://www.childcarechoices.gov.uk/>).

## Suitable space for SBN provision

To identify a suitable space on the school premises for an SBN, the following elements should be considered.

Consideration	Explanation
Assess existing space	Check if there is surplus space within the school that is appropriately located for a nursery. Evaluate if this space can be adapted to meet the needs of an SBN and children with SEND, and if spaces adhere to EYFS requirements.
Conduct a scoping exercise	Identify if any existing spaces can be consolidated to create the required space for an SBN, while maintaining resilience for future pupil intake.
Evaluate condition and value for money	Consider the condition of existing spaces and buildings, and whether refurbishing them represents good value for money for long-term use. Refer to <a href="#">Good Estate Management</a> for further advice.
Consider adaptations, extensions or new buildings	If no suitable existing space is found, consider remodelling, extending current buildings or reconfiguring existing classroom arrangements before considering using available land for a standalone building as part of a phased site masterplan. You must have regards to costs of these options and potential impact of reducing overall learning space.
Consider impact on school transport arrangements	Increasing places at the school will increase need for drop off and pick up and car park spaces and could impact the school travel plan.
Consider strategic positioning	Ensure the SBN placement enhances resource efficiency by sharing existing school facilities such as the main visitor entrance, administration offices, kitchen catering facilities, staffroom, library, hall, sensory rooms and outdoor learning resources. The SBN placement should also facilitate appropriate

Consideration	Explanation
	connections with other children and staff. Zoning of building systems should be considered to allow for after-hours use, energy efficiency, safeguarding and security measures.
Align with school development plan and estate strategy	Ensure that plans to open or expand SBN provision complement your school development plan. Consider competing priorities for using the space to ensure the optimal use of the school's assets for the benefit of both children and staff and the educational and operational objectives to support sustainable and long-term planning.

## Site planning recommendations

It is recommended that an SBN should:

- be located at ground floor level with direct level access to a dedicated enclosed outdoor play area and near to other learning opportunities offered by the whole school (for example horticulture and habitat area) to support the delivery of the EYFS curriculum
- be adjacent to or near reception classroom(s) if possible, offering good visibility for parents and carers and clear sightlines to enable staff to observe activity both indoors and outdoors, without actively supervising (for example, being able to see when a visitor arrives, if a child or family member needs assistance or if an unknown person is loitering)
- have independent access from the main school building to facilitate drop-off and pick up
- if possible, be near to the school's main reception area to enable use of shared visitor, administrative and support facilities (for nurseries located some distance away from the main reception or delivered by a PVI or childminders, a dedicated nursery entrance with a secure route to the nursery may be needed)
- be near to school facilities

### **Summary: school suitability for an SBN**

As outlined in the introduction section, determine the most suitable delivery model for your SBN, the age group your SBN will cater to and whether it will offer wraparound care or holiday provision.

Consult with your local authority to identify whether there is a need for additional childcare places in your area and there is no competing alternative need for the space.

Identify whether there is any suitable space on your school premises, including whether any existing spaces could be consolidated. Consider the condition of this space. Alternatively, consider adaptations, reconfiguration, extensions or a new building as part of a phased site masterplan.

Ensure alignment with your school development plan and estate strategy.

## High-quality learning environments

### Nursery arrivals and entrance

SBNs should have a safe and welcoming arrival route. Pedestrian routes should be well lit and kept separate from vehicles. Access to the nursery should align with wider school site security arrangements to consider arrivals and departures throughout the school day for parents and carers, children and visitors.

The entrance area of the SBN, as the first place of contact for children, parents and carers, should be welcoming and well-presented with clear signage. Consider the following practical aspects to ensure accessibility, safety and efficiency. The following are options for consideration, not an exhaustive list of essential criteria.

Consideration	Explanation
Step-free access	Consider step-free pedestrian access with external lighting from the street to the nursery entrance, suitable for wheelchair users, parents and carers with double buggies, and children on scooters or bicycles.
Entrance path widths	Design entrance paths to accommodate concurrent users. Consider timetabling staggered arrivals to help reduce congestion.

Consideration	Explanation
Controlled access	Consider controlled access (with intercom) throughout the school day between the nursery and the wider school, including any on-site wraparound provision. Consider daytime drop-off, collection and extended hours.
Drop-off and waiting area	Create a child drop-off and collection area outside the nursery entrance, classroom or play area with seating, segregated from vehicles.
Covered storage	Provide secure, lit, covered storage for buggies, balance bicycles and scooters close to the nursery entrance.
Accessible security gates and doors	Ensure security gates and entrance doors are suitably sized and accessible for wheelchair users, equipment and buggies.
Parking and drop-off provision	Provide accessible parking and drop-off areas for those with additional needs. Parking for nursery staff should comply with local planning authority requirements and a green travel plan should be developed.
Deliveries	Consider sharing delivery arrangements with the main school.
Recycling and refuse	Decide whether recycling and refuse storage and collection will be shared with the main school or kept separate.

## Indoor learning environment

You must adhere to the indoor space requirements outlined in the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2).

Age range	Base space requirement
Children under 2 years	3.5m <sup>2</sup> per child

Age range	Base space requirement
2-year-olds	2.5m <sup>2</sup> per child
Children aged 3- to 5-years-old	2.3m <sup>2</sup> per child

‘Base space requirement’ is the minimum usable room area used by children for play and learning excluding support spaces.

For example:

- 26 pre-school children (3 to 4 years) would need a minimum usable area of 60m<sup>2</sup>
- 26 toddlers (2 to 3 years) would need a minimum usable area of 65m<sup>2</sup>
- 26 toddlers or babies (under 2 years) would need a minimum usable area of 91m<sup>2</sup>

It is recommended that class sizes do not exceed 18 children per class for children under 2 years.

The nursery classroom and its associated spaces should be inclusive for all users. Separate rooms should be provided for each age group, while permitting some cross-age group integration where appropriate. There should be a separate baby room for children under the age of 2. Providers must ensure that children in a baby room have contact with older children and are moved into the older age group when appropriate.

When separate rooms are provided, ensure staffing levels and supervision meet the legal minimum requirements as outlined in the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2). Good visibility between spaces for supervision is recommended and can be achieved through open-plan arrangements, low level furniture and the use of glazed screens in partitions and doors.

### **Nursery playroom or classroom**

The main area should permit a range of layout options and age-appropriate activities which facilitate the delivery of the early education curriculum. Examples include:

- reading corner
- cosy area
- storytelling area (sized for whole or part class)
- role play area (for example, play kitchen, shop and dressing up)
- music area



- creative area (for example, arts and craft stations, painting, messy play and clay work)
- sand and water play with access to a sink
- construction area
- small world area (for example, farm, zoo animals and dinosaurs)

For children under 3 years, you should consider suitable safe sleeping provision for example a dedicated quiet area, dimmable lighting and anti-ligature blinds. For children wearing nappies you should also provide direct access to nappy changing facilities.

Classrooms should also include high- and low-level sinks with drinking water and a variety of storage solutions for example trays, under bench, wall mounted and moveable units for toys and learning resources. Fixed solutions can offer higher levels of storage whilst non-fixed solutions provide flexibility.

You will also need to consider where children will eat and how they will be served. You could provide a dining area with low-level tables and chairs for all children taking nursery meals in the nursery area or consider sharing facilities elsewhere in the school.

Where possible, designate a separate room for individual and small group activities. Consider the provision of glazed screens for cross supervision and direct access from the playroom. This space can also serve as a quiet room or sensory room.

