



Department
for Education

Early Years Foundation Stage

Government consultation

Launch date 22 April 2024
Respond by 17 June 2024

Contents

Introduction	3
Who this is for	3
Issue date	3
Enquiries	3
Additional copies	3
The response	4
About this consultation	5
Deadline	5
Respond online	5
Other ways to respond	5
Ministerial Foreword	6
Background	7
About you	8
Updating regulation in the Early Years Foundation Stage framework	12
Background	12
Proposal and rationale	12
Proposed changes to EYFS safeguarding requirements	13
Safer recruitment – obtaining a reference	13
Child absences	16
Change ‘lead practitioner’ to ‘designated safeguarding lead (DSL)’	19
Safeguarding training annex	20
Safeguarding training information in safeguarding policies	25
Paediatric first aid (PFA) for students and trainees	26
PFA training footnote	27
Safer eating section	29
Toileting and privacy	32
Safeguarding EYFS – general	34
Further comments	35
Annex A: Glossary of terms	36

Introduction

This is a consultation on proposals to strengthen the safeguarding requirements within the statutory framework for the Early Years Foundation Stage (EYFS). The aim of these proposals is to make the safeguarding requirements more comprehensive for providers to ensure that all children within early years settings are kept as safe as possible.

Who this is for

This consultation is for anybody with an interest in childcare. This includes:

- Childminders
- Childminder agencies
- Early education and childcare providers
- Early years and childcare practitioners
- Nurseries, preschools and schools
- Parents and carers, and organisations representing them
- Charities
- Local authorities
- Early years and childcare sector organisations
- Ofsted
- Colleges, universities and suppliers of qualifications

Issue date

The consultation was issued on 22 April 2024.

Enquiries

If your enquiry is related to the policy content of the consultation, you can contact the team by email: Safeguarding.CONULTATION@education.gov.uk

If your enquiry is related to the Department for Education (DfE) e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

We intend to publish the results of the consultation and the department's response on [GOV.UK](https://www.gov.uk) in Autumn 2024.

About this consultation

The aim of the consultation is to gather a wide range of views on the specifics of our policy proposals to help the Government reach well-informed and fair decisions.

The proposals in this consultation relate to early years settings and children in England only.

Deadline

The consultation closes at 11.59 pm on 17 June 2024.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK](#) to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may request and complete a word document version of the form and send to us.

By email

- Safeguarding.CONSULTATION@education.gov.uk

By post

Early Years Foundation Stage Consultation
Families Group
Department for Education
Sanctuary Buildings
20 Great Smith Street
London SW1P 3BT

Ministerial Foreword

We learn and develop more from birth to five years old than at any other time in our lives. Evidence tells us that high-quality early childhood education and care has a positive impact on outcomes in both the short and long term, particularly for the most disadvantaged children. This is why high-quality early education and care can set children up for the best possible start in life.

In the Government's 2023 Spring Budget, the Chancellor announced transformative reforms to childcare for parents, children, the economy and women. By 2027-28, this Government will expect to be spending in excess of £8bn every year on free hours and early education, helping working families with their childcare costs. This represents the single biggest investment in childcare in England ever.

We are expanding the free early education entitlements offer so that, from September 2025, eligible working parents in England will be able to access 30 hours of childcare per week, over 38 weeks of the year, from the term after their child turns 9 months old to when they start school.

This Government has a plan to deliver a brighter future for Britain, with long-term economic security and opportunity: where hard work is always rewarded; where ambition and aspiration are celebrated; where young people get the skills they need to succeed in life and where families are supported. Expanding government support will help build strong foundations for every child by enabling more children to benefit from high quality early years education and childcare, helping hard working families with the cost of living, and allowing more parents to work.

This consultation looks at changes that might be needed to make sure the safeguarding requirements within the EYFS are comprehensive for early years practitioners and suitably robust to keep our youngest children as safe as possible.

I hugely value the dedication and compassion early years practitioners demonstrate on a daily basis, while caring for our youngest children. It is my intention that we give practitioners the flexibility and support they need to deliver the highest quality, safest early education and childcare provision possible.

I have seen first hand the excellent practices that providers have in place to keep children safe. Following extensive engagement with providers, health professionals, sector stakeholders and safeguarding experts and using lessons learned from previous incidents, this consultation sets out proposals to provide further clarity and help early years providers to better understand the safeguarding requirements of the youngest children.

