

Guidance for Schools

Teaching Assistants Career Structure

(Including Extracts from Early Years Foundation Stage
(EYFS) Statutory Framework)

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TEACHING ASSISTANTS

OVERVIEW OF CAREER STRUCTURE

Teaching Assistant (Grade 1) (Supervising physical/general care including Statemented pupil requiring good standard of practical knowledge and skills)	Scale 1/2 Points Range 1-4	Pro rata for less than 37 hours and 195 working days	(Unqualified)
Teaching Assistant (Grade 2) (Delivering specific work programme in more depth including pupils with special physical, emotional and educational needs requiring detailed knowledge and specialist skills)	Scale 3 Points Range 5-6	Pro rata for less than 37 hours and 195 working days	(Qualified)
Teaching Assistant (Grade 3) (Delivering specific work programme in more depth including pupils with special physical, emotional and educational needs requiring detailed knowledge and specialist skills in specialist discipline being fully involved in all stages of the planning cycle)	Scale 4/5 Points Range 7-17	Pro rata for less than 37 hours and 195 working days	(Qualified)
Senior Teaching Assistant (Grade 4) (Team Leader with management responsibility requiring advanced/high level of knowledge and specialist skills across a range of specialist disciplines)	Scale 6 Points Range 19-22	Pro rata for less than 37 hours and 195 working days	(Qualified)

TEACHING ASSISTANTS - CAREER STRUCTURE

(a) Conditions of Service

1. The Department for Education (DfE) has determined that the generic term encompassing the very many titles for the staff employed in the classroom support role working in schools will be Teaching Assistant. Governing Bodies may continue to have different titles for these posts within each school but they will all be classified by the LA as Teaching Assistants under the new career structure.
2. The previous pay scales and Conditions of Service for Nursery Staff in Educational Establishments were replaced with a new negotiated Local Agreement for this group of employees from 1st October 2001.
3. From 1st October 2001 a new career structure for Teaching Assistants came into existence and was applied to all staff employed in the classroom support role (except Child Care Assistants). The new career structure, made up of four grades within the NJC for Local Government Services pay spine, was applied to new and existing staff. There were however, certain protection arrangements for staff in post on 30th September 2001. (See Part C.)
4. Conditions of Service are those which apply to other staff under NJC for Local Government Services, i.e. based on a 37 hour working week.
5. The majority of school-based staff are employed term-time only and for the hours required by the school. The salary reflects that the employment is term-time only. Leave entitlements are proportionate to either 6.6 or 7.6 weeks per year depending on length of service (5 or 6 weeks annual leave plus 8 days public holidays).

Leave will be taken when the school is not in session.

6. Teaching Assistants employed full-time should be available for work for 195 days in any year, of which 190 days shall be days on which pupil contact will be required. Part-time Teaching Assistants will be required to work on training days pro rata to full-time requirements dependent on the number of hours worked under their contract of employment on the following basis:

<u>Weekly Working Hours</u>	<u>Training Days</u>
0 - 7 hours	1
7.1 - 14 hours	2
14.1 - 21 hours	3
21.1 - 28 hours	4
28.1 and over	5

The number of hours worked on each training day will be based on the average working day (weekly hours ÷ 5).

Examples

2 hours Monday to Friday =

$2 \text{ hours} \times 5 \text{ days} = 10 \text{ hours} \div 5 = 2 \text{ hours per day on two training days}$

2 hours Monday, 5 hours Wednesday and 3 hours Friday =

$2 + 5 + 3 \text{ hours} = 10 \text{ hours} \div 5 = 2 \text{ hours per day on two training days}$

5 hours Monday to Wednesday, 3 hours Thursday to Friday =

$5 + 5 + 5 + 3 + 3 \text{ hours} = 21 \text{ hours} \div 5 = 4 \text{ hours } 12 \text{ minutes per day on three training days.}$

The training days for which a Teaching Assistant is required to attend for duty will be agreed with the Headteacher.

7. Additional time spent attending staff meetings, planning meetings, parents' meetings, etc. outside normal working hours should either be included in the contracted hours or claimed separately on a timesheet.
8. Teaching Assistants whose work is wholly or mainly the care and supervision of children with Statements of Special Educational Need and those employed in special schools and special units will be paid a special needs allowance. There are however, certain protection arrangements for staff in post on 30th September 2001 in Special Schools. (See Part C.)

