



Department
for Education

Experience-Based Route for Early Years Practitioners

Government consultation response

January 2025

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Introduction

The consultation on proposed changes to the Early Years Foundation Stage (EYFS), held between 31 May and 26 July 2023, included a proposal to introduce a new experience-based route for early years practitioners to gain status to work within staff:child ratios. Having considered all the responses to that consultation, in its response published in October 2023, the Department for Education (DfE) noted its intention to proceed with this change.

On 22 April 2024, DfE launched a technical consultation via the Citizen Space website, seeking views on the proposed decision-making model for the experience-based route, as well as eligibility criteria and process requirements. This document sets out the Government's official response to this consultation.

Background

Early years and childcare are a key focus in the Government's drive to break down barriers to opportunity. We know that high-quality early years education and childcare provide a crucial opportunity to transform life chances and provide young children with the best start in life.

From April 2024, eligible working parents of 2-year-olds have been able to access 15 hours of childcare support, in addition to the existing entitlements for 3- and 4-year-olds, and 2-year-olds receiving some forms of additional forms of support. From September 2025, eligible working families with children aged between 9 months and 5 years old will be entitled to 30 hours of childcare support.

We want to work closely with the sector to ensure early years providers can operate successfully and educators can focus on providing high-quality education to the children in their care, with opportunities to progress their careers. We are particularly focused on helping providers address the challenges they are facing recruiting and retaining the right educators.

DfE launched the 4-week consultation on the experience-based route for early years practitioners on 22 April 2024, which closed on 20 May 2024. This consultation sought views on the proposed design of the experience-based route, and was separated into three sections: the first covering the proposed decision-making model; the second covering the proposed eligibility criteria; and the third covering the proposed process requirements.

This document sets out a summary of views from the consultation, and the Government's response. The qualitative consultation responses were analysed by an independent external organisation, KMC research, while quantitative responses were analysed by DfE. Figures provided throughout this document have been rounded to the nearest whole number, which in places might result in totals being slightly different from the sum of their parts.

Summary of responses received and the Government's response

The 'Experience-Based Route for Early Years Practitioners' government consultation was launched on 22 April 2024 and closed on 20 May 2024. In total, the consultation received 1159 responses via the Citizen Space portal and by email.

Respondents were asked in what capacity they were responding to the consultation. As shown in figure 1 below, the highest proportion of responses (55%, 638) came from private, voluntary or independent (PVI) early years group setting managers. This was followed by respondents who selected 'other' (11%, 130), and PVI early years group setting teachers/practitioners (11%, 122).

Respondent Group ¹	Responses	Percentage of Total Responses
Charity	102	8.80%
College, university, or supplier of qualifications	76	6.56%
Local authority	45	3.89%
Maintained nursery school - headteacher	8	0.69%
Maintained nursery school - teacher/practitioner	29	2.50%
Membership organisation	8	0.69%
Ofsted	1	0.09%
Parent or carer	50	4.31%
Private, voluntary or independent early years group setting - manager	638	55.05%
Private, voluntary or independent early years group setting - teacher/practitioner	122	10.53%
Representative organisation	18	1.55%
School-based early years setting - headteacher/manager	53	4.57%
School-based early years setting - teacher/practitioner	51	4.40%
Union	1	0.09%
Other (please specify below)	136	11.74%

Figure 1: overview of consultation responses by respondent group

¹ Groups were self-declared by respondents. DfE does not verify self-declared groupings.

Respondents were also asked where in England they or their organisation were based. Responses were received from all regions in England. As shown in figure 2, the highest proportion of respondents reported that they were based in the South East (26%, 299), followed by the South West and the North West, each representing 15% of responses.

Location	Responses	Percentage of Total Responses
East Midlands	116	10.01%
East of England	101	8.71%
London	135	11.65%
North East	60	5.18%
North West	169	14.58%
South East	299	25.80%
South West	173	14.93%
West Midlands	93	8.02%
Yorkshire and the Humber	126	10.87%
Not based in England	3	0.26%

Figure 2: overview of consultation responses by region

In addition to its response to this consultation, Ofsted provided further feedback to the DfE expressing their concern that an experience-based route may negatively impact on the quality of early years provision. This feedback was taken into consideration alongside Ofsted's formal consultation response.

Summary of the Government's response

DfE consulted on a total of 16 proposals in relation to the experience-based route. Taking the consultation responses into account, DfE will proceed with implementing all of the proposals consulted on, with two amendments.