Background

Supporting the early years sector is a priority for this Government. Early years practitioners deliver invaluable, high-quality provision to millions of children each day. They play a crucial role in enriching the lives of the children they care for and enable parents and carers to access the labour market.

The EYFS sets the standards all early years providers must meet to ensure that children learn, develop well and are kept healthy and safe. The early years are a crucial opportunity for children to develop a broad range of knowledge and skills which help them thrive now and provide a strong foundation for future progress in life.

The safety of our youngest children is our utmost priority, and we continually monitor and review safeguarding within early years settings to make sure children are kept as safe as possible. As part of this ongoing work, we are proposing to deliver changes to the EYFS to ensure the safeguarding requirements are as comprehensive as possible for providers and are suitably robust to keep children safe.

The proposals in this consultation have been informed by conversations with a wide range of stakeholders and early years providers. From this we have identified a selection of requirements that may benefit from being strengthened. We hope to hear from many people and organisations so we can gather a broad range of views to help the Government reach well-informed decisions.

About you

The following introductory questions will help us understand more about you and – where relevant – the nature of your business or organisation and the main ways in which you currently interact with the childcare system in England.

PLEASE NOTE THAT THIS CONSULTATION APPLIES TO CHILDCARE IN ENGLAND ONLY.

Questions

Confidentiality Information provided in response to this consultation, including personal data, may be subject to publication or disclosure under the Freedom of Information Act 2000, the Data Protection Act 2018, or the Environmental Information Regulations 2004. If you want all, or any part, of a response to be treated as confidential please explain why you consider it to be confidential. If a request for disclosure of the information you have provided is received, your explanation about why you consider it confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the department.

Privacy notice

The personal data (name and address and any other identifying material) that you provide in response to this consultation is processed by the DfE as a data controller in accordance with the UK GDPR and Data Protection Act 2018, and your personal information will only be used for the purposes of this consultation. The DfE relies upon the lawful basis of article 6(1)(e) of the UK GDPR to process this personal data as part of its public task, which allows us to process personal data when this is necessary for conducting consultations as part of our function. Your information will not be shared with third parties unless the law allows or requires it. The personal information will be retained for a period of 12 months following the closure of the consultation period, after which it will be securely destroyed. You can read more about what the DfE does when we ask for and hold your personal information in our personal information charter, which can be found here: [Personal information charter - Department for Education - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/674242/Personal-information-charter-Department-for-Education-2018.pdf).

Would you like us to keep your response confidential?

- YES
- NO

In what capacity are you responding to this consultation? As a...

- [tick all that apply]
 - Parent or carer

- Childminder registered with Ofsted
- Childminder registered with a childminder agency
- Childminder agency
- Maintained Nursery School – head teacher
- Maintained Nursery School – teacher/practitioner
- Private, voluntary or independent early years group setting – manager
- Private, voluntary or independent early years group setting – practitioner
- Primary school – head teacher
- Primary school – teacher
- Ofsted
- Local authority
- Membership organisation
- Representative organisation
- Union
- Charity
- College, university or supplier of qualifications
- Other (please specify)

How old are you?

- 25 or below
- 26-35
- 36-45
- 46-55
- 56+
- Prefer not to say

What is your sex?

- Female
- Male
- Prefer not to say

What is your ethnic group?

- Asian, Asian British
- Black, Black British, Caribbean or African
- Mixed or Multiple ethnic groups
- White
- Other ethnic group (please specify)
- Don't know
- Prefer not to say

Where are you based in England?

- South East

- London
- North West
- East of England
- West Midlands
- South West
- Yorkshire and Humber
- East Midlands
- North East
- Not based in England

PLEASE NOTE THAT THIS CONSULTATION APPLIES TO CHILDCARE IN ENGLAND ONLY

If you are responding on behalf of an organisation:

What is the name of your organisation?

What is your role within this organisation?

- Administration / Corporate Support
- Analytical
- Business Management and Improvement
- Communications / Marketing
- Early years practitioner
- Finance
- Governance
- Health Professional
- Legal
- Other (please specify)
- Owner / manager
- Policy
- School leader
- Teacher

How many people are employed by your organisation? [select one]

- 1 to 24
- 25 to 499
- 500 or more
- Don't know

How many children does your organisation care for? [select one]

- 0
- 1 to 6
- 7 to 20
- 21 to 50

- 51 to 100
- 101 or more
- Don't know

If you represent an organisation that does not care for children:

What is the nature of your organisation?