(b) Job Outlines and Job Descriptions

Headteachers and Governing Bodies are required to identify the most appropriate job outline for each post on the establishment then prepare comprehensive and up-to-date Job Descriptions. These should be **based on the agreed Job Outlines** – see Appendices I – IV. There is a degree of flexibility in terms of the application of these outlines to take into account local needs and conditions provided these do not materially increase the level of responsibility involved. Headteachers should note that if an individual is required to undertake activities beyond the job to which they have been appointed they may well have a right to appeal to School Governors for regrading.

The Authority strongly recommends that the Job Descriptions are developed as comprehensive descriptions of the work required. If individuals are required to undertake activities outside these Job Descriptions then a separate contract, Job Description and payment may need to be considered.

(c) Assimilation Procedure

The LA assimilated all existing classroom support staff from their existing salary point to the appropriate salary point of the new Teaching Assistant grades from 1st October 2001.

Protection Arrangements

Those Nursery Nurses and Special Support Assistants in Special Schools in post on 30th September 2001 will continue to have the special needs allowance calculated pro rata to 32½ hours per week (deemed to be full-time) without any adjustment for the term-time factor.

(d) **Use of Grades**

Schools and services are free to use the full range of grades available. (See Overview of Career Structure – page 1.) Particular attention should, however, be given to ensuring that grades are fully compatible with the duties and responsibilities of the post – see Appendices V - VII.

(e) **Qualifications**

The new structure introduced a new requirement which links job content, responsibility and grades to qualified status which is based on the experience, training and qualifications of Teaching Assistants. In effect this means that only staff who have qualified status are able to undertake the duties associated with the upper range of Teaching Assistant grades, i.e. Grade 2 and above.

The LA recommends that before granting qualified status a Teaching Assistant should hold Maths & English GCSE qualification at Grade C or above and a qualification at Level 3 or above.

Relevant Professional Qualifications

The following link to the Regulated Qualifications Framework (RQF) can be used to help to determine the level of a qualification:

<https://www.gov.uk/what-different-qualification-levels-mean/compare-different-qualification-levels>

Teaching Assistants may also gain qualified status as outlined below:

Evidence of Relevant Experience plus Study

Qualified status may also be obtained by a combination of relevant experience plus study as outlined below:

- (a) *Experience*: reflected by a breadth of knowledge and understanding of child care and development.

May be either:

- (i) school-based experience - minimum of 3 years full-time equivalent. Relevant experience will be at the discretion of the school bearing in mind the duties required by the post holder and the relevance of school-based experience.

OR

- (ii) other relevant non school-based employment experience, e.g. previous 'professional' employment/self-employment in the care of children. Suggested minimum of 3 years full-time equivalent experience.

(b) *Evidence of Study may include:*

- Educationally Developmentally Young (EDY) Certificate (in-service course for Mental Handicap Practitioners - Training Staff in Behavioural Methods)
- Completion of DfE Teacher Assistant Induction Programme
- Paget Gorman Signing System
- Makaton Communication Skills
- British Sign Language
- Information Technology
- Signalong
- Specialist Teacher Assistant Award (STA)
- City & Guilds 7321 - 'Support in Learning' - NVQ Level 2.

(f) **Teaching Assistant Standards**

In 2015 the DfE set up a special panel to draft Teaching Assistant Standards for England. However, the decision was made not to publish the Teaching Assistant Standards. The DfE believes that schools are best placed to decide how they use and deploy Teaching Assistants, and to set standards for the Teaching Assistants they employ. In November 2015 the Secretary of State also decided to withdraw the existing guidance on National Occupational Standards for Supporting Teaching and Learning.

(g) **The Early Years Foundation Stage (EYFS) Statutory framework**

The EYFS framework sets the standards from birth to five that all early years providers must meet to ensure that children learn and develop well and are kept healthy and safe. It promotes teaching and learning to ensure children's 'school readiness' and gives children the broad range of knowledge and skills that provide the right foundation for good future progress through school and life. (See Appendix IX - *Extracts from Early Years Foundation Stage (EYFS) Statutory framework* and following link to the Early Years Foundation Stage (EYFS) Statutory framework:

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

(h) **Higher Level Teaching Assistants and Cover Supervisors**

There is separate guidance available to schools for Teaching Assistants who are employed to carry out these roles and responsibilities.