DfE will **amend** the following proposals:

- 'Early years providers must have received a good or outstanding judgement for overall effectiveness in their most recent Ofsted inspection to offer the experience-based route to their staff' will be introduced as an **interim** eligibility criteria.
- 'The person making a decision about a staff member's experience-based route status, and those involved in supervising a staff member during the experience-based route, must hold a full and relevant qualification at level 3 or above, and must have been working in an early years setting for a minimum of six months', will be amended to 'the person making a decision about a staff member's experience-based route status, and those involved in supervising a staff member during the experience-based route, must hold a full and relevant qualification at level 3 or above, and must have worked in an early years setting for a minimum of **two years.**'

Although not a specific proposal in the consultation DfE also intends that, subject to meeting the eligibility criteria, educators who have gained their qualifications outside of England will be able to undertake the experience-based route. To meet the qualifications criteria, these educators will need to hold a qualification that is equivalent to level 2 or level 3. This is in response to feedback from some respondents that the eligibility criteria for the experience-based route should recognise equivalent qualifications achieved outside of England.

We aim to introduce the experience-based route for providers to use from March 2025. Educators completing the experience-based route will then be able to count in the staff:child ratios at level 3 after necessary changes have been made to the ratio requirements in the EYFS, expected from September 2025.

We know that there is broad support in the early years sector for the introduction of the experience-based route. The Government is committed to ensuring that the early years workforce has access to the training it needs, and that there are robust and accessible routes for all early years educators to gain full and relevant level 3 qualifications. Following the introduction of the experience-based route, DfE will work with awarding organisations to design an assessment route for educators who have demonstrated they have the skills and experience to operate at level 3 to gain a full and relevant qualification and continue working in ratios at this level.

This document details the reasoning behind each of the decisions made, following analysis of the responses to the consultation.

Main findings from the consultation

Section 1: Decision-making model for the experience-based route

We asked

To what extent do you agree that early years providers should decide whether a staff member meets the criteria to work in the ratios at level 3 after completing the experience-based route?

We heard

The majority of respondents (76%) either strongly agreed or agreed with the proposal that early years providers should decide whether a member of staff meets the criteria to work in the staff:child ratios at level 3 after completing the experience-based route.

17% of respondents disagreed or strongly disagreed with the proposal. Although respondents to the consultation were not asked to explain why they did, or did not, support the proposals, some chose to provide this information in the free text boxes provided at questions 29 – 34. Among those who expanded on their response, a common theme was:

- Allowing providers to make the judgements would mean a lack of objectivity and consistency across providers.

Government response

We want to support the sector to make full use of the wealth of skills, knowledge and experience available within its workforce. We also want the experience-based route process to be as straightforward as possible, and believe that as the ones who know their educators and children in their care best, early years providers are best placed to make decisions as to how they should deploy their educators.

Having carefully considered all the responses, DfE intends to **proceed** with this proposal.

To support providers in decision-making, we have developed accompanying non-statutory guidance. This includes a framework for how the experience-based route should work in practice, alongside a template for providers to use.

Section 2: Eligibility criteria for practitioners and providers

Prior qualifications

We asked

- To what extent do you agree that to be eligible to undertake the experience-based route, a practitioner must hold a level 2 qualification that appears on the Department's list of full and relevant qualifications?
- To what extent do you agree that to be eligible to undertake the experience-based route, a practitioner must hold a qualification at level 3 or above that is relevant to the care or education of children, but does not appear on the Department's list of full and relevant qualifications?
- Which of these would you consider to be relevant to the care and education of children?
 - Early years and childcare
 - Teaching
 - Health and social care
 - Social Work
 - Nursing and midwifery
 - Playwork
 - Counselling and psychotherapy
 - Other [please specify]
- Do you have any comments about the use of a list of relevant sectors?

We heard

The majority of respondents (56%) either strongly agreed or agreed with the proposal that that to be eligible to undertake the experience-based route, a practitioner must hold a level 2 qualification that appears on DfE's list of full and relevant qualifications.

31% of respondents disagreed or strongly disagreed with the proposal, and 12% selected 'neutral'.

Just over half of respondents (52%) strongly agreed or agreed with the proposal that to be eligible to undertake the experience-based route, a practitioner must hold a qualification at level 3 or above that is relevant to the care or education of children, but does not appear on DfE's Early Years Qualifications List (EYQL). 33% of respondents disagreed or strongly disagreed with the proposal. When respondents were asked which

sectors they considered to be relevant to early years, 'Early years and childcare' was the most selected option, chosen by over 99% of respondents. The next most selected option was 'Teaching' (78%), followed by 'Playwork' (71%).