Provide direct access from the play space to a dedicated, covered outdoor area to facilitate seamless indoor-outdoor learning experiences.

### **Supplementary spaces**

To create a more supportive, inclusive and versatile learning environment for all children, consider a space for children to relax and collect their thoughts away from others to support emotional regulation and undertake individual or small group activities. You could also equip a special room for light and sound play and therapy, which can be used with all children and may be especially supportive for children with SEND.

### **Toilets and changing areas**

Children's toilets and changing areas are important for a child's development and early education experience. They should be welcoming, hygienic and easily supervised. Children's privacy must be considered and balanced with safeguarding and support needs. [Standards for school premises](https://www.gov.uk/government/publications/standards-for-school-premises) (<https://www.gov.uk/government/publications/standards-for-school-premises>) guidance and the [EYFS statutory framework](#)



<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) detail requirements and considerations, including:

- easily supervised toilets located directly off the nursery playroom(s) or baby room(s) with easy access from outdoor play areas (safeguarding requirements must be maintained at all times)
- age-appropriate low-level toilet seats and wash hand basins with a ratio of 1 per 10 pupils or part thereof (low-level cubicles should provide pupil privacy and be easily accessible)
- hand drying options such as paper towels or automatic hand dryers (noting that some young children may dislike the noise of automatic hand dryers)
- mixer taps which are easy to use, with low-temperature fittings and with concealed pipework which is easily accessible for maintenance
- hygienic changing facilities directly accessible from the nursery playroom or baby room (this could be a dedicated space with privacy screening located off another space, such as pupil toilets)
- dedicated staff handwash sink and child sink, changing table with steps, storage and nappy waste bins
- if potty training is undertaken, a hygienic means of waste disposal and potty cleaning (a hand wash sink must not be used)

To ensure that the nursery environment is safe, hygienic and supportive of both children's and staff's needs, the following elements should be considered.

Consideration	Explanation
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SEND	Some children with special needs and developmental delays may need to wear nappies longer than their peers, so it's important to have a discreet changing facility directly accessible from the classroom. This ensures the child's dignity is maintained. You should provide a private area rather than just a changing table in the pupil toilets without a screen.
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Nursery hygiene room	A space directly accessible off the nursery play room or toilets, allowing staff to assist a child with SEND or additional toileting needs. Features should include a low-height child toilet, low-height enlarged cubicle (permitting staff assistance), dedicated child and staff hand wash sinks, changing table with steps, storage and waste bins.
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Staff toilets	For minimum ratios, refer to <a href="#">Workplace (Health, Safety, and Welfare Regulations) 1992</a> . Consider if some of these could be shared with the main school, noting the
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Consideration	Explanation
	impact on nursery supervision. Access to an accessible toilet is also required.
Laundry room	A small laundry room for nurseries with younger children and those with SEND, including a washer, dryer, hand wash sink and storage for clean laundry.

### Additional spaces

Suitable places for coats and bags, food, and materials storage are essential for the everyday life of the nursery. From personalised pegs to the preparation of nutritious snacks and the safe storage of specific food or medical requirements, these spaces play an important role. The location and arrangement of these ancillary spaces are important for the smooth operation of the nursery, the sequence of activities and the ease of transition between inside and outside space.

The following areas should be considered.

Area	Explanation
Cloakroom	Provide space for coat pegs or hooks, shoe racks and benches or cubbies for bags and other personal belongings. This space can act as a draught lobby to the outside if provided as a separate room.
Classroom storage	Include a bay or room and cupboards for storing play equipment and materials.
Kitchenette or bay	Provide space for preparation of drinks and snacks which is lockable and not accessible to children. Features should include a sink with drainer, hand wash sink (for food prep), hot water boiler, suitable sterilisation equipment for baby food, fridge, dishwasher (washer and dryer if no separate laundry room), storage, space for waste bin and a magnetic whiteboard to post food requirements and allergen information.
Office space	Provide space for staff for desk-based work and informal meetings, storage for some staff personal and teaching resources and a lockable cabinet for medicine. This could be a shared space with the rest of the school.

### Shared spaces

For nursery provision run by a school, there is an opportunity to share existing facilities, subject to safeguarding, staffing levels, capacity and ease of access from the nursery. This approach can maximise the use of existing assets, reduce operation and maintenance costs, and enhance interaction between the nursery and the rest of the school. However, nurseries operated by PVI or childminders should have separate facilities to maintain school security and safeguarding.

The following key facilities should be considered for sharing.

<b>Key facility</b>	<b>Explanation</b>
Staff room	A space for staff to work, meet, socialise and prepare lessons with access to a kitchenette.
Accessible toilet	At least one accessible (disabled) toilet should be available for the nursery for use by staff and disabled pupils, with easy and direct access from the nursery playroom. Visitors will also require access to an accessible toilet.
Meeting or interview room	For staff to hold confidential meetings with parents, carers and visitors, located in a secure but accessible area, not within the innermost secure zones of the school, ideally adjacent to the main entrance or reception.
First-aid post (sick bay)	A bay or room for children who are feeling unwell, may need initial treatment or for them to wait for parents and carers to collect. Located to enable supervision with access to a toilet and sink. You may also want to designate an area for staff who require first aid.
Reception or office with lobbied entrance	Shared facilities with the main school reception. Including use of the same phone system, Wi-Fi facilities and security camera monitoring systems.
SEND facilities	Shared access to a sensory room or other calming space, easily accessible from the playroom.
Reprographics room	Access to reprographics facilities for copying and printing.
Kitchen	The main kitchen for the preparation of nutritional hot and cold meals. Existing catering facilities onsite may be used, subject to spare capacity and the capability to tailor meal planning for nursery children. Operation outside of

Key facility	Explanation
	standard school hours may be required. Where provided, dedicated kitchens should include a dry store and facilities to meet catering needs (for example, double oven, 5 or 6 ring hob, extract, double kitchen sink, hand wash sink, fridge, freezer, dishwasher, worktop space for small kitchen appliances, prep, storage, white board for allergy information and good accessibility for deliveries). Catering staff toilet and changing provision and a space for admin should also be considered.
Hall	Access to the main school hall and dining hall can be beneficial, providing an option for physical activity during inclement weather and dining for 3- to 4-year-olds.
Cleaner's store	With a cleaner's sink (hot and cold water) within easy access.
Plant rooms or server hub rooms	Shared access to these facilities where practical.

For nurseries operated by PVI's or childminders, you may need to consider a separate reception, office, kitchen, hygiene and first-aid facilities to maintain school security and safeguarding requirements.

## Finishes, furniture and technology

Finishes, furniture and technology, as well as fittings and equipment, are essential for supporting a range of learning activities and providing a high-quality environment in the nursery. These elements should be robust, durable and safe for young children and adults, contributing to the overall 'look and feel' of the nursery, and they should be easy to use, clean and maintain.

The [DfE construction framework 2021](https://www.gov.uk/government/publications/school-buildings-construction-framework-2021) (<https://www.gov.uk/government/publications/school-buildings-construction-framework-2021>) outlines the fittings, equipment and technology that should feature in the design and construction of school premises. Whether a school, PVI's or childminder is operating the nursery, if the space is on a school site, it is recommended that technical professionals involved in the design and construction consult the relevant technical standards.

The following elements should be considered.

