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7 January 2021

Childcare Provision Notice – For Period 26 December to 31 January

To all registered childcare providers

Following the [First Minister's announcement on Monday 4 January](#) that further public health measures in response to the new variant of COVID-19 are to be put in place, we are writing to confirm the updated guidance which will apply until at least 1 February 2021. Mainland Scotland will remain in Level 4 with some enhanced restrictions, and the island authorities will remain in Level 3 restrictions.

What does this mean for the childcare sector?

Until at least 1 February:

- Childminders (other than those caring for 12 or more children) can stay open to all children and should operate in accordance with Level 4 guidance (or Level 3 in Island authorities and other designated island communities in Argyll and Bute and Highland).
- Nurseries and all other regulated childcare providers, including childminding services caring for 12 or more children, should open to key worker and vulnerable children only.
- Informal childcare can continue in accordance with Level 4 guidance (or Level 3 in Island authorities and other designated island communities in Argyll and Bute and Highland).

A review of these arrangements will be undertaken on Monday 18 January, taking into account the latest evidence about the new variant and progress in reducing community transmission levels. Arrangements for the period from Monday 1 February onwards will be communicated at the earliest opportunity following this review.

It should be noted that these exceptional arrangements are being put in place as a precautionary measure in light of developments in the virus and levels of community transmission. A range of previously published evidence has made clear that childcare settings are low risk environments when the appropriate mitigations and safety measures outlined in the sectoral guidance are implemented, and this remains our judgement – there is to date no evidence that transmission within childcare settings is a significant driver of increasing infection levels.

However, controlling levels of community transmission is essential for ensuring that our childcare environments can stay safe, open and welcoming. Current arrangements are therefore intended to suppress levels of infection in the community and to ensure sufficient time to understand the characteristics of the new variant of the virus prior to the safe reopening of childcare settings to all children.

Updated Supplementary Guidance

We have updated the [supplementary guidance](#) which sets out what settings should do until 1 February. This guidance makes clear that settings can remain open, but only children of key workers and children who are vulnerable should attend at this time.

Children who attend settings will continue to benefit from their ELC funded entitlement or to pay for additional childcare, according to their usual pattern of attendance.

The guidance provides information about the definition of key worker and vulnerable children, and contains updated guidance in relation to staff and children who are on the shielding list.

Providers have discretion to apply the definitions of key workers and vulnerable children contained within the guidance. Some points to note:

- If you are a local authority provider, you should have reference to your local authority's overall approach in determining which children can attend.
- Places can be allocated to children with parents or carers in any category of the key worker definition.
- In general, both parents or carers in the household should be key workers who cannot work from home in order for their child to continue attending, but individual providers have discretion to consider what is in the best interests of the child and their family.
- Children who are eligible for a funded 2 year old place can continue to access provision, even if they do not strictly meet the definition of vulnerable children.
- When determining which vulnerable children should attend, local authorities and childcare settings should have regard to the overarching policy aim of these exceptional circumstances, which is to reduce the number of children and adults from different households interacting in-person within communities (including in childcare settings) as far as possible, in order to prevent COVID-related harms.

Safe Operating Guidance

We published revised guidance for the childcare sector on 30 October 2020. This guidance supports the most up to date public health advice and scientific evidence and aligns with the Strategic Framework levels approach.

While operating during this period early learning and childcare settings, childminding services and school aged childcare settings should continue to operate in line with the current core guidance for your setting type and local authority protection level which can be found here:

- [Early Learning and Childcare](#)
- [Childminding Services](#)
- [School Aged Childcare](#)

It is important that providers continue to follow the public health measures as set out in the guidance which place child and staff safety and wellbeing at their heart. These are:

- enhanced hygiene and cleaning practice
- limiting children's contacts
- maximising the use of outdoor spaces
- physical distancing between adults in the setting including parents at drop-off and pick-up times
- face coverings worn by adults when not working directly with children, or where physical distancing with other adults cannot be maintained