If you are a parent or carer for a child:

How old is your child/are your children? [tick all that apply]

- under 2 years
- 2-4 years
- 5-14 years
- Over 14 years

Updating regulation in the Early Years Foundation Stage framework

Background

The EYFS sets the standards and requirements that all early years providers must follow to ensure all children have the best start in life and are prepared for school.

The EYFS was last updated in January 2024. The aims of those changes were to provide more flexibility and remove burdens within the EYFS, while maintaining quality and safety standards. The framework was also made easier for all practitioners to use by the creation of streamlined childminder and group/school-based provider versions of the framework.

This consultation proposes changes to the safeguarding section in both the childminder and group/school-based provider versions of the EYFS, to make it easier for practitioners to understand the requirements and how to fulfil them. We also propose introducing some new safeguarding requirements that we know many providers already fulfil in their settings. This is to ensure that every child in every setting is kept as safe as possible.

Proposal and rationale

In the Government's 2023 Spring Budget, the Chancellor announced transformative reforms to childcare for parents, children, the economy and women. By 2027-28, this Government will expect to be spending in excess of £8bn every year on funded early education and care, helping working families with their childcare costs, and supporting parents' choice to return to work, a vital step in our commitment to grow the economy. This represents the single biggest investment in childcare in England to date.

The early education and childcare sector is expanding, and talented practitioners will be recruited from a wider pool. More children will be entering the early years childcare system including more babies. We want to ensure that the quality of the care given to all these children remains high and that they are kept as safe as possible.

This consultation seeks views on proposals to strengthen the safeguarding requirements based on lessons learned from past safeguarding cases and feedback from the sector.

Proposed changes to EYFS safeguarding requirements

Safer recruitment – obtaining a reference

Relevant to: childminders and group and school-based providers

Intentions:

When parents send their children into an early years setting, they are placing their trust in the staff to care for their children and keep them safe. The suitability of staff in early years settings is incredibly important and recruitment procedures are a way of ensuring that providers employ people suitable for the job.

It is our intention to introduce a requirement for providers to obtain a reference when recruiting new members of staff in addition to the existing requirements around criminal record checks and the suitability checks carried out by Ofsted and childminding agencies.

We know that many providers already have recruitment policies and procedures in place which require them to obtain references before employing a new member of staff. Adding this requirement to the EYFS will ensure that all providers are considering safer recruitment.

The aim of these changes is to make sure that early years providers are robustly and consistently checking the suitability of their staff before employment.

Proposed new wording:

- [Providers/Childminders who are employing assistants] must obtain a reference. Where possible, this should be before interview, as this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview. [Providers/Childminders] should:
 - not accept open references e.g. to whom it may concern
 - not rely on applicants to obtain their reference
 - ensure any references are from the candidate's current employer, training provider or education setting and have been completed by a senior person with appropriate authority
 - not accept references from a family member
 - obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed
 - secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children). If the applicant has never worked with children, then ensure a reference is from their current employer, training provider or education setting
 - ensure electronic references originate from a legitimate source

- contact referees to clarify content where information is vague or insufficient information is provided
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate
- establish the reason for the candidate leaving their current or most recent post, and
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

We propose requiring the inclusion of information on safer recruiting in providers' safeguarding policies.

Proposed new wording:

- Safeguarding policies must include:
 - Procedures to follow to check the suitability of new recruits.

To align with the proposal to obtain references, we also propose adding wording about references into the suitable people section:

Proposed new wording:

For the group and school-based provider EYFS framework:

- Providers must record information about staff qualifications and the identity checks, vetting processes and references that have been completed (including the criminal records check reference number, the date a check was obtained and details of who obtained it).

For the childminder EYFS framework:

- 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 obtain references for any childminding assistants they employ. 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.

