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Glossary

Designated person for child protection

The person in your setting who has lead responsibility for safeguarding children.

Early Years Foundation Stage

The learning and development requirements and welfare requirements which Early Years' providers must comply with.

Early year's provider

A person who provides early years services. This includes anyone registered on the Early Years Register and schools (maintained and independent) which provide early years services. The registered 'person' may be a company, committee or group.

Early year's provision

Learning, development and care for a young child.

Key person

The named member of staff assigned to an individual child to support their development and act as the key point of contact for their parents.

Manager

The person who manages the early year's provision.

Non-maintained special school

A special school not maintained by a local authority, approved by the Secretary of State under Section 342 of the Education Act 1996.

Nursery class

In this document this refers to a class in any school comprising children who have their fourth birthday during the school year, and any other children it is appropriate to educate them with. This is usually the year before children attend a reception class.

Ofsted

Ofsted is the Office for Standards in Education, Children's Services and Skills. An independent, non-ministerial government department, responsible for arranging and inspecting a range of education and children's services, and for inspecting and regulating early year's provision and registered childcare.

Parent

Any one who:

- has parental responsibility for a child
- or
- has care of a child.

Person in charge

Someone chosen by the registered person to be responsible for providing early years services on the premises. If this person is not available the person in charge is the nominated deputy.

Practitioner

Any adult who works with children in a setting.

Premises

Any building, area or vehicle where childcare is provided.

School

In this document school refers to maintained schools, independent schools and non-maintained special schools.

School day

In this document a school day is defined as two sessions with a break in the middle of the day between those sessions.

School teacher

School teachers include qualified teachers and those on employment-based routes to Qualified Teacher Status and teachers trained overseas.

Special Educational Needs co-ordinator SENCO

The named person responsible for overseeing inclusive practice in your setting.

Setting

Any out-of-home provider of early years services for children from birth to five years old, such as childminders, local authority nurseries, nursery or early years centres, children's centres, playgroups, pre-schools, or schools in the independent, private or voluntary sector and maintained schools.

Young child

A child is a young child from birth until the 1st September after their 5th birthday.

The Code of Practice

The Code of Practice should be written for every person involved in the setting, including:

- permanent members of staff
- sessional workers
- volunteers on placement
- trainees.

This code should be presented as a handbook to all staff at their induction so it becomes a working document for the whole setting. Every member of staff needs to sign to say that they have read and understood the document and we advise you to regularly discuss and revise the policies and procedures at team meetings.

What is the Code of Practice?

The Code of Practice is guidance for staff which makes sure that the setting is run effectively for children and parents.

Why have a Code of Practice?

A Code of Practice is written to

- make expectations for how people work absolutely clear
- make sure that families who leave their children at the setting get the best possible service
- reduce the possibility of risk of injury or abuse of any kind for all children
- make sure that there is no misunderstanding about the policies
- make children and families feel confident about the provision.

Every member of staff needs to take personal responsibility for understanding and abiding by the Code of Practice.

What does it cover?

The Code of Practice should cover **all** your working policies and procedures.

Policies and procedures

You will be expected to have written copies of any policies and procedures which are needed for things like safeguarding children or promoting equal opportunities. You should make sure that:

- all members of staff have been given copies of these policies and procedures (as a Code of Practice) as part of their induction
- the policies are explained, and accessible, to all parents.

Doing this helps the smooth running of your setting, and will help you get through your Ofsted visits and have evidence for Quality Assurance.

A policy is more than just a written document. It should be:

- individual to your setting
- a working document that everyone who works in your setting understands, is responsible for and works together to put into practice.

All policies should include an **aim**, a clear statement about what your policy is seeking to achieve.

Your policies will outline a commitment to staff training and explain how information and expertise is shared in your setting. This information can be updated once a year when your policies are reviewed.

This guide is intended to help you write the policies and procedures and tell you some of the important factors to consider. It is meant as a starting point only.

Safeguarding

Refer to page 22 of the **Statutory Framework for the Early Years Foundation Stage**

For up to date information on safeguarding and to access a model safeguarding policy for settings please visit the Devon Early Years and Childcare Service at: www.devon.gov.uk/eyscs/safeguardinginformation. This website is updated regularly.

