**The safeguarding and Welfare Requirements of the EYFS 2014 (PVI and maintained)**

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|  | **Introduction** | **Procedures/Documents/publications to effect practice** | **Comments/Action** |
| **3.1** | Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them. The safeguarding and welfare requirements, specified in this section, are designed to help providers create high quality settings which are welcoming, safe and stimulating, and where children are able to enjoy learning and grow in confidence. | Having an ethos and vision for your setting drives practice |  |
| **3.2** | 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 suitability of adults who have contact with children; promote good health; manage behaviour; and maintain records, policies and procedures. |  |  |
| **3.3** | Schools are not required to have separate policies to cover EYFS requirements provided the requirements are already met through an existing policy. Where providers are required to have policies and procedures as specified below, these policies and procedures should be recorded in writing. |  |  |
|  | **Child protection** |  |  |
| **3.4** | Providers must be alert to any issues for concern in the child’s life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB). The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting. | * Safeguarding /child protection policy including procedures for allegations against staff * Working together to Safeguard Children * Ealing Child Protection Procedures (Yellow Book) * ICT safe use policy including use of mobile phones and cameras * All about me |  |
| **3.5** | A practitioner must be designated to take lead responsibility for safeguarding children in every setting. The lead practitioner is responsible for liaison with local statutory children’s services agencies, and with the LSCB. They must provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issue as required. The lead practitioner must attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect (as described at paragraph 3.6). | * Assign a Nominated Safeguarding Person (NSP) (good practice to have a Deputy for the role) * Introduction to Safeguarding/Child protection training, and the NSP training. * Managing allegations against people who work with children and Attending and preparing for case conferences and core group meetings also recommended [ESCBtraining@ealing.gov.uk](mailto:ESCBtraining@ealing.gov.uk) Tel: 020 8825 9892 |  |
| **3.6** | Providers must train all staff to understand their safeguarding policy and procedures, and ensure that all staff have up to date knowledge of safeguarding issues. Training made available by the provider must enable staff to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:   * significant changes in children's behaviour; * deterioration in children’s general well-being; * unexplained bruising, marks or signs of possible abuse or neglect; * children’s comments which give cause for concern; * any reasons to suspect neglect or abuse outside the setting, for example in the child’s home; and/or * inappropriate behaviour displayed by other members of staff, or any other person working with the children. For example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images. | * *Training must take account of any advice from the LSCB or LA on appropriate courses* * Introduction to Safeguarding/Child protection training or * Safeguarding /Child protection an Introduction or Safeguarding /Child protection a refresher to be updated every two years * Induction programme for all new staff covering safeguarding policy and procedures * Follow safe recruitment process including: * Application forms reflecting all guidance in Ealing’s Safe Recruitment Guidance * 2 references, * DBS checks, |  |
| **3.7** | Providers must have regard to the Government's statutory guidance ‘Working Together to Safeguard Children 2013’. If providers have concerns about children's safety or welfare, they must notify agencies with statutory responsibilities without delay. This means the local children's social care services and, in emergencies, the police. | * Preferably a printed copy of ‘Working Together to Safeguard children 2013’ made available to all staff onsite   <https://www.gov.uk/government/publications/working-together-to-safeguard-children> |  |
| **3.8** | Registered providers must inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). Registered providers must also notify Ofsted of the action taken in respect of the allegations. These notifications must be made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made. A registered provider who, without reasonable excuse, fails to comply with this requirement, commits an offence. | * Contact details of the Local Authority Designated Officer (LADO) – Ruth Lacey [laceyr@ealing.gov.uk](mailto:laceyr@ealing.gov.uk) Tel: 020 8825 8364 * Contact details of OFSTED * Ealing children’s Response Service (ECIRS) 020 8825 8000 |  |
|  | **Suitable People** |  |  |