Question 1

To what extent do you agree with adding this requirement to obtain references to the existing EYFS frameworks?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 2

If you **agreed** with the proposal to add a requirement for providers to obtain a reference, was it for any of the following reasons? Tick all that apply:

- It will improve children's safety
- It will help me employ the best staff
- It is what my setting currently does
- It is what I expect my child's childcare provider to do
- None of the above

Question 3

If you **disagreed** with the proposal to add a requirement for providers to obtain a reference, was it for any of the following reasons? Tick all that apply:

- It will not improve children's safety
- It will make it harder to employ staff
- It is what my setting currently does
- It is not what my setting currently does
- It is not what I expect my child's childcare provider to do
- None of the above

Question 4

To what extent do you agree with the proposal of adding procedures to follow when recruiting new staff to existing safeguarding policies?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Child absences

Relevant to: childminders and group and school-based providers

Intentions:

Children being absent from early years settings repeatedly, or for prolonged periods of time, may be a vital warning sign for a range of safeguarding issues. There have been incidents in the past where serious harm to a child may have been prevented if an absence from their early years setting had been reported to social services and/or the police.

We are consulting on adding a new requirement which will align with what is expected within schools and will require providers to use their professional judgement when following up on absences.

Following up on unexplained or prolonged absences could help keep children and their families safe. Providers need to feel confident to do this, which is why we are also proposing for providers to have a policy on following up on absences that they can share with parents. Parents will then understand the expectations on them to report absences and the procedure the provider will need to follow if a child is absent.

Proposed new wording:

- [Providers/Childminders] must follow up on absences in a timely manner. If a child is absent for a prolonged period of time, or if a child is absent without notification from the parent or carer, attempts must be made to contact the child's parents and/or carers and alternative emergency contacts. Providers must consider a child's personal circumstances and use their professional judgement when deciding if their absence should be considered as prolonged. Consideration must be given to the child's vulnerability, parent's and/or carer's vulnerability and their home life. Any concerns must be referred to local children's social care services and/or a police welfare check requested.

- [Providers/Childminders] must have an attendance policy that they share with parents and/or carers. This must include expectations for reporting child absences and the actions [providers/childminders] will take if a child is absent without notification or for a prolonged period of time, for example following up with the parents and/or carers and contacting emergency contacts if parents and/or carers are not contactable.

Question 5

To what extent do you agree with adding this requirement to follow up on absences within the EYFS?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 6

If you **agreed** with the proposal to add a requirement for providers to follow up on child absence, was it for any of the following reasons? Tick all that apply:

- It will improve children's safety
- It is what my setting currently does
- It is what I expect my child's childcare provider to do
- None of the above

Question 7

If you **disagreed** with the proposal to add a requirement for providers to follow up on children's absences, was it for any of the following reasons? Tick all that apply:

- It will not improve children's safety
- It will cause problems with parents and/or carers
- I don't feel confident following up on children's absences
- It is what my setting currently does
- It is not what my setting currently does
- It is not what I expect my child's childcare provider to do
- None of the above

Question 8

To what extent do you agree with adding this requirement for providers to have an attendance policy?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

In order for providers to follow up on these absences, we are also proposing for providers to hold more than two emergency contacts for each child. This is to help providers contact someone in an emergency.

Proposed new wording:

- Providers must record the following information for each child in their care:
 - Emergency contact details for parents and/or carers. Where possible, settings should hold more than two emergency contacts for each child.

Question 9

To what extent do you agree with the proposal for providers to hold more than two emergency contacts for each child within the EYFS?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Change 'lead practitioner' to 'designated safeguarding lead (DSL)'

Relevant to: group and school-based providers and childminders

Intentions:

The EYFS for group and school-based providers currently states that: 'In every setting, a practitioner must be designated to take lead responsibility for safeguarding children. The lead practitioner is responsible for liaison with local statutory children's services agencies, and with the Local Safeguarding Partners. All practitioners must be alert to any issues of concern in the child's life at home or elsewhere'. (3.4).

We propose that where 'lead practitioner' is referred to, this is changed to 'designated safeguarding lead (DSL)'. We are aware that many providers already refer to their 'lead practitioner' as the DSL.

We are also proposing to make it clear within the childminder EYFS framework that childminders are the DSL within their setting.

The aim of this change is to prevent ambiguity by bringing the language in line with other education settings, including schools. This change is also to help prevent confusion as, within other safeguarding documents, 'lead practitioner' relates to a different role.

Proposed new wording in the group and school-based provider EYFS framework:

- In every setting, a practitioner must be designated to take lead responsibility for safeguarding children. The designated safeguarding lead (DSL) is responsible for liaison with local statutory children's services agencies, and with the Local Safeguarding Partners. All practitioners must be alert to any issues of concern in the child's life at home or elsewhere.