Of those who expanded on their response, some of the most commonly reported themes were:

- The proposed list includes sectors with potentially transferable skills to early years, and could expand the pool of potential educators to recruit from.
- Eligibility to take the experience-based route should be based primarily on experience, rather than prior qualifications.
- Concerns that those with qualifications from other sectors would not have sufficient knowledge of development of children aged 0-5.

Although it was not a question in the consultation, in their additional feedback some respondents noted that the criteria for the experience-based route should recognise equivalent qualifications achieved outside of England to ensure fair access. It was also mentioned that the experience-based route would be useful for those with early years or teaching qualifications from another country which are not currently recognised in England.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with these proposals.

Although some respondents thought there should not be a minimum qualification requirement, DfE believes that it is important that experience-based route candidates have some prior certificated knowledge and skills. We know that 94% of paid staff in school-based providers, and 89% of paid staff in group-based providers already hold at least a level 2 early years qualification². Within these providers, 10% of staff hold a level 2 qualification as their highest level of qualification. We are also aware through correspondence and conversations with stakeholders that there are staff working in the sector who hold qualifications at level 3 or above which are not full and relevant.

We believe that including both level 2 full and relevant qualifications, and level 3 and above qualifications that are relevant to the care or education of children, but do not

² Survey of Childcare and Early Years Providers, 2023

appear on DfE's EYQL, within the eligibility criteria for the experience-based route will increase providers' ability to make best use of their experienced educators.

DfE also intends that, subject to meeting the eligibility criteria, educators who have gained their qualifications outside of England will be able to undertake the experience-based route. To meet the qualifications criteria, these educators will need to hold a qualification achieved outside of England that is equivalent to the required level 2 or level 3 qualifications.

DfE has developed accompanying guidance which includes examples of which 'relevant sectors' may be appropriate, and what the content of any qualifications from those sectors may have included, as well as guidance on overseas qualifications.

Minimum length of experience

We asked

How long do you think a practitioner should have been working in early years or a sector related to early years, to be eligible to undertake the experience-based route?

- Minimum of 6 months
- Minimum of 1 year
- Minimum of 18 months
- Minimum of 2 years
- More than 2 years

We heard

The results for this proposal were fairly balanced across all options, with similar numbers of respondents selecting 'minimum of 1 year' (27%), and 'minimum of 2 years' (28%). 21% of respondents thought that practitioners should have been working in early years, or a sector related to early years for 'more than 2 years' to be eligible to undertake the experience-based route, and 16% thought a 'minimum of 6 months'. A smaller proportion of respondents (9%) selected a 'minimum of 18 months'.

In responses to the free text boxes provided at questions 29 – 34, respondents did not specifically explain why they had selected a certain option.

Government response

Having considered all the responses, DfE intends to **proceed** with this proposal, with the eligibility criteria being that anyone wishing to undertake the EBR must have worked with early years children (aged 0 to 5) in an early years setting or a related sector, for a

minimum of one year. It is intended that this minimum experience requirement must have been gained in a setting in England.

DfE believes that working with early years children for at least a year prior to taking the experience-based route will allow educators to build a foundation of knowledge and skills in providing effective early years education and supporting children's safety and wellbeing that can then be strengthened during the experience-based route. It also offers assurance that educators have experience of working with young children.

One year's experience combined with the proposed minimum hours requirement is also comparable to the typical 18-month duration of a level 3 early years educator apprenticeship.

We are aware of the difficulties some providers have experienced with retention of staff, and that a notable proportion of educators leave within their first two years. 9% of leavers in school-based providers, and 16% of leavers in group-based providers had less than one year of experience, with 9% and 15% having between one and two years of experience³. Taking this data into account, and the marginal difference in response rate to the options as outlined above, DfE believes it is reasonable to set the eligibility criteria as a minimum of one year's experience. This may support providers by reducing early-stage turnover and encouraging retention.

Ofsted judgement of the provider

We asked

To what extent do you agree that the provider must have received a good or outstanding judgement for its overall effectiveness in their most recent Ofsted inspection to be eligible to offer the experience-based route to its staff who meet the eligibility criteria?