An effective Safeguarding policy and related procedures need to be in place to protect children, parents and carers. The welfare, safety and protection of children is paramount.

The Department of Health (DoH) has produced a booklet called '**What to do if you're worried a child is being abused**'. This is an important document and can be downloaded from:

<https://www.education.gov.uk/publications/standard/publicationdetail/page1/DFES-04319-2006>.

Child protection policy statement

Everyone who comes into contact with children and families in their everyday work, including people who don't have a specific role in relation to child protection, has a duty to safeguard and promote the welfare of children.

In your setting, your prime responsibility is to protect the safety and wellbeing of all children in your care.

The policy statement needs to include:

- your staffing arrangements, which enable staff to meet this responsibility
- the principles underlining the procedures your setting follows if you have reason to believe any child is subject to emotional, physical or sexual abuse or neglect.

Your setting has a duty to children, parents and staff to act quickly and responsibly in any instance that comes to your attention, including reporting suspicions around abuse to all relevant professionals identified by the **Devon Safeguarding Children Board (DSCB¹)**. Ofsted need to be informed when allegations of serious harm or abuse by any person living, working or looking after children at the premises or any abuse alleged to have happened on the premises.

Your setting will need to follow South West Child Protection Procedures (www.swcpp.org.uk) which the Devon Safeguarding Children Board follows.

Designated person for child protection²

Your setting must have a designated person to take lead responsibility for safeguarding children. They will need to attend a Group 3 Multi-Agency child protection training course (which needs to be updated every three years) and work with local statutory children's services agencies as appropriate. Training is

¹ <http://www.dscb.info/>

² Appendix 13 is a sample job description for the designated person for child protection

available through the Devon Early Years and Childcare Service. You can get more information on training by visiting the training website at:
<http://www.devon.gov.uk/eycs/eycs-childcareproviders-training.htm>.

Other staff

Every member of staff should attend Group 2 Safeguarding Awareness training (which should be updated every three years), have up-to-date knowledge of safeguarding issues and be able to use the safeguarding children policy and procedures appropriately. Policies should be in line with Devon LSCB guidance and procedures.

Staff should be able to respond appropriately to:

- any significant changes in a child's behaviour
- deterioration in a child's general wellbeing
- unexplained bruising, marks or signs of possible abuse
- signs of neglect
- comments a child makes which may give cause for concern.

Allegations of abuse relating to staff

Children can be subjected to abuse by those who **work** with them. All allegations of abuse or maltreatment of children by a professional staff member or volunteer must be taken seriously.

Having appropriate policies and procedures in place and following the principles of good practice will protect the children and the adults in your setting.

Staff need to avoid putting themselves in situations that may lead to allegations being made against them. They also need to observe your Code of Staff Conduct, making sure that:

- the safety and welfare of the child is always paramount
- they fulfil their responsibilities and duties towards children by working in partnership with parents
- their relationships with the children and their families are conducted in a professional manner at all times
- all the policies and procedures for working with parents and carers are followed.

Be vigilant in health and safety matters; when a child begins a session at your setting record any bruises or marks a child they have in your incident log³. Use a separate page for each child to ensure confidentiality.

Make sure that all accidents⁴ are reported to parents and carers for their signature. Where possible any written account should be witnessed by a second member of staff.

Any training needs should be passed on to a line manager.

³ **Appendix 10** is a sample incident log

⁴ **Appendix 11** is a sample accident log.

Additional advice, help and support is available from your Early Years and Childcare Adviser. Contact details are available at:
http://www.devon.gov.uk/early_years_and_childcare_service_advisers.pdf

Suspected abuse in your setting

If anyone makes an allegation against a member of your staff your designated person will need inform the Local Authority Designated Officer (LADO)⁵ and Ofsted.

The staff member the allegations have been made against may need to be suspended pending further investigation. Your designated person will need to seek advice from the LADO regarding suspension.

Staff will need to co-operate with any investigation by police, the LADO and Children and Young People's Services.

Ofsted will need to be kept informed of the allegations and told the outcome.