Question 10

To what extent do you agree with changing the language from 'lead practitioner' to 'designated safeguarding lead (DSL)'?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Safeguarding training annex

Relevant to: childminders and group and school-based providers

Intentions:

The group and school-based provider EYFS currently states that, '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' (3.24).

The childminder EYFS currently states, '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' (3.27).

We intend to include an annex to both the group and school-based provider EYFS and the childminder EYFS which sets out the minimum requirements for effective safeguarding training.

The aim of this change is to help providers know what they must be looking for in a safeguarding course and also what information a course must contain, should they wish to deliver the training in house.

Proposed new wording:

For the group and school-based provider EYFS framework:

- Providers must ensure that all practitioners are trained in line with the criteria set out in Annex C.
- Providers must ensure that practitioners are supported and confident to implement the setting's safeguarding policy and procedures on an ongoing basis. Providers should read '[What to do if you're worried a child is being abused: Advice for practitioners](#)'.

- The Designated Safeguarding Lead (DSL) must provide support, advice and guidance to all practitioners on an ongoing basis, and on any specific safeguarding issue as required. The DSL must attend a training course consistent with the criteria set out in Annex C.
- Training must be renewed every three years. Providers should consider whether any staff need to undertake annual refresher training during any three-year period to help maintain basic skills and keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting.

For the childminder EYFS framework:

- Childminders must demonstrate that they have secure knowledge and understanding of safeguarding within the EYFS and how to implement it in their setting.
- In childminding settings, the childminder is the Designated Safeguarding Lead (DSL). The DSL must attend a training course consistent with the criteria set out in Annex C. Childminders should read '[What to do if you're worried a child is being abused: Advice for practitioners](#)'.
- Childminders must provide support, advice, and guidance to any assistants on an ongoing basis, and on any specific safeguarding issue as required. Childminders must make sure any assistants understand the setting's safeguarding policies and procedures and have up to date knowledge of safeguarding issues. Childminders must ensure all assistants are trained in line with the criteria set out in Annex C
- Training must be renewed every three years. Childminders should consider whether they or any assistants need to undertake annual refresher training during any three-year period to help maintain basic skills and keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting.

For both the group and school-based provider EYFS framework and the childminder EYFS framework:

Annex C: Criteria for effective safeguarding training

1. Training is designed for workers caring for 0 – 5 year olds and is appropriate to the age of the children being cared for.
2. The safeguarding training for all [practitioners/childminders and assistants] must cover the following areas:

- What is meant by the term safeguarding.
 - The main categories of abuse, harm and neglect.
 - The factors, situation and actions that could lead or contribute to abuse, harm or neglect.
 - How to work in ways that safeguard children from abuse, harm and neglect.
 - How to identify signs of possible abuse, harm 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 or behaviour from children.
 - Inappropriate behaviour from [practitioners/childminders and assistants or household members], 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 child may experience emotional abuse or physical abuse because of witnessing domestic abuse or coercive control or that a girl may have been subjected to (or is at risk of) [female genital mutilation](#).
 - How to respond, record and effectively refer concerns or allegations related to safeguarding in a timely and appropriate way.
 - The setting's safeguarding policy and procedures.
 - Legislation, national policies, codes of conduct and professional practice in relation to safeguarding.
 - Roles and responsibilities of [practitioners/childminders and assistants] and other relevant professionals involved in safeguarding.
3. Training for the DSL should take account of any advice from the local safeguarding partners or local authority on appropriate training courses. In addition to the areas set out in paragraph 2, training for the DSL must cover the elements listed below:
- How to build a safe organisational culture.

- How to ensure safe recruitment.
- How to develop and implement safeguarding policies and procedures.
- If applicable, how to support and work with [other practitioners/assistants] to safeguard children.
- Local child protection procedures and how to liaise with local statutory children's services agencies and with the local safeguarding partners to safeguard children.
- How to refer and escalate concerns (including as described at paragraph [3.8/3.9] of the EYFS).
- How to manage and monitor allegations of abuse against other staff.

Question 11

To what extent do you agree with adding the safeguarding training renewal period?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 12

How often do you think safeguarding training should be renewed?