We heard

The majority of respondents (80%) either strongly agreed or agreed with the proposal that early years providers must have received a good or outstanding judgement for their

³ Survey of Childcare and Early Years Providers, 2023

overall effectiveness in their most recent Ofsted inspection, to be eligible to offer the experience-based route to their staff who meet the eligibility criteria.

Some respondents to the consultation gave further information on reasons for their responses in the free text boxes provided at questions 29 – 34. Qualitative responses to the consultation made clear that there would be a need for clarification in cases where providers have not yet received an Ofsted judgement, or have been rated ‘requires improvement’ or ‘inadequate’ in a subsequent inspection.

Government response

Having carefully considered all the responses, DfE intends to proceed with this proposal but with the amendment set out below. DfE wants to ensure that the experience-based route is offered by providers which we know offer a high quality of education, and where safeguarding is effective.

Since the consultation was held, it has been announced that from September 2024 state-funded schools in England will no longer receive Ofsted single headline grades, also known as single word judgements. Instead, School Report Cards are expected to be introduced from Autumn 2025. Early years provision in state schools (maintained schools, maintained nursery schools and academies for children aged 2 and above) is included in the removal of headline grades for schools.

All other early years providers will continue to receive headline grades in academic year 2024-2025. The government is committed to removing headline grades for other providers inspected by Ofsted in future, including early years providers.

In the interim, the following conditions will apply for the experience-based route:

- Early years providers not included in the removal of single headline grades from September 2024, must have received a good or outstanding grade for overall effectiveness in their most recent inspection to offer the experience-based route to educators who meet the eligibility criteria.
- Early years provision in state schools for children aged 2 or above inspected prior to September 2024, must have received a good or outstanding grade for overall effectiveness in their most recent inspection to offer the experience-based route to educators who meet the eligibility criteria.
- Early years provision in state schools for children aged 2 or above inspected in academic year 2024-2025 may offer the experience-based route to educators who meet the eligibility criteria, unless they are placed by Ofsted into a formal category of concern and judged to require ‘significant improvement’ or to need ‘special measures’.

- For providers of childcare on domestic premises registered with Childminder Agencies, the Childminder Agency they are registered with must have achieved a grade of 'effective' or better in their most recent Ofsted inspection.

Amendments to this criterion will be published once further details about future reporting arrangements are announced.

It is intended that for all providers, those who have not yet received an inspection by Ofsted will be eligible to offer the experience-based route to its educators. Once the provider has been inspected, the circumstances set out above will apply. It is also intended that educators who have completed the experience-based route will be able to retain their status if their provider is downgraded following an Ofsted inspection. Further details regarding these circumstances will be included in the accompanying non-statutory guidance.

Section 3: Process requirements

Assessment of knowledge, skills and experience against the level 3 Early Years Educator (EYE) criteria

We asked

- To what extent do you agree that the provider must complete an initial assessment of a practitioner's knowledge, skills and experience to determine suitability to undertake the experience-based route, against the level 3 Early Years Educator criteria?
- To what extent do you agree that the provider must complete a reassessment of the practitioner's knowledge, skills and experience at the end of the supervised practice period, against the level 3 Early Years Educator criteria?

We heard

The majority of respondents (88%) strongly agreed or agreed with the proposal that the provider must complete an initial assessment of a practitioner's knowledge, skills and experience against the level 3 EYE criteria to determine suitability to undertake the experience-based route. 85% strongly agreed or agreed with the proposal that the provider must complete a reassessment of a practitioner's knowledge, skills and experience at the end of the supervised practice period.

6% of respondents disagreed or strongly disagreed with the initial assessment proposal, and 7% disagreed with the reassessment proposal. Although responses to the free text questions did not specifically address why respondents were either for or against this proposal, some mentioned the increased workload burden on managers in having to complete assessments.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with both of these proposals.

We believe that an initial assessment of knowledge, skills and experience against the level 3 EYE criteria is necessary to understand where an educator's gaps in knowledge and skills may be. Applicants wishing to undertake the experience-based route will need to meet at least 50% of the criteria after this initial assessment in order to proceed. We think that this threshold is reasonable to ensure that they are able to gain knowledge and skills to meet any remaining criteria through a period of supervised practice.

Undertaking this initial assessment will also help the provider and educator to understand the support that may be required throughout the experience-based route.

A reassessment of knowledge, skills and experience after the supervised practice period is necessary for a provider to be able to make a judgement as to whether the educator has met any missing criteria. We believe that providers are best placed to make these assessments, knowing the skills, knowledge and experience of their staff best.

