



Department
for Education

Early Years Foundation Stage safeguarding reforms

Government consultation response

October 2024

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Introduction

The Department for Education (DfE) is committed to delivering an early education and childcare system from the end of parental leave to the end of primary school, boosting parents' work choices and children's life chances.

From Monday 2nd September 2024, hundreds of thousands of eligible working parents of children from 9-months-old began to access 15 hours of government-funded early education per week and for parents of primary school aged children, new wraparound childcare places became available before and after school.

The inherited plan to deliver the expansion to 30 funded hours from September 2025 comes with significant challenges. To deliver what parents have been promised requires an unprecedented rate of growth in childcare places and staff.

However, this government is now taking the action needed to help deliver the additional places needed. As the early years and childcare system expands, it is our priority to ensure that the quality of the care given to children remains high and that they are kept as safe as possible.

Background to the EYFS safeguarding reforms

The Early Years Foundation Stage (EYFS) statutory framework sets the standards that 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.

DfE continually monitors and reviews safeguarding requirements for early years settings to ensure they are comprehensive and suitably robust to help providers keep children as safe as possible. A consultation was held to seek views on proposals to strengthen EYFS safeguarding requirements.

The safeguarding proposals were informed by extensive engagement with providers, health professionals, sector stakeholders and safeguarding experts and using lessons learned from previous incidents. The proposals included:

- Amendments to promote safer recruitment, including: requirements to obtain references and a requirement for safeguarding policies to include procedures to help ensure that only suitable individuals are recruited.
- Creation of new requirements for providers to follow up if a child is absent for a prolonged period of time and amendments to ensure providers hold additional emergency contact details.

- Creation of new requirements to ensure safer eating.
- Creation of a safeguarding training criteria annex and a requirement for safeguarding policies to include details of how safeguarding training is delivered, including how practitioners are supported to put it into place.
- Amendments to ensure that early years students and trainees are required to have paediatric first aid (PFA) training, in order for them to be included in ratios at the level below their level of study.
- Amendments to ensure that children's privacy during nappy changing and toileting is considered and balanced with safeguarding considerations.
- A small number of other minor changes to the structure and wording of the safeguarding requirements to improve clarity.

The consultation was open for 8 weeks between 22 April and 17 June 2024. Through the consultation, we sought views from as many people and organisations as possible to help the Government reach well-informed and fair decisions about the EYFS safeguarding reforms.

The consultation responses were analysed by the DfE. This document sets out the main findings from the consultation and the Government's response.

Summary of responses received

The EYFS safeguarding consultation was launched on 22 April 2024 and closed on 17 June 2024. In total, the consultation received 1470 responses. This figure includes¹:

- 79 parents or carers
- 136 childminders registered with Ofsted
- 6 childminders registered with a childminder agency
- 3 childminder agencies
- 22 maintained nursery school – head teachers
- 49 maintained nursery school – teachers/practitioners
- 598 private, voluntary or independent early years group setting – managers
- 69 private, voluntary or independent early years group setting – practitioners
- 40 primary school – head teachers
- 138 primary school – teachers
- 1 Ofsted
- 142 local authorities
- 13 membership organisations
- 6 representative organisations
- 1 union
- 42 charities
- 43 colleges, universities or suppliers of qualifications
- 182 other

As shown in Figure 1.1 below, the highest proportion of consultation responses came from private, voluntary or independent (PVI) group setting managers (40.7%, 598), followed by Other (12.4%, 182), Local Authorities (9.7%, 142) and Primary school teachers (9.4%, 138). There were also a good number of responses from Ofsted registered childminders (9.3%, 136).

¹ Respondents were asked to select the capacity in which they were responding to the consultation from a list of groups. Respondents not included in these figures either selected “other” or did not respond to this question. The DfE does not verify self-declared groupings.

