

Proposed changes to the safeguarding and welfare requirements for providers on the Early Years Register and the proposed Child Safety Register

Subject	Current requirements	Proposed requirements, birth to seven	Any Change
Child protection and safeguarding	Must be alert to any issues for concern (Children aged up to five).	Must be alert to any issues for concern.	Introduce this requirement for children aged five to seven.
	A lead practitioner to take responsibility for liaison with statutory agencies (police and children’s services) and must attend child protection training (Children aged up to five)	A lead practitioner to take responsibility for liaison with statutory agencies (police and children’s services) and must attend child protection training.	Introduce this requirement for children aged five to seven.
	Providers must train all staff on safeguarding procedures including how to identify abuse. (Children aged up to five)	Providers must train all staff on safeguarding procedures including how to identify abuse.	Introduce this requirement for children aged five to seven.

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	<p>Providers must ensure people looking after children are suitable. For children aged five-seven, the following specific requirements apply: Staff must:</p> <ul style="list-style-type: none"> • be of integrity and good character; • have skills and experience suitable for the work; and • be physically and mentally fit for the work 	<p>Providers must ensure people looking after children are suitable; and are supported to undertake appropriate training and development opportunities.</p>	<p>Remove specific criteria.</p>
	<p>Providers of care for children aged five to seven are currently required to have a minimum of two staff in settings at all times when children are present.</p> <p>There is no equivalent requirement for early years providers.</p>	<p>No requirement to have a minimum number of staff (as long as minimum staff:child ratios are met in relation to children up to five). Providers are responsible for having sufficient numbers of staff to support safety and for ensuring that children are not left unattended.</p>	<p>Remove the current requirement, for children aged five to seven, for providers to have a minimum of two staff on the premises when children are present and replace with a general requirement that providers are responsible for having sufficient numbers of staff to support safety and for ensuring that children are not left unattended.</p>
	<p>Minimum age of unsupervised staff): For children aged up to five, min staff age: seventeen; For children aged five to seven, min staff age: eighteen.</p>	<p>Minimum age of unsupervised staff: seventeen¹</p>	<p>For children aged five to seven, reduce minimum staff age to seventeen.</p>

¹ For staff working with children aged up to five, the minimum age will reduce to sixteen in the case of a person working towards a new apprenticeships qualification.

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	Staff must be able to understand and use English, e.g. for keeping records, summon help and understand safety instructions	Staff must be able to understand and use English, e.g. for keeping records, summon help and understand safety instructions	For children aged five to seven, add this requirement.
Staff qualifications, training, support and skills	Providers should ensure that regular staff appraisals are carried out to identify any training needs, and secure opportunities for continued professional development for staff. Providers should support their staff to improve their qualification levels wherever possible. For staff without a relevant qualification, providers should consider supporting them to obtain a relevant level 2 qualification. (Childcare up to age five)	No requirements for regular appraisals, or support to improve qualification levels.	Remove requirements. A requirement on training and development incorporated above.
	In childcare up to age five, managers in group settings must hold at least a full and relevant ² level 3 qualification.	In childcare up to age five, managers in group settings except for wraparound and holiday providers, must hold at least a full and relevant ² level 3 qualification.	Exception for wraparound and holiday providers for children who attend reception classes.
	Childminders must have completed a training course approved by a local authority.	Childminders must complete a training course designed to equip them to meet the requirements of registration.	Remove the requirement for training courses to be approved by local authorities.

² As defined by the National College for Teaching and Leadership

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Staff: child ratios, and staff qualifications	Must meet specified staff:child ratio and staff qualifications requirements.	Must meet specified staff:child ratio and staff qualifications requirements for children aged up to five, except providers of out of hours care for children in reception classes.	Remove qualifications and ratios requirements for children aged five to seven, for providers other than childminders.
Health and first aid, Behaviour management, Premises, etc.	At least one person must have a paediatric first aid certificate, approved by a local authority.	At least one person must have a paediatric first aid certificate, awarded after completion of suitable course covering specified content.	Remove requirement for LA approval, and replace with outline of specified course content.
	Providers must ensure that meals, snacks and drinks must be healthy, balanced and nutritious. Fresh drinking water must be available and accessible at all times, and that there must be suitable facilities for the hygienic preparation of food (currently only applies to children up to five)	Providers must ensure that meals, snacks and drinks must be healthy, balanced and nutritious. Fresh drinking water must be available and accessible at all times, and that there must be suitable facilities for the hygienic preparation of food.	Introduce requirements for children aged five to seven.

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	<p>For children up to five, providers must have a behaviour management policy and a named practitioner must be responsible for behaviour management.</p> <p>For children aged five to seven, providers must ensure that children's behaviour is managed in a suitable manner. Providers must also ensure that where older and younger children are together, the behaviour of older children does not have a negative effect on the younger children.</p>	No requirements	<p>Remove specific requirements on behaviour management.</p> <p>Behaviour covered by general provisions to promote children's welfare and safety.</p>

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	<p>Providers must ensure that their premises and equipment, including outdoor spaces, are fit for purpose. Spaces, furniture, equipment and toys, must be safe and premises kept secure. Providers must keep premises and equipment clean, and comply with health and safety legislation. Providers must have and implement a health and safety policy.</p> <p>Providers must provide access to an outdoor play area or ensure that outdoor activities are on a daily basis.</p> <p>Provision must be made (space or partitioned area) for children to relax and sleep.</p> <p>Except in childminding settings: There must be an adequate number of toilets and hand basins available (usually one toilet and one hand basin for every ten children over the age of two). There should be a separate baby room for children under the age of two.</p> <p>For children up to age five: Registered providers must meet specified measurements for indoor space:</p>	<p>Providers must ensure that their premises and equipment, including overall floor space and outdoor spaces, are fit for purpose and are suitable for the age of children cared for on the premises.</p> <p>Providers must provide access to an outdoor play area or ensure that outdoor activities are on a daily basis.</p> <p>Except in childminding settings: There must be an adequate number of toilets and hand basins.</p> <p>There should be a separate baby room for children under the age of two.</p> <p>For children up to age five: Registered providers must meet specified measurements for indoor space:</p>	<p>Remove unnecessary detail and align requirements for both age groups. Providers to follow existing requirements such as health and safety and disability discrimination.</p>

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	<p>Children under two: 3.5 sq m per child Twos: 2.5 sq m per child Three to five: 2.3 sq m per child</p> <p>So far as is reasonable, the facilities, equipment and access to the premises must be suitable for children with disabilities.</p>	<p>Children under two: 3.5 sq m per child Twos: 2.5 sq m per child Three to five: 2.3 sq m per child</p>	
Risk assessment and outings	<p>Providers must have a policy, and procedures, for assessing any risks to children's safety, and review risk assessments regularly.</p> <p>Providers must obtain parents' consent for outings.</p>	<p>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.</p>	<p>Replace duties to have a policy, and procedures, with duty to take reasonable steps.</p>
Information	<p>Must have and implement a policy, and procedures, to promote equality of opportunity.</p>	<p>Providers should follow their existing legal responsibilities relating to health and safety, disability discrimination and equal opportunities.</p>	<p>Remove references to equal opportunities policies but refer to broader, separate legal responsibilities</p>