We recognise the concerns raised by some respondents relating to the potential for additional workload on managers, and intend to publish accompanying non-statutory guidance to support providers undertaking these assessments.

Minimum hours

We asked

- To what extent do you agree that practitioners undertaking the experience-based route must complete a minimum number of hours of relevant work at the setting, as specified in the early years qualification requirements and standards document, before the provider can make the final assessment and decide whether they have met the criteria to work in the staff:child ratios at level 3?
- If 'strongly agree' or 'agree', how many hours of work do you think a practitioner undertaking the experience-based route should complete? [select one]
 - 300 – 449 hours (approximately 9 - 13 weeks, if the person works full time)
 - 450 – 600 hours (approximately 13 - 17 weeks, if the person works full time)
 - 601 – 750 hours (approximately 17 - 21 weeks, if the person works full time)
 - 751 – 900 hours (approximately 21 - 25 weeks, if the person works full time)

We heard

The majority of respondents (92%) strongly agreed or agreed with the proposal that the practitioner must complete a minimum number of hours of work at the setting, before the provider can make the final assessment and decide whether they have met the criteria to work in the staff:child ratios at level 3. The highest proportion of respondents (42%), who strongly agreed or agreed with the proposal, selected that a practitioner undertaking the experience-based route should complete between 751 and 900 hours of relevant work.

3% of respondents disagreed or strongly disagreed with the proposal.

In responses to the free text questions, respondents did not specifically explain why they had chosen a certain option. However, qualitative responses to the consultation made clear that there was a need for clarification of expectations for educators and the provider during the supervised practice period.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with the requirement that educators undertaking the experience-based route must complete 751 – 900 hours of relevant work and supervised practice, before the assessor can undertake a final assessment and decide whether they have met the criteria to work in the ratios at level 3. This requirement will apply to both full-time and part-time staff.

While undertaking the experience-based route, educators will work to meet any missing sub-criteria against the level 3 EYE criteria, and we expect that supervised practice will form part of this process. It will be for providers to decide how the hours of work should be recorded.

It will also be for providers, alongside educators, to decide which tasks and activities should be undertaken during the experience-based route. It is envisioned that these tasks should contribute to developing any missing knowledge or skills the educator has against the level 3 EYE criteria. DfE intends to provide guidance with examples of activities that the provider may wish to consider, but these could include shadowing senior colleagues, acting as a key person or supporting assessment of children's progress, among others.

Suitable level 2 English qualification

We asked

To what extent do you agree that a practitioner who has completed the experience-based route, must also hold a suitable level 2 English qualification before they can be counted in the staff:child ratios at level 3?

We heard

The majority of respondents (66%) strongly agreed or agreed with the proposal that a practitioner who has completed the experience-based route must also hold a suitable⁴ level 2 English qualification before they can be counted in the staff:child ratios at level 3. 21% of respondents disagreed or strongly disagreed with the proposal. 13% selected 'neutral'.

Although respondents to the consultation were not asked to explain why they did, or did not, support the proposal, some chose to provide this information in the free text boxes provided at questions 29-34. Among those who expanded on their response, a common theme was:

- Holding a level 2 English qualification may be a barrier for some groups, for example, for those for whom English is a second language, and practitioners with special educational needs and disabilities (SEND).

Government response

We recognise the importance of high-quality early English teaching in the early years. Communication and language is one of the prime areas of the EYFS, and providers must also support children in literacy.

The requirement to hold a level 2 English qualification to be able to be included in the staff:child ratios at level 3 already exists for those holding full and relevant qualifications at level 3 and above. DfE believes that the same requirement should apply to those undertaking the experience-based route.

Although we recognise that this requirement could be a barrier for some educators, having carefully considered all the responses, DfE intends to **proceed** with this process requirement.

⁴ Examples of and further information about suitable level 2 English qualifications can be found in the [Early years qualification requirements and standards](#) document.

Suitable Paediatric First Aid (PFA) qualification

We asked

To what extent do you agree that a practitioner who has completed the experience-based route, must also hold a Paediatric First Aid qualification before they can be counted in the staff:child ratios at level 3?

We heard

The majority of respondents (87%) strongly agreed or agreed with the proposal that a practitioner who has completed the experience-based route, must also obtain a PFA qualification before they can be counted in the staff:child ratios at level 3.