| **3.9** | Providers must ensure that people looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that practitioners, and any other person who is likely to have regular contact with children (including those living or working on the premises), are suitable. | * Safe recruitment procedures and process – Ealing produces Safer Recruitment Guidance   <http://www.ealingcvs.org.uk/documents/guidance/final%20-%20safe%20recruitment%20guidance%20booklet.pdf>   * Suitably qualified staff and those deemed who are deemed competent * Procedure for staff support and supervision and appraisals address continued suitability issues * Up to date staff personnel files |  |
| **3.10** | Providers must obtain an enhanced criminal records disclosure in respect of every person aged 16 and over who:   * works directly with children; * lives on the premises on which the childcare is provided; and/or * works on the premises on which the childcare is provided (unless they do not work on the part of the premises where the childcare takes place, or do not work there at times when children are present). | * Register with a DBS agent * Obtain a DBS check for all persons 16 or over as described * *The requirement for a criminal check will be deemed to have been met in respect of all people living or working in childcare settings, whose suitability was checked by Ofsted or their LA before October 2005* |  |
| **3.11** | Providers must tell staff that they are expected to 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). Providers must not allow people whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for. | * The recruitment process records disclaimer statements confirming that all staff have no convictions, cautions etc that may affect their suitability. * Staff support and supervision systems monitor continued suitability during supervision and or appraisals |  |
| **3.12** | Providers must record information about staff qualifications and the identity checks and vetting processes that have been completed (including the criminal records disclosure reference number, the date a disclosure was obtained and details of who obtained it). | * Have a single central record in place for all staff |  |
| **3.13** | Providers must also meet their responsibilities under the Safeguarding Vulnerable Groups Act 2006, which includes a duty to make a referral to the Disclosure and Barring Service where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm. | * File the factsheet on the vulnerable groups Act for information. * In the event of a practitioner leaving the setting for the reasons set out in 3.13, refer the matter to the DBS |  |
|  | **Disqualification (all registered providers and employees in registered settings)** |  |  |
| **3.14** | A registered provider or a childcare worker may be disqualified from registration. In the event of the disqualification of a registered provider, the provider must not continue as an early years provider – nor be directly concerned in the management of such provision. Where a person is disqualified, the provider must not employ that person in connection with early years provision. Where an employer becomes aware of relevant information that may lead to disqualification of an employee, the provider must take appropriate action to ensure the safety of children. | * A disqualified registered provider must not continue as an early years provider * Registered providers must not employ a disqualified person in connection with EY provision * Providers must take steps to keep children safe when they become aware of relevant information that may lead to the disqualification of an employee – actions may include suspension, or removal of staff from direct contact with children |  |
| **3.15** | A registered provider or a childcare worker 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. | * Make all staff aware of the fact that they may be disqualified because:   - they live in the same household as another person who is disqualified, or  - they live in the same household where a disqualified person is employed.   * Monitor through supervision and appraisals |  |
| **3.16** | A provider must notify Ofsted 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 employee could be an instance of a significant event. If a registered person or childcare worker is disqualified they may, in some circumstances, be able to obtain a ‘waiver’ from Ofsted. | * Notify Ofsted of any significant event which is likely to affect the suitability of staff, e.g. a disqualification |  |
| **3.17** | The provider must give Ofsted the following information about themselves or about any person who lives in the same household as the registered provider or who is employed in the household:   * 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; and * a certified copy of the relevant order (in relation to an order or conviction). | * check list of information required when providing information regarding a significant event as detailed in 3.16 |  |
| **3.18** | The information must be provided to Ofsted as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries. | * Keep within a timeframe of 14 days for submitting information |  |
|  | **Staff taking medication/other substances** |  |  |