JOB OUTLINE

TEACHING ASSISTANT (GRADE 1)

Conditions of Service: NJC for Local Government Services
37 hours per week (or proportion for part-time)
TERM-TIME ONLY 39 weeks per academic year (195 days)
LEAVE ENTITLEMENT based on 6.6 weeks (7.6 after 5 years)

Grade: Scale 1/2 - Point Range 1-4

JOB PURPOSE

To support the classroom teacher with their responsibility for the development and education process by providing care and supervision skills to children, including those who have special physical, emotional and educational needs, by utilising a good standard of practical knowledge and skills.

OUTLINE RESPONSIBILITIES AND TASKS

Under the direction and control of the classroom teacher or designated supervisor:

- Supervise the activities of individuals or groups of children to ensure their safety and facilitate their physical and emotional development.
- Undertake those activities necessary to meet the physical and emotional needs of individuals and groups of children, including pupils with educational, physical or emotional special needs.
- To monitor individual pupil's problems, progress, achievements and condition and report these to the designated supervisor as appropriate.
- Actively engage in the pre-determined educational activities and work programmes at a basic level and to assist in personal and individual development of individuals or groups of pupils.

QUALIFICATIONS REQUIRED

No specific qualification required.

The ability to support pupils and staff and communicate with parents through fluent and accurately spoken English

SUPERVISORY RESPONSIBILITY

None.

SUPERVISION RECEIVED

Classroom teacher/designated supervisor.

PRINCIPAL CONTACTS

Pupils, classroom teacher/supervisor, other Teaching Assistants.

JOB OUTLINE

TEACHING ASSISTANT (GRADE 2)

Conditions of Service: NJC for Local Government Services
37 hours per week (or proportion for part-time)
TERM-TIME ONLY 39 weeks per academic year (195 days)
LEAVE ENTITLEMENT based on 6.6 weeks (7.6 after 5 years)

Grade: Scale 3 - Point Range 5-6

JOB PURPOSE

To support the classroom teacher with their responsibility for the development and education of children, including those with special physical, emotional and educational needs, by utilising detailed knowledge and specialist skills.

OUTLINE RESPONSIBILITIES AND TASKS

Under the direction of and within an education plan provided by the classroom teacher:

- Supervise the activities of individuals or groups of children to ensure their safety and facilitate their physical and emotional development.
- Use specialist skills to undertake those activities necessary to meet the physical and emotional needs of pupils.
- Use specialist skills to foster the intellectual and social development of children.
- Undertake those activities necessary to meet the physical and emotional needs of individuals and groups of children, including pupils with educational, physical or emotional special needs.
- Undertake those activities necessary to foster the intellectual and social development of children.
- Within competence to assist the teacher in the delivery of educational and developmental work programmes.
- To monitor and report individual children's progress, achievements, problems and developmental needs to the classroom teacher or designated supervisor as appropriate.
- Assist the classroom teacher in the planning of work programmes for individuals and groups of children.

QUALIFICATIONS REQUIRED (ESSENTIAL)

Qualified Status (see paragraph (e))

The ability to support pupils and staff and communicate with parents through fluent and accurately spoken English

SUPERVISORY RESPONSIBILITY

None.

SUPERVISION RECEIVED

Classroom teacher/designated supervisor.

PRINCIPAL CONTACTS

Pupils, parents, classroom teacher/supervisor, other professional groups, other Teaching Assistants.

JOB OUTLINE

TEACHING ASSISTANT (GRADE 3)

Conditions of Service: NJC for Local Government Services
 37 hours per week (or proportion for part-time)
 TERM-TIME ONLY 39 weeks per academic year (195 days)
 LEAVE ENTITLEMENT based on 6.6 weeks (7.6 after 5 years)

Grade: Scale 4/5 - Point Range 7-17

JOB PURPOSE

To work collaboratively with the classroom teacher with their responsibility for the development and education of children, including those with special physical, emotional and educational needs, by utilising detailed knowledge and specialist skills in specialist discipline being fully involved in all stages of the planning cycle.