Consideration	Explanation
External fabric (outside play)	Ensure external finishes, windows with restrictors and doorsets are robust and safe for young children. Ensure opening windows and door swings do not present a collision hazard and are provided with appropriate guarding, this may be achieved through planting, window restrictors and guard rails.
Floor, wall and ceiling finishes (inside the nursery)	These should be suitable for the intended use, easily cleaned, slip resistant and robust. You should consider flooring that reduces noise in areas of high activity, especially when specifying hard surfaces.
Doors and ironmongery	Ensure doorsets and ironmongery are suitably robust with anti-finger trap hinges and fittings and appropriate to use including security and escape. Provide high-level handles to prevent easy opening by small children and, where appropriate, glazed screens and side screens for safeguarding and cross-room supervision. This may include doors with large, glazed screens into cloakrooms, pupil toilets, group rooms and manifestation at low levels where privacy screening is required.
Furniture	Furniture should be robust, durable and easy to maintain, tested to appropriate standards (EN/EN BS/ISO or other recognized equivalents) with a minimum 10-year life expectancy. It should be size and age-appropriate, legally and sustainably sourced, and recyclable (for example, sustainably sourced timber rather than plastic). Manufacturers should have BS EN ISO 14001 accreditation. <a href="#">Employers requirements part B</a> provides further information.
Network infrastructure	Ensure fixed and Wi-Fi network infrastructure supports required technology, for example access control, telephony, CCTV, AV and access to Management Information System (MIS).
System integration and security	Where external providers and systems are required, sufficient segregation between the provider and school systems are required to reduce any possible cyber infection or attack. Technologies, for example Wi-Fi, should be configured in partnership with the school technical team so as not to interfere with existing systems.

Consideration	Explanation
Signage	Include wayfinding graphics, fire escape signs, and nursery and room signage.

#### Further information and useful links:

- [Employer's requirements part B: generic design brief](https://www.gov.uk/government/publications/employers-requirements-part-b-generic-design-brief)  
(<https://www.gov.uk/government/publications/employers-requirements-part-b-generic-design-brief>)
- [School and Further Education College Design and Construction](https://www.gov.uk/government/collections/school-design-and-construction)  
(<https://www.gov.uk/government/collections/school-design-and-construction>)
- [Managing Older Buildings: A guide for estates maintenance staff](https://www.gov.uk/government/publications/managing-older-school-buildings)  
(<https://www.gov.uk/government/publications/managing-older-school-buildings>)

## Outdoor learning environment

The [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2)

(<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) requires SBNs to provide access to an outdoor play area. If this is not possible, outdoor activities must be planned and taken daily, ensuring non-discriminatory provision under the [Equality Act 2010](https://www.gov.uk/guidance/equality-act-2010-guidance) (<https://www.gov.uk/guidance/equality-act-2010-guidance>) to enable participation for all.

The following table sets out non-statutory outdoor area guidelines that DfE has established for nursery children (age 3 or 4) in mainstream schools in [building bulletin 103 \(BB103\)](https://www.gov.uk/government/publications/area-guidelines-and-net-capacity) (<https://www.gov.uk/government/publications/area-guidelines-and-net-capacity>). This accounts for possible dedicated outdoor space for early years (nursery and reception children) including some sheltered space. BB103 acknowledges that 'some schools will be on restricted sites and will not have enough outdoor space to meet requirements on site. In these situations, pupils will need to be provided with access to suitable off-site provision. On restricted sites, where space will be at a premium, a flexible approach to the site area and the management of the use of that area will be needed.' (BB103 Area Guidelines for Mainstream Schools, 2014, page 36, viewed on 2 October 2024).



Area type	Minimum space recommendation
Hard informal and social area (hard play area)	1m <sup>2</sup> per child
Soft informal and social area (soft play area)	2m <sup>2</sup> per child
Combined minimum net area	5m <sup>2</sup> per child, including a 2m <sup>2</sup> float

For example, for a nursery with a capacity of 26 full time equivalent places, the recommended minimum net outdoor play area is 130m<sup>2</sup> of which a minimum 26m<sup>2</sup> is hard play area and a minimum 52m<sup>2</sup> is soft play area.

The remaining 52m<sup>2</sup> can be made up of a combination of these or other usable play space. Areas such as footpaths, roads, parking, refuse and storage are excluded from this area.

The following elements should be considered when designing the outdoor learning environment.

Consideration	Explanation
Safety and inclusivity	Design all outdoor and indoor spaces to be safe, varied and inclusive, with level access from internal to external areas and adequate space for children with mobility needs. Use low-level fencing with hedge or living willow fencing to help define play areas within the secure line of the school. Separate play spaces for different age groups are recommended to accommodate varying activities. Ensure there is sufficient external lighting, secure storage, access to taps and any power supplies have an anti-tamper lockable cover.
Multiple surfaces	Outdoor play areas should prioritise natural materials, such as mulch or wood chips in natural areas or, for high-traffic areas and safety surfacing, choose grass mat safety surfacing. Hard surfaces, such as tarmac, can be used for tracks and games areas. Consider safety surfacing and materials where possible.
Covered play space	Provide a covered play space to maximize safe, accessible outdoor play throughout the year. Ideally, the canopy should be adjacent to the nursery class to

Consideration	Explanation
	<p>extend the learning experience and facilitate free flow and independent play. The canopy should have an area of 0.5m<sup>2</sup> per full-time equivalent (FTE) early education pupil place and be at least 2.4m wide with external lighting. For a 26 FTE place nursery, this would be a minimum 13m<sup>2</sup> canopy (for example, 2.4m x 5.5m). Canopies should not unduly impact daylighting to internal spaces, be transparent, resistant to UV degradation, thermal creep, and sun bleaching, provide UV and weather protection, and not be easy to climb.</p>
Nature-based play	<p>Integrate nature-based play to support educational and biodiversity opportunities by creating opportunities for interaction with nature: trees for shade and cooling, rain gardens and rain planters to reduce flood risk and quiet areas with diverse planting to create a multi-sensory learning experiences. Consider a growing area such as raised planters for a kitchen garden and a nature exploration area such as a wormery, bug hotel, willow tunnels and native tree and shrub planting.</p>
Provide access to wildlife	<p>Consider features like hedgerows, willow tunnels or rooms, bug and hedgehog hotels, bird and bat boxes and climbing plants to create green walls and fences.</p>
Supporting children's physical development	<p>A playground area may include soft landscape or apparatus that helps physical development, including core strength, stability, balance, spatial awareness, coordination and agility. Consider incorporating a hard play area with line markings for games, running and other physical activities and a play track designed for bicycles, scooters and children's buggies.</p>
Supporting children's imaginative play	<p>Consider features like a water play area near access to an outdoor tap with anti-tamper and freeze protection cover for water play, a role play area for imaginative play, a storytelling or reading area such as a willow dome or mini amphitheatre, a sandpit which can be covered when not in use, a mud kitchen with access to handwashing facilities and a sensory area that engages the senses through light, sound, touch and smell.</p>