| **3.19** | Practitioners must not be under the influence of alcohol or any other substance which may affect their ability to care for children. If practitioners are taking medication which may affect their ability to care for children, those practitioners should seek medical advice. Providers must ensure that those practitioners only work directly with children if medical advice confirms that the medication is unlikely to impair that staff member’s ability to look after children properly. Staff medication on the premises must be securely stored, and out of reach of children, at all times. | * Medical checks where appropriate, and self-health declarations to identify health support needs * Procedures for managing staff medicines * Staff hand books * Code of conduct for staff |  |
|  | **Staff qualifications, training, support and skills** |  |  |
| **3.20** | The daily experience of children in early years settings and the overall quality of provision depends on all practitioners having appropriate qualifications, training, skills and knowledge and a clear understanding of their roles and responsibilities. Providers must ensure that all staff receive induction training to help them understand their roles and responsibilities. Induction training must include information about emergency evacuation procedures, safeguarding, child protection, the provider’s equality policy, and health and safety issues. Providers must support staff to undertake appropriate training and professional development opportunities to ensure they offer quality learning and development experiences for children that continually improves. | * Check validity of all qualifications on the qualifications finder at recruitment * Staged and documented staff induction * Procedure for managing the probationary period * Staff training development program (CPD)   **Helpful contacts:**  [trainingsupport@ealing.gov.uk](mailto:trainingsupport@ealing.gov.uk) for CPD online  [ESCBtraining@ealing.gov.uk](mailto:ESCBtraining@ealing.gov.uk) for a range of safeguarding/child protection related training |  |
| **3.21** | Providers 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. | * Templates to record supervision meetings * Templates to document appraisal records * Schedules for supervision and appraisals * Planned time and suitable location which provide privacy and comfort. For meetings |  |
| **3.22** | 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 | * plan supervisions ahead of time * make available a private and comfortable environment without interruptions * supervision is effective when both the supervisor and practitioner understand and agree the purpose and effect of the exercise |  |
| **3.23** | 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. | * Check staff qualifications (originals) and keep copies in personnel files * *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 (this does not affect practitioners with currently approved L3 qualifications)* |  |
| **3.24** | Childminders only |  |  |
| **3.25** | At least one person who has a current paediatric first aid certificate must be on the premises and available at all times when children are present, and must accompany children on outings. Paediatric first aid training must be relevant for workers caring for young children and where relevant, babies. Providers should take into account the number of children, staff and layout of premises to ensure that a paediatric first aider is able to respond to emergencies quickly. | * *Providers can choose which organisation they wish to provide the training (preferably one with a nationally approved and accredited first aid qualification or one that is a member of a trade body with an approved and monitoring scheme) but the training must cover the course content for St John ambulance or Red cross paediatric first aid training* * Renew training every three years |  |
| **3.26** | Providers must ensure that staff have sufficient understanding and use of English to ensure the well-being of children in their care. For example, settings must be in a position to keep records in English, to liaise with other agencies in English, to summon emergency help, and to understand instructions such as those for the safety of medicines or food hygiene. | * Recruitment process includes assessment of Maths and English skills * New Level 3 qualifications; Early Years Educator, were set out by More Great Childcare in January 2013. From 1-8-14, the Early Years Educator training will require GCSE English and Maths at Grades C or above on entry. Al staff holding the new Early Years Educator training qualifications must also have achieved GCSE. At grade C or above. * Staff holding existing qualifications will still be able to practice. The new requirements will not be applied retrospectively |  |
|  | **Key person** |  |  |
| **3.27** | Each child must be assigned a key person. Their role is to help ensure that every child’s care is tailored to meet their individual needs (in accordance with paragraph 1.10), to help the child become familiar with the setting, offer a settled relationship for the child and build a relationship with their parents. | * Display Key Persons list * Introduce parents to their child’s key person and inform them of the roles of the key person * Ensure Key persons understands their role as outlined in paragraph 1.10 |  |
|  | **Staff: Child ratios** |  |  |
