# Statutory framework for the early years’ foundation stage

The safeguarding and welfare requirements audit

The statutory requirements contain things you ‘must’ and ‘should’ be doing to meet the needs of children. This audit is for all early years childminder settings.

Please also be mindful that there are additional documents that you should use alongside your framework to strengthen your statutory expectations such as the: Ealing Safeguarding Children Guidance Policy and Procedures for Voluntary, Community, Faith, and Private Organisations, 2022 (also referred to as the ‘Yellow Book’). The Yellow Book aligns with “**London Safeguarding Children Procedures and Practice Guidance 25th April 2024 edn 7” This is updated twice a year so please check to ensure you have the most up to date version.**

Where the requirements are for ‘registered providers’ this refers only to private and voluntary settings on the Early Years Register. Where the requirements are for ‘providers,’ this refers to all settings, private, voluntary, independent, and maintained.

The statutory welfare requirements (relevant to this document) have been listed in the attached document for you to use as an audit tool and action plan within your setting to ensure you are meeting minimum statutory requirements of the EYFS (Early Years Foundation Stage).

All documentation relating to current best practice and procedures within Ealing Early Years, can be accessed on Ealing Grid for Learning. [www.egfl.org.uk/early-years](https://www.egfl.org.uk/topics/early-years) and [Ealing Safeguarding Children Partnership / ESCP Home |  Ealing Directory (ealingfamiliesdirectory.org.uk)](https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/escb.page?escbchannel=0)

Please remember it is the responsibility of the provider to comply with all relevant statutory requirements.

Many settings will recognise the requirements and will already be meeting them – use the document as a way of evaluating the extent to which you meet the requirements and as an action plan for any gaps identified or ways you can improve upon what you already do.

**Please Note: The Safeguarding and Welfare Requirements audit will be updated on an annual basis to reflect local and national current guidance. However; it is the responsibility of the provider to check all references to documents within the audit are the most current editions.**

**(revised September 2024)**

| **Ref** |  | **National ,local documents, Ealing best practice** | **Evidence** | **Actions** | **Completion review date** |
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| **3.1** | Children learn best when they are healthy, safe, secure, when their individual needs are met, and when they have positive relationships with the adults caring for them. |  |  |  |  |
| **3.2** | This section of the framework sets out the safeguarding and welfare requirements childminders must meet. They are designed to help childminders create a high-quality, welcoming, and safe setting where children can enjoy learning and grow in confidence. | ***Best Practice in Ealing*** |  |  |  |
| **3.3** | Providers **must** take all necessary steps to keep children safe and well. The requirements in this section explain what early years providers must do to:  • Safeguard children.  • Ensure the adults who have contact with children are suitable.  • Promote good health.  • Support and understand behaviour.  • Maintain records, policies, and procedures. | **Ealing Safeguarding Children Guidance** Policy and Procedures for Voluntary, Community, Faith, and Private Organisations, 2022/2023 (**‘Yellow Book’) All *providers must have a sound knowledge of this guidance*** [**ESCP publications |  Ealing Directory (ealingfamiliesdirectory.org.uk)**](https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/escb_publication.page?id=8_wa0nEs9jA)  [**yellow\_book\_2022\_1.pdf (openobjects.com)**](https://search3.openobjects.com/mediamanager/ealing/directory/files/yellow_book_2022_1.pdf)  **Link to** [**Ealing Safeguarding Children Partnership / ESCP Home |  Ealing Directory (ealingfamiliesdirectory.org.uk)**](https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/escb.page?escbchannel=0) |  |  |  |
| **3.4** | **Safeguarding policies and procedures**  Childminders working alone or with assistants **must** take lead responsibility for safeguarding children in their setting. Childminders **must** know how to contact the local statutory children’s services, and the LSP (local safeguarding partners). All practitioners **must** be alert to any issues of concern in the child’s life at home or elsewhere. | **“Working Together to Safeguard Children 2018**”  **Last updated 23 February 2024**  [**Working together to safeguard children - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)  What to do if you are worried a child is being abused. 2015  [**Child abuse concerns: guide for practitioners - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)  ***Best Practice in Ealing***  Providers **must** have **written** policies and procedures in relation to safeguarding and child protection. |  |  |  |
| **3.5** | In the case of childminders working together, each childminder is responsible for meeting the requirements of their own registration. Childminders **must** know that they have a shared responsibility when working together for the wellbeing of all the children present. Therefore, where childminders work together, each childminder also has a responsibility to refer any concerns where another childminder does not continually meet the requirements of their registration. |  |  |  |  |
| **3.6** | Childminders **must** have and implement policies and procedures to keep children safe and meet EYFS requirements. They **must** be able to explain their policies and procedures to parents, carers, and others (for example Ofsted inspectors or the childminder agency with which they are registered). Childminders **must** ensure any assistants follow these policies and procedures. Policies and procedures should be in line with the guidance and procedures of the relevant LSP. | For referrals around concerns: Ealing’s Children’s Integrated Response Service  ECIRS: **0208 825 8000**  For referrals around concerns around a professional of volunteer:  Your Local Authority Designated Officer (LADO) for Allegation Against staff or volunteers (ASV)  LADO: **020 8825 8930**  Child Protection Advisor line: **020 8825 8930**  Please review contact details to ensure you have the correct named people and ensure documentation reflects up to date details. |  |  |  |
| **3.7** | Safeguarding policies **must** include:  • The action to be taken when there are safeguarding concerns about a child.  • The action to be taken in the event of an allegation being made against the childminder or an assistant.  • How mobile phones, cameras and other electronic devices with imaging and sharing capabilities are used in the setting.  Childminders may find it helpful to read 'Safeguarding children and protecting professionals in early years settings: online safety considerations’. | Taking account of any advice from the LSP or local authority on appropriate training courses.  [**https://www.gov.uk/government/collections/female-genital-mutilation**](https://www.gov.uk/government/collections/female-genital-mutilation)  **Updated June 2023**  [**https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2**](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)  [**https://www.gov.uk/government/publications/working-together-to-safeguard-children--2**](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2)  **Updated 23 February 2024**  [**Online Safety Considerations**](https://www.gov.uk/government/publications/safeguarding-children-and-protecting-professionals-in-early-years-settings-online-safety-considerations) **(GOV.UK)** |  |  |  |