The child's parents will be kept fully informed throughout as directed by the LADO and Children and Young People's Services. Staff will need to work with the child and their family to offer them support and rebuild trust.

Staff will be supported by the designated person and managers.

You will need to check your setting's policies and procedures and review them as necessary in light of the allegations and the outcome of any investigation.

Suspected abuse outside your setting

These procedures will come into action if you suspect any child is the victim of physical, sexual or emotional abuse or neglect outside your setting. Please refer to the flowcharts on pages 10–14 in '**What to do if you're worried a child is being abused.**'

The concerned staff member should discuss the situation immediately with the designated person for child protection. The designated person will review the information depending on the reports / information available.

Some or all of these steps should be taken:

- The child's parents should be told what action is being taken if the designated person and the managers think this will not put the child further at risk - if they are not sure they should get professional advice. This can be from the Early Years and Childcare Adviser or the Multi-Agency Safeguarding Hub (MASH). More information on MASH is given at the end of this safeguarding section.

⁵ Allegations against staff Referral Co-ordinator 01392 384964
Exeter and East 01392 384965
South and West 01392 380739
North and Mid 01392 388670

- The matter should be referred to Children and Young People's Services and staff will need to co-operate with any investigation by the police and Children and Young People's Services.
- Staff will work with the child and, if appropriate, their family in partnership with other agencies.
- The staff team should be supported by the designated person and managers.
- Work with parents and the local Children's Centre on the development of a Common Assessment Framework (CAF).

As a result of suspected abuse a comprehensive, confidential report will need to be compiled. It will include:

- a description of the alleged abuse or neglect
- a diary of events
- accounts of any meetings with parents
- any action taken
- steps taken to support the child
- any lessons learnt
- details of any resulting changes to be made to your setting's procedures or practices.

Concerned about a child's safety?

If you are concerned about a child or young person in Devon and want to speak to someone contact our **Multi-Agency Safeguarding Hub (MASH)** on **0345 155 1071** or email mashsecure@devon.gcsx.gov.uk and give as much information as you can.

Information for professionals

All safeguarding and child protection enquiries in Devon now go through the MASH. The MASH is staffed with professionals from different agencies including, police, probation, fire, ambulance, health, education and social care. These professionals share information to:

- identify instances of harm early on
- put in place interventions to prevent further harm.

If you are a professional and want to make a referral to children's social care you need to contact the **Multi-Agency Safeguarding Hub (MASH)** and make an official enquiry.

MASH

The **Multi-Agency Safeguarding Hub (MASH)** is the central resource for the whole of Devon receiving all safeguarding and child protection enquiries.

MASH staff gather information from every agency and use this to decide the most appropriate intervention to respond to the child's identified needs. Where appropriate, the MASH team is able to immediately trigger a response. The emphasis is on triggering interventions to the child or young person and their family to prevent harm. The Early Years and Childcare Service is one of the agencies

working with MASH and liaise with Children's Centres and Early Years and Childcare settings to gather information on children and families as requested by MASH.

Working together in this way ensures that the agencies are sharing information and are able to respond to a child's needs quickly and efficiently. The MASH method has resulted in more effective and earlier identification of vulnerable children. It has reduced the number of different professionals being involved, while keeping the most appropriate professional to deliver interventions to meet the needs identified in any particular case. It has avoided unnecessary duplication and visits, and simplified processes. It has also improved communication between professionals.

Working with parents and carers

You must engage with parents and provide them with information about:

- the type of activities you provide for the children
- your setting's daily routines
- the staffing of your setting
- food and drink provided for the children
- your policies and procedures for things like admissions, equal opportunities and safeguarding children
- your complaints procedure - making copies available on request
- contact details for Ofsted letting parents know that they can complain to Ofsted if they wish
- what happens if a parent fails to collect a child at the appointed time
- what happens if a child goes missing?

Working in partnership with parents is valuable, and important to safeguard and promote the welfare of children.

You should aim to form a good relationship with parents, so that developmental, social and health related information about children can be exchanged easily and comfortably by staff and parents.