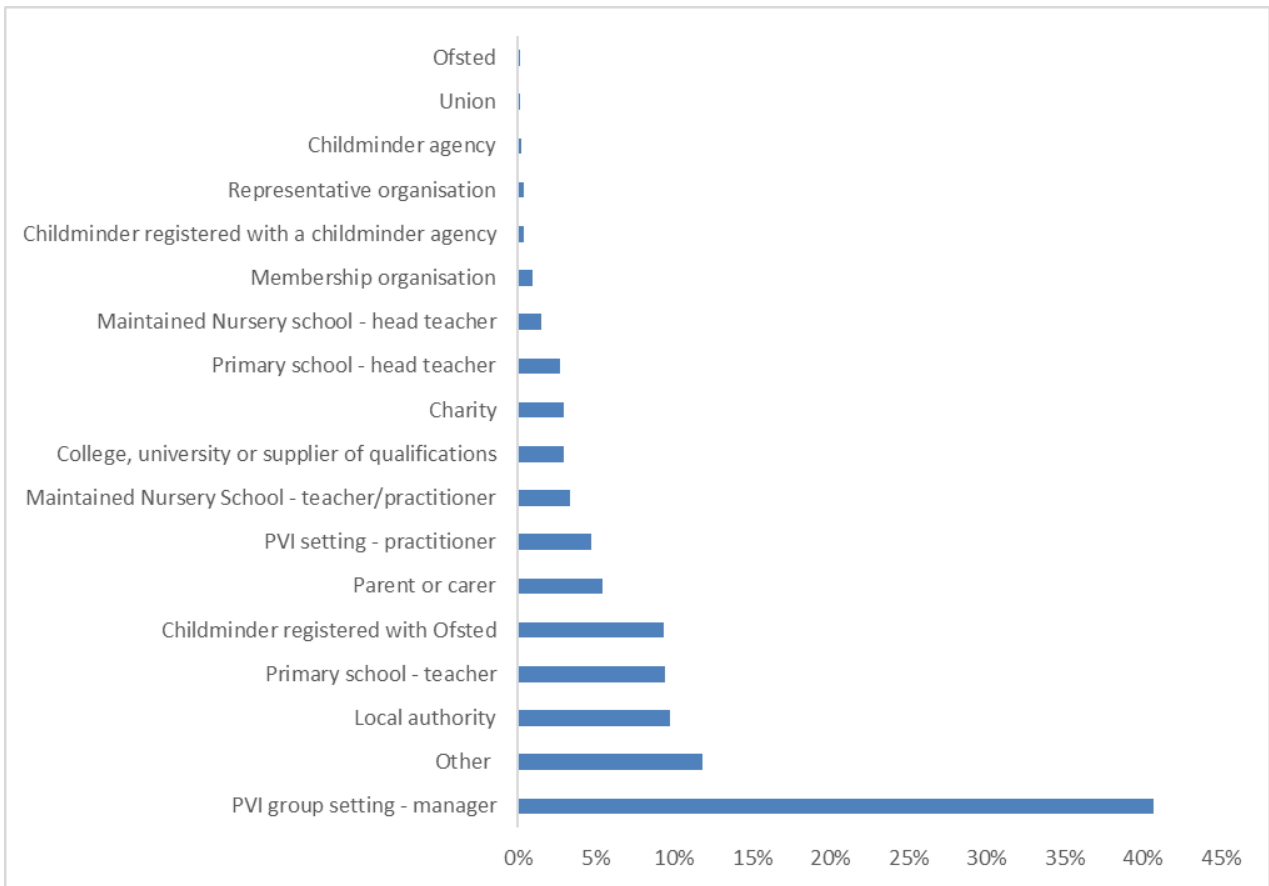


Figure 1.1: Consultation respondents by group

Consultation responses were received from all regions in England, as shown in Figure 1.2 below. The highest proportion of respondents were from the South East (24.8%, 365) followed by South West (12%, 176) and London (11.8%, 174). There were also a good number of responses from the North West (11.7%, 172).