- Training should only take place when you start a new job in an early years setting
- Annually
- Every two years
- Every three years
- Every three years with refresher training each year in between

Question 13

To what extent do you agree with adding the new safeguarding training annex?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 14

To what extent do you agree with adding the criteria for safeguarding training (point 2 in the annex)?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 15

To what extent do you agree with adding the criteria for designated safeguarding lead training (point 3 in the annex)?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 16

If you **agreed** with the proposal to add the safeguarding training annex, was it for any of the following reasons? Tick all that apply:

- It will improve children's safety
- It is what my setting currently does
- It is what I expect my child's childcare provider to do
- It will reduce costs for my setting
- It will reduce the burden on staff
- None of the above

Question 17

If you **disagreed** with the proposal to add the safeguarding training annex, was it for any of the following reasons? Tick all that apply:

- It will not improve children's safety
- It will be expensive for my setting to implement
- It is burdensome for staff
- There should be more safeguarding measures in the criteria
- None of the above

Safeguarding training information in safeguarding policies

Relevant to: childminders and group and school-based providers

Intentions:

It is important for all early years practitioners within settings to be supported to safeguard children. Safeguarding training gives practitioners the knowledge, but to implement this knowledge into action on a daily basis requires support from more experienced members of staff.

We propose adding a requirement for safeguarding policies within early years settings to include detail of how safeguarding training is delivered and how practitioners are supported to put this into practice.

Proposed new wording:

Safeguarding policies must include:

- Detail of how safeguarding training is delivered and how practitioners are supported to put this into practice.

Question 18

To what extent do you agree with the requirement to add details of safeguarding training and how practitioners are supported to implement this into safeguarding policies?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Paediatric first aid (PFA) for students and trainees

Relevant to: group and school-based providers

Intentions:

The group and school-based based provider EYFS currently states that ‘Suitable 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 at the level below their level of study, and the provider is satisfied that they are competent and responsible’ (3.49).

We propose making it explicit that in order for students on long term placements and volunteers (aged 17 or over) and staff working as apprentices in early education (aged 16 or over) to be included in the ratios, they will also need a valid PFA certificate.

The aim of this clarification is to increase the number of staff within early years settings that are PFA qualified. Having more staff within settings PFA qualified helps to ensure the safety of all children and allows any first aid emergencies to be responded to quickly.

Proposed new wording:

Suitable 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 at the level below their level of study if the provider is satisfied that they are competent and responsible and if they hold a valid and current PFA qualification.

Question 19

To what extent do you agree with the requirement for students, volunteers and those working as apprentices to have a valid PFA certificate in order to be included in the staff:child ratios?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 20

If you **agreed** with the proposal for students, volunteers and apprentices to have a valid PFA in order to be included in the staff:child ratios, was it for any of the following reasons? Tick all that apply:

- It will improve children's safety
- It is what my setting currently does
- It is what I expect my child's childcare provider to do
- None of the above

Question 21

If you **disagreed** with the proposal for students, volunteers and apprentices to have a valid PFA in order to be included in the staff:child ratios, was it for any of the following reasons? Tick all that apply:

- It will not improve children's safety
- It will be expensive for my setting to implement
- It will pose a barrier to recruiting staff
- It is what my setting currently does
- It is not what I expect my child's childcare provider to do
- None of the above

PFA training footnote

Relevant to: both childminders and group and school-based providers

Intentions:

Footnote 19 in group and school-based providers EYFS and footnote 16 in the childminder EYFS currently states, 'Providers are responsible for identifying and selecting a competent training provider to deliver their PFA training. Training is available from a wide range of providers including: those who offer regulated qualifications; or the Voluntary Aid Societies (St John Ambulance, the British Red Cross and St Andrew's First Aid who together are acknowledged by the Health and Safety Executive (HSE) as one of the standard-setters for currently accepted first aid practice for first aid at work training courses); or those who operate under voluntary accreditation schemes; or one that is a member of a trade body with an approval and monitoring scheme; or those who operate independently of any such accreditation scheme. The Register of Regulated Qualifications may help providers identify PFA providers, which can be found at: <http://register.ofqual.gov.uk/qualification>. It may also be helpful to read HSE's guidance about choosing a first aid training provider, which can be found at: www.hse.gov.uk/pubns/geis3.htm'

We propose changing the wording in this footnote to ensure greater clarity and more freedom of choice for providers when identifying and selecting a PFA training provider.