You should try to achieve a strong working partnership with parents by:

- assigning every child a key person, to help them become familiar with the setting - the key person should develop a genuine bond with the child and the child's parents
- making sure that a member of staff in charge is always available to talk to parents
- making sure that parents can arrange private discussions at agreed times
- keeping information provided by parents about their children confidential and treating it on a strict need-to-know basis
- making sure that information about the child's activities during the day is available to parents on a daily basis - they can be told the information or read it in the child's development book

- making sure that if there are any concerns about the child's wellbeing during the day every effort will be made to contact the parents or the emergency contact
- asking parents to keep you informed of any changes to personal circumstances, such as change of address, telephone number, doctor or emergency contact
- asking parents to keep you informed of any circumstances which could have an effect on a child's emotional wellbeing, such as bereavement, separation or illness in the family.

Registration system⁶

You will need a robust system for recording the times of arrival and departure of children and staff.

You will also need a visitors' book to record the time of every visitor's arrival, time of departure, who they are visiting and car registration number if appropriate.

Late or uncollected children

If you have any late or uncollected children you should consider:

- telling the designated person for child protection
- the wellbeing of the child - make sure that a minimum of two members of staff stay on site
- whether it is appropriate to charge a late collection fee

Set a time limit before your uncollected child procedure starts.

Your procedure needs to cover:

- attempting to contact parents or carers or both
- finding details of emergency contacts for the child.

Never attempt to take the child home yourself, or allow someone who has not been authorised by the parents or carers to collect the child to take them.

If all of these measures fail contact the Devon Safeguarding Children Board via the Multi-Agency Safeguarding Hub (MASH) on **0345 155 1071** or out of hours on **0845 6000 388**.

A report should be written up as soon as possible after the incident and a copy sent to Ofsted with an action plan. The incident should be recorded in the incident log. Always have an emergency contact list including contact details for the Local Safeguarding Children Board, your local police department and all emergency services.

Complaints⁷

Records of written complaints must be kept for at least three years.

⁶ **Appendix 5** contains guidance for using your register and sample registers for children and adults.

⁷ **Appendix 6** is a sample complaints log.

These guidelines explain what needs to be written in each section of the sample complaints log.

Source of complaint

You need to record who made the complaint. When people complain to Ofsted, they will normally refer the person making the complaint to you in the first instance. If Ofsted carries out an investigation into your suitability to provide childcare following a complaint, they will tell you the outcome of the investigation. Where they do this, you should enter Ofsted as the source and the Ofsted complaint number, if known.

Nature of complaint and details of the complaint

The record is only for complaints relating to the Welfare Requirements. You must record here one or more Welfare Requirements the complaint refers to. If you are unsure you should refer to the **Statutory Framework for the Early Years Foundation Stage** and the accompanying practice guidance. You must record all details associated with the complaint, taking care not to name individuals. For example, use child A or staff member B.

How complaint was dealt with

You must provide information on how you investigated the complaint. You will need to record:

- the process that you took to make sure that the complaint was fully investigated, such as interviews and reviews of records
- who was involved in the investigation - without identifying any individuals named in the complaint including members of staff or any child
- any referrals you made to an external agency, for example a local authority, environmental health departments or Children and Young People's Services.

Actions and outcomes

You must give details about the outcome of your investigation. You will need to record:

- any action(s) identified by you
- any actions identified or taken by Ofsted
- any action taken by another external agency, where you have their permission to do so
- the outcome of your investigation - identifying any areas where you feel you could make improvements to your setting
- if you dismissed any members of staff following the investigation and if so, under what circumstances
- if you have dismissed a member of staff for misconduct because they placed a child at risk of significant harm.

You may need to refer a child to be included on the **Protection of Children Act (POCA)** list. You can find out how to do this by contacting Ofsted on **0300 123 1231**.

You must share an account of the findings of your investigation and the action, if any, that you took or you intend to take as a result of your investigations with parents at your setting. You must do this within 28 days of the date the complaint was made. You can do this by sharing the complaints log. If they ask you to, or if

you think it is appropriate, you should send a separate letter to the parent who made the complaint giving more detail.

Admissions policy

Your setting should be accessible through fair and clear procedures.

Before a child attends your setting the parents or carers must complete and sign the contract or registration form.