7% of respondents disagreed or strongly disagreed with the proposal.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with this process requirement. There is already a requirement set out in the EYFS for practitioners who have obtained a level 2 and/or level 3 qualification since 30 June 2016 to obtain a PFA qualification within 3 months of starting work in order to be included in the staff:child ratios at level 2 or 3. Having more educators with PFA qualifications within the setting helps to ensure the safety of all children and allows any first aid emergencies to be responded to quickly. For this reason, DfE believes that those who have completed the experience-based route must hold a PFA qualification before they can be counted in the staff:child ratios at level 3.

Decision-makers and supervisors

We asked

- To what extent do you agree that the person making an assessment of a practitioner's knowledge and skills against the level 3 Early Years Educator criteria, and deciding whether the practitioner can be counted in the ratios at level 3, must themselves hold a full and relevant qualification at level 3 or above, and must have been working in an early years setting for a minimum of six months?
- To what extent do you agree that staff members involved in supervising a practitioner during the experience-based route must hold a full and relevant qualification at level 3 or above, and must have been working in an early years setting for a minimum of six months?

We heard

The majority of respondents (87%) strongly agreed or agreed with the proposal that the person making an assessment of a practitioner's knowledge and skills against the level 3 EYE criteria, and deciding whether the practitioner can be counted in the ratios at level 3, must themselves hold a full and relevant qualification at level 3 or above, and must have been working in an early years setting for a minimum of six months. 88% strongly agreed or agreed with the same proposal for staff involved in supervising a practitioner. 10% of respondents disagreed or strongly disagreed with the proposals.

Although respondents to the consultation were not asked to explain why they did, or did not, support the proposals, some chose to provide this information in the free text boxes provided at questions 29-34. Common themes included:

- Accuracy of the assessments being dependent on the qualifications and experience of the assessor
- The requirement for a decision-maker or a supervisor to have worked in an early years setting for six months is not long enough
- Those involved in assessing should hold an additional assessor qualification, and/or have experience of leading and mentoring staff.

Government response

Having carefully considered all the responses, DfE intends to **amend** these proposals to require that decision-makers, and those involved in supervising staff during the experience-based route, must hold a full and relevant qualification at level 3 or above,

and **must have worked in an early years setting for a minimum of two years**. This is comparable to an existing recommendation in the EYFS for setting managers, who should have at least two years' experience of working in an early years setting, or at least two years' other suitable experience.

DfE plans to develop accompanying guidance to support providers making decisions, and those involved in supervising educators during the experience-based route.

Information and record keeping

We asked

- To what extent do you agree that for practitioners undertaking the experience-based route, the provider must keep a record of hours worked at the setting by the practitioner, and the outcomes of any assessments they make in relation to the practitioner, with copies to be provided to the practitioner for their own records?

We heard

The majority of respondents (89%) either strongly agreed or agreed with the proposal that for practitioners undertaking the experience-based route, the provider must keep a record of hours worked at the setting by the practitioner, and the outcomes of any assessments they make in relation to the practitioner, with copies to be provided to the practitioner for their own records.

4% of respondents either disagreed or strongly disagreed with this proposal.

Although respondents to the consultation were not asked to explain why they did, or did not, support the proposals, some chose to provide this information in the free text boxes provided at questions 29 - 34. The most common theme was:

- This will place an additional administrative burden on early years setting managers.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with this process requirement.

We recognise the concerns raised by some respondents relating to the potential for additional workload on managers. We believe it is important that sufficient records are

kept, for both the provider and for the educator, but it will be for them to decide what format those records should be in. DfE intends to publish accompanying non-statutory guidance that will support providers in experience-based route record-keeping.

Transferability of experience-based route status

We asked

- To what extent do you agree that the status awarded to a practitioner to work in the staff:child ratios at level 3 on completion of the experience-based route should not be automatically transferable between early years settings?

We heard

The majority of respondents (56%) strongly agreed or agreed with the proposal that the status awarded to a practitioner to work in the staff:child ratios at level 3 on completion of the experience-based route should not be automatically transferable between early years settings.

28% of respondents disagreed or strongly disagreed with the proposal. 14% of respondents selected 'neutral', and 2% selected 'don't know'.

Qualitative responses to the consultation also made clear that further clarification was needed on the transferability of experience-based route status between settings.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with this process requirement.