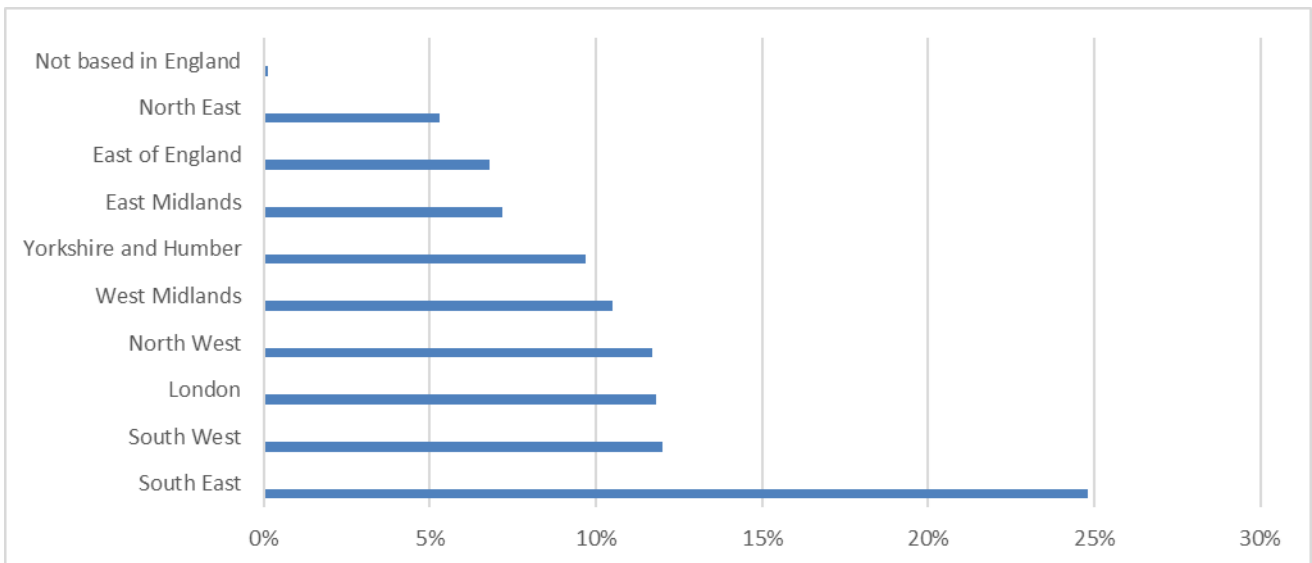


Figure 1.2: Consultation respondents by region

Summary of Government's response

After careful consideration of the consultation responses, there is clear agreement from respondents that the proposed changes to the EYFS safeguarding requirements would improve children's safety and align with current best practice in early years settings. Therefore, the Government will proceed with implementing all of the safeguarding proposals that were consulted on, with minor changes to the wording of some for additional clarity.

Additionally, based on consultation responses, we will also implement:

- **New whistleblowing requirements.** The aim is to make it clearer when and how to escalate safeguarding concerns and support practitioner confidence with regards to whistleblowing in order to improve child safety.
- **New expectations to provide references.** The aim is to support with obtaining meaningful, timely references in the early years sector to further enhance safer recruitment practices.

This document provides further detail on each of the safeguarding proposals individually, setting out the responses to the consultation and the reasons behind the decisions made.

Main findings from the consultation

Safer recruitment – references

Relevant to: childminders and group and school-based providers

When parents send their children to 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. The EYFS has existing requirements around criminal record checks and the suitability checks carried out by Ofsted and Childminder Agencies. However, it does not explicitly require providers to obtain references before employing a new member of staff or require providers' safeguarding policies to include information on safer recruitment procedures. We consulted on adding these requirements into the EYFS to ensure that all providers are robustly and consistently checking the suitability of their staff before employment.

Consultation findings

Question 1: To what extent do you agree with adding a requirement to obtain references to the existing EYFS frameworks?

Answer	Total	Percent
Strongly agree	981	66.7%
Agree	369	25.1%
Neither agree nor disagree	66	4.5%
Disagree	34	2.3%
Strongly disagree	20	1.4%
Not answered	0	0%

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

Answer	Total	Percent
It will improve children's safety	1004	68.3%
It is what my setting currently does	847	57.6%
It will help me employ the best staff	633	43.1%
It is what I expect my child's childcare provider to do	364	24.8%
None of the above	26	1.8%
Not answered	68	4.6%

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

Answer	Total	Percent
It will make it harder to employ staff	70	4.8%
It is what my setting currently does	39	2.7%
It will not improve children's safety	32	2.2%
It is not what my setting currently does	6	0.4%
It is not what I expect my child's childcare provider to do	4	0.3%
None of the above	202	13.7%
Not answered	1160	78.9%

Question 4: To what extent do you agree with the proposal of adding procedures to follow when recruiting new staff to existing safeguarding policies?

Answer	Total	Percent
Strongly agree	954	64.9%
Agree	396	26.9%
Neither agree nor disagree	79	5.4%
Disagree	29	2%
Strongly disagree	12	0.8%
Not answered	0	0%

Qualitative responses

In qualitative responses, respondents highlighted concerns about collecting references prior to conducting job interviews and apprehension about the practicality and fairness of this. In particular, there were concerns about potential delays in the recruitment process and the possibility of deterring candidates from applying due to concerns about confidentiality and repercussions with their current employer. Instead, it was suggested that references should be collected prior to employment rather than prior to interview.

Additionally, some respondents discussed challenges in obtaining meaningful, timely references within the early years sector with many employers only providing basic references that confirm employment dates and some refusing to provide references at all. Respondents noted that these issues make it difficult to carry safer recruitment practices. Respondents asked for new expectations in the EYFS that help ensure employers provide references including details of safeguarding concerns in a timely manner.

Government response

There is strong support from respondents for the proposals on safer recruitment, with the majority indicating that obtaining references will improve children's safety and align with what many settings already do. Many respondents also suggested this change will help them employ the best staff.

After carefully considering the consultation responses, Government will proceed with implementing all of the proposals on safer recruitment to the EYFS. However, given concerns raised about collecting references prior to interviews, we will change the wording of this so references must be obtained before employment. This will still help to ensure safer recruitment while preventing delays to employment.