This gives your setting vital information, such as:

- name, home address and date of birth of the child
- name the child likes to be known by
- starting date and the number of sessions needed each week
- arrangements for paying fees
- arrangements for collecting the child
- name, address and telephone numbers of parents or carers or both
- emergency telephone numbers
- name, address and telephone number of the child's doctor
- information about special diets or allergies
- illness and inoculation details
- parental consents on emergency procedures
- consent for photography for monitoring, advertising and evaluating
- consent to take part in off-site activities
- information about who has legal contact with, and parental responsibility for, the child

Payment policy

It is important to draw up a contract with the parents on your payment policy. This must be signed by the parent or carer.

Parental involvement

Parents or carers should be asked to give you any information they feel will help you to take the best care of their children.

Involve parents formally and informally in shared record keeping about their child making sure that they have access to all written records on their child. Make sure that all parents are given information on a regular basis about their child's progress and have an opportunity to discuss it with staff.

Make sure that all parents have opportunities to contribute their own skills, knowledge and interests to the activities of the group.

You should welcome the contributions of parents, whatever form these may take.

Make sure all parents know the systems for registering queries, complaints and suggestions.

Talking to parents, carers and visitors

Your setting should be a place where parents, carers and visitors feel welcome and at ease.

- Always be warm and welcoming to people.
- Always maintain appropriate boundaries with parents, carers and children.
- Make sure visitors to the setting sign the visitors' book.
- Make sure children only leave the session with someone authorised to collect them. We would advise you to have a password system if a parent has notified staff that someone different is collecting their child.
- Never take hot drinks into a room where there are children.

Equal Opportunities

Refer to page 25 of the *Statutory Framework for the Early Years Foundation Stage*

You must promote equal opportunities and anti-discriminatory practice, and must make sure that every child is included and not disadvantaged because of their:

- ethnicity
- culture
- religion
- home language
- family background
- learning difficulties
- disabilities
- gender
- ability.

Your equal opportunities policy should take make sure that:

- your setting is open to all children and families, and to all adults committed to their education and care. You should make sure that everyone who wants to work in the setting, or volunteer to help, should have an equal chance to do so.
- you never discriminate against anyone because of race, ethnic group, gender, ability, disability, age, status, sexuality, medical requirements and social or family commitments
- all children will be respected and their individuality and potential recognised, valued and nurtured
- information is included about how all children, including those who are disabled or have special educational needs, will be included, valued and supported, and how reasonable adjustments will be made for them
- there is a confirmed commitment to working with parents and other agencies.

You should also include information about how the ***Special Educational Needs Code of Practice*** is put into practice in your setting, where appropriate, and include the name of the Special Educational Needs co-ordinator (SENCO).

Make sure that any discriminatory language, behaviour or remarks by children, parents or any other adults are unacceptable in your setting.

Activities and play equipment should allow children opportunities to develop in an environment free from prejudice and discrimination.

Appropriate opportunities should be given to children to explore, acknowledge and value similarities and differences between themselves and others.

Staff are important role models for the children and you should aim to employ a team who represent all sections of the community and who recognise the importance of equal opportunities for all. This applies to all aspects of service delivery, including management, employment practice and training.

You should make arrangements for reviewing, monitoring and evaluating the effectiveness of your inclusive practices.

Inclusion

Inclusion involves enabling all children to have the same choices and opportunities in accessing services in their community whatever their needs.

Think about:

- how you can promote inclusion in your setting
- how children and adults be included, valued and supported
- how you will promote access for all children to the same range of services, facilities and resources
- working in partnership with everyone involved in the child's development - seeking the views of the children and families and valuing their contribution
- recognising children's rights and safeguarding their welfare
- increasing awareness of special needs, minority groups and groups that can be discriminated against
- encouraging children and adults to have positive self-image
- challenging unacceptable language and actions or beliefs which may be prejudicial or exclusive to others.

Health

Refer to page 26 of the ***Statutory Framework for the Early Years Foundation Stage***

You must:

- promote the good health of the children
- take necessary steps to prevent the spread of infection
- take appropriate action when children are ill.

You must have an effective policy on administering medicines. The policy must include effective management systems to support individual children with medical needs.