**Further information and useful links:**



- [BB103: Area guidelines for mainstream schools](https://www.gov.uk/government/publications/area-guidelines-and-net-capacity)  
(<https://www.gov.uk/government/publications/area-guidelines-and-net-capacity>)
- [National Education Nature Park: Change grey to green](https://www.educationnaturepark.org.uk/resource/change-grey-green)  
(<https://www.educationnaturepark.org.uk/resource/change-grey-green>)
- [Plants for a sensory garden \(RHS Campaign for School Gardening\)](https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/Plants-for-a-sensory-garden)  
(<https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/Plants-for-a-sensory-garden>)
- [A guide to greening your school \(RHS Campaign for School Gardening\)](https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/A-Guide-to-Greening-Your-School?returnUrl=%2FResources%2FFind-a-resource%3Fso%3D0%26pi%3D0%26ps%3D10%26f%3D2,8:%26page%3D1) (<https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/A-Guide-to-Greening-Your-School?returnUrl=%2FResources%2FFind-a-resource%3Fso%3D0%26pi%3D0%26ps%3D10%26f%3D2,8:%26page%3D1>)
- [A Checklist of Potentially Harmful Plants \(RHS Campaign for School Gardening\)](https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/A-Checklist-of-Potentially-Harmful-Plants?returnUrl=%2Fresources%2FFind-a-resource) (<https://schoolgardening.rhs.org.uk/Resources/Info-Sheet/A-Checklist-of-Potentially-Harmful-Plants?returnUrl=%2Fresources%2FFind-a-resource>)

## Technical requirements

All works undertaken must comply with statutory and regulatory requirements, including but not limited to:

- building regulations
- workplace (health, safety and welfare) regulations
- The School Premises (England) Regulations 2012
- The Education (Independent School Standards) (England) Regulations 2010

You should conduct your own condition and compliance checks as part of your estate management responsibilities and should consider updating your insurance policies accordingly. The following are key elements for consideration.

Key element	Explanation
Fire safety	Adhere to all relevant <a href="#">fire safety regulations</a> to ensure safe exit from the building in the event of a fire. Works to the nursery must not compromise the fire safety of the existing school and should form one coherent escape strategy. Ensure a coordinated fire alarm system with the main site-wide system, in line with regulations and

Key element	Explanation
	the Fire Strategy. Review your Fire Safety Plan (Fire Safety Risk Assessment) and Fire Strategy.
Acoustics	Ensure acoustics are suitable for the activities that normally take place to assist children with speech, language, and staff development and interactions with other children and staff.
Lighting	Optimise windows for good quality daylighting and views out with visual sightlines for young children. Mitigate excessive solar heat gain and glare, maintaining a comfortable environment for young children and staff. Where blinds are used these must be anti-ligature and should not conflict with opening windows or other ventilation. Design artificial lighting to avoid glare for young children at floor level, minimise energy usage for example efficient fittings, daylight sensors and have user-friendly controls.
Ventilation, thermal comfort and indoor air quality	Ensure suitable heating (low-surface temperature radiators or underfloor heating), avoidance of draughts and a fresh air supply.
Power provision	Ensure adequate power provision for equipment within the classroom or playroom and to permit flexible room layouts (for example dado trunking).
Water supply	Provide hot, cold and potable drinking water.
Drainage	Integrate with existing drainage systems in the building.
Building fabric	Ensure good design life, robustness, fitness for purpose and thermal performance.
Maintenance and cleaning	Ensure safe access for maintenance and cleaning.
Health and safety requirements	Adhere to all relevant <a href="#">health and safety requirements for schools</a> .
Play equipment	Ensure play equipment is certified safe by a registered playground safety inspector (RoSPA).
Energy efficiency and	Consider rainwater collection and sustainable drainage systems, water and energy efficient sanitaryware,

Key element	Explanation
environmental sustainability	plumbing, appliances, ventilation and heating systems, sustainable sourcing and embodied or whole life carbon emissions.

## Further information and useful links

Premises requirements and technical guidance:

- [Standards for school premises](https://www.gov.uk/government/publications/standards-for-school-premises)  
(<https://www.gov.uk/government/publications/standards-for-school-premises>)
- [The Education \(Independent School Standards\) \(England\) Regulations 2010](https://www.legislation.gov.uk/ukxi/2010/1997/made) (<https://www.legislation.gov.uk/ukxi/2010/1997/made>)
- [The School Premises \(England\) Regulations 2012](https://www.legislation.gov.uk/ukxi/2012/1943/made)  
(<https://www.legislation.gov.uk/ukxi/2012/1943/made>)
- [School and Further Education College Design and Construction](https://www.gov.uk/government/collections/school-design-and-construction)  
(<https://www.gov.uk/government/collections/school-design-and-construction>)

Building bulletins:

- [BB93: Acoustic design of schools – performance standards, 2014](https://www.gov.uk/government/publications/bb93-acoustic-design-of-schools-performance-standards)  
(<https://www.gov.uk/government/publications/bb93-acoustic-design-of-schools-performance-standards>)
- [BB100: Design for Fire Safety in Schools, 2014](https://www.gov.uk/government/publications/building-bulletin-100-design-for-fire-safety-in-schools)  
(<https://www.gov.uk/government/publications/building-bulletin-100-design-for-fire-safety-in-schools>)
- [BB101: Ventilation thermal comfort and indoor air quality, 2018](https://www.gov.uk/government/publications/building-bulletin-101-ventilation-for-school-buildings)  
(<https://www.gov.uk/government/publications/building-bulletin-101-ventilation-for-school-buildings>)
- [BB103: Area guidelines for mainstream schools](https://www.gov.uk/government/publications/area-guidelines-and-net-capacity)  
(<https://www.gov.uk/government/publications/area-guidelines-and-net-capacity>)
- [BB104: Area Guidelines for SEND and alternative provision, 2015](https://www.gov.uk/government/publications/area-guidelines-and-net-capacity)  
(<https://www.gov.uk/government/publications/area-guidelines-and-net-capacity>)

Health and safety:

- [Construction \(Design and Management\) Regulations, Health & Safety Executive](https://www.hse.gov.uk/construction/) (<https://www.hse.gov.uk/construction/>)
- [Good estate management for schools, health and safety guidance](https://www.gov.uk/guidance/good-estate-management-for-schools/health-and-safety)  
(<https://www.gov.uk/guidance/good-estate-management-for-schools/health-and-safety>)
- [Health and Safety at Work etc Act 1974](https://www.hse.gov.uk/legislation/hswa.htm)  
(<https://www.hse.gov.uk/legislation/hswa.htm>)

- [The Regulatory Reform \(Fire Safety\) Order 2005](https://www.legislation.gov.uk/ukxi/2005/1541/contents/made) (<https://www.legislation.gov.uk/ukxi/2005/1541/contents/made>)
- [The Building Safety Act 2022](https://www.gov.uk/guidance/the-building-safety-act) (<https://www.gov.uk/guidance/the-building-safety-act>)
- [Preventing and controlling infections](https://www.gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/preventing-and-controlling-infections#toileting-and-sanitation) (<https://www.gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/preventing-and-controlling-infections#toileting-and-sanitation>)

## Procurement and technical advice

You could consider contracting a technical advisor to provide specialised expertise and support. When doing so, it's crucial to ensure that the fees charged represent good value for money. Fees at or below 10% or any 'no-win-no-fee' arrangements do not necessarily offer good value. You should thoroughly evaluate the advisor's qualifications, experience and the scope of services provided to ensure they meet your needs effectively and efficiently.