| **3.8** | **Concerns about Children’s safety and welfare**  If childminders have concerns about children's safety or welfare, they **must** immediately notify their local authority children’s social care team, in line with local reporting procedures, and, in emergencies, the police. Childminders must also consider the government's statutory guidance ‘Working Together to Safeguard Children’ and ‘Prevent duty guidance for England and Wales’ Keeping Children Safe in Education’ guidance. Childminders may also find it useful to look at the government’s ‘Keeping Children Safe in Education Guidance. | The 2015 Counter Terrorism and Security Act places a duty on early years providers “to have due regard to the need to prevent people from being drawn into terrorism” (the Prevent duty): [**www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales**](http://www.gov.uk/government/publications/prevent-duty-guidance/revised-prevent-duty-guidance-for-england-and-wales) Under section 175(4) of the Education Act 2002  **Updated 6 March 2024**  Preparing for terrorism and other major incident. Consider how you will risk assess practice to mitigate potential risk for all stakeholders in your setting.  [**Protective security and preparedness for education settings - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/protective-security-and-preparedness-for-education-settings?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=3ce109f8-80e4-4e60-a258-e657ca2c61d1&utm_content=weekly)  **Published 29 April 2024**  [**www.gov.uk/government/publications/keeping-children-safe-in-education--2**](http://www.gov.uk/government/publications/keeping-children-safe-in-education--2)  **Updated 24 May 2024**  Within settings wider safeguarding risk assessments, they must ensure all staff have current and up to date knowledge of the PREVENT duty, attend training specific to PREVENT every two years and ensure their risk assessments are regularly updated, to reflect international risk, inclusive of how it may affect the children, families, staff and community within their demographic. [Guidance on completing risk assessments](https://padlet.com/Ealing_Early_Years_Quality_Partnership/new-and-existing-settings-s0w0ux4sntbsfeor.)  [ESCP Information sharing & consent Guidance](https://search3.openobjects.com/mediamanager/ealing/directory/files/information_sharing_consent_guidance_october_2022.pdf) |  |  |  |
| **3.9** | Depending on how they are registered, childminders **must** inform Ofsted or their CMA of any allegations of serious harm or abuse by anyone living, working, or looking after children at the premises. This **must** happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit. Childminders **must** also notify Ofsted or their CMA of the action they have taken in response to the allegations. Ofsted/the CMA **must** be notified as soon as is reasonably practicable, but, in any event, within 14 days of allegations being made. A childminder who, without a reasonable excuse, fails to do this commits an offence. | This would include if an employee’s child became subject to a Child Protection or Child in Need Plan.  The designated safeguarding lead **must** **inform their LADO within one working day when an allegation is made and prior to any further investigation taking place.** A failure to report an allegation in accordance with procedures is a potential disciplinary matter. [**London Child Protection Procedures**](http://www.londoncp.co.uk/index.html) **(2023)**  edition 7 **Refer to 3.6 above. LADO Contact details.** |  |  |  |
| **3.10** | **Suitable People**  Childminders and any assistants **must** be suitable; they must have the relevant training and have passed any required checks to fulfil their roles. Childminders **must** also ensure any person who may have regular contact with children (for example, someone living or working on the same premises where the childminding is being provided), must also be suitable. | ***Best Practice in Ealing***  Advisable for Childminders recruiting assistants and/or volunteers to attend Safer Recruitment training. |  |  |  |
| **3.11** | Ofsted, or a childminder’s CMA, is responsible for checking the suitability of:  The childminder.  • Every other person looking after children in the setting  • Every other person aged 16 and over living or working on the same premises the childminding is being provided. | [**https://www.gov.uk/government/organisations/disclosure-and-barring-service**](https://www.gov.uk/government/organisations/disclosure-and-barring-service)  Please ensure you are compliant with suitability checks for any friends and family who regularly visit your home whilst you are minding. This is inclusive of family members who turn 16 and changes to your personal circumstances meaning new adults may be living with you. |  |  |  |
| **3.12** | Enhanced criminal records checks and barred list checks are required by Ofsted, or a childminder’s CMA, for any relevant people. If a person has lived or worked outside the UK, an additional criminal records check should be made (or multiple “checks” if they have lived in more than one country). | Registered with a DBS (Disclosure and Barring Service) agent for all persons 16 or over as described  Registered with a DBS (Disclosure and Barring Service) agent for all persons 16 or over as described  [**Keeping children safe in education - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)  **Updated 24 May 2024**  [**https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants**](https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants) **Updated 17 May 2024** |  |  |  |
| **3.13** | Childminders **must** tell assistants that they must disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting). Childminders **must not** allow anyone whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with the children being cared for. | ***Best practice in Ealing***  Suitability regularly reviewed and recorded during supervision.  ***Best practice in Ealing***  If decision is made to commence employment prior to DBS clearance. A written Risk Assessment **must** be in place, evidencing that there will be no unsupervised access to children as a minimum requirement.  **Must** follow safer recruitment guidance as laid out in:  Keeping Children Safe in Education  [**Keeping children safe in education 2023 (publishing.service.gov.uk)**](https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/Keeping_children_safe_in_education_2023.pdf)  Safer Recruitment pages 56 to 91  **Updated 24 May 2024**  [**Disqualification under the Childcare Act 2006 - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006) **updated August 2018** |  |  |  |
| **3.14** | Relevant information about identity checks, the vetting process completed (including the criminal records check reference number and the date a check was obtained and details of who obtained it) will be kept by Ofsted or the CMA with which the childminder is registered. | **Must** follow safer recruitment guidance as laid out in:  Keeping Children Safe in Education  [**Keeping children safe in education 2023 (publishing.service.gov.uk)**](https://assets.publishing.service.gov.uk/media/64f0a68ea78c5f000dc6f3b2/Keeping_children_safe_in_education_2023.pdf)  Safer Recruitment pages 52 to 84 **Updated September 2023**  Single Central Record **must** be in place and include the name date and signature of the person who had original sight of either paper copy of DBS or online via update service and all other vetting documentation if a childminder has assistants.  Safeguarding vulnerable groups Act 2006 **updated 2024**  [**https://www.legislation.gov.uk/ukpga/2006/47/contents**](https://www.legislation.gov.uk/ukpga/2006/47/contents) |  |  |  |
| **3.15** | Childminders are required to make a referral to the Disclosure and Barring Service if an assistant is dismissed (or would have been, had they not left the setting first) because they have harmed a child or put a child at risk of harm. | [**Making barring referrals to the DBS - GOV.UK (www.gov.uk**)](https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs)  **Updated 23 August 2024** |  |  |  |
| **Disqualification** | | | | | |