Medication policy⁸

- No medication should be given to any child without the written permission of a parent or carer, unless prescribed by a health professional.
- Always check the name and the date on the medication.
- All medication given to children should be recorded in the medicine log - doses and times should be checked by a second person.
- The medicine log should be signed by staff and parents.
- Each child should have a separate sheet to ensure confidentiality.
- Think about who will be responsible for the safe-keeping and administration of medicines – for example your designated person for child protection.

You should ask parents about the medicines that their child needs to take and ask them to give you details of any changes to the prescription or the support needed. If giving the child prescription medicines needs technical or medical knowledge then training should be provided for staff from a qualified health professional. Training should be specific to the individual child concerned.

Medicines should only be taken to a setting when it is essential and your setting should usually only accept medicines which have been prescribed by a health professional. You will need to arrange who should administer medicines, either on a voluntary basis or as part of a contract of employment.

Medicines should be stored strictly in accordance with product instructions. You should consider how you will get to the medicine in an emergency.

Illnesses and injuries

Refer to page 26 of the **Statutory Framework for the Early Years Foundation Stage**

You **must** tell Ofsted and local child protection agencies about any:

- serious accident involving a child
- illness or injury to a child
- death of a child while in your care

You must also tell them about any action taken and must act on any advice given.

You must notify them as soon as is reasonably practicable, but within 14 days of the incident happening. You will commit an offence if you do not comply with this requirement without a reasonable excuse.

You must have at least one member of staff on the premises with the children who has a current paediatric first aid certificate. One member of staff who has a current paediatric first aid certificate must be present on outings. First aid training must be approved by Devon County Council and consistent with guidance set out in **Practice Guidance for the Early Years Foundation Stage**.

Great care should be taken at all times to prevent injury to children and staff. However, accidents will happen and the way they are dealt with is extremely important.

⁸ Appendices 7,8,9 are sample medication record logs

You must

- keep a record of accidents and first aid treatment in an accident log
- tell parents about any accidents or injuries sustained by the child while in your care and of any first aid treatment given
- make sure the parent or carer signs the accident log when they collect the child
- use an individual sheet for each child to ensure confidentiality
- wear safety gloves when dealing with blood, saliva or other body fluids
- be aware of procedures for phoning for an ambulance
- make every effort to contact the parents or carers
- make sure the contents of the first aid box meet the requirements set out in the paediatric first aid course
- discuss the procedure for children who are ill or infectious with parents, including the possibility of exclusion
- discuss the protocol for contacting parents, or an adult designated by the parent, if a child becomes ill or receives minor injuries while in your care.

Refer to ***Spotty Book: Notes on Infectious Diseases in Schools***. You can get a copy of this from the Devon Health Protection Unit on **01803 861833**

You should make sure that any animals on the premises are safe to be around children and do not pose a health risk.

Where necessary you must comply with ***RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995)***.

Also refer to the Accidents section of the ***Health and Safety Handbook*** which can be found in this binder under **Health and Safety**.

Food and drink

Refer to page 27 of the ***Statutory Framework for the Early Years Foundation Stage***

You must tell Ofsted about any food poisoning affecting two or more children looked after on the premises.

Fresh drinking water must be readily available at all times and you must provide healthy and nutritious snacks for all children, accommodating special dietary needs and preferences.

Think about when you will give meals and snacks when you plan your daily routines, taking into consideration when the children will arrive and leave.

You will need to think about including food hygiene in the staff induction and in on the job training available to all staff involved in preparing and handling food.

You need to be aware of your responsibilities under food hygiene legislation, including registering with your local Environmental Health Department.

If parents provide packed lunches, you should let them know what can be stored safely and discuss appropriate food.

Special dietary needs may be included in one of your policies, or be a policy on its own. It needs to record how individual needs are recorded and met, including details of:

- allergies
- strong likes or dislikes
- cultural or religious requirements.

No smoking policy

You must make sure that children are in a smoke free environment and a no smoking sign should be displayed at all times in your setting.

You should have a no smoking policy which makes sure that no one smokes in a room, or outside play area, when children are present or about to be present. If, in exceptional circumstances, children are expected to use a space that has been used for smoking, you need to make sure that there is adequate ventilation to clear the air.