The DfE's [Buying for schools: get free help from procurement specialists](https://www.gov.uk/guidance/get-help-buying-for-schools?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=d15d82f7-c08b-48bf-8a3d-2957ebf77722&utm_content=daily) ([https://www.gov.uk/guidance/get-help-buying-for-schools?utm\\_medium=email&utm\\_campaign=govuk-notifications-topic&utm\\_source=d15d82f7-c08b-48bf-8a3d-2957ebf77722&utm\\_content=daily](https://www.gov.uk/guidance/get-help-buying-for-schools?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=d15d82f7-c08b-48bf-8a3d-2957ebf77722&utm_content=daily))

service offers free support to all state-funded schools in England. These specialists provide advice and guidance to ensure compliant purchasing, review procurement documents and assist with framework agreements. For complex or high-value procurements, they offer additional help, including running the procurement process. Schools can request support through the service, which aims to save time and money while ensuring compliance.

### Summary: high-quality learning environments

Ensure nursery arrivals and entrances are safe, accessible and welcoming with well-lit, step-free pedestrian routes, clear signage and controlled access. Consider providing designated drop-off areas, secure storage for buggies and scooters and accessible parking.

Ensure indoor learning environments meet EYFS space requirements, with separate rooms for different age groups and inclusive, flexible spaces for various activities. Provide good visibility for supervision, safe sleeping areas and direct access to outdoor play areas. Children's toilets and changing areas should be welcoming, hygienic and easily supervised, balancing privacy with safeguarding needs. Consider

sharing key facilities with the rest of the school, such as staff rooms, accessible toilets, meeting rooms, first-aid posts, kitchens and halls. For partnerships with PVI or childminders, separate facilities are recommended to ensure security.

Nurseries must provide access to outdoor play areas or plan daily outdoor activities, ensuring inclusivity. Design safe, varied and inclusive spaces with natural materials, covered play areas and nature-based play to support physical and imaginative development.

All works must comply with statutory and regulatory requirements, including Building Regulations and health and safety standards. Key considerations include fire safety, acoustics, lighting, ventilation, power, water supply, drainage, building fabric, maintenance and energy efficiency. Contracting a technical advisor or using the DfE's procurement support can ensure compliance and value for money.

## **Permissions needed to open or expand SBN provision**

Securing the necessary permissions, including significant change and land transactions processes, are essential steps for schools planning to open or expand an SBN. Below are some key points to consider. This is not an exhaustive list.

### **Local authorities**

Local authorities are responsible for ensuring there is sufficient nursery provision in their area to meet the needs of families. It is crucial to have the local authority's agreement in opening or expanding an SBN to ensure a balanced and sustainable approach to nursery provision and to consider whether surplus space may be required for other longer-term priorities. For example, you should consult with your local authority early years lead and pupil place planning lead.

### **Published Admissions Number (PAN)**

As part of determining their admission arrangements, all admission authorities must set a Published Admission Number (PAN) for each relevant age group. This is the number of pupils a school plans to admit to their normal year of admission (the reception year in a primary school). Subject to very limited exceptions, a school may not refuse to admit a pupil if they have not reached their PAN. Schools applying for the SBN Capital Grant should consider whether they need to reduce their PAN, for example, if they have not already reduced the PAN to reflect falling pupil numbers in their reception year.

In order to reduce their PAN, schools must ordinarily consult in accordance with paragraphs 1.45 to 1.48 of the [School admissions code](https://www.gov.uk/government/publications/school-admissions-code--2) (<https://www.gov.uk/government/publications/school-admissions-code--2>). Where this is not possible, they may be able to request a variation (from the schools adjudicator in the case of maintained schools and from the Secretary of State in the case of academies). See paragraphs 3.6 and 3.7 of the code for further information about variations. Information on how to apply for a variation is available at [School admission arrangements](https://www.gov.uk/guidance/school-admissions-arrangements) (<https://www.gov.uk/guidance/school-admissions-arrangements>).

## Making a significant change

Schools must apply for significant changes, such as expanding physical capacity and changing the age range. This involves submitting plans and justifications to the relevant authorities, which depends on the school type. The submitted applications are assessed by the relevant authorities, which may include local authorities, dioceses (for faith schools) and the DfE. For more information, refer to:

- [making significant changes \('prescribed alterations'\) to maintained schools](https://www.gov.uk/government/publications/school-organisation-maintained-schools) (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>)
- [making significant changes to an academy](https://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy) (<https://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy>)

For academies applying for the School-Based Nursery Capital Grant 2024 to 2025, we have consolidated the requirement to apply to the department for approval to make a significant change with the capital bidding process. This means that academy schools will only need to follow a single process if they are:

- adding a new nursery (changing the age range of the school)
- expanding existing nursery provision by more than 30 places



- reducing the capacity of the school by more than 30 places to accommodate the new or expanded nursery

For maintained schools, DfE has laid regulations to remove the requirement to follow the statutory process when making an age range change to:

- add a new nursery
- remove an existing nursery
- change the age range of an existing nursery

Subject to parliamentary procedure, we expect this change to have come into force by the time the results of the School-Based Nursery Capital Grant 2024 to 2025 are announced in the spring. We will update the '[Making significant changes \('prescribed alterations'\) to maintained schools](https://www.gov.uk/government/publications/school-organisation-maintained-schools)' (<https://www.gov.uk/government/publications/school-organisation-maintained-schools>) guidance once this change has been confirmed.

## Land transactions

Schools will need to review the terms on which they occupy land, including the requirements of any lease or other land agreement to understand their rights and the obligations required to carry out works, make alterations, change the use or dispose of part of their premises.

Where necessary, schools must engage with their direct landlord or freehold landowner to obtain consents for any changes in land use, disposal of land or property or proposed alterations. This is crucial for ensuring compliance with legal, contractual and regulatory requirements. In faith schools, roles such as the landowner might overlap with diocesan responsibilities, making it essential to engage with both the diocese and the trustees.

Schools should also be aware of the need to engage the Secretary of State for Education when making changes to land. To streamline land transactions that require consent from the Secretary of State, the department will shortly be publishing a new general consent order. This will provide blanket consent for many land transactions that relate to early education. The updated guidance will be found at [Submit a school land transaction proposal](https://www.gov.uk/guidance/submit-a-school-land-transaction-proposal) (<https://www.gov.uk/guidance/submit-a-school-land-transaction-proposal>).

For land transactions that are not covered by the general consent order, engagement with the Secretary of State for Education will still be required. However, the department will also put in place new internal measures to streamline these decisions where they relate to early education, meaning that all land transactions decisions should be made more quickly than

previously. Guidance on these procedures will be published at [Submit a school land transaction proposal \(https://www.gov.uk/guidance/submit-a-school-land-transaction-proposal\)](https://www.gov.uk/guidance/submit-a-school-land-transaction-proposal).

## **Planning permission and regulations**

Schools may need to obtain planning permission from the local planning authority or Historic England for significant building works, intensification or changes to the use of land or if a different provider will operate the nursery. This ensures that the proposed changes comply with local planning policies and regulations.

Compliance with the building regulations such as fire and electrical safety, ventilation and sanitation is essential for any construction or alteration work. Building inspectors control activities to ensure that buildings are safe, accessible and energy efficient.

Schools must also ensure that all capital works comply with environmental and safety regulations. This may involve obtaining specific consents or approvals related to environmental impact, building safety and accessibility. For example, schools may need to obtain permissions from the local planning authority, especially if the capital works involve protected areas, such as trees under a Tree Preservation Order (TPO).

Public authorities have a duty to conserve and enhance biodiversity. Opportunities should be undertaken to enhance and conserve wildlife habitats and biodiversity, promote environmental sustainability and integrate these into the nursery curriculum and provision. Local authorities can provide guidance and permissions related to these aspects.