OUTLINE RESPONSIBILITIES AND TASKS

Under the educational plan agreed with the teacher or designated supervisor:

- To be fully involved in all stages of the planning cycle to ensure full and effective evaluation of children's curriculum experiences, i.e. planning for children's curriculum experiences, organising and managing learning experiences, intervene in/direct experiences, assess quality of experiences and recording achievement.
- Supervise the activities of individuals or groups of children to ensure their safety and facilitate their physical and emotional development.
- Use specialist skills to undertake those activities necessary to meet the physical and emotional needs of pupils.
- Use specialist skills to foster the intellectual and social development of children.
- Undertake those activities necessary to meet the physical and emotional needs of individuals and groups of children, including pupils with educational, physical or emotional special needs.
- Undertake those activities necessary to foster the intellectual and social development of children.
 To monitor individual pupils and to report progress, achievements, problems and concerns to designated supervisor.
 Actively engage in the delivery of the educational work programme and activities developed by the classroom teacher.
 To work collaboratively with the classroom teacher in the planning of work programmes for individuals and groups of children.
 To co-ordinate the work of individual or group of Teaching Assistants including on the job training of other Teaching Assistants.

QUALIFICATIONS REQUIRED (ESSENTIAL)

Qualified Status (see paragraph (e))

The ability to support pupils and staff and communicate with parents through fluent and accurately spoken English

SUPERVISORY RESPONSIBILITY

To act as co-ordinator for a group of Teaching Assistants and liaison with Headteacher.

SUPERVISION RECEIVED

Classroom teacher/designated supervisor.

PRINCIPAL CONTACTS

Pupils, parents, classroom teacher/supervisor, other professional groups, other Teaching Assistants.

JOB OUTLINE

SENIOR TEACHING ASSISTANT (GRADE 4)

Conditions of Service: NJC for Local Government Services
 37 hours per week (or proportion for part-time)
 TERM-TIME ONLY 39 weeks per academic year (195 days)
 LEAVE ENTITLEMENT based on 6.6 weeks (7.6 after 5 years)

Grade: Scale 6 - Point Range 19-22

JOB PURPOSE

To work collaboratively with teaching staff with their responsibility for the development and education of children, including those with special physical, emotional and educational needs, by utilising advanced/high level of knowledge and specialist skills across a range of specialist disciplines being responsible for a team of Teaching Assistants.

OUTLINE RESPONSIBILITIES AND TASKS

Under the educational plan agreed with teaching staff and with the minimum of supervision:

- To be fully involved in all stages of the planning cycle to ensure full and effective evaluation of children's curriculum experiences, i.e. planning for children's curriculum experiences, organising and managing learning experiences, intervene in/direct experiences, assess quality of experiences and recording achievement.
- Supervise the activities of individuals or groups of children to ensure their safety and facilitate their physical and emotional development.
- Use specialist skills to undertake those activities necessary to meet the physical and emotional needs of pupils.
- Use specialist skills to foster the intellectual and social development of children.
- Monitor the needs of individual pupils and, in conjunction with teaching staff, to develop appropriate measures to acknowledge progress and achievements, overcome problems and to facilitate physical, emotional and education development of pupils and groups of pupils.
- To lead and supervise the work of individual or team of Teaching Assistants.
- To be part of the school/service management and planning team.
- To be responsible for planning of work programmes for individuals and groups of children.

QUALIFICATIONS REQUIRED (ESSENTIAL)

Qualified Status (see paragraph (e))

The ability to support pupils and staff and communicate with parents through fluent and accurately spoken English

SUPERVISORY RESPONSIBILITY

Individual or team of Teaching Assistants.

SUPERVISION RECEIVED

Headteacher/classroom teacher.

PRINCIPAL CONTACTS

Pupils, parents, Headteacher, classroom teacher, other professional groups, Governors, Teaching Assistants.