If any person is found smoking at the setting you manager should politely outline the no smoking policy and ask them to leave immediately.

Behaviour management policy

Refer to page 28 of the *Statutory Framework for the Early Years Foundation Stage*

You must have an effective behaviour management policy, which is adhered to by all members of staff. The policy will be individual to your setting.

A behaviour management policy should be a positive document which promotes good behaviour. Staff should act as role models and the policy should be applied consistently to ensure continuity of care. Children's behaviour must be managed effectively in a way that is appropriate for their stage of development and particular needs.

Your setting must work in partnership with parents to make sure individual behavioural needs are met in your policy.

Staff in settings must not threaten to use corporal punishment, or use or threaten to use any form of punishment which could have a negative effect on the child's wellbeing.

You must not give corporal punishment to a child you provide early years provision for and, so far as it is reasonably practicable, you should make sure that corporal punishment is not given to any such child by:

- any person who cares for, or who is in regular contact with, children
- any person living or working on the premises.

Training is available through the Devon Early Years and Childcare Service on **0800 56 36 36** and the Early Years Advisory Team on **01392 384856**.

It will not be considered a breach of the behaviour management policy if a member of staff gives corporal punishment to avert an immediate danger of personal injury or death of any person, including the child.

Physical intervention should only be used to manage a child's behaviour if it is necessary:

- to prevent personal injury to the child
- to prevent personal injury to other children or an adult
- to prevent serious damage to property
- in exceptional circumstances.

Any occasion where physical intervention is used to manage a child's behaviour should be recorded in the incident log and parents should be told about it on the same day.

A named practitioner should be responsible for behaviour management issues. They should be supported to get the skills to give guidance to other staff and to get expert advice if ordinary methods are not effective with a particular child.

All incidents, no matter how small, need to be recorded accurately in the incident log. There needs to be a separate sheet for each child to ensure confidentiality.

This must be signed by the member of staff who witnessed the incident as well as the parent or carer.

Suitable people

Refer to page 29 of the **Statutory Framework for the Early Years Foundation Stage**

You must make sure that adults looking after children or having unsupervised access to them are suitable to do so.

Recruitment and selection procedures

You must have effective systems in place to make sure that all staff working with the children, including volunteers and student placements and those living or working on the premises, have statutory checks to make sure they are suitable to do so.

You must get enhanced **Criminal Records Bureau (CRB) Disclosure**, which includes a **Protection Of Children Act List (List 99)** check, for everyone who works directly with children or who is likely to have unsupervised access to them. You must keep records to show Ofsted that the checks have been done, including the number and date of the enhanced CRB Disclosure.

You must also get additional recent character and employment references and any staff member waiting for their CRB check to be completed must never be left unsupervised with the children.

Notifying Ofsted

You must notify Ofsted of:

- any change of provider or person with direct responsibility for early year's provision
- any change to the premises childcare is provided from which may affect the space and quality of the childcare available to children.

Responsibilities and accountability

All staff should have a clear understanding of their roles and responsibilities.

Induction training should be given to new staff to help them understand how the setting operates and their role in it. Induction training should include matters such as evacuation procedures, child protection and health and safety issues.

You will be expected to have written copies of any policies and procedures which are needed, such as policies to safeguard children or promote equal opportunities. You should make sure that all members of staff have been given copies of these policies and procedures as part of their induction, and that they are explained, and accessible to, all parents.

Policies for staff

You will need to prove to Ofsted that you have enough staff to meet the correct adult to child ratios, and that this is maintained at all times including lunch breaks.

You need to show Ofsted that your staff are qualified and experienced - meeting the requirements in the EYFS.

You must:

- keep records of your arrangements for staff induction and training
- keep your name, address and telephone number on the premises with contact details for staff members, anyone living or employed on the premises, and anyone else who will regularly be in unsupervised contact with the children
- keep records on staff, volunteers and committee members confidential
- have record systems in place for staff supervision and appraisal.

It is essential to refer to page 32 of the **Statutory Framework for the EYFS** to make sure that the appropriate adult to child ratios are established and maintained. All staff and managers must be aware of their responsibility to make sure that appropriate ratios are met.