Proposed new wording:

- Providers are responsible for identifying and selecting a competent training provider to deliver their PFA training. There is no hierarchy in relation to the range of Training Providers who offer paediatric first aid training, however those who work under the following Bodies are fully regulated: a member of a Trade Body with an approval and monitoring scheme, the Voluntary Aid Societies and those who work under Ofqual Awarding organisations. It may also be helpful to refer to HSE's guidance about choosing a first aid training provider, which can be found at: www.hse.gov.uk/pubns/geis3.htm

Question 22

To what extent do you agree with the proposal to change the wording of the PFA footnote?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Safer eating section

Relevant to: childminders and group and school-based providers

Intentions

Mealtimes and snack times for babies and children can be a high-risk environment for choking incidents and allergic reactions.

Both versions of the EYFS currently have a requirement that when children are eating they must be within sight and hearing of a member of staff. Feedback from the sector has shown us that more clarity around best practice to keep children safe whilst eating would be welcome.

Knowing how to prepare food for the development of each child, working with parents when a baby is being introduced to solid food (or weaning) and how to supervise children whilst they are eating are all important safety issues. Many providers already understand and implement safer eating procedures, but we are aware that some providers would welcome more advice and guidance.

DfE intends to add a 'safer eating' section to the EYFS to help ensure children are kept as safe as possible when eating in their early years setting.

Proposed new wording:

- Before a child is admitted to the setting the [provider/Childminder] must obtain information about any special dietary requirements, preferences, food allergies and intolerances that the child has, and any special health requirements. This information must be shared by the [provider/childminder] with all staff involved in the preparing and handling of food. At each mealtime and snack time [providers/childminders] must be clear about who is responsible for checking that the food being provided meets all the requirements for each child.
- [Providers/Childminders] must have ongoing discussions with parents and/or carers and, where appropriate, health professionals to develop allergy action plans for managing any known allergies and intolerances. This information must be kept up to date by the [provider/childminder] and shared with all staff. [Providers/Childminders] may find it helpful to refer to the [BSACI allergy action plan](#). [Providers/Childminders] must ensure that all staff are aware of the symptoms and treatments for allergies and anaphylaxis, the differences between allergies and intolerances and that children can develop allergies at any time, especially during the introduction of solid foods which is sometimes called complementary feeding or weaning. [Providers/Childminders] may find it useful to refer to the NHS advice on food allergies: [Food allergy - NHS \(www.nhs.uk\)](http://www.nhs.uk) and treatment of anaphylaxis: [Anaphylaxis - NHS \(www.nhs.uk\)](http://www.nhs.uk).

- [Providers/Childminders] must have ongoing discussions with parents and/or carers about the stage their child is at in regard to introducing solid foods, including to understand the textures the child is familiar with. Assumptions must not be made based on age. [Providers/Childminders] must prepare food in a suitable way for each child's individual developmental needs, working with parents and/or carers to help children move on to the next stage at a pace right for the child. The NHS has some advice [providers/childminders] may find useful to refer to: [Weaning - Start for Life - NHS \(www.nhs.uk\)](http://www.nhs.uk).
- [Providers/Childminders] must prepare food in a way to prevent choking. This guidance on food safety for young children: [Food safety - Help for early years providers - GOV.UK \(education.gov.uk\)](http://education.gov.uk) includes advice on food and drink to avoid, how to reduce the risk of choking and links to other useful resources for early years settings.
- Babies and young children should be seated safely in a highchair or appropriately sized low chair while eating. Where possible there should be a designated eating space where distractions are minimised.
- Children must always be within sight and hearing of a member of staff whilst eating. Choking can be completely silent therefore it is important for [providers/childminders] to be alert to when a child may be starting to choke. Where possible, [providers/childminders] should sit facing children whilst they eat so they can make sure children are eating in a way to prevent choking and so they can prevent food sharing and be aware of any unexpected allergic reactions.
- Whilst children are eating there should always be a member of staff in the room with a valid paediatric first aid certificate.
- When a child experiences a choking incident that requires intervention, providers should record details of where and how the child choked and parents and/or carers made aware. The records should be reviewed periodically to identify if there are trends or common features of incidents that could be addressed to reduce the risk of choking. Appropriate action should be taken to address any identified concerns.