New EYFS wording under 'Suitable people':

- [Providers/Childminders who are employing assistants] must obtain a reference before employment. [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.

New EYFS wording for the group and school-based provider framework (currently paragraph 3.14):

- 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).

New EYFS wording for the childminder framework (currently paragraph 3.10):

- 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 a reference 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), is suitable.

New EYFS wording under ‘Safeguarding policies and procedures’ (currently paragraph 3.6 of the group and school-based provider EYFS and paragraph 3.7 of the childminder EYFS):

Safeguarding policies must include:

- Procedures to follow to check the suitability of new recruits.

Additionally, given concerns expressed in the consultation responses about collecting meaningful, timely references in the early years sector, Government will proceed with new expectations to provide references containing details of any safeguarding concerns in a timely manner. This will align with what is expected in schools and further enhance safer recruitment practices.

New EYFS wording under ‘Suitable people’:

References should be provided for previous employees upon request in a timely manner. When asked to provide references, [providers/childminders] should ensure the information confirms whether they are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold*. They should not include information about concerns/allegations which are unsubstantiated, unfounded, false, or malicious.

* The harm test is explained in the Disclosure and Barring service [Guidance: Making barring referrals to the DBS](#) and [Section 35\(4\) of the Safeguarding Vulnerable Groups Act 2006](#).

Child absences

Relevant to: childminders and group and school-based providers

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 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 consulted on adding requirements into the EYFS for following up on unexplained or prolonged absences and for providers to have an attendance policy. This would align with what is expected in schools and help keep children and their families safe. It would also help parents to understand the expectations on them to report absences and the procedure the provider would need to follow if a child is absent.

Additionally, we consulted on adding a new requirement into the EYFS for providers to hold more than two emergency contacts for each child. This change aims to support providers to contact someone in an emergency.

Consultation findings

Question 5: To what extent do you agree with adding this requirement to follow up on absences within the EYFS?

Answer	Total	Percent
Strongly agree	1007	68.5%
Agree	378	25.7%
Neither agree nor disagree	40	2.7%
Disagree	31	2.1%
Strongly disagree	14	1%
Not answered	0	0%

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

Answer	Total	Percent
It will improve children's safety	1033	70.3%
It is what my setting currently does	953	64.8%
It is what I expect my child's childcare provider to do	312	21.2%
None of the above	26	1.8%
Not answered	53	3.6%

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

Answer	Total	Percent
It is what my setting currently does	40	2.7%
It will cause problems with parents and/or carers	31	2.1%
It will not improve children's safety	17	1.2%
It is not what I expect my child's childcare provider to	16	1.1%
I don't feel confident following up on children's absences	7	0.5%
It is not what my setting currently does	7	0.5%
None of the above	180	12.2%
Not answered	1213	82.5%

Question 8: To what extent do you agree with adding this requirement for providers to have an attendance policy?

Answer	Total	Percent
Strongly agree	898	61.1%
Agree	408	27.8%
Neither agree nor disagree	93	6.3%
Disagree	52	3.5%
Strongly disagree	19	1.3%
Not answered	0	0%

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?

Answer	Total	Percent
Strongly agree	784	53.3%
Agree	398	27.1%
Neither agree nor disagree	153	10.4%
Disagree	119	8.1%
Strongly disagree	16	1.1%
Not answered	0	0%

Qualitative responses

Amendments to the proposals on child absences were suggested by consultation respondents to make it clearer that:

- providers must consider patterns and trends in a child’s absence
- if a child is absent, actions to take can include implementing the setting’s safeguarding procedures.

Some respondents raised concerns related to the proposal to require early years providers to collect more than two emergency contacts for children in early years settings, indicating this may be difficult to achieve for some families (including: families from traveller communities, families who have recently arrived from abroad and families who speak English as an additional language). Flexibility and clear guidance was requested so that early years providers can deal with diverse family situations effectively.

Government response

The consultation responses provide evidence of strong support for the proposals on child absences, with the majority of respondents indicating that following up on child absences will improve children's safety and align with what many settings already do.

We recognise the concerns raised by some respondents about the difficulties collecting emergency contact details for some families. As the wording for this new EYFS expectation is 'should' (rather than 'must'), providers are required to take the guidance into account and should not depart from it without a good reason. This offers flexibility for cases where it is not possible to collect more than two emergency contact numbers.

After carefully considering the responses to these questions, Government will proceed with implementing all of the proposals on child absences to the EYFS, with minor amendments to the wording for additional clarity as suggested in qualitative responses.