| **3.16** | A childminder or assistant may be disqualified from registration. Childminders may find guidance about disqualification under the Childcare Act 2006 helpful. If a childminder or assistant is disqualified, they **must not** continue as an early years provider or assistant, or be directly involved in the management of any early years provision. When a person is disqualified, childminders must not employ that person in relation to early years provision. | [**Check someone's criminal record as an employer: Checks you can make on someone's record - GOV.UK (www.gov.uk)**](https://www.gov.uk/dbs-check-applicant-criminal-record) |  |  |  |
| **3.17** | A childminder or childminder’s assistant may also be disqualified because they live in the same household as another person who is disqualified, or because they live in the same household where a disqualified person is employed. If a childminder, childminder assistant or childcare practitioner is disqualified they may, in some circumstances, be able to obtain a ‘waiver’ from Ofsted. | [**Disqualification under the Childcare Act 2006 - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006)  **Updated August 2018** |  |  |  |
| **3.18** | Depending on how they are registered, a childminder **must** notify Ofsted, or their CMA, of any significant event which is likely to affect the suitability of any person who is in regular contact with children on the premises where childcare is provided. The disqualification of an assistant is an example of a significant event | **For childminders with assistants**  ***Best practice in Ealing***  A statement within a robust and regular supervision process **MUST** be included and signed off by the supervisor and employee of continued suitability.  ***Best practice in Ealing***  Follow procedures for ASV if employer becomes aware of any social care involvement within the practitioner’s household. For example, a practitioners own child becoming the subject of a child protection plan.  **MUST** refer to LADO within 24 hours and seek LADO advice.  Best practice in Ealing  Inform Ofsted within 24 hours as soon as advice is sought from LADO as best practice. Refer to guidance in **3.6** |  |  |  |
| **3.19** | Depending on how they are registered, the childminder **must** give Ofsted, or their CMA, the following information about themselves or about any person who lives or is employed in the same household as the registered childminder:  • Details of any order, determination, conviction, or other ground for disqualification from registration under regulations made under section 75 of the Childcare Act 2006.  • The date of the order, determination or conviction, or the date when the other ground for disqualification arose.  • The body or court which made the order, determination or conviction, and the sentence (if any) imposed.  • A certified copy of the relevant order (in relation to an order or conviction). |  |  |  |  |
| **3.20** | Childminders **must** provide this information to Ofsted, or their CMA, as soon as reasonably practicable, but in any event within 14 days of the date the childminder became aware of the information, or should have reasonably become aware of it, if they had made reasonable enquiries. | **MUST** refer to LADO within 24 hours and seek advice.  **Best practice in Ealing**  Inform Ofsted within 24 hours as soon as advice is sought from LADO as best practice. Refer to guidance in **3.6** |  |  |  |
| **3.21** | If a childminder becomes aware of relevant information that may lead to an assistant being disqualified, the childminder must take appropriate action to ensure the safety of children. | Please refer to **3.6 and 3.18** (EYFS 2024) and Ealing best practice guidance. |  |  |  |
| **Staff taking medication/other substances** | | | | | |
| **3.22** | Childminders and childminding assistants **must not** be under the influence of alcohol or any other substance which may affect their ability to care for children. If a practitioner is taking medication which may affect their ability to care for children, they should seek medical advice. Childminders and their assistants **must** only work directly with children if the medical advice received confirms that the medication is unlikely to impair that person’s ability to look after children properly. All medication on the premises **must** be stored securely, and out of reach of children, **always**. | ***Best practice in Ealing***  **For childminders with assistants**  Comprehensive induction including medical checks, health declarations and staff code of conduct must be in place with appropriate paperwork showing timeline and accountability. |  |  |  |
| **3.23** | **Smoking and vaping**  Childminders **must not** allow smoking in or on the premises when children are present or about to be present. Practitioners should not vape or use e-cigarettes  when children are present, and childminders should consider Public Health England advice on their use in public places and workplaces. | ***Best practice in Ealing***  Consideration needs to be given to smoke residue on staff clothing and body.  Vape and e-cigarettes **must not** be used in or on the premises when children are present or about to be present.  [**Use of e-cigarettes in public places and workplaces - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/use-of-e-cigarettes-in-public-places-and-workplaces)  **Published July 2016** |  |  |  |
|  | **Training, support and skills** |  |  |  |  |
| **3.24** | What practitioners know, plan for, and do matters for children’s learning, development, safety, and happiness in settings. Childminders must have appropriate qualifications, training, skills, knowledge, and a clear understanding of their role and responsibilities to provide good quality early years provision. | **Best practice in Ealing**  To join the Ealing Quality Partnership to work in partnership towards aspirational education and carefor all children in Ealing and beyond. |  |  |  |
| **3.25** | Childminders must follow their legal responsibilities under the Equality Act 2010 including the fair and equal treatment of any assistants regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. | [**Equality Act 2010: guidance - GOV.UK (www.gov.uk)**](https://www.gov.uk/guidance/equality-act-2010-guidance) |  |  |  |
| **3.26** | **Safeguarding Training**  Childminders **must** demonstrate that they have knowledge and understanding of the EYFS, including how to implement it, as part of their registration with Ofsted or a CMA. | Refer to guidance in **3.6**  In addition to wider safeguarding courses, childminders mustcomplete an **Ealing Introduction to safeguarding** course and a **refresher** course every 2 years thereafter. In addition, as the childminder is also the named Designated Safeguarding Lead (DSL), it is strongly advised they also complete the DSL training following the **Introduction to safeguarding** if a new childminder within Ealing, or a newly registered childminder. |  |  |  |
| **3.27** | Childminders **must** attend a child protection training course that helps them to identify, understand and respond appropriately to signs of possible abuse and neglect at the earliest opportunity.  These may include:  • Significant changes in children's behaviour.  • A decline in children’s general well-being.  • Unexplained bruising, marks or signs of possible abuse or neglect.  • Concerning comments from children.  • Inappropriate behaviour from assistants, or any other person working with the children. This could include: inappropriate sexual comments; excessive one-to-one attention beyond what is required through their role; or inappropriate sharing of images.  • Any reasons to suspect neglect or abuse outside the setting, for example in the child’s home or that a girl may have been subjected to (or is at risk of) female genital mutilation.  Childminders may find it helpful to read What to do if you’re worried a child is being abused: Advice for practitioners. | ***Best practice in Ealing***  [**yellow\_book\_2022\_1.pdf (openobjects.com)**](https://search3.openobjects.com/mediamanager/ealing/directory/files/yellow_book_2022_1.pdf)  What to do if you a worried a child is being abused.  [**Child abuse concerns: guide for practitioners - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2)  [**Female genital mutilation - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/collections/female-genital-mutilation) Updated June 2023  Please refer to LADO guidance for ASV in section **3.6** |  |  |  |