GRADES 1 AND 2

JOB RESPONSIBILITIES AND TASKS may include:

Under the direction and control of the Classroom Teacher -

- To assist the teacher with learning activities generally in the classroom.
- Contributing to the planning of work to meet the needs of the National Curriculum and individual needs of pupils and students.
- Contributing to the planning and needs of the Foundation Stage relating to the individual needs of pupils and students.
- Contributing to the planning of work to meet the needs of pre-school children.
- Contributing to the formulation of Individual Education Plans including attendance at SEN reviews and other meetings relevant to the service/pupil needs.
- To carry out appropriate activities as planned within the classroom or with groups of pupils including administration of baseline tests.
- To display and present children's work.
- Responsibility for visual aids.
- To prepare and organise teaching resources including the checking and maintaining of classroom equipment and materials including control of stock within the classroom.
- To prepare resources for lessons and activities.
- Assistance with the physical manipulation of objects and equipment.
- General supervision, counselling and discipline of children and students, within the procedures of the school and/or service.
- To assist the teacher in liaising with parents and professionals such as speech therapists.
- To assist at an appropriate level with the provision of general care and welfare of children including:
 - (i) assistance with the personal hygiene routine, e.g. toilet training, changing of incontinent children, dressing and undressing;
 - (ii) the changing of soiled clothing including its disposal in the appropriate way;
 - (iii) assisting with children's injuries and where qualified, administering basic first aid;
 - (iv) (following consultation and agreement) to assist with the administering of medicines under the direction of the appropriate medical staff;
 - (v) to assist with the identification and monitoring of children's general health and welfare.

- Helping the teacher with tasks.
- Hearing children read.
- Supporting children to be independent by helping them with tasks.
- Answering questions from pupils.
- Providing support for the Literacy and Numeracy Strategies.
- Giving spelling exercises if appropriate to the needs of the pupils.
- Assisting with supervision of children within the school.
- Assisting the pupil to access the normal routines of the classroom.
- Preparation or modification of the work for the child under the direction of the class teacher, and supporting the child in carrying out this work.
- Assisting in the implementation of programmes designed by other professionals such as educational psychologists, and speech and language therapists.
- To contribute to meetings to discuss the specific child's progress.
- Assist with the provision of general care and welfare to pupils and to be mindful of the need to maintain a safe environment at all times.
- Adhering to and maintaining school routine and codes of conduct.
- Supporting the ethos of the school.
- To assist with the support of group activities within and away from the classroom, i.e. P.E., swimming, educational visits.
- To ensure that pupils are able to safely use equipment and materials provided and be aware of the range of resources available.
- Promote pupil independence in learning, and reinforcing the child(ren)'s self-esteem through praise and encouragement.
- Assisting with the promotion of independence activities and mobility skills.
- To maintain personal and professional development to meet the changing demands of the job, participate in appropriate training activities and encourage and support staff in their development and training.

GRADE 3

**JOB RESPONSIBILITIES AND TASKS may include:
(in addition to the responsibilities of Grade 1 and 2)**

Working collaboratively with the Classroom Teacher -

- Carrying out assessment on pupils and recording information.
- Providing ideas, materials and learning strategies for lessons within the school situation.
- Organisation and delivery of a skills programme or practical work with groups or individual children.
- Collaborate with the teacher with the overall delivery of lessons and communication with pupils with individual or groups of pupils.
- Preparation, setting up and organisation of displays of work to contribute to the creation of a stimulating environment.
- Regular liaison with other agencies and carers.
- To maintain simple records as directed to enable the assessment of a child's ability and/or progress.
- To assist the teacher at an appropriate level in preparing advice for parents including participation in discussions with parents.
- To co-ordinate the work and liaise with other Teaching Assistants within the school including on the job training of other Teaching Assistants.
- Supervising and assisting small groups of pupils in activities set by teacher.

GRADE 4

**JOB RESPONSIBILITIES AND TASKS may include:
(in addition to the responsibilities of Grade 1, 2 and 3)**

Working collaboratively with the Headteacher/Classroom Teacher -

- To act as a Team Leader and Supervisor for a group of Teaching Assistants.
- To be responsible for supervising and progressing the day-to-day work of a group of Teaching Assistants.
- To be responsible for organising regular team meetings/briefings for Teaching Assistants within the school.
- To be responsible for the induction procedures for newly appointed Teaching Assistants.