## **Faith schools**

Faith schools require additional permissions from the diocese or religious authority, which often represent the charitable trustees holding the freehold. The diocese or authority coordinates with trustees to ensure compliance with trust deeds and charity law.

## **Multi-academy trusts**



A multi-academy trust's (MAT) board of trustees must approve plans for opening or expanding an SBN. This includes ensuring that the proposed changes align with the trust's strategic objectives and comply with legal and regulatory requirements. MATs need to work closely with local authorities to ensure that the new or expanded nursery provision meets local needs and does not destabilise the local childcare market.

## Ofsted or childminder agency registration

Depending on the chosen delivery model for the new nursery provision, this might need to be registered separately with Ofsted which would mean it is inspected as a registered early years provider, not as part of the school inspections. For example, SBNs that provide care for children under two years old must register with Ofsted separately and be inspected independently of school provision. This registration is necessary because these nurseries are not covered under the school's regular inspection framework.

Similarly, PVI nurseries operating on school premises must also register with Ofsted, as they are inspected separately from the school. This ensures that all early education settings, regardless of their delivery model, maintain high-quality care and education for young children.

Full information about the requirements for compulsory registration can be found in Ofsted's [Registering school-based childcare provision](https://www.gov.uk/government/publications/factsheet-childcare-registering-school-based-provision) (<https://www.gov.uk/government/publications/factsheet-childcare-registering-school-based-provision>) and [childcare registration exemptions](https://www.gov.uk/guidance/registration-exemptions) (<https://www.gov.uk/guidance/registration-exemptions>) guidance documents.

Schools which successfully apply for funding through the School-Based Nurseries Capital Grant 2024 to 2025 must note that they are not automatically guaranteed approval for Ofsted registration.

If school-based provision meets the childcare registration exemptions and therefore does not register with Ofsted or a childminding agency, the provision is still required to meet the [compulsory requirements of the childcare register](https://www.gov.uk/guidance/daycare-providers-on-the-compulsory-childcare-register-ofsted-requirements) (<https://www.gov.uk/guidance/daycare-providers-on-the-compulsory-childcare-register-ofsted-requirements>).

Childminders must register their provision with either Ofsted or a childminder agency.

### **Summary: permissions needed to open or expand SBN provision**

To open or expand SBN provision, you may need to obtain several permissions. For example, you should ensure you have approval from

your governing body, MAT trustees, religious authority, local authority and landlord or freehold landowner, where relevant. You may also need to apply for a significant change with the DfE, obtain planning permission and engage with the Secretary of State for Education if land transactions are not covered by the General Consent Order. Construction works will need to comply with the building regulations. Depending on the type of provision, you may also need to register your SBN with Ofsted or with a childminder agency as a separate entity from your school.

## Co-location with other providers

Leasing surplus space to PVI or childminders can be beneficial, providing early education places and additional income for schools. However, you should be mindful of how long you lease surplus space for and whether you will need this space for other purposes in the future.

The act of granting a lease will create a new registrable interest in the land and will give the tenant a right of exclusive possession for a fixed term of years. Schools will not be able to reoccupy this space until the lease expires, other than by negotiation of an early surrender or if landlord break options are negotiated and agreed at the outset.

Alternatively, a licence of occupation could be granted. This is a more flexible agreement which does not create an interest in the land and can be more easily terminated. A licence grants a licensee a non-exclusive right to use space for specific hours or days and can be used to allow occupation for a period of, for example, up to 12 months. This may be more suitable for temporary users of the space, for example external wraparound providers or childminders. Be aware that if a licence permits exclusive use of the space, it may be construed as a lease and could grant the occupier additional rights over the property.

In both cases, consult a solicitor to create the legal documentation before formalising any agreement and understand if consents are needed from third parties before entering into a leasing arrangement. For example, the Secretary of State's consent may be needed before a lease is granted to a PVI provider or childminder. You should agree on the main terms with the other party before hiring a solicitor, this can help to avoid failed agreements and extra legal costs. A heads of terms document will provide summary of the agreed terms for the proposed occupation by a third party. The [leasehold and licencing templates in Annex A and Annex B](https://www.gov.uk/government/publications/establishing-school-based-nursery-provision) (<https://www.gov.uk/government/publications/establishing-school-based-nursery-provision>) can be used as a basis for negotiation. Once an agreement is

reached, the heads of terms should be issued to a solicitor to draft a new lease or licence.

Be aware that any negotiation by email or written correspondence should always be marked 'subject to contract' to ensure that any provisional acceptance of terms does not grant the proposed occupier any rights until the lease or licence is formally agreed, prepared and signed.

## **Private, voluntary and independent providers (PVIs)**

Schools that identify suitable space for new or expanded nursery provision may choose to lease land for a PVI to operate. There are many circumstances where schools leasing surplus space to the PVI sector have been effective. It has resulted in mutual benefits to both parties, providing onsite early education places whilst delivering an additional income stream for the school. However, these opportunities are heavily reliant on suitable accommodation being in the correct location.

## **Childminders**

From 1 November 2024, the government is introducing new flexibilities for childminders so that they can work more, or exclusively, from non-domestic premises, as well as with more childminders or assistants (up to a maximum of 4 in total).

Childminders may be able to offer more flexibility than other types of childcare provision. It could be mutually beneficial for a childminder or group of childminders to operate from a school site. Childminders will still need to comply with the requirements of the [Early years foundation stage \(EYFS\) statutory framework for childminders](https://www.gov.uk/government/publications/early-years-foundation-stage-framework-2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework-2>) or the childminder requirements of the General Childcare Register depending on the age of the children that they look after.

### **Summary: co-location with other providers**

Leasing to PVIs and childminders can be mutually beneficial, offering childcare and additional income for schools. However, you should consider future needs of the space before you enter an agreement.

Long leases with PVIs or childminders grant exclusive possession, limiting reoccupation until lease end. Licences offer more flexibility and

are easier to terminate but must be carefully structured to avoid being considered leases.

The [heads of terms leasehold and licencing templates in Annex A and Annex B \(https://www.gov.uk/government/publications/establishing-school-based-nursery-provision\)](https://www.gov.uk/government/publications/establishing-school-based-nursery-provision) are to aid negotiations.

## Financial planning

The governing body should consider a holistic approach to deliver an operational space ready for teaching children and satisfy itself that the project is affordable and viable in the long term. The governing body should undertake a stress test of the business case, demand, budget and timelines, assessing affordability if risks should materialise and apply optimism bias to critically analyse the investment proposed.

School leaders, governors and trustees should regularly review the business case in the early start-up phase and at regular intervals, to satisfy themselves that the financial objectives are still met as a standalone offering, and risk mitigation is still valid, adjusting where needed.

Consider such areas as:

- the higher initial start-up costs
- the certainty of demand in the local area
- short- and longer-term cash flow management
- revenue generation
- fluctuations in staffing costs
- staff continuous professional development
- on-going marketing and communications
- maintenance costs and life cycle replacement costs

The [‘Early years pupil premium \(EYPP\)’ and ‘Disability access fund’ \(https://www.gov.uk/get-extra-early-years-funding\)](https://www.gov.uk/get-extra-early-years-funding) are two potential sources of support for providers where they have, or could have, eligible children benefiting from early education entitlements.