New EYFS wording under 'Concerns about children's safety and welfare':

[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 patterns and trends in a child's absences and their 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: implementing the setting's safeguarding procedures, following up with the parents and/or carers and contacting emergency contacts if parents and/or carers are not contactable.

New EYFS wording under 'Information about the child'

Where possible, settings should hold more than two emergency contact numbers for each child.

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

Relevant to: group and school-based providers

We consulted on changing ‘lead practitioner’ in the EYFS to ‘designated safeguarding lead (DSL)’. The aim 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.

Consultation findings

Question 10: To what extent do you agree with changing the language from ‘lead practitioner’ to ‘designated safeguarding lead (DSL)’?

Answer	Total	Percent
Strongly agree	990	67.4%
Agree	347	23.6%
Neither agree nor disagree	117	8%
Disagree	10	0.7%
Strongly disagree	6	0.4%
Not answered	0	0%

Government response

After carefully considering the responses to this question, Government will proceed with implementing this change to the EYFS.

New EYFS wording under ‘Safeguarding policies and procedures’ (currently paragraph 3.4 of the group and school-based provider EYFS):

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.

Safeguarding training annex

Relevant to: childminders and group and school-based providers

We consulted on a proposal to include an annex in 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 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.

Consultation findings

Question 11: To what extent do you agree with adding the safeguarding training renewal period?

Answer	Total	Percent
Strongly agree	971	66.1%
Agree	397	27%
Neither agree nor disagree	49	3.3%
Disagree	39	2.7%
Strongly disagree	14	1%
Not answered	0	0%

Question 12: How often do you think safeguarding training should be renewed?

Answer	Total	Percent
Training should only take place when you start a new job in an early years setting	14	1%
Annually	570	38.8%
Every two years	246	16.7%
Every three years	206	14%
Every three years with refresher training each year in between	434	29.5%
Not answered	0	0%

Question 13: To what extent do you agree with adding the new safeguarding training annex?

Answer	Total	Percent
Strongly agree	835	56.8%
Agree	520	35.4%
Neither agree nor disagree	82	5.6%
Disagree	27	1.8%
Strongly disagree	6	0.4%
Not answered	0	0%

Question 14: To what extent do you agree with adding the criteria for safeguarding training (point 2 in the annex)?

Answer	Total	Percent
Strongly agree	822	55.9%
Agree	538	36.6%
Neither agree nor disagree	78	5.3%
Disagree	25	1.7%
Strongly disagree	7	0.5%
Not answered	0	0%

Question 15: To what extent do you agree with adding the criteria for designated safeguarding lead training (point 3 in the annex)?

Answer	Total	Percent
Strongly agree	853	58%
Agree	508	34.6%
Neither agree nor disagree	80	5.4%
Disagree	22	1.5%
Strongly disagree	7	0.5%
Not answered	0	0%

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

Answer	Total	Percent
It will improve children's safety	1095	74.5%
It is what my setting currently does	754	51.3%
It is what I expect my child's childcare provider to do	320	21.8%
It will reduce the burden on staff	56	3.8%
It will reduce costs for my setting	20	1.4%
None of the above	37	2.52%
Not answered	67	4.6%

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

Answer	Total	Percent
It will be expensive for my setting to implement	36	2.5%
It will not improve children's safety	21	1.4%
It is burdensome for staff	21	1.4%
There should be more safeguarding measures in the criteria	17	1.2%
None of the above	184	12.5%
Not answered	1218	82.9%

Qualitative responses

In qualitative responses, there were concerns raised about the costs and time required for undertaking safeguarding training, alongside issues with the availability and quality of existing training opportunities. There were calls for more accessible, high-quality, safeguarding training supported by clear national guidelines.

Additionally, it was suggested that the criteria for DSL training (point 3 in the annex) should include how to ensure internet safety.

Government response

There is strong support from respondents for the proposed safeguarding training annex, with the majority indicating that this will improve children's safety and align with what many settings already do. After carefully considering the responses to these questions, Government will proceed with implementing the proposals on safeguarding training to the EYFS, with the change to the criteria for DSL training so that it includes how to ensure internet safety.

We originally proposed that safeguarding training must be renewed every three years and that providers should consider whether staff need to undertake an annual refresher in that three year period. Most consultation respondents felt that safeguarding training should be renewed annually for safety reasons. However, there were also clear concerns raised about the burden of more regular training on providers. Therefore, we will implement a training renewal period of every two years, to strengthen safety further while reducing the burden that annual training would put on providers. With this shorter renewal period, providers may consider an annual refresher will be less necessary for all staff. The wording of the expectation on annual refreshers will be amended to reflect this, with 'should' replaced by 'may'.