The experience-based route is not designed to be a replacement for educators gaining a full and relevant qualification at level 3 or above. Following introduction of the experience-based route, DfE will work with awarding organisations to design an assessment route for educators who have demonstrated that they have the skills and experience to operate at level 3 to gain a full and relevant qualification, but we understand that there is a need to support providers now to better utilise the skills of their existing educators who are otherwise experienced, competent and responsible.

DfE also believes that individual providers should have discretion to be able to make judgements as to whether an incoming member of staff who has completed the experience-based route elsewhere is suitable to meet the needs of the children in their

setting. This is similar to provision already included in the EYFS around students and apprentices being able to work in the ratios at the level below their level of study at the provider's discretion. This decision would be made by an individual provider, and would not be automatically transferable to a new provider should the educator change employer.

Exceptions to this may include cases where educators move to a new setting within the same provider. Further details on instances where experience-based route status could be transferable will be included in the planned accompanying guidance.

Maximum proportion of staff that can hold experience-based route status

We asked

- What do you think the maximum proportion of level 3 staff within a setting who can hold experience-based route status should be? [select one]
 - No maximum proportion
 - Less than 20%
 - 20%
 - 30%
 - 40%
 - 50%
 - More than 50%

We heard

There was no clear consensus on this proposal – with similar numbers of respondents selecting 'no maximum proportion' (16%), 'less than 20%' (19%), '20%' (17%), '30%' (18%) and '50%' (21%). Only 5% of respondents selected '40%', or 'more than 50%'.

In responses to the free text questions, respondents did not specifically explain why they had chosen a certain option. However, there were some who suggested that there should be a limit on the number of staff that can be employed via the experience-based route per setting.

Government response

Having carefully considered all the responses, DfE intends to **proceed** with this process requirement. Based on the data, **no more than 50%** of educators with experience-

based route status will be able to count in the ratios at level 3 at any one time at a particular premises.

Staffing arrangements must meet the needs of all children, and it is important that all educators have a consistent level of knowledge and skills so that every child receives high-quality education and care. It is therefore important that providers ensure all educators have the experience and training to be able to execute their roles and responsibilities.

We know that outstanding practice exists in the workforce at all levels across a wide range of roles. However, to ensure that there remains the right level of knowledge and expertise across an individual setting, DfE believes that it is appropriate that there is a maximum proportion of educators with experience-based route status being used in the ratios at level 3 at any one time.

Further comments

We asked

- What comments or concerns do you have, if any, about how the proposals in this consultation document may affect you or individuals (both adults and children) in your organisation who have particular protected characteristics (as defined by the Equality Act 2010)?
- How would you mitigate against any concerns?
- Do you think that the experience-based route would be especially useful or beneficial to people with particular protected characteristics?
- Is there anything else you think the Department for Education should consider in its design of the experience-based route?
- Would you like to expand on any of the responses you made to this consultation?
- Are you content for the Department for Education to use your comments in any reporting? Any comments used will be anonymised.

We heard

Respondents were asked if they had any concerns about how the proposals included in the consultation may affect, either positively or negatively, those with protected characteristics. These questions allowed respondents to provide written feedback via free text boxes.

Overall, responses to the questions mainly focused on general thoughts about the experience-based route, which largely reflected the cross-cutting themes that have already been identified above. In relation to specific comments about potential impacts on people with protected characteristics, some respondents noted that the experience-based route could help address barriers to qualifications that some individuals, for example those with language barriers or learning difficulties, may face.

There were also some comments that the eligibility criteria should recognise those who hold qualifications not obtained in England, to ensure equitable access to the experience-based route.

Government response

The themes identified above have been addressed through the document, such as the proposal to include those with equivalent qualifications gained overseas in the eligibility criteria for the experience-based route.

Next steps

The Government remains committed to ensuring parents can access high quality, flexible childcare, and that they understand the support they are entitled to.

The Government will **proceed** with the introduction of the experience-based route for early years practitioners. Based on responses to this consultation, the experience-based route will include the following decision-making model, eligibility criteria and process requirements:

Decision-making model

- Early years providers will make assessment decisions about their staff's knowledge, skills and experience, and will decide whether they meet the criteria to work in the ratios at level 3.