| **3.28** | Staffing arrangements must meet the needs of all children and ensure their safety. Providers must ensure that children are adequately supervised and decide how to deploy staff to ensure children’s needs are met. Providers 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. | * Arrangements to meet Special Educational Needs and Disability (SENDA) * Link with SEN EYC where setting requires additional support to meet needs of individual children * Parents are kept informed of room allocations, room /team leaders and key persons * Staff ratios are maintained at al times |  |
| **3.29** | 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. | * Safe recruitment procedures * management assesses and makes a decision on competence of apprentices, students and volunteers included in ratios |  |
| **3.30** | The ratio and qualification requirements below apply to the total number of staff available to work directly with children. For group settings providing overnight care, the relevant ratios continue to apply and at least one member of staff must be awake at all times. Exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made. | * *Ofsted may determine that providers must observe a higher staff:child ratio than outlined here to ensure the safety and welfare of children* |  |
|  | **Early Years providers** |  |  |
| **3.31** | 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. | **UNDER TWOS:**   * Team leader in the under twos room must have suitable experience in working with babies * Half of staff working with babies must attend the ‘Birth and beyond’ training available on CPD online [trainingsupport@ealing.gov.uk](mailto:trainingsupport@ealing.gov.uk) * One adult to 3 children * At least one staff holds a level 3 qualification * at least half of all other staff must hold a full and relevant level 2 qualification |  |
| **3.32** | 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. | **TWO YEAR OLDS:**   * 1 staff to 4 children * One staff holds a level 3 qualification * At least half of staff hold a level 2 qualification |  |
| **3.33** | 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 children:   * 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. | **THREE YEAR OLDS:**   * Where there is a QTS, EYP or other suitable Level 6, 1 adult to 13 children * At least one staff must hold a level 3 qualification |  |
| **3.34** | 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. | **THREE YEAR OLDS WHERE NO QTS, EYPS** or other level 6 in registered settings running outside 8-4 and within 8-4   * 1 staff to 8 children * 1 staff holds a level 3 * at least half of staff hold a level 2 |  |
| **3.35** | 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 instructor, 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. | **CHILDREN OVER 3 IN INDEPENDENT SCHOOLS WHERE THERE IS A QTS, EYPS** level 6 or overseas qualified teacher working directly with children:   * where majority of children will reach five within the school year, 1 staff to 30 children * for all other classes; 1 staff to 13 * one staff must hold a level 3 qualification |  |
| **3.36** | 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. | **CHILDREN AGED THREE AND OVER IN INDEPENDENT SCHOOLS** where there is no QTS, EYPS, EY teacher or other level 6, or overseas trained teacher :   * 1 staff to 8 children * one staff must hold a level 3 qualification * half of all other staff must hold a full and relevant level 2 qualification. |  |
| **3.37** | 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 children; * at least one member of staff must be a school teacher as defined by section 122 of the Education Act 2002; and 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.  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. See also the Education (School Teachers’ Prescribed Qualifications, etc) Order 2003 and the Education (School Teachers’ Qualifications) (England) Regulations 2003.   * at least one other member of staff must hold a full and relevant level 3 qualification. | **CHILDREN AGED THREE AND OVER IN MAINTAINED NURSERY SCHOOLS AND NURSERY CLASSES IN MAINTAINED SCHOOLS:**   * one member of staff for every 13 children; * at least one member of staff must be a school teacher   **WHERE CHILDREN IN NURSERY 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:**   * 1 staff to 8 children * 1 staff must hold a level 3 * Half of staff must hold a level 2 * At least one other staff must hold a level 3 |  |
| **3.38** | 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 teacher 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 teacher. | * Class sizes must be limited to 30 children |  |
| **3.39** | 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 providers must meet the relevant ratio requirements for their provision | * In mixed groups, consider all relevant ratio requirements and needs of individual children |  |
| **3.40** | **Before/after school care and holiday provision only** |  |  |
| **3.41** | **3.41 to 3.43 Childminders only** |  |  |
|  | **Health Medicines** |  |  |
| **3.44** | The provider must promote the good health of children attending the setting. They must have a procedure, discussed with parents and/or carers, for responding to children who are ill or infectious, take necessary steps to prevent the spread of infection, and take appropriate action if children are ill. | * Guidance on infection control in schools and other childcare settings (Health Protection Agency) * Health care plans |  |