We will continue to consider what more we can do to support the sector with undertaking safeguarding training.

New EYFS wording under ‘Safeguarding training’ for the group and school-based provider framework (currently paragraphs 3.24 and 3.25):

- 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 two years. Providers may consider whether any staff need to undertake annual refresher training during any two-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.

New EYFS wording under ‘Safeguarding training’ for the childminder framework (currently paragraphs 3.26, 3.27 and 3.28):

- 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 two years. Childminders may consider whether they and any assistants need to undertake annual refresher training during any two-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.

New EYFS wording for both the group and school-based provider framework and the childminder framework:

Annex C: Criteria for effective safeguarding training

1. Training is designed for staff 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 safer organisational culture.
 - How to ensure safer 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.
 - How to ensure internet safety.

Safeguarding training information in safeguarding policies

Relevant to: childminders and group and school-based providers

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. Therefore, we consulted on a proposal to add an EYFS requirement for safeguarding policies to include detail of how safeguarding training is delivered and how practitioners are supported to put this into practice.

Consultation findings

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?

Answer	Total	Percent
Strongly agree	759	51.6%
Agree	446	30.3%
Neither agree nor disagree	159	10.8%
Disagree	85	5.8%
Strongly disagree	21	1.4%
Not answered	0	0%

Government response

After carefully considering the responses to this question, Government will proceed with implementing this change to the EYFS.

New EYFS wording under safeguarding policies and procedures currently paragraph 3.6 of the group and school-based provider EYFS and paragraph 3.7 of the childminder EYFS):

Safeguarding policies must include:

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

Paediatric first aid (PFA) for students and trainees

Relevant to: group and school-based providers

We consulted on making it explicit in the EYFS 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 need a valid PFA certificate. The Department already recommends that providers consider this when determining if practitioners are “competent and responsible”. By making this explicit in the EYFS, we aim to increase the number of staff within early years settings that are PFA qualified. This will help ensure the safety of all children and allow any first aid emergencies to be responded to quickly.

Consultation findings

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?

Answer	Total	Percent
Strongly agree	633	43.1%
Agree	368	25%
Neither agree nor disagree	150	10.2%
Disagree	231	15.7%
Strongly disagree	66	4.5%
Not answered	22	1.5%

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

Answer	Total	Percent
It will improve children's safety	909	61.8%
It is what my setting currently does	281	19.1%
It is what I expect my child's childcare provider to do	181	12.3%
None of the above	111	7.6%
Not answered	354	24.1%

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

Answer	Total	Percent
It will pose a barrier to recruiting staff	247	16.8%
It will be expensive for my setting to implement	244	16.6%
It will not improve children's safety	109	7.4%
It is not what I expect my child's childcare provider to do	17	1.2%
It is what my setting currently does	7	0.5%
None of the above	166	11.3%
Not answered	936	63.7%

Government response

The consultation responses provide evidence of strong support for the proposal on PFA training for students, volunteers and apprentices, with the majority of respondents indicating that this proposal will improve children's safety. We recognise the concerns raised by some respondents relating to the costs and recruitment barriers posed by this proposal. However, the Department already recommends that providers consider PFA certification when considering if practitioners are 'competent and responsible' and this proposal will make this existing expectation explicit in the EYFS.

Having carefully considered the responses to all of these questions and the potential for the proposal to improve safety, Government will proceed with implementing this change to the EYFS.

New EYFS wording under 'Staff:child ratios' (currently paragraph 3.49 of the group and school-based provider EYFS):

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.

PFA training footnote

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

We consulted on changing the wording of a footnote in the EYFS on PFA training, in order to ensure greater clarity and more freedom of choice for providers when identifying and selecting a PFA training provider.

Consultation findings

Question 22: To what extent do you agree with the proposal to change the wording of the PFA footnote?

Answer	Total	Percent
Strongly agree	587	39.9%
Agree	574	39.1%
Neither agree nor disagree	267	18.2%
Disagree	30	2%
Strongly disagree	12	0.8%
Not answered	0	0%

Government response

After carefully considering the responses to this question, Government will proceed with implementing the changes to the PFA training footnote in the EYFS.

New EYFS wording under ‘Paediatric First Aid’ (currently paragraph 3.29 of the group and school-based provider EYFS and paragraph 3.34 of the childminder EYFS):

[Providers/Childminders] 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: one that is 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.

Safer eating section

Relevant to: childminders and group and school-based providers

Mealtimes and snack times for babies and children can be a high-risk environment for choking incidents and allergic reactions. Knowing how to prepare food appropriately for 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. The EYFS currently requires children to be within sight and hearing of a member of staff when eating and many providers already understand and implement safer eating procedures. However, sector feedback has indicated that more clarity in the EYFS around safer eating practices would be welcome.