| **3.28** | Childminders **must** provide support, advice, and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. Childminders **must** make sure any assistants understand their safeguarding policies and procedures, and have up to date knowledge of safeguarding issues. Any training provided to assistants **must** enable them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described in paragraph **3.8**). | **Inclusive of childminders and their assistants**  In addition to wider safeguarding courses, childminders mustcomplete an **Ealing Introduction to safeguarding** course and a **refresher** course every 2 years thereafter. In addition, as the childminder is also the named Designated Safeguarding Lead (DSL), it is strongly advised they also complete the DSL training following the **Introduction to safeguarding** if a new childminder within Ealing, or a newly registered childminder. |  |  |  |
| **3.29** | An approved qualification is defined by the Department for Education as meeting the criteria set out in the Early Years Qualification Requirements and Standards document. Childminders interested in an early years qualification may find it useful to read the Early Years Qualifications List, published on GOV.uk | [**Early years qualification requirements and standards - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/early-years-qualification-requirements-and-standards)  **Updated January 2024**  [**Check early years qualifications - GOV.UK (www.gov.uk)**](https://www.gov.uk/guidance/early-years-qualifications-finder?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=a6406d10-f7ab-49fa-ac03-c6e2829291ee&utm_content=weekly)  **Updated 16 May 2024**  [**Early years qualifications achieved in the United Kingdom - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/early-years-qualifications-achieved-in-england?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=f639a164-254f-4da9-a30b-fc6274d8894c&utm_content=weekly)  **Updated 5 August 2024** |  |  |  |
| **3.30** | **Training and supervision of assistants’ skills**  Childminders are accountable for the quality of the work of any assistants and **must** be satisfied that assistants are competent to meet their roles and responsibilities. |  |  |  |  |
| **3.31** | Childminders **must** ensure that assistants receive induction training to help them understand their roles and responsibilities. Induction training **must** include information about emergency evacuation procedures, safeguarding, child protection, and health and safety issues. Childminders **must** support assistants to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves. | ***Best practice in Ealing*** |  |  |  |
| 3.32 | Childminders **must** put appropriate arrangements in place for the supervision of assistants who have contact with children, families, and carers. Effective supervision provides support, coaching, and training for the assistant 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. | Staff supervision should be an integral part of supporting staff well-being and professional development and be embedded in the continuous quality improvement cycle of the setting. |  |  |  |
| 3.33 | Supervision should provide opportunities for staff to:  • Discuss any issues – particularly concerning children’s development or well- being, including child protection concerns.  • Identify solutions to address issues as they arise.  • Receive coaching to improve their personal effectiveness |  |  |  |  |
| **Paediatric First Aid** | | | | | |
| **3.34** | At least one person who has a current paediatric first aid (PFA) certificate **must** always be on the premises and available when children are present and **must** accompany children on outings. The certificate **must** be for a full course consistent with the criteria set out in Annex A. PFA training must be renewed every three years and be relevant for people caring for young children and babies. |  |  |  |  |
| **3.35** | Childminders should consider the number of children, assistants, and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly. | **For Childminders with assistants:**  You must consider the deployment of your team when risk assessing the number of staff with PFA, inclusive of outings and school/nursery drop off and collections. |  |  |  |
| **3.36** | Childminders should make PFA certificates, or a list staff who have a current PFA certificates, available to parents on request. | Where possible this should be displayed or easily accessible in a folder alongside other important documentation such as Public Liability Insurance, LADO poster, registration certificate, Safeguarding policy and Ofsted complaints poster. |  |  |  |
| **3.37** | **English language skills**  Childminders and assistants **must** have sufficient understanding and use of English to ensure the well-being of children in their care. For example, childminders **must** be able to:  • Keep records in English.  • Liaise with other agencies in English.  • Summon emergency help.  • Understand instructions. For example, about the safety of medicines or food hygiene |  |  |  |  |
| **3.38** | **Key Person**  Each child **must** be assigned a key person. In childminding settings, the key person is the childminder, or can be an assistant where appropriate. Their role is to help ensure that every child’s care is tailored to meet their individual needs, to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents and/or carers. They should also help families and engage with more specialist support if appropriate**.** |  |  |  |  |
| **3.39** | **Staff: Child ratios**  Staffing arrangements **must** meet the needs of all children and ensure their safety. Childminders **must** ensure that children are adequately supervised, including whilst eating, and decide how to use any assistants to ensure children’s needs are met. Childminders **must** inform parents and/or carers about how any assistants are organised, and, when relevant and practical, aim to involve them in these decisions. | ***Best practice in Ealing***  Childminders with assistants **must** risk assess childminder assistant knowledge and deployment to ensure the well-being, safety and needs of children are always met. |  |  |  |
| **3.40** | Children **must** usually be within sight and hearing of the childminder and or/assistants and always within sight or hearing. Whilst eating, children **must** be within sight and hearing of the childminder and/or assistants. |  |  |  |  |
| **3.41** | The ratio requirements below apply to the total number of staff available to work directly with children. **Exceptionally,** and where the quality of care and safety and security of children is maintained, changes to the ratios may be made, but childminders cannot have more than six children under the age of eight per adult providing care. |  |  |  |  |
| **3.42** | At any one time, childminders (whether providing the childminding on domestic or non-domestic premises) may care for a maximum of six children under the age of eight. This includes the childminder’s own children and any other children for whom they are responsible, such as those being fostered. |  |  |  |  |
| **3.43** | Of these six children:  • **A maximum of three** may be young children (i.e. a child is a young child until 1st September following his or her fifth birthday).  • **There should only be one child under the age of one.** | Adult/child ratios are the minimum statutory requirements as laid out by the EYFS 2024. Childminders **must** use their own professional judgement to identify if the needs of all children are being met and if there may be circumstances where ratios need to be increased if childminders have assistants to enable the well-being and safety of children. |  |  |  |
| **3.44** | Any care provided for older children must not adversely affect the care of children receiving early years provision. |  |  |  |  |