| **3.45** | Providers must have and implement a policy, and procedures, for administering medicines. It must include systems for obtaining information about a child’s needs for medicines, and for keeping this information up-to-date. Training must be provided for staff where the administration of medicine requires medical or technical knowledge. Medicines must not usually 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). | * Managing Medicines in Schools and Early Years Settings (DfES 2005)   <http://publications.teachernet.gov.uk/eOrderingDownload/1448-2005PDF-EN-02.pdf>   * Administering medicines policy and procedures |  |
| **3.46** | Medicine (both prescription and non-prescription) must only be administered to a child where written permission for that particular medicine has been obtained from the child’s parent and/or carer. Providers 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, or as soon as reasonably practicable. | * Medication record book/sheets * Protocol for administering medicines * Arrangement for parents’ permission to seek medical treatment; administer medicines including in an emergency |  |
|  | **Food and drink** |  |  |
| **3.47** | Where children are provided with meals, snacks and drinks, they must be healthy, balanced and nutritious. Before a child is admitted to the setting the provider must also obtain information about any special dietary requirements, preferences and food allergies that the child has, and any special health requirements. Fresh drinking water must be available and accessible at all times. Providers must record and act on information from parents and carers about a child's dietary needs. | * Balanced and nutritious meals and snacks from the following food groups: * Meat, fish and protein alternatives * Milk and dairy products * Cereals and grains * Fresh fruit and vegetables. * Menus displayed for parents * Dietary requirements obtained at registration and documented * Dietary requirements displayed for staff and kitchen staff * Fresh drinking water is available and accessible to children at all times * Regulation (EC) 852/2004 of the European Parliament and Council on the hygiene of foodstuffs – Guidance – ‘Safer Food, Better Business’ |  |
| **3.48** | There must be an area which is 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. Providers must be confident that those responsible for preparing and handling food are competent to do so. In group provision, all staff involved in preparing and handling food must receive training in food hygiene. | * Scores on the door kitchen rating obtained from Environmental and Trading Standards where food is prepared on site(LBE Tel: 020 8825 6666) * Suitable food preparation area * Food handling certificate for those preparing and handling food. |  |
| **3.49** | Registered providers must notify Ofsted with which they are registered of any food poisoning affecting two or more children cared for on the premises. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. | * Report cases of food poisoning affecting 2 or more people to Environmental and trading standards * Report food poisoning affecting 2 or more people to Ofsted within 14 days |  |
|  | **Accident or Injury** |  |  |
| **3.50** | Providers must ensure there is a first aid box accessible at all times with appropriate content for use with children. Providers must keep a written record of accidents or injuries and first aid treatment. Providers must inform parents and/or carers of any accident or injury sustained by the child on the same day, or as soon as reasonably practicable, of any first aid treatment given. | * Adequate number First aid boxes stocked with all recommended content. * First aid kit checklist used regularly to make sure contents are in date and re-stocked * Accident record book designed to record all necessary detail |  |
| **3.51** | Registered providers must notify Ofsted with which they are registered of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken. Notification must be made as soon as is reasonably practicable, but in any event within 14 days of the incident occurring. A registered provider, who, without reasonable excuse, fails to comply with this requirement, commits an offence. Providers 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. | * Resource – Guidance on notification of serious childcare incident: <http://www.ofsted.gov.uk/resources/notification-of-serious-childcare-incident> * Adhere to notification timeframe of 14 days * Ealing Children’s Integrated Response Service (ECIRS) - **020 8825 8000** |  |
|  | **Managing behaviour** |  |  |
| **3.52** | Providers are responsible for managing children’s behaviour in an appropriate way. Providers must not give corporal punishment to a child. Providers must take all reasonable steps to ensure that corporal punishment is not given by any person who cares for or is in regular contact with a child, or by any person living or working in the premises where care is provided. Any early years provider who fails to meet these requirements commits an offence. A person will not be taken to have used corporal punishment (and therefore will not have committed an offence), where physical intervention was taken for the purposes of averting immediate danger of personal injury to any person (including the child) or to manage a child’s behaviour if absolutely necessary. Providers, including 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. | * Behaviour management policy useful but not mandatory * Shared strategy for achieving positive behaviour * Guidance on use of physical restraint * *Physical intervention is where practitioners use reasonable force to prevent children from injuring themselves or others or damaging property* |  |