Question 23

To what extent do you agree with adding the new section on safer eating?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 24

To what extent do you agree with adding the requirements on allergies and anaphylaxis?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 25

To what extent do you agree with adding the requirements on safe weaning?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 26

To what extent do you agree with adding the requirements on choking prevention?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Question 27

If you **agreed** with the proposal to add a new section on safer eating, was it for any of the following reasons? Tick all that apply:

- It will improve children's safety
- It is what my setting currently does
- It is what I expect my child's childcare provider to do
- None of the above

Question 28

If you **disagreed** with the proposal to add a new section on safer eating, was it for any of the following reasons? Tick all that apply:

- It will not improve children's safety
- It will cause problems with parents and/or carers
- It will increase burdens on staff
- It is what my setting currently does
- It is not what my setting currently does
- None of the above

Toileting and privacy

Relevant to: both childminders and group and school-based providers

Intention:

Children's safeguarding needs to be balanced with their privacy. When children are having their nappies changed, or are learning to use the toilet, a member of staff has to be present. However, consideration needs to be given to who else is present and what

can be seen. It is important to respect children's privacy wherever this is possible, without compromising on safeguarding.

Proposed new wording:

- Providers/Childminders must ensure children's privacy is considered and balanced with safeguarding and support needs when changing nappies and toileting.

Question 29

To what extent do you agree with adding this requirement regarding toileting, privacy and safeguarding need?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Safeguarding EYFS – general

Relevant to: childminders and group and school-based providers

Question 30

Do you foresee any negative consequences for early years providers as a result of these proposed changes to the EYFS framework? Please state the specific area you foresee any issues in your response for example: administration burdens, costs, difficulty in recruiting and retaining staff.

- Yes
- No
- Don't know

[Free text response – 2000 character limit]

Question 31

Do you think any further changes should be made to the safeguarding requirements in the EYFS framework?

- Yes
- No
- Don't know

[Free text response – 2000 character limit]

Further comments

Question 32

a. What are the positive and/or negative impacts of the proposals (if any) on you or individuals (both children and adults, including staff and volunteers) in your organisation with particular protected characteristics? For example disability, race, religion.

Recommended response = not more than 300 words

b. If you noted negative impacts, how would you mitigate against these concerns?

Recommended response = not more than 300 words

c. Are you content for us to use your comments in any reporting?

Comments will be anonymised.

Yes/No

d. Would you be happy for the DfE, or a research body working on its behalf, to potentially contact you to discuss your response to this consultation? If you agree, your personal data and responses to the consultation will be shared to allow them to contact you about your response.

Yes - willing to be contacted

No - not willing to be contacted

e. If you are willing to be contacted about possible additional research, please provide a named contact, email address and telephone number.

Name/position

Organisation name (if different from above)

Email address

Contact telephone number

Annex A: Glossary of terms

Consultation

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

Childcare

Education for a child and any other supervised activity for a child as defined in section 18 of the Childcare Act 2006.

Childminder

An individual providing childcare on domestic premises (usually the childminder's own home). Childminders can also work from non-domestic premises for up to half their time and with up to two other adults.

Childminder agency

Childminder agencies are organisations that register childminders as an alternative to Ofsted. In addition to the registration and quality assurance of childminders, childminder agencies also help childminders with training, business support, advice and finding parents. Parents can also use childminder agencies to find a childminder.

Formal childcare

Childcare provided by those registered with Ofsted or a childminder agency, including nursery schools, nursery classes, reception classes, special day schools, day nurseries, playgroups, childminders, childminder agency-registered provision, breakfast clubs, after-school clubs and holiday clubs.

Group-based setting

Childcare providers registered with Ofsted and operating in non-domestic premises.

Informal childcare

Childcare provided by grandparents, ex-husband/wife/partners, older brother/sisters, other relatives, friends or neighbours who are not registered with Ofsted or a childminder agency.

Maintained Nursery Schools

Local authority-maintained schools for 2-, 3- and 4-year-olds.

Private, voluntary and independent nurseries

Run by businesses, charities or community groups, range from small independent nurseries to large chain run settings, including workplace nurseries.

School based nurseries

Nurseries in either local authority maintained or academy primary schools.



Department
for Education

© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third-party copyright information, you will need to obtain permission from the copyright holders concerned.

About this publication:

enquiries <https://www.gov.uk/contact-dfe>

download www.gov.uk/government/publications

Follow us on Twitter: [@educationgovuk](https://twitter.com/educationgovuk)

Connect with us on Facebook: facebook.com/educationgovuk