JOB DESCRIPTION**Post Title:****Grade:****Reporting To:****Responsible for Supervision
and Management of:****Main Purpose of Job:**

-

Responsibilities, Duties and Tasks:

-

General Duties:

- To maintain personal and professional development to meet the changing demands of the job, participate in appropriate training activities and encourage and support staff in their development and training.
- To undertake such other duties, training and/or hours of work as may be reasonably required and which are consistent with the general level of responsibility of this job.
- To undertake health and safety duties commensurate with the post with consent of employee and/or as detailed in the School's Health and Safety Policy.

Contacts:

In all contacts the postholder will be required to present a good image of the School as well as maintaining constructive relationships.

Internal:

External:

Notes:

- This post is subject to a criminal record check.
- The Headteacher reserves the right to alter the content of this Job Description, after consultation, to reflect changes to the job or services provided, without altering the general character or level of responsibility.
- Reasonable adjustments will be considered as required by the Equalities Act.
- The duties described in this Job Description must be carried out in a manner which promotes equality of opportunity, dignity and due respect for all employees and service users and is consistent with the School's Equal Opportunities Policy.
- The English fluency duty applies to this post. Person specifications should include that the postholder must have the ability to support pupils and staff and communicate with parents through fluent and accurately spoken English

Prepared by:**Date:****DCF&C/**

Extracts from Early Years Foundation Stage (EYFS) Statutory framework

Schools must put appropriate arrangements in place for the supervision of staff who have contact with children and families. Effective supervision provides support, coaching and training for the practitioner and promotes the interests of children. Supervision should foster a culture of mutual support, teamwork and continuous improvement, which encourages the confidential discussion of sensitive issues.

Supervision should provide opportunities for staff to:

- discuss any issues – particularly concerning children’s development or well-being;
- identify solutions to address issues as they arise; and
- receive coaching to improve their personal effectiveness.

In group settings, the manager must hold at least a full and relevant Level 3* qualification and at least half of all other staff must hold at least a full and relevant Level 2 qualification. The manager should have at least two years’ experience of working in an early years setting, or have at least two years’ other suitable experience. The provider must ensure there is a named deputy who, in their judgement, is capable and qualified to take charge in the manager’s absence.

* To count in the ratios at Level 3, staff holding an Early Years Educator qualification must also have achieved GCSEs in English and Maths at Grade C or above.

(i) Staff:child ratios

Staffing arrangements must meet the needs of all children and ensure their safety. Schools must ensure that children are adequately supervised and decide how to deploy staff to ensure children’s needs are met. Schools must inform parents and/or carers about staff deployment, and, when relevant and practical, aim to involve them in these decisions. Children must usually be within sight and hearing of staff and always within sight or hearing.

Only those aged 17 or over may be included in ratios (and staff under 17 should be supervised at all times). Students on long term placements and volunteers (aged 17 or over) and staff working as apprentices in early education (aged 16 or over) may be included in the ratios if the provider is satisfied that they are competent and responsible.

The ratio and qualification requirements below apply to the total number of staff available to work directly with children¹⁹.

(ii) Early years schools (other than childminders)

For children aged under two:

- there must be at least one member of staff for every three children;
- at least one member of staff must hold a full and relevant Level 3 qualification, and must be suitably experienced in working with children under two;
- at least half of all other staff must hold a full and relevant Level 2 qualification;
- at least half of all staff must have received training that specifically addresses the care of babies; and
- where there is an under two-year-olds’ room, the member of staff in charge of that room must, in the judgement of the provider, have suitable experience of working with under twos.

For children aged two:

- there must be at least one member of staff for every four children;
- at least one member of staff must hold a full and relevant Level 3 qualification; and
- at least half of all other staff must hold a full and relevant Level 2 qualification.

For children aged three and over in registered early years provision where a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another suitable Level 6 qualification is working directly with the children²⁰

- there must be at least one member of staff for every 13 children; and
- at least one other member of staff must hold a full and relevant Level 3 qualification.