| **3.53** | Providers must not threaten corporal punishment, and must not use or threaten any punishment which could adversely affect a child's well-being | * Shared strategy to achieve positive behaviour |  |
|  | **Safety and suitability of premises, environment and equipment**  **Safety** |  |  |
| **3.54** | Providers 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. Providers must comply with requirements of health and safety legislation (including fire safety and hygiene requirements). | * Arrangements for cleaning premises and resources * Health and Safety at Work Acts1974 and 1996 * Regulatory Reform (Fire Safety) Order 2005) – Guidance for schools and early years settings * Manual Handling Operations Regulations (1992) (Amended 2002) * Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (1995) (RIDDOR) * Control of Substances Hazardous to Health (COSHH) Regulations (2002) (as amended 2004) |  |
| **3.55** | Providers must take reasonable steps to ensure the safety of children, staff and others on the premises in the case of fire or any other emergency, and must have an emergency evacuation procedure. Providers must have 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 must be free of obstruction and easily opened from the inside. | * Fire detection and fire fighting equipment * Fire evacuation procedure * Recorded fire evacuation drills/exercise * Well labelled and unobstructed fire exits * Annual Portable Appliance Testing (PAT) |  |
|  | **Smoking** |  |  |
| **3.56** | Providers must not allow smoking in or on the premises when children are present or about to be present. | * No smoking signs * Policy not mandatory but helpful |  |
|  | **Premises** |  |  |
| **3.57** | The premises and equipment must be organised in a way that meets the needs of children. In registered provision, providers must meet the following indoor space requirements:   * Children under two years: 3.5 m2 per child. * Two year olds: 2.5 m2 per child. * Children aged three to five years: 2.3 m2 per child. | * Take measurements to ensure there is no overcrowding * *These calculations should be based on the net or useable areas of the rooms used by the children,* * *not including storage areas, thoroughfares, dedicated staff areas, cloakrooms, utility rooms, kitchens and toilets* |  |
| **3.58** | Providers must provide access to an outdoor play area or, if that is not possible, ensure that outdoor activities are planned and taken on a daily basis (unless circumstances make this inappropriate, for example unsafe weather conditions). Providers must follow their legal responsibilities under the Equality Act 2010 (for example, the provisions on reasonable adjustments). | * Children access an outdoor play area for planned activities on a daily basis (unless circumstances make this impossible or unsafe) * Reasonable adjustments are made to enable access |  |
| **3.59** | Sleeping children must be frequently checked. There should be a separate baby room for children under the age of two. However, providers must ensure that children in a baby room have contact with older children and are moved into the older age group when appropriate. | * Separate under twos room * Sleep charts and record of checks made during sleep time * Provision for contact between babies and older children and arrangements for transition between rooms |  |
| **3.60** | Providers must ensure there is an adequate number of toilets and hand basins available. Except in childminding settings, there should usually be separate toilet facilities for adults. Providers must ensure there are suitable hygienic changing facilities for changing any children who are in nappies and providers should ensure that an adequate supply of clean bedding, towels, spare clothes and any other necessary items is always available. | * Adequate number of toilets and hand basins (numbers not specified) * Suitable and hygienic changing facility * Adequate supply of bedding, towels, spare clothes etc suitable stored * Separate toilet for adults |  |
| **3.61** | Providers must also ensure that there is an area where staff may talk to parents and/or carers confidentially, as well as an area in group settings for staff to take breaks away from areas being used by children. | * Provision of an area to accommodate staff breaks and confidential meetings with parents |  |
| **3.62** | Providers must only release children into the care of individuals who have been notified to the provider by the parent, and must ensure that children do not leave the premises unsupervised. Providers must take all reasonable steps to prevent unauthorised persons entering the premises, and have an agreed procedure for checking the identity of visitors. Providers must consider what additional measures are necessary when children stay overnight. | * Registers and parents’ signing in sheets * Visitors signing in sheets and procedures for checking identity of visitors * Permission from parents for other adults to collect children * Secure door entry system |  |