| **3.45** | If a childminder can demonstrate to parents and/or carers and, depending on how they are registered, Ofsted inspector or their CMA, that the individual needs of all the children are being met, exceptions to the usual ratios can be made. Examples of permissible exceptions include, but are not limited to:  • When childminders are caring for siblings, or  • when caring for their own child, or  • to maintain continuity of care, or  • if children aged three to five only attend the childminding setting before and/or after a normal school day, and/or during school holidays, they may be cared for at the same time as three other young children. In all circumstances, the total number of children under the age of eight being cared for must not exceed six per adult. | There must be a clear and robust risk assessment in place if a childminder is making exceptions to the usual ratios. As identified in the EYFS 2024, this exceptions must not be applied as part of everyday practice. |  |  |  |
| **3.46** | If a childminder employs an assistant or works with another childminder, each childminder (or assistant) may care for the number of children permitted by the ratios specified above. |  |  |  |  |
| **3.47** | Children may be left in the sole care of childminders’ assistants for up to two hours in a single day. Childminders must obtain parents’ and/or carers’ permission to leave children with an assistant, including for very short periods of time. | Childminders with assistant’s must risk assess and ensure assistants have the skills, knowledge, and training to ensure the welfare and safety of children are met if they are to have sole care of children for up to 2 hours.  This must include:   * Safeguarding knowledge and training * PFA * In depth knowledge of the uniqueness of the child/children in their care inclusive or caregiving and learning and development needs. |  |  |  |
| **3.48** | For childminders providing overnight care, the ratios set out above continue to apply and the childminder **must always** be able to hear the children (this may be via a monitor). | **Ealing best practice**  Regular physical checks must be made of sleeping children to check if breathing is regular and body temperature appears normal.  Room temperature for young sleeping children should be between 16 and 20 degrees.  NHS advice [**on Sudden Infant Death Syndrome**](https://www.nhs.uk/conditions/sudden-infant-death-syndrome-sids/)**:**  NHS advice for further information on [**safety of sleeping children**](https://www.nhs.uk/conditions/baby/caring-for-a-newborn/reduce-the-risk-of-sudden-infant-death-syndrome/) |  |  |  |
| **3.49** | Suitable students on long term placements and volunteers (aged 17 or over) and those working as apprentices in early education (aged 16 or over) may be included in the ratios, if the childminder is satisfied that they are competent and responsible. |  |  |  |  |
|  | **Health** |  |  |  |  |
| **3.50** | **Medicines**  Childminders **must** promote the good health, including the oral health, of the children they look after. | Consider participating in the assisted tooth brushing programme.  (Further information can be found on the new and existing providers padlet link) |  |  |  |
| **3.51** | They **must** have a procedure, which **must** be discussed with parents and/or carers, for taking appropriate action if children are ill or infectious. This procedure must also cover the necessary steps to prevent the spread of infection. | [**Infectious diseases: education and childcare settings - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/infectious-diseases-schools-and-other-childcare-settings) **Updated 27 April 2022**  [**Guidance\_on\_infection\_control\_in schools\_poster.pdf (hscni.net)**](https://www.publichealth.hscni.net/sites/default/files/Guidance_on_infection_control_in%20schools_poster.pdf#:~:text=Guidance%20on%20infection%20control%20in%20schools%20and%20other,Room%20%28Duty%20Room%29%20on%200300%20555%200119%20or)  **2017 poster** which sets out when and for how long children need to be excluded from settings, when treatment/medication is required and where to get further advice  **Health protection in children and young people settings, including education - GOV.UK Updated 26 June 2024**  [**Managing outbreaks and incidents - GOV.UK**](https://www.gov.uk/government/publications/health-protection-in-schools-and-other-childcare-facilities/managing-outbreaks-and-incidents) **Updated 26 June 2024**  Contact details for reporting of notifiable diseases and outbreaks:  North West London Health Protection Team, Public Health England 61 Colindale Avenue, London, NW9 5EQ  Email [**phe.nwl@nhs.net**](mailto:phe.nwl@nhs.net)  Telephone 020 3326 1658  Out of hours advice 01895 238 282 |  |  |  |
| **3.52** | Childminders **must** have and implement a policy, and procedures, for administering medicines to children. It must include systems for obtaining information about a child’s needs for medicines, and for keeping this information up to date. Childminders and assistants **must** have training if the administration of medicine requires medical or technical knowledge. Prescription medicines must not be administered unless they have been prescribed for a child by a doctor, dentist, nurse, or pharmacist (medicines containing aspirin should only be given if prescribed by a doctor). | [**Guidance\_on\_infection\_control\_in schools\_poster.pdf (hscni.net)**](https://www.publichealth.hscni.net/sites/default/files/Guidance_on_infection_control_in%20schools_poster.pdf#:~:text=Guidance%20on%20infection%20control%20in%20schools%20and%20other,Room%20%28Duty%20Room%29%20on%200300%20555%200119%20or) **2017** which sets out when and for how long children need to be excluded from settings, when treatment/medication is required and where to get further advice.  Here is support for development of policy and practice. [**Prescribing over-the-counter medicines in nurseries and schools (bma.org.uk)**](https://www.bma.org.uk/advice-and-support/gp-practices/managing-workload/prescribing-over-the-counter-medicines-in-nurseries-and-schools) **Updated 28 June 2024** |  |  |  |
| **3.53** | Medicine (both prescription and non-prescription) **must** only be administered to a child where written permission for that medicine has been obtained from the child’s parent and/or carer. Childminders **must** keep a written record each time a medicine is administered to a child, and inform the child’s parents and/or carers on the same day the medicine has been taken, or as soon as reasonably practicable. | * Ensure prescribed medicines have a current, recently prescribed date. * Information is recorded on any medicines prescribed prior to the child attending the setting. (for example, the dose amount and time given at home prior to child arriving) |  |  |  |
| **3.54** | **Food and Drink**  Where children are provided with meals, snacks, and drinks, these **must** be healthy, balanced and nutritious. Before a child is admitted to the setting the childminder **must** obtain information about any special dietary requirements, preferences, and food allergies that the child has, and any special health requirements. Fresh drinking water **must always** be available and accessible to children. Childminders **must** record and act on information from parents and carers about a child's dietary needs. | Eat Better Start Better Guidance Action for Children document for best practice in Early Years Settings  [**Eat Better, Start Better - Foundation Years**](https://foundationyears.org.uk/eat-better-start-better/)  Public Health England 2017 guidance on [**Menus in Early Years Settings**](https://www.gov.uk/government/publications/example-menus-for-early-years-settings-in-england?utm_source=Foundation+Years&utm_campaign=581138ac79-EMAIL_CAMPAIGN_2017_11_13&utm_medium=email&utm_term=0_e05004a334-581138ac79-295950237) |  |  |  |