More information and resources can be found at [School and academy financial management and assurance \(https://www.gov.uk/education/school-and-academy-financial-management-and-assurance\)](https://www.gov.uk/education/school-and-academy-financial-management-and-assurance). Additionally, Childcare Works also offer resources and training at [HUB Early Years \(https://childcareworks.org.uk/hub-for-providers/hub-early-years/\)](https://childcareworks.org.uk/hub-for-providers/hub-early-years/)

## Workforce

When planning your workforce needs, it's essential to determine whether your SBN will operate term-time only or year-round. Additionally, decide on the type of sessions you will offer – fixed hours or flexible, one or two sessions a day, and whether these will be days of fixed or variable length – as this will impact staffing needs, scheduling and contracts.

If your SBN is part of a maintained school or academy, you will need to follow the terms and conditions set out in [School teachers' pay and conditions](https://www.gov.uk/government/publications/school-teachers-pay-and-conditions) (<https://www.gov.uk/government/publications/school-teachers-pay-and-conditions>) for school leaders and school teachers. Maintained schools will need to follow the [National Joint Council for Local Government Services](https://www.local.gov.uk/our-support/workforce-and-hr-support/local-government-services) (<https://www.local.gov.uk/our-support/workforce-and-hr-support/local-government-services>) for other staff. If your SBN is a PVI, you are not bound by national pay and conditions and can set your own.

You should also establish your rates and whether you will offer additional hours outside of entitlements, as this can influence staffing levels and financial planning. A nursery should not put conditions on funded hours (for example, allowing parents and carers to access their entitlement only if they agree to take additional paid hours or pay for lunches), but parents and carers should have the opportunity to pay for additional hours or consumables, if this is something your SBN offers. For more information about entitlements, see [Early education and childcare](https://www.gov.uk/government/publications/early-education-and-childcare--2) (<https://www.gov.uk/government/publications/early-education-and-childcare--2>).

Recruitment is another critical aspect. You should consider when to start recruiting and what additional staff are needed, including roles such as early educators, support staff and administrative personnel. The dedicated website [Early Years Careers: Be part of something big](https://earlyyearscareers.campaign.gov.uk/) (<https://earlyyearscareers.campaign.gov.uk/>) provides valuable information on gaining qualifications and hosts job vacancies. It also provides additional [recruitment resources](https://earlyyearscareers.campaign.gov.uk/recruitment-resources/) (<https://earlyyearscareers.campaign.gov.uk/recruitment-resources/>) to enhance your recruitment efforts.

## Safeguarding



The [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2)

(<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) sets out the requirements for providers regarding staff suitability, relevant qualifications and training, including the requirement for an enhanced DBS check.

Every setting must have a lead practitioner responsible for providing support, advice and guidance to other staff on specific safeguarding issues. This lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect.

Providers may consider additional safeguarding training, such as safer recruitment practices, building a safer organisational culture and collaborating with other practitioners to safeguard children.

Providers must ensure that all staff are trained to understand their safeguarding policy and procedures and that they have up-to-date knowledge of safeguarding issues.

## Leadership

Strong leadership dedicated to the nursery is essential. Under some delivery models, such as PVI settings, having a dedicated nursery manager is a requirement. This manager focuses on the operational needs of the nursery, such as curriculum development, staff training and regulatory compliance. They should be adept at strategic planning and resource management to ensure the sustainability and growth of the nursery. For more information on nursery manager requirements, see the [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>).

For nursery classes embedded as part of a school, and for maintained nursery schools, the headteacher can fulfil this leadership role. However, it is still beneficial to consider providing a dedicated senior leader to focus on the SBN. They can help ensure the nursery maintains high standards of care and education, adapt quickly to any changes or challenges and ensure that the specific needs of the youngest children are met effectively. This helps create a cohesive and well-managed nursery that supports the overall goals of the school.

Leadership training programmes, such as the [Early years leadership national professional qualification](https://www.gov.uk/guidance/early-years-leadership-national-professional-qualification) (<https://www.gov.uk/guidance/early-years-leadership-national-professional-qualification>) can help equip leaders with the necessary expertise. There are also a range of resources available to leaders and governors provision offered by local authorities. For example,

Dudley Council have developed governor training for SBN and wraparound provision (see [School or Governor-Led Childcare: Resources from Dudley Council](https://childcareworks.org.uk/school-or-governor-led-childcare-resources-from-dudley-council/?gl=1*11m4v59*_up*MQ..*_ga*NzA5MDY5NzA0LjE3MjUzNTU4OTA.*_ga_0YZDB4EZJ0*MTcyNTM1NTg4OS4xLjAuMTcyNTM1NTg4OS4wLjAuMA..) ([https://childcareworks.org.uk/school-or-governor-led-childcare-resources-from-dudley-council/?gl=1\\*11m4v59\\*\\_up\\*MQ..\\*\\_ga\\*NzA5MDY5NzA0LjE3MjUzNTU4OTA.\\*\\_ga\\_0YZDB4EZJ0\\*MTcyNTM1NTg4OS4xLjAuMTcyNTM1NTg4OS4wLjAuMA..](https://childcareworks.org.uk/school-or-governor-led-childcare-resources-from-dudley-council/?gl=1*11m4v59*_up*MQ..*_ga*NzA5MDY5NzA0LjE3MjUzNTU4OTA.*_ga_0YZDB4EZJ0*MTcyNTM1NTg4OS4xLjAuMTcyNTM1NTg4OS4wLjAuMA..))).

## Teaching staff

Early years qualifications differ significantly from primary school staffing requirements. Different types of SBNs have varying staffing requirements. For instance, maintained nursery classes must be led by a staff member with qualified teacher status (QTS), while PVIs on a school-site might have different criteria for their lead educators.

The [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) outlines the qualification and ratio requirements for group and school-based providers in England. Approved or 'full and relevant' qualifications are listed on the [early years qualifications list \(EYQL\)](https://www.gov.uk/government/publications/early-years-qualifications-achieved-in-england) (<https://www.gov.uk/government/publications/early-years-qualifications-achieved-in-england>). These qualifications enable the holder to be counted within the staff-to-child ratios specified in the EYFS statutory framework at different qualification levels (2, 3 and 6).

### Staff:child ratio requirements

Staff:child ratios are the statutory minimum requirements for early education settings, outlining the number of staff at different qualification levels needed to meet children's needs and ensure their safety. Settings may need to deploy additional staff if other needs are identified.

The [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>) outlines the staff:child ratio requirements that early years settings are required to meet. If the provision is registered with Ofsted the requirements for children in schools depend on the type of school, the qualifications of the staff working directly with the children and the age of the majority of the children in the school year.

### Level 6 staff:child ratios

An individual must have early years teacher status (EYTS), early years professional status (EYPS, a legacy version of EYTS) or QTS. Staff with EYTS are specialist teachers trained to teach the EYFS to children from birth to age five.



QTS can be obtained through various routes, including Initial Teacher Training, assessment-only QTS for experienced teachers or international QTS (iQTS).

Staff with EYTS or EYPS can be employed as early education teachers within academy and PVI settings. To teach children aged over 2 in maintained nursery schools or SBNs, the lead teacher must have QTS.

Additional requirements may also apply, see the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) for details.

### **Level 3 staff:child ratios**

To work within level 3 staff:child ratios, as an Early Years Educator or Setting Manager, individuals must hold a 'full and relevant' level 3, 4, 5, 6, 7 or 8 qualification that appears on the EYQL. Additional requirements may also apply, see the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) for details.

