



**Early Years  
Record**



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## **EYFS Update: Are you compliant?**

All early years providers in England including maintained schools, non-maintained schools, independent schools, free schools, academies, providers on the Early Years Register and all providers registered with an early years childminder **must** be compliant with the new EYFS from the 3<sup>rd</sup> April 2017.

We have prepared a full list of changes in the revised EYFS which can be found below.

Early Years Record is built for nurseries and early years settings. It allows you to keep track of your compliance with legislation and guidance - including the most recent revision of the Early Years Foundation Stage (EYFS).

Early Years Record tracks your safeguarding, child protection, health and safety, building and premises management against best practice from experts and Ofsted.

All these updates and more will be in Early Years Record in time for the 3<sup>rd</sup> April!



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### Child protection

- Providers ensure all staff have up-to-date knowledge of safeguarding issues, which should include any reasons to suspect neglect or abuse outside the setting, for example in the child's home **or that a girl may have been subjected to (or is at risk of) female genital mutilation.**
- **Providers may also find “What to do if you're worried a child is being abused: advice for practitioners” helpful:**  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/419604/What to do if you re worried a child is being abused.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf)
- **Providers must have regard to the ‘Prevent duty guidance for England and Wales 2015’:**  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)
- All schools are required to have regard to the government's ‘Keeping Children Safe in Education’ statutory guidance, and **other childcare providers may also find it helpful to refer to this guidance:**  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/550511/Keeping children safe in education.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf)

### Suitable people



- For childminders, Ofsted or the agency with which the childminder is registered is responsible for checking the suitability of childminders, of every other person looking after children for whom the childminding is being provided (**whether on domestic or non-domestic premises**).
- Registered providers other than childminders must obtain an enhanced criminal records check in respect of every person aged 16 and over (**including for unsupervised volunteers, and supervised volunteers who provide personal care**).
- **An additional criminal records check (or checks if more than one country) should also be made for anyone who has lived or worked abroad:** <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
- Providers must tell staff that they are expected to disclose any convictions, cautions, court orders, reprimands and warnings that may affect their suitability to work with children (whether received before or during their employment at the setting), **except convictions or cautions that are protected for the purposes of the Rehabilitation of Offenders Act 1974**
- DBS disclosures and barred list information are only issued to the potential employee; **providers must check the disclosure and consider whether it contains any information that would suggest the person was unsuitable for the position, before an individual starts work with children.** Where a potential or existing employee has subscribed to the online DBS Update service, providers should check the status of the disclosure. Where the check identifies there has been a change to the disclosure details, a new enhanced DBS disclosure must be applied for. **Before accessing the DBS update service consent to do so must be obtained from the member of staff.**

### Disqualification

- Schools are required to have regard to the disqualification guidance published by the Department for Education, which is available at: [www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006](http://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006) **Other providers may also find it helpful to refer to this guidance.**

### Staff qualifications, training, support and skills

- Supervision should provide opportunities for staff to: discuss any issues – particularly concerning children’s development or wellbeing, **including child protection concerns.**
- At least one person who has a current paediatric first aid (PFA) certificate must be on the premises and available at all times when children are present, and must accompany children on outings. **The certificate must be for a full course consistent with the criteria set out in Annex A.**
- **PFA training must be renewed every three years and be relevant for workers caring for young children and where relevant, babies.**
- **All newly qualified entrants to the early years workforce who have completed a level 2 and/or level 3 qualification on or after 30 June 2016,**



must also have either a full PFA or an emergency PFA certificate within three months of starting work in order to be included in the required staff:child ratios at level 2 or level 3 in an early years setting.

- Providers should display (or make available to parents) staff PFA certificates or a list of staff who have a current PFA certificate.
- Providers are responsible for identifying and selecting a competent training provider to deliver their PFA training. 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](http://www.hse.gov.uk/pubns/geis3.htm)

#### Staff:child ratios - early years providers (other than childminders)

- Ratios now apply to nursery classes in **free schools and academies**.

#### Before/after school care and holiday provision

- Providers offering care exclusively before and after school or during the school holidays for children who normally attend Reception (or older) class during the school day do not need to meet the learning and development requirements. **However, providers offering care exclusively before and after school or during the school holidays for children younger than those in the Reception class age range, should continue to be guided by, but do not have to meet, the learning and development requirements.** All such providers should discuss with parents and/or carers (and other practitioners/providers as appropriate, including school staff/teachers) the support they intend to offer.

#### Childminders

- At any one time, childminders (**whether providing the childminding on domestic or non-domestic premises**) may care for a maximum of six children under the age of eight.

#### Medicines

- **Prescription medicines must not be administered** unless they have been prescribed for a child by a doctor, dentist, nurse or pharmacist (medicines containing aspirin should only be given if prescribed by a doctor). *Wording has been removed saying that non-prescription medicines "must not usually be administered", but written permission from the child's parent/carer is still required.*

#### Premises

- Providers must carry the appropriate insurance (e.g. public liability insurance) to cover all premises from which they provide childcare or childminding.



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### Special educational needs

- Providers must have arrangements in place to support children with SEN or disabilities. **Maintained schools, maintained nursery schools and all providers who are funded by the local authority** to deliver early education places must have regard to the Special Educational Needs Code of Practice. **Maintained schools and maintained nursery schools** must identify a member of staff to act as Special Educational Needs Co-ordinator (SENCO) and other providers (in group provision) are expected to identify a SENCO.
- **Childminders are encouraged to identify a person to act as a SENCO and childminders who are registered with a childminder agency or who are part of a network may wish to share the role between them.**

### Changes that must be notified to Ofsted or the relevant childminder agency (CMA)

- Any change in the address of the premises (**and seek approval to operate from those premises where appropriate**); to the premises which may affect the space available to children and the quality of childcare available to them; in the name or address of the provider, or the provider's other contact information; **to the person who is managing the early years provision**; in the persons aged 16 years or older living or working on any domestic premises from which childminding is provided; or to the persons caring for children on any premises where childminding is provided.



**For more information on Early Years Record, email [earlyyearsrecord@butterflyprint.co.uk](mailto:earlyyearsrecord@butterflyprint.co.uk), call 01706 817248 or view our 2 minute video introduction on our website:**

[www.butterflyprint.co.uk/early-years-record/](http://www.butterflyprint.co.uk/early-years-record/)