| **3.55** | **Food and drink facilities**  There **must** be an area adequately equipped to provide healthy meals, snacks and drinks for children as necessary. There **must** be suitable facilities for the hygienic preparation of food for children, if necessary, including suitable sterilisation equipment for babies’ food. Childminders **must** be confident that they, or any assistants responsible for preparing and handling food, are competent to do so. Section 4 of ‘Example menus for early years settings in England’ includes guidance on menu planning, food safety, managing food allergies and reading food labels, which childminders and assistants preparing food will find helpful in ensuring that children are kept safe. | [**Eat Better, Start Better - Foundation Years**](https://foundationyears.org.uk/eat-better-start-better/)for best practice in Early Years Settings  Public Health England 2017 guidance on [**Menus in Early Years Settings**](https://www.gov.uk/government/publications/example-menus-for-early-years-settings-in-england?utm_source=Foundation+Years&utm_campaign=581138ac79-EMAIL_CAMPAIGN_2017_11_13&utm_medium=email&utm_term=0_e05004a334-581138ac79-295950237)  **Updated 15 August 2024**  [**SACN report: feeding young children aged 1 to 5 years - GOV.UK (www.gov.uk)**](https://www.gov.uk/government/publications/sacn-report-feeding-young-children-aged-1-to-5-years?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=de0a41e3-8b2f-440c-a47b-a53050cf2c67&utm_content=weekly)  **Updated 8 May 2024**  Childminders with assistants **must** consider the supervision of children whilst they are eating in relation to ratio requirements and risk assessments to identify if additional staff are required to ensure children’s safety.  [**https://www.food.gov.uk/business-industry/food-hygiene**](https://www.food.gov.uk/business-industry/food-hygiene)  **Last updated August 2023**  [Food Standards Agency Allergy Guidance](https://www.food.gov.uk/business-industry/allergy-guide/allergen-resources) upda**ted 8 July 2024** |  |  |  |
| **3.56** | **Food Poisoning**  Depending on how they are registered, childminders **must** notify Ofsted or their CMA of any food poisoning affecting two or more children cared for on the premises. This **must** be done as soon as is reasonably practical, but in any event within 14 days of the incident. A childminder who, without reasonable excuse, doesn’t meet this requirement commits an offence. | Childminders must also inform and seek advice from the Local Health Protection Team in all instances of 2 or more cases of food poisoning.  North West London Health Protection Team Public Health England 61 Colindale Avenue London, NW9 5EQ  Email [phe.nwl@nhs.net](mailto:phe.nwl@nhs.net)  Telephone 020 3326 1658  Out of hours advice 01895 238 282 |  |  |  |
| **Supporting and understanding children’s behaviour** | | | | | |
| **3.57** | Childminders are responsible for supporting, understanding, and managing children’s behaviour in an appropriate way. | ***Best practice in Ealing***  Understanding children’s behaviour training completed by childminders and cascaded to childminder assistants where relevant. |  |  |  |
| **3.58** | Childminders must not give or threaten corporal punishment or any punishment which could negatively affect a child's well-being. Childminders **must** take reasonable steps to ensure that corporal punishment is not given by anyone who is caring for or is in regular contact with a child, or by anyone living or working in the premises where the childminding is taking place. Any childminder who doesn’t meet these requirements commits an offence. A person will not be considered to have used corporal punishment (and therefore will not  have committed an offence), if physical intervention  was taken to avert immediate danger of personal injury to any person (including the child) or to manage a child’s behaviour if necessary. | Policies and procedures of the setting **must** be followed, inclusive of:   * thorough induction and training regarding supporting and understanding of children’s behaviour and chosen forms of communication. * Appropriate handling of children to avert danger and injury |  |  |  |
| **3.59** | Childminders **must** keep a record of any occasion where physical intervention is used, and parents and/or carers must be informed on the same day, or as soon as reasonably practicable. | Parents/carers should be informed on the day of the incident. |  |  |  |
| **3.60** | **Special Educational Needs**  Childminders **must** have arrangements in place to support children with Special Educational Needs and Disabilities (SEND). Childminders are encouraged to identify a person to act as a SENCO (SEND coordinator). Childminders who are registered with a CMA, or who are part of a network, may wish to share the role between them. Childminders may find it helpful to familiarise themselves with the early years section of the SEND Code of Practice. | [**https://www.gov.uk/government/publications/send-guide-for-early-years-settings**](https://www.gov.uk/government/publications/send-guide-for-early-years-settings)  **SEND code of Practice updated 2015**  [**https://www.gov.uk/government/publications/send-code-of-practice-0-to-25**](https://www.gov.uk/government/publications/send-code-of-practice-0-to-25)  **Last updated April 2020**  **Equality Act 2010**  [**Equality Act 2010: guidance - GOV.UK (www.gov.uk)**](https://www.gov.uk/guidance/equality-act-2010-guidance)  ***Best practice in Ealing***  Attend EHAP (Early Help Assessment and Plan) training to be familiar with processes for providing early support and interventions with parental consent.  [**https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/home.page**](https://www.ealingfamiliesdirectory.org.uk/kb5/ealing/directory/home.page) |  |  |  |
|  | **Safety and suitability of premises, environment, and equipment** |  |  |  |  |
| **3.61** | **Accident and injury**  Childminders **must** ensure a first aid box with appropriate items for use on children is always accessible. Childminders **must** keep a written record of accidents or injuries and first aid treatment. Childminders **must** inform parents and/or carers of any accident or injury sustained by the child on the same day as, or as soon as reasonably practicable after, of any first aid treatment given. |  |  |  |  |
| **3.62** | Depending on how they are registered, childminders **must** notify Ofsted or their CMA of any serious accident, illness, or injury to, or death of, any child while in their care, and of the action taken. This **must** be done as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A childminder who, without reasonable excuse, doesn’t meet this requirement commits an offence. Childminders **must** notify local child protection agencies of any serious accident or injury to, or the death of, any child while in their care, and **must** act on any advice from those agencies. | **Health and Safety Executive**  **COSHH**  [**Control of Substances Hazardous to Health (COSHH) - HSE**](https://www.hse.gov.uk/coshh/)  **RIDDOR**  [**RIDDOR - Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 - HSE**](https://www.hse.gov.uk/riddor/)  For referrals around concerns: Ealing’s Children’s Integrated Response Service  ECIRS: **0208 825 8000**  For referrals around concerns around a professional of volunteer:  Your Local Authority Designated Officer (LADO) for Allegation Against staff or volunteers (ASV)  LADO: **020 8825 8930**  Child Protection Advisor line: **020 8825 8930**  Please review contact details to ensure you have the correct named people and ensure documentation reflects up to date details. |  |  |  |
| **3.63** | **Safety of premises**  Childminders **must** ensure that their premises, including overall floor space and outdoor spaces, are fit for purpose and suitable for the age of children cared for and the activities provided on the premises. Childminders **must** comply with requirements of health and safety legislation, including fire safety and hygiene requirements. | [**https://www.gov.uk/government/collections/fire-safety-guidance**](https://www.gov.uk/government/collections/fire-safety-guidance)  **last updated December 2023** |  |  |  |