Eligibility criteria for practitioners and providers

- Educators wishing to undertake the experience-based route must hold either a full and relevant level 2 qualification, or a level 3 or above qualification that is relevant to the care or education of children, but is not full and relevant. Educators may also hold qualifications equivalent to the required level 2 or level 3 qualifications, that have been achieved outside England.
- Educators wishing to undertake the experience-based route must have worked with early years children (aged 0 to 5) in an early years setting or a related sector in England, for a minimum of one year.
- Early years providers must have received a good or outstanding judgement for overall effectiveness in their most recent Ofsted inspection to offer the experience-based route to their educators who meet the eligibility criteria. For state schools inspected during AY 2024/25, the school must not be judged to require significant improvement or special measures. For providers of childcare on domestic premises registered with Childminder Agencies, the Childminder Agency they are registered with must have achieved a grade of 'effective' or better in their most recent Ofsted inspection.

Process requirements

- An educator's existing knowledge, skills and experience must be assessed against the level 3 early years educator criteria in order to undertake the experience-based route, and again to be considered for use in the ratios at level 3.
- Educators undertaking the experience-based route must complete between 751 and 900 hours of relevant work and supervised practice before the assessor can undertake a final assessment and decide whether they have met the criteria to work in the ratios at level 3.

- Educators who have completed the experience-based route must also hold a suitable level 2 English qualification before they can be counted in the ratios at level 3.
- Educators who have completed the experience-based route must also hold a Paediatric First Aid qualification before they can be counted in the ratios at level 3.
- The person making a decision about a staff member's experience-based route status must hold a full and relevant qualification at level 3 or above, and must have worked in an early years setting for a minimum of two years.
- Staff involved in supervising a staff member during the experience-based route must hold a full and relevant qualification at level 3 or above, and must have worked in an early years setting for a minimum of two years.
- Providers must keep records of educators undertaking the experience-based route, alongside evidence of their assessments and decision-making.
- An educator's experience-based route status will not be automatically transferable between early years providers.
- No more than 50% of staff with experience-based route status will be able to count in the ratios at level 3 at any one time at a particular premises.

DfE intends to make changes to the Early Years Qualification Requirements and Standards document, and the EYFS for group and school-based providers to bring the experience-based route into effect. We are aiming for the changes to the Early Years Qualifications Requirements and Standards document to come into force in March 2025, and for educators completing the experience-based route to be able to count in the staff:child ratios at level 3 from September 2025 after the relevant changes to the EYFS Framework come into effect. These dates are subject to Parliament passing the relevant regulations.

The Government is committed to ensuring that the early years workforce has access to the training and qualifications it needs to continue to deliver high-quality education and care to young children, and that there are robust and accessible routes for all early years educators to gain full and relevant level 3 qualifications. Following introduction of the experience-based route, DfE will work with awarding organisations to design an assessment route for educators who have demonstrated they have the skills and experience to operate at level 3 to gain a full and relevant qualification and continue working in the staff:child ratios at this level.

Glossary of terms

Applicant

The person seeking to be counted in the staff:child ratios after completing the experience-based route.

Assessor

The provider, or person making the assessment on behalf of the provider, of the applicant's knowledge, skills and experience.

Consultation

The process of obtaining comments, views and responses from relevant sources for the purpose of reaching a well-informed and fair decision.

Early Years Educator (level 3) criteria

The criteria that qualifications must meet to enable holders to work as level 3 members of staff for the purpose of the staff:child ratios.

Early Years Foundation Stage (EYFS) statutory framework for group and school-based providers

Sets the standards that group and school-based early years providers must meet to ensure that young children from 0 to 5 years learn and develop well.

EYFS staff:child ratios

The minimum number of early years staff that must be available per child, depending on staff qualification and the age of the child. The ratio requirements can be found in the EYFS statutory framework for group and school-based providers.

Early Years Qualifications List (EYQL)

A list of early years qualifications that are recognised by the Department for Education as full and relevant.

Early years qualification requirements and standards document

Sets out the minimum qualification requirements that staff must meet to be recognised as level 2, level 3 or level 6 members of staff for the purpose of working within the EYFS staff:child ratios.

Experience-based route

A route allowing suitable early years staff who meet the criteria, but who do not hold a full and relevant level 3 qualification, to work in the staff:child ratios at level 3.

Full and relevant qualifications

Qualifications that meet all of the Early Years Practitioner (level 2) or Early Years Educator (level 3) criteria, as well as EYTS, Qualified Teacher Status (QTS) and EYPS, are recognised as full and relevant by the Department for Education and published on the

EYQL. Holders of a full and relevant qualification can be included in the staff:child ratios at the level appropriate to the relevant criteria.

Supervisor

The person or persons supervising the applicant during the experience-based route.



Department
for Education

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