We consulted on adding a new ‘safer eating’ section to the EYFS, including new requirements around allergies and anaphylaxis, introduction of solid foods and choking

prevention. The aim of this is to help ensure children are kept as safe as possible when eating in their early years setting.

Consultation findings

Question 23: To what extent do you agree with adding the new section on safer eating?

Answer	Total	Percent
Strongly agree	998	67.9%
Agree	374	25.4%
Neither agree nor disagree	57	3.9%
Disagree	28	1.9%
Strongly disagree	12	0.9%
Not answered	0	0%

Question 24: To what extent do you agree with adding the requirements on allergies and anaphylaxis?

Answer	Total	Percent
Strongly agree	1027	69.9%
Agree	378	25.7%
Neither agree nor disagree	41	2.8%
Disagree	16	1.1%
Strongly disagree	8	0.5%
Not answered	0	0%

Question 25: To what extent do you agree with adding the requirements on safe weaning?

Answer	Total	Percent
Strongly agree	884	60.1%
Agree	396	26.9%
Neither agree nor disagree	155	10.5%
Disagree	29	2%
Strongly disagree	6	0.4%
Not answered	0	0%

Question 26: To what extent do you agree with adding the requirements on choking prevention?

Answer	Total	Percent
Strongly agree	996	67.8%
Agree	379	25.8%
Neither agree nor disagree	55	3.7%
Disagree	29	2%
Strongly disagree	11	0.8%
Not answered	0	0%

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

Answer	Total	Percent
It will improve children's safety	1132	77%
It is what my setting currently does	764	52%
It is what I expect my child's childcare provider to do	280	19.1%
None of the above	19	1.3%
Not answered	65	4.4%

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

Answer	Total	Percent
It will increase burdens on staff	37	2.5%
It is what my setting currently does	33	2.2%
It will not improve children's safety	18	1.2%
It will cause problems with parents and/or carers	12	0.8%
It is not what my setting currently does	2	0.1%
None of the above	153	10.4%
Not answered	1240	84.4%

Qualitative responses

Some respondents emphasised the practical and logistical challenges, including staffing and financial burdens, associated with the proposal for PFA trained staff to be present

during mealtimes. There were suggestions that this requirement may be especially difficult to implement for school settings.

Additionally, it was suggested that the PFA supervision requirement should be moved to the top of the safer eating section to highlight its importance.

Government response

We recognise the concerns raised by some respondents relating to PFA trained staff being present during mealtime. However, the consultation responses provide evidence of strong support for all of the proposals on safer eating, with the majority of respondents indicating that the new safer eating section will improve children's safety and align with what many settings already do.

After carefully considering the responses to these questions, Government will proceed with implementing the new safer eating section to the EYFS, with the PFA supervision requirement moved to the top of this section.

New EYFS wording under 'Food and drink facilities':

- Whilst children are eating there should always be a member of staff in the room with a valid paediatric first aid certificate.
- 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.
- 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.

Toileting and privacy

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

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.

Consultation findings

Question 29: To what extent do you agree with adding this requirement regarding toileting, privacy and safeguarding need?

Answer	Total	Percent
Strongly agree	821	55.9%
Agree	466	31.7%
Neither agree nor disagree	128	8.7%
Disagree	40	2.7%
Strongly disagree	15	1%
Not answered	0	0%

Qualitative findings

A small number of respondents raised concerns around balancing the proposed new requirement for privacy during toileting and nappy changing with ensuring adequate supervision of all children in their care, in particular for childminders who often work alone and have more constrained resource and staffing. Some respondents also discussed concerns about the impact of the proposal on safeguarding against potential child abuse and allegations against staff, suggesting that maintaining visibility and public settings during these routines enhances both child and staff safety.

Government response

This proposal is clear that children's privacy must be balanced with safeguarding. In some cases, such as for lone childminders, this may mean a childminder meeting the requirement by using themselves or a privacy screen to shield a child and maintain their privacy while still ensuring adequate supervision and safety for other children.

After carefully considering the responses to this question, Government will proceed with implementing this change on toileting and privacy to the EYFS.

New EYFS wording under toilet and intimate hygiene (currently paragraph 3.71 of the group and school-based provider EYFS and paragraph 3.70 of the childminder EYFS):

[Providers/Childminders] must ensure:

- Children's privacy is considered and balanced with safeguarding and support needs when changing nappies and toileting.

Further comments

Consultation findings

Question 30: Do you foresee any negative consequences for early years providers as a result of these proposed changes to the EYFS framework?