| **3.63** | Providers must carry public liability insurance. | * Choose insurance with adequate cover |  |
|  | **Risk assessment** |  |  |
| **3.64** | Providers must ensure that they take all reasonable steps to ensure staff and children in their care are not exposed to risks and must be able to demonstrate how they are managing risks. Providers must determine where it is helpful to make some written risk assessments in relation to specific issues, to inform staff 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. | Health and Safety Executive Publication *Five steps to risk assessment*  <http://www.hse.gov.uk/pubns/indg163.pdf>  Suggested steps for assessing risk:   * **Identification of risk** – where is it and what is it? * **Who is at risk** – for example childcare staff, children, parents, cooks, cleaners? * **Assessment as to the level of risk as high, medium, low**. This is both the risk of the likelihood of it happening, as well as the possible impact if it did. * **Control measures to reduce/eliminate risk –** what will you need to do – or ensure others will do – in order to reduce that risk? * **Monitoring and review** – How do you know if what you have said is working, or is thorough enough? If it is not working, it will need to be amended, or maybe there is a better solution |  |
|  | **Outings** |  |  |
| **3.65** | Children must be kept safe while on outings. Providers must assess the risks or hazards which may arise 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 for providers to judge. | * Risk assess regular local outings e.g. to the park or library * Risk assess specially organised trips to places e.g. museum (up to providers to judge if assessments need to be written) * Consider needs of individual children when deciding on ratios for outings |  |
| **3.66** | Vehicles in which children are being transported, and the driver of those vehicles, must be adequately insured. |  |  |
|  | **Special Educational Needs** |  |  |
| **3.67** | Providers must have arrangements in place to support children with SEN or disabilities. Maintained nursery schools and other providers who are funded by the local authority to deliver early education places must have regard to the Special Educational Needs (SEN) Code of Practice. Maintained nursery schools must identify a member of staff to act as Special Educational Needs Co-ordinator and other providers (in group provision) are expected to identify a SENCO. | * SEN policy and procedures helpful but not mandatory * Regard to the SEN code of practice (have a copy on site) * Identify a SENCO for your setting/school |  |
|  | **Information and Records** |  |  |
| **3.68** | Providers must maintain records and obtain and share information (with parents and carers, other professionals working with the child, the police, social services and Ofsted as appropriate) to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met. Providers must enable a regular two-way flow of information with parents and/or carers, and between providers, if a child is attending more than one setting. If requested, providers should incorporate parents’ and/or carers’ comments into children’s records. | * Parents’ notice board * Information recorded in registration forms * CAF * Referrals to social care * IEPs * Home diaries * Open days/parents’ meetings * Children’s developmental records; observations; profiles * Links with outside agencies and schools or feeder settings |  |
| **3.69** | Records must be easily accessible and available (with prior agreement from Ofsted, 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. Providers must be aware of their responsibilities under the Data Protection Act (DPA) 1998 and where relevant the Freedom of Information Act 2000. | * Secure storage on site for records * Where there is no secure storage on site, records may be kept offsite with prior agreement from Ofsted * Awareness of responsibility under the Data Protection Act |  |
| **3.70** | Providers must ensure that all staff 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 DPA. | * Confidentiality policy and procedures helpful |  |
| **3.71** | Records relating to individual children must be retained for a reasonable period of time after they have left the provision. | * Guidance on retention periods for records |  |
|  | **Information about the Child** |  |  |
| **3.72** | Providers 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 provider (and information about any other person who has parental responsibility for the child); which parent(s) and/or carer(s) the child normally lives with; and emergency contact details for parents and/or carers. | * Registration forms must record all information detailed in 3.72 * All registration forms should be completed before start dates for children * Information in registration forms should be updated when changes occur, e.g. change of address or who the child lives with |  |
|  | **Information for patents and carers** |  |  |