| **3.64** | Childminders must take reasonable steps to ensure the safety of children, assistants, and others on the premises in the case of fire or any other emergency. Childminders must have:  • An emergency evacuation procedure.  • Appropriate fire detection and control equipment (for example, fire alarms, smoke detectors, fire blankets and/or fire extinguishers) which is in working order.  Fire exits must be clearly identifiable, and fire doors are free of obstruction and easily opened from the inside. | **Childminders are required to have written fire risk assessments.**  The amendment of the Regulatory Reform (Fire safety) order 2005 will place new legal duties on responsible persons (RPs) to record their fire risk assessments in full. The amendment changes the previous requirement of having a written fire risk assessment only where there are five or more employees to include all premises, regardless of the number of employees. This means no matter what size your organisation you are; you will have to record the findings of your fire risk assessment’ |  |  |  |
| **3.65** | **Indoor space requirements**  The premises and equipment must be organised in a way that meets the needs of children. Providers must meet the following indoor space requirements where indoor activity in a building(s) forms the main part of (or is integral) to the provision:  • Children under two years: 3.5m2 per child.  • Two year olds: 2.5m2 per child.  • Children aged three to five years: 2.3m2 per child. |  |  |  |  |
| **3.66** | These judgements should be based on useable areas of the rooms used by the children, not including storage areas, thoroughfares, dedicated staff areas, cloakrooms, utility rooms, and toilets. Childminders should consider what areas within their kitchens are safely usable. |  |  |  |  |
| **3.67** | Where the space standards are applied, childminders cannot increase the number of children on roll because they additionally use an outside area. Exclusively (or almost exclusively) outdoor provision is not required to meet the space standards above as long as children’s needs can be met. For this kind of provision, indoor space requirements can be used as a guide for the minimum area needed. |  |  |  |  |
| **3.68** | **Outdoor Access**  Childminders **must** provide access to an outdoor play area. If that is not possible, they **must** ensure that outdoor activities are planned and taken daily (unless circumstances make this inappropriate, for example unsafe weather conditions). Childminders must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments). | **Equality Act 2010**  [**Equality Act 2010: guidance - GOV.UK (www.gov.uk)**](https://www.gov.uk/guidance/equality-act-2010-guidance)  **Last updated June 2015** |  |  |  |
| **3.69** | **Sleeping arrangements**  Sleeping children **must** be frequently checked to ensure that they are safe. Being safe includes ensuring that cots and bedding are in good condition and suited to the age of the child, and that babies are placed down to sleep safely in line with the latest government safety guidance:  Sudden infant death syndrome (SIDS) - NHS (www.nhs.uk). Childminders may also find it helpful to read NHS advice on safety of sleeping children: Reduce the risk of sudden infant death syndrome (SIDS) - NHS (www.nhs.uk). | ***Best practice in Ealing***  Childminders/childminder assistants to be in sight and sound of sleeping children as best practice. Frequent checks of sleeping children, particularly babies, must include physical touch to check body heat and breathing.  NHS advice [**on Sudden Infant Death Syndrome**](https://www.nhs.uk/conditions/sudden-infant-death-syndrome-sids/)**:**  NHS advice for further information on [**safety of sleeping children**](https://www.nhs.uk/conditions/baby/caring-for-a-newborn/reduce-the-risk-of-sudden-infant-death-syndrome/) |  |  |  |
| **3.70** | **Toilets and intimate hygiene**  Childminders **must** ensure:  • There is an adequate number of toilets and hand basins available.  • There are suitable hygienic changing facilities for changing any children who are in nappies.  • There is an adequate supply of clean bedding, towels, spare clothes, and any other necessary items. | Bedding for each child to be stored separately when not in use, to ensure there is no risk of cross contamination of germs. |  |  |  |
| **3.71** | **Organising premises for confidentiality and safeguarding**  Childminders **must** ensure that:  • On request, they can make available an area where they may talk to parents and/or carers confidentially.  • Children are only released into the care of individuals of whom the parent has explicitly notified the childminder.  • Children do not leave the premises unsupervised.  • They take all reasonable steps to prevent unauthorised persons entering the premises and have an agreed procedure for checking the identity of visitors.  • They consider what additional measures are necessary when children stay overnight. |  |  |  |  |
| **3.72** | **Insurance**  Childminders **must** carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childminding. | ***Best practice in Ealing***  Public liability insurance, OFSTED registration certificate and other safeguarding documentation visible or available to parents and other service users. |  |  |  |
| **3.73** | **Safety and Outings**  Children **must** be kept safe while on outings. Childminders **must** assess potential risks or hazards for the children and **must** identify the steps to be taken to remove, minimise, and manage those risks and hazards. The assessment **must** include consideration of adult to child ratios. The risk assessment does not necessarily need to be in writing; this is up to childminders. |  |  |  |  |
| **3.74** | Vehicles transporting children, and the driver of those vehicles, **must** be adequately insured. |  |  |  |  |
| **3.75** | **Risk assessments**  Childminders **must** ensure that they take all reasonable steps to ensure that children in their care, and any assistants, are not exposed to risks and must be able to demonstrate how they are managing risks. Childminders **must** determine where it is helpful to make some written risk assessments in relation to specific issues, to inform their practice, and to demonstrate how they are managing risks if asked by parents and/or carers or inspectors. Risk assessments should identify aspects of the environment that need to be checked on a regular basis, when and by whom those aspects will be checked, and how the risk will be removed or minimised. | **Best practice in Ealing**  Written risk assessments further support consistency of practice and accountability for all practitioners/service providers and service users.  Although it is not a statutory requirement, childminders may find written risk assessments support self-evaluation and mitigating of risk  Further considerations for health and safety needs of building and all users  Health and Safety Executive.  [**Managing risks and risk assessment at work – Overview -HSE**](https://www.hse.gov.uk/simple-health-safety/risk/index.htm) |  |  |  |
| **3.76** | **Information and record keeping**  Childminders **must** maintain records, obtain and share relevant information (with parents and carers, other professionals working with the child, the police, social services and Ofsted or their CMA, as appropriate). This is to ensure their setting is safe and efficiently managed, and the needs of all children are met. Childminders **must** enable a regular two-way flow of information with parents and/or carers (and between other providers if a child is attending more than one setting). If requested, childminders should incorporate parents’ and/or carers’ comments into children’s records. | ***Best practice in Ealing***  **Updated September 2023**  If for any purpose a childminder is removing children’s records from their home/setting, please ensure this is a secure lockable wallet/case. |  |  |  |