Answer	Total	Percent
Yes	523	35.6%
No	807	54.9%
Don't know	140	9.5%
Not answered	0	0%

Please state the specific area you foresee any issues in your response for example: administration burdens, costs, difficulty in recruiting and retaining staff.

In addition to respondents' specific concerns about particular safeguarding proposals (set out in the relevant sections above), respondents also raised more general concerns about the impacts of the EYFS safeguarding changes, including:

- **Financial concerns:** Respondents noted that without additional government funding, the anticipated costs of increased PFA and safeguarding training could exacerbate existing financial pressures on the early years sector and worsen recruitment and retention challenges, especially in smaller and rural settings.
- **Operational and staffing concerns:** Respondents anticipated increased workloads and administrative burdens as a result of the EYFS changes, which they felt would potentially divert resources away from direct childcare. Additionally, respondents felt recruitment and retention issues may worsen due to low pay, heavy workloads, and increased responsibilities without corresponding pay increases.

Question 31: Do you think any further changes should be made to the safeguarding requirements in the EYFS framework?

Answer	Total	Percent
Yes	345	23.5%
No	761	51.8%
Don't know	364	24.8%
Not answered	0	0%

In qualitative responses, respondents asked for clear and comprehensive guidance in the EYFS on whistleblowing procedures to help ensure that all early years practitioners understand when and how to escalate any safeguarding concerns. Respondents also expressed the need to establish clear feedback mechanisms for staff who report concerns to ensure transparency and accountability in the handling of safeguarding issues.

Question 32: 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. If you noted negative impacts, how would you mitigate against these concerns?

Respondents spoke about the positive impacts of the safeguarding proposals on individuals with protected characteristics, including both staff and children in early years settings. Respondents felt the safeguarding proposals will improve practitioner confidence and knowledge, including for those with protected characteristics. Similarly, respondents felt the proposals will improve safety for all children in early years settings, including for those with protected characteristics. The safer eating proposals in particular were highlighted as being beneficial for improving safety during mealtimes for children with Special Educational Needs and Disabilities.

However, respondents also noted negative impacts on individuals with protected characteristics, such as increased paperwork, which may disproportionately impact staff with dyslexia. Additionally, respondents highlighted difficulties associated with implementing the proposals on child absences (including reporting child absences and collecting emergency contacts) for different families, including those from traveller communities, those who have recently arrived from abroad and those who speak English as an additional language.

To mitigate potential negative impacts, respondents felt that clear and simplified policy communication and increased government funding and operational support would be beneficial.

Government response

Based on consultation responses, we will also proceed with implementing new requirements on whistleblowing. This will align with what is expected in schools and support practitioner confidence with regards to whistleblowing to ensure children are kept as safe as possible.

New EYFS wording:

[Providers/Childminders] must put appropriate whistleblowing procedures in place for staff to raise concerns about poor or unsafe practice in the setting's safeguarding provision. This must include when and how to report concerns and the process that will

be followed after staff report concerns. [Providers/Childminders] must ensure staff are aware of the setting's whistleblowing procedures and must ensure all staff feel able to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously by the senior leadership team.

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other channels are open to them:

- NSPCC whistleblowing advice line is available. Staff can call 0800 0280285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends. The email address is: help@nspcc.org.uk. Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.
- Ofsted provides guidance on how to make complaints about a childcare provider: [Complaints procedure - Ofsted - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/complaints-procedure-ofsted).
- General guidance on whistleblowing can be found via: [Whistleblowing for employees](#).

This Government is committed to supporting the early years sector to deliver the safest early years provision possible. The consultation has shown that early years providers have excellent practices in place to keep children safe and many are already carrying out the consultation proposals in their settings. We want to formalise existing best practice in the sector and ensure that all educators have the knowledge and support they need to deliver the safest, highest-quality early education and childcare provision possible.

That's why after carefully considering the responses to this consultation, as well as the individual and cumulative potential impacts of the proposals, we will be implementing this package of safeguarding reforms to the EYFS.

The Department understands the concerns raised by some respondents regarding funding, workload and recruitment and retention and we recognise the hard work and dedication of staff across the sector in providing high-quality early years provision that is key to ensuring all children get the best start in life. We will continue to work with the sector to consider how we can best support early years providers to deliver high quality, safe early education and care and make sure providers understand these regulatory changes.

Next step

It is the Government's intention to proceed with statutory national implementation of the EYFS safeguarding reforms from 1st September 2025. This will give the sector time to prepare for the changes that will be made to the EYFS. We will work closely with the sector and local authorities to ensure they understand the reforms and how they can best implement them. Additionally, we will continue to monitor and review safeguarding in early years settings to consider how we can further support providers to deliver the safest early education and childcare possible.



Department
for Education

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