| **3.73** | Providers must make the following information available to 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 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 the provider's policies and procedures (all providers except childminders must make copies available on request) 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; and * staffing in the setting; the name of their child’s key person and their role; and a telephone number for parents and/or carers to contact in an emergency | * Display of daily routines and planning * Effective use of parents’ and staff notice boards   to include:   * Key person lists * Staff who is who photograph display * What to do poster * Menu * Staff designated /assigned roles e.g. SENCO, designated First aider etc * Separate policy pack for parents at reception or information directing parents how to access policies * Missing child/non collection procedure * Emergency contact number   <http://childrenscentres.org.uk/cc_documentation_display.asp> |  |
|  | **Complaints** |  |  |
| **3.74** | Providers must put in place a written procedure for dealing with concerns and complaints from parents and/or carers, and must keep a written record of any complaints, and their outcome. All providers must investigate written complaints relating to their fulfilment of the EYFS requirements and notify complainants of the outcome of the investigation within 28 days of having received the complaint. The record of complaints must be made available to Ofsted or the relevant childminder agency on request. | * Complaints policy and procedure with a time limit of 28 days for responding to a complaint * Complaints summary log * Investigate all complaints relating to the EYFS |  |
| **3.75** | Providers must make available to parents and/or carers details about how to contact Ofsted if they believe the provider is not meeting the EYFS requirements. If providers become aware that they are to be inspected by Ofsted, they must notify parents and/or carers. After an inspection by Ofsted providers must supply a copy of the report to parents and/or carers of children attending on a regular basis. | * Display Ofsted parents poster * Inform parents/carers if you become aware you are to be inspected by Ofsted * Supply parents of children who attend regularly with a copy of your most recent Ofsted report |  |
|  | **Information about the provider** |  |  |
| **3.76** | Providers must hold the following documentation:   * name, home address and telephone number of the provider 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; and * their certificate of registration (which must be displayed at the setting and shown to parents and/or carers on request). | * Display registration certificate * Provider and Personnel files documenting all information outlined in 3.76 * Personnel files should also include information related to safe recruitment e.g. JDs, application forms, proof of identity, appointment letters, references, contracts of employment etc * Daily register of attendance with hours of attendance * Key person list (update as necessary) |  |
|  | **Changes that must be notified to Ofsted** |  |  |
| **3.77** | All registered early years providers must notify Ofsted of:   * any change in the address of the premises; 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 provider, or the provider’s other contact information; to the person who is managing the early years provision; * any proposal to change the hours during which childcare is provided; or to provide overnight care; * any significant event which is likely to affect the suitability of the early years provider or any person who cares for, or is in regular contact with, children on the premises to look after children; * where the early years provision is provided by a company, any change in the name or registered number of the company; * where the early years provision is provided by a charity, any change in the name or registration number of the charity; * where the childcare is provided by a partnership, body corporate or unincorporated association, any change to the 'nominated individual'; and * where the childcare is provided by a partnership, body corporate or unincorporated association whose sole or main purpose is the provision of childcare, any change to the individuals who are partners in, or a director, secretary or other officer or members of its governing body. | * Providers must be aware of changes that require reporting as outlined in 3.77 an report changes promptly * *A person is not considered to be working on the premises if none of their work is done in the part of the premises in which children are cared for, or if they do not work on the premises at times when children are there* |  |
| **3.78** | Where providers are required to notify Ofsted about a change of person except for managers, as specified in paragraph ~~3.76~~ (3.77) above, providers must give Ofsted the new person’s name, any former names or aliases, date of birth, and home address. If there is a change of manager, providers must notify Ofsted that a new manager has been appointed. Where it is reasonably practicable to do so, notification must be made in advance. In other cases, notification must be made as soon as is reasonably practicable, but always within 14 days. A registered provider who, without reasonable excuse, fails to comply with these requirements commits an offence. | * Use relevant EY forms to report changes to Ofsted |  |
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