| **3.77** | Records **must** be easily accessible and available (these may be kept securely off the premises). Confidential information and records about staff and children **must** be held securely and only accessible and available to those who have a right or professional need to see them. Childminders **must** be aware of their responsibilities under the Data Protection Legislation and, where relevant, the Freedom of Information Act 2000. | ***Best practice in Ealing***  Expectation of parent /professional verbal/written contract shared and agreed as part of registration and induction process.  [**Guidance on sharing information with relevant services when there are safeguarding concerns**](https://www.gov.uk/government/publications/safeguarding-practitioners-information-sharing-advice)  Guidance on Cyber Security  [**Early Years practitioners: using cyber security to protect... - NCSC.GOV.UK**](https://www.ncsc.gov.uk/guidance/early-years-practitioners-using-cyber-security-to-protect-your-settings)  [**Data protection regulations 2018**](https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation) |  |  |  |
| **3.78** | Childminders **must** ensure that they and any assistants understand the need to protect the privacy of the children in their care, as well the legal requirements that exist to ensure that information relating to the child is handled in a way that ensures confidentiality. Parents and/or carers **must** be given access to all records about their child, provided that no relevant exemptions apply to their disclosure under the Data Protection Act. | **[Information Commissioners Office](https://ico.org.uk/for-organisations/education/)**  **[Registering under the data Protection Act.](https://ico.org.uk/for-organisations/education/)** |  |  |  |
| **3.79** | Records relating to individual children **must** be retained for a reasonable period after they have left the provision. | Ofsted: General records for 2 years.  For guidance for retention of records for children subject to Child Protection plans/Children in need plans and looked after children please refer to NSPCC guidance below.  [**NSPCC Guidance on child protection records retention and storage**](https://learning.nspcc.org.uk/research-resources/briefings/child-protection-records-retention-storage-guidance/) |  |  |  |
| **3.80** | **Information about the child**  Childminders **must** record the following information for each child in their care:  • Full name.  • Date of birth.  • Name and address of every parent and/or carer who is known to the childminder.  • Information about any other person who has parental responsibility for the child.  • Which parent(s) and/or carer(s) the child normally lives with.  • Emergency contact details for parents and/or carers. | ***Best practice in Ealing***  Childminders with assistants  Daily registers record the time a child is handed over to a practitioner at the beginning of the session and by whom and who is expected to collect the child at the end of the session/day.  Regular head counts are taken throughout the day in addition to formal register to have accurate information of current number of children on site and ensure at least minimum ratio requirements are met. |  |  |  |
| **3.81** | **Information for parents and carers**  Childminders **must** share the following information with parents and/or carers:  • How the EYFS is being delivered in the setting, and how parents and/or carers can access more information.  • The range and type of activities and experiences provided for children, the daily routines of the setting, and how parents and/or carers can share learning at home.  • How the setting supports children with special educational needs and disabilities.  • Food and drinks provided for children.  • Details of their policies and procedures, including the procedure to be followed in the event of a parent and/or carer failing to collect a child at the appointed time, or in the event of a child going missing at, or away from, the setting.  • How staffing at the setting is organised (for example, whether the childminder has an assistant).  • The name of the child’s key person and their role.  • A telephone number for parents and/or carers to contact the childminder in an emergency. | This information should be shared as part of a robust induction process at point of registration and be embedded in your transition procedures. |  |  |  |
| **3.82** | **Complaints**  Childminders are not required to have a written procedure for handling complaints, but they **must** keep a record of any complaints they receive and their outcome. Childminders **must**:  • Investigate written complaints relating to how they are fulfilling the EYFS requirements.  • Notify the person who made the complaint of the outcome of the investigation within 28 days of having received the complaint.  • Make the record of complaint/s available to Ofsted or the relevant CMA on request. | ***Best practice in Ealing***  Childminders to seek support and guidance from the local authority if a significant complaint has been made. |  |  |  |
| **3.83** | Childminders **must** make available to parents and/or carers the details about how to contact Ofsted or their CMA as appropriate, if they believe the childminder is not meeting the EYFS requirements. | Childminders should display the current Ofsted complaints poster in a place which is accessible to parents/carers and ensure parents/ carers are aware of the complaints process as part of the induction into the setting at point of registration. |  |  |  |
| **3.84** | **Inspection and quality assurance visits**  If a childminder becomes aware that they are to be inspected by Ofsted or have a quality assurance visit by the CMA, they **must** notify parents and/or carers. After an inspection by Ofsted or a quality assurance visit by their CMA, childminders must supply a copy of the report to parents and/or carers of children attending on a regular basis of the outcome. | If childminders receive an inspection judgement of ‘requires Improvement’ or ‘Inadequate’ from their Ofsted inspection, they must inform the Local Authority as soon as possible, to enable the early years team to provide support and guidance. |  |  |  |
| **3.85** | **Information about the childminder**  Childminders **must** hold the following documentation:  • Their name, home address and telephone number and any other person living or employed on the premises.  • Name, home address and telephone number of anyone else who will regularly be in unsupervised contact with the children attending the early years provision.  • A daily record of the names of the children being cared for on the premises, their hours of attendance, and the names of each child's key person (if this is not the childminder themselves).  • Their certificate of registration (which can be displayed digitally, for example on a childminder’s website, and **must** be made available to parents and/or carers on request). |  |  |  |  |
| **3.86** | **Changes that must be notified to Ofsted or the relevant childminder agency (CMA)**  Depending on how they are registered, all childminders **must** notify either Ofsted or their CMA of any change:  • In the address of the premises (and seek approval to operate from those premises where appropriate).  • To the premises which may affect the space available to children and the quality of childcare available to them.  • In the name or address of the childminder, or the childminder’s other contact information.  • In the persons aged 16 years or older living or working on any domestic premises from which childminding is provided or to the persons caring for children on any premises where childminding is provided.  • Any proposal to change the hours during which childcare is to be provided which will entail the provision of overnight care.  • Any significant event which is likely to affect the suitability of the childminder to look after children.  • Any significant event which is likely to affect the suitability of any person who cares for, or/is in regular contact with, children on the premises on which childminding is provided. |  |  |  |  |
| **3.87** | **Other legal duties**  The EYFS requirements sit alongside other legal obligations and do not supersede or replace any other legislation which childminders **must** still meet. Other duties on providers include:  • Employment laws.  • Anti-discrimination legislation.  • Health and safety legislation.  • Data collection regulations.  • Duty of care |  |  |  |  |