For children aged three and over at any time in registered early years provision when a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another suitable Level 6 qualification is not working directly with the children:

- there must be at least one member of staff for every eight children;
- at least one member of staff must hold a full and relevant Level 3 qualification;
- at least half of all other staff must hold a full and relevant Level 2 qualification.

For children aged three and over in independent schools, where a person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another suitable Level 6 qualification, an instructor²¹, or another suitably qualified overseas trained teacher, is working directly with the children:

- for classes where the majority of children will reach the age of five or older within the school year, there must be at least one member of staff for every 30 children;
- for all other classes there must be at least one member of staff for every 13 children; and
- at least one other member of staff must hold a full and relevant Level 3 qualification.

For children aged three and over in independent schools, where there is no person with Qualified Teacher Status, Early Years Professional Status, Early Years Teacher Status or another suitable Level 6 qualification, no instructor, and no suitably qualified overseas trained teacher, working directly with the children:

- there must be at least one member of staff for every eight children;
- at least one member of staff must hold a full and relevant Level 3 qualification; and
- at least half of all other staff must hold a full and relevant Level 2 qualification.

For children aged three and over in maintained nursery schools and nursery classes in maintained schools:

- there must be at least one member of staff for every 13 children²²;
- at least one member of staff must be a school teacher as defined by section 122 of the Education Act 2002²³; and
- at least one other member of staff must hold a full and relevant Level 3 qualification.

Reception classes in maintained schools are subject to infant class size legislation. The School Admissions (Infant Class Size) Regulations 2012 limit the size of infant classes to 30 pupils per school teacher²⁴ while an ordinary teaching session is conducted. 'School teachers' do not include teaching assistants, higher level teaching assistants or other support staff. Consequently, in an ordinary teaching session, a school must employ sufficient school teachers to enable it to teach its infant classes in groups of no more than 30 per school teacher²⁵.

Some schools may choose to mix their reception classes with groups of younger children, in which case they must determine ratios within mixed groups, guided by all relevant ratio requirements and by the needs of individual children within the group. In exercising this discretion, the school must comply with the statutory requirements relating to the education of children of compulsory school age and infant class sizes. Schools' partner schools must meet the relevant ratio requirements for their provision.

(iii) Before/after school care and holiday provision

Where the provision is solely before/after school care or holiday provision for children who normally attend Reception class (or older) during the school day, there must be sufficient staff as for a class of 30 children. It is for schools to determine how many staff are needed to ensure the safety and welfare of children, bearing in mind the type(s) of activity and the age and needs of the children. It is also for schools to determine what qualifications, if any, the manager and/or staff should have. However, practitioners should discuss with parents and/or carers (and other practitioners/schools as appropriate, including school staff/teachers) the support they intend to offer.

- 19 *Ofsted may determine that schools must observe a higher staff:child ratio than outlined here to ensure the safety and welfare of children.*
- 20 *We expect the teacher (or equivalent) to be working with children for the vast majority of the time. Where they need to be absent for short periods of time, the provider will need to ensure that quality and safety is maintained.*
- 21 *An instructor is a person at the school who provides education which consists of instruction in any art or skill, or in any subject or group of subjects, in circumstances where:
(a) special qualifications or experience or both are required for such instruction; and
(b) the person or body of persons responsible for the management of the school is satisfied as to the qualifications or experience (or both) of the person providing education.*
- 22 *Where children in nursery classes attend school for longer than the school day or in the school holidays, in provision run directly by the governing body or the proprietor, with no teacher present, a ratio of one member of staff to every eight children can be applied if at least one member of staff holds a full and relevant Level 3 qualification, and at least half of all other staff hold a full and relevant Level 2 qualification.*
- 23 *See also the Education (School Teachers' Prescribed Qualifications, etc.) Order 2003 and the Education (School Teachers' Qualifications) (England) Regulations 2003.*
- 24 *As defined by Section 122 of the Education Act 2002.*
- 25 *In respect of school teachers' non-contact time, the Specified Work Regulations 2012 allow a non-teacher to carry out the work of the teacher ("specified work") where the non-teacher is assisting or supporting the work of the teacher, is subject to the teacher's direction and supervision as arranged with the Headteacher, and the Headteacher is satisfied that that person has the skills, expertise and experience required to carry out the specified work.*