### **Level 2 staff:child ratios**

To work within level 2 staff:child ratios, as an early years practitioner, individuals must hold a 'full and relevant' level 2 qualification listed on the EYQL.

#### **Paediatric first aid ratio requirement:**

All staff who obtained a level 2 or level 3 qualification since 30 June 2016 must obtain a paediatric first aid (PFA) qualification within 3 months of starting work in order to be included in the required staff:child ratios at level 2 or level 3 in an early years setting, including schools with early years children. To continue to be included in the ratio requirement the certificate must be renewed every 3 years.

Staff at other levels do not require a PFA qualification to be included in staff:child ratios.

### **Working as an unqualified member of staff**

No formal qualifications are required to work as an unqualified staff member in an early education setting. However, staffing arrangements must meet the needs of children and ensure their safety. Additional requirements may also apply, see the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) for more details.

## Paediatric first aid

Schools with early education places must adhere to the PFA requirements outlined in the [EYFS statutory framework](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) (<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>). This mandates that at least one person with a current PFA certificate must always be on the premises and available when children are present. Providers should consider the number of children, staff and the layout of the premises to ensure that a paediatric first aider can respond to emergencies quickly.

Having more staff trained in PFA can enhance the speed of response to medical incidents. The DfE encourages having more than one PFA-trained member of staff always present with young children.

## Training and continuing professional development (CPD)

The DfE offers a dedicated platform to support early education providers, featuring a range of resources, including targeted support for early educators, areas of learning and children's health and wellbeing. You can access these resources at [Help for early years providers](https://help-for-early-years-providers.education.gov.uk/) (<https://help-for-early-years-providers.education.gov.uk/>).

Additionally, the DfE provides a free online early education child development training programme suitable for staff. This programme combines theory with practical tips and ideas for use in early education settings, along with opportunities to reflect on your learning and practice. It offers a thorough understanding of the most important aspects of child development in the early years, with links to additional reading and training resources. You can find this programme at [Early years child development training](https://child-development-training.education.gov.uk/) (<https://child-development-training.education.gov.uk/>).

The DfE has also appointed 18 Early Years Stronger Practice Hubs which are partnerships of up to 5 early education providers with the lead being a group based PVI or school-based setting. These hubs help settings adopt evidence-based practice improvements through established local networks and act as a point of contact for bespoke support. Schools can find more information and locate their nearest hub at [Stronger Practice Hubs](http://www.strongerpracticehubs.org.uk/) (<http://www.strongerpracticehubs.org.uk/>).

### Summary: workforce

Decide if your SBN will operate term time only or year-round and determine session types (fixed hours or flexible, short or long days),

including whether you will offer additional hours outside of entitlements. This will impact staffing, scheduling and contracts.

Plan recruitment, including early years educators, support staff and administrative roles, ensuring your SBN follows staff:child ratio requirements. Follow the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2) for staff suitability, qualifications and enhanced DBS checks. Ensure at least one person with a current PFA certificate is always on the premises.

Appoint a lead practitioner for safeguarding, who must attend child protection training. Consider additional safeguarding training for staff to ensure all staff understand and are trained in safeguarding policies and procedures.

Appoint a dedicated senior leader for the nursery to focus on curriculum, staff training and compliance. Consider leadership training programs and other training resources.

## Managing an SBN

Managing an SBN involves strategic planning and diligent management to ensure a high-quality, nurturing and efficient learning environment for young children. It's essential to consider these aspects during the planning stages of opening or expanding an SBN. The following outlines some of these aspects. It is not an exhaustive list.

### Create or update policies

Draft or update policies to ensure they comply with current regulations and best practices. Key policies include safeguarding, child protection, health and safety, equality and diversity, behaviour management and data protection. Ensure all staff and governors are trained on relevant policies and understand their roles and responsibilities. Regularly review and update policies to reflect any changes in legislation or practice.

Implement comprehensive health and safety protocols, including regular risk assessments, emergency procedures and hygiene practices. Maintain accurate records of attendance, staff qualifications, health and safety checks, and other essential documentation.

## Develop a curriculum

Create a comprehensive curriculum that aligns with the [EYFS statutory framework \(https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2\)](https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2). Ensure it covers all areas of learning and development, including communication, physical development, personal, social and emotional development, literacy, mathematics, understanding the world and expressive arts.

Implement a system for ongoing assessment and evaluation of the curriculum. Be flexible and ready to adapt the curriculum to meet the evolving needs of the children and the community. Regularly update resources and teaching methods to ensure they remain relevant and effective.

## Purchase resources

Purchase age-appropriate educational materials and resources that support the curriculum. This includes books, toys, art supplies, outdoor play equipment and digital tools. Ensure resources are inclusive and cater to children with diverse needs, including children with SEND.

## Advertise places to families

Develop a marketing strategy to promote the nursery to local families. Use a mix of online and offline channels, such as social media, local newspapers, community boards and open days. Consider engaging with the community through events, workshops and partnerships with local organisations. Highlight the unique features of your nursery, such as specialised programmes, experienced staff and excellent facilities. You can find more information and resources at [Childcare Choices \(https://www.childcarechoices.gov.uk/guidance-and-resources/information-childcare-providers\)](https://www.childcarechoices.gov.uk/guidance-and-resources/information-childcare-providers). Your local authority may be able to help you to identify places where there may be a higher prevalence of families that may be eligible for early education using information that the DfE provides on potentially eligible households with a 2-year-old.

## Parental engagement

Establish clear and effective communication channels with parents and carers, using existing communication channels within the school. This can include regular newsletters, parent–teacher meetings and digital platforms for updates and feedback. Encourage parental involvement in the nursery through events, workshops and volunteer opportunities. Your local authority may be able to help you to identify parents and carers that might be eligible for the 15-hour early education entitlement for 2-year-olds.

## Plan ongoing maintenance

Regularly maintain and inspect the premises to ensure they are clean, safe, efficient and meet statutory requirements. Schedule regular servicing and repairs of essential systems, such as heating, ventilation, air conditioning (HVAC), plumbing and electrical systems. This helps prevent breakdowns and ensures they operate efficiently and safely. Maintain detailed logs to track issues, plan future maintenance and demonstrate compliance with statutory regulations and best practice. Further information can be found in [Good estate management for schools \(https://www.gov.uk/guidance/good-estate-management-for-schools/maintaining-the-estate\)](https://www.gov.uk/guidance/good-estate-management-for-schools/maintaining-the-estate).

## Financial management

Develop a detailed budget that covers all operational costs, including salaries, resources, maintenance and training. Monitor expenses and adjust the budget as needed. Explore funding opportunities to support the nursery's operations and development. [Early years pupil premium \(https://www.gov.uk/get-extra-early-years-funding\)](https://www.gov.uk/get-extra-early-years-funding) is a potential additional source of financial support.

### **Summary: managing an SBN**

Managing an SBN involves strategic planning and diligent management to ensure a high-quality, nurturing and efficient learning environment. Key tasks include updating policies, implementing health and safety protocols, developing and regularly assessing the curriculum, purchasing resources, advertising to families, engaging parents and carers, maintaining the premises and managing finances.

Additional information can be found in [Practice Guidance for the Early Years Foundation Stage \(https://www.foundationyears.org.uk/files/2011/10/EYFS\\_Practice\\_Guide1.pdf\)](https://www.foundationyears.org.uk/files/2011/10/EYFS_Practice_Guide1.pdf).