Volunteer information

Staff, volunteers and students under the age of 17 cannot count towards the ratios and should be supervised at all times. Students aged 17 and over on long-term placements may be included in the ratios if you are satisfied that they are competent and responsible.

Disciplinary and grievance procedures

Also refer to the Staffing section of this binder or call the Devon County Council Human Resources helpdesk on **01392 385555**.

You need to consider your procedures in case of minor disagreements.

Disciplinary procedure

A more serious situation arises when a dispute cannot be resolved, or when the management committee is not satisfied with the conduct or activities of an employee.

Instant dismissal is possible only in extreme circumstances of gross misconduct.

Examples of gross misconduct are:

- ill-treatment of children
- theft or fraud
- assault
- malicious damage
- gross carelessness which threatens the health and safety of others
- being unfit through abuse of drugs or alcohol.

Otherwise, an employee should not be dismissed without appropriate warnings.

Any disciplinary matter should normally be dealt with in stages.

Consider your procedures for:

- verbal warnings
- written warnings
- final written warnings
- notice of dismissal
- appeals.

The management committee should nominate two or three members to serve as an appeals committee.

Procedures should be informal and the employee should be able to take a friend or trade union official to speak for them.

Suspension

If the circumstances appear to warrant instant dismissal, an employee may be suspended with pay while an investigation is carried out.

Code of Staff Conduct

This describes the behaviour and professional conduct expected from each member of staff towards children, parents and colleagues.

The code includes a commitment to all the setting's policies and procedures.

Premises and security

Refer to page 33 of the *Statutory Framework for the Early Years Foundation Stage*

The premises, indoors and outdoors, must be safe and secure.

You must:

- notify Ofsted⁹ of any changes in the facilities used for care that may affect the space and level of care available to the children
- take into account general indoor and outdoor security, such as which doors are locked or unlocked, door alarms, the use of security systems, intercoms and name badges
- consider the use of a system to verify the identity of visitors, record their names, the purpose of their visit and details of their arrival and departure times.

Outings

There must be proper control in place which is appropriate to the:

- environment
- nature of the visit
- children involved.

A risk assessment¹⁰ should be made before the outing. Taking children off-site is potentially hazardous and a higher adult to child ratio should be used.

The person in charge of the outing should:

- get parents and carers to sign a consent form for the visit
- make sure that the trip has been planned thoroughly
- take the registration forms in case of any emergency
- make sure the parents and carers have a contact number - consider taking a mobile phone
- take a First Aid Kit
- take any medication needed by individual children, such as inhalers
- be aware of protecting the children from strangers
- closely supervise the children.

Vehicle records and insurance

You will need to:

- keep vehicle records and insurance details
- keep a list of named drivers
- make sure someone is responsible for checking and maintaining the vehicle
- make sure the driver knows they are responsible for making sure the vehicle is safe to use.

⁹ Appendix 1 guidance on completing an action plan to send to Ofsted with a variation request

¹⁰ Appendix 3 is risk assessment guidance

Organisation

Refer to page 37 of the **Statutory Framework for the Early Years Foundation Stage**

You must plan and organise your systems to make sure that every child has an enjoyable and challenging learning and development experience that is tailored to meet their individual needs.

You must have effective systems to make sure that the individual needs of all children are met and every child must be assigned a key person.

You must promote equality of opportunity and anti-discriminatory practice, and must make sure that every child is included and not disadvantaged because of ethnicity, culture, or religion, home language, family background, learning difficulties or disabilities, gender or ability.

Staff should value linguistic diversity and provide opportunities for children to develop and use their home language in their play and learning. This is part of the respect for each child's cultural background that is central in all early years' settings. Alongside support in the home language, staff should provide a range of meaningful contexts in which children have opportunities to develop English. As they move into the key stage 1 curriculum, English will be crucial as the language they use to access learning.

Care, learning and play

Your activities should promote:

- building positive relationships with children
- encouraging children to try activities, explore and experiment
- organising resources to reflect the ages and abilities of children
- practicing inclusion
- planning
- relationships between children and staff
- learning right from wrong
- learning and development.

Refer to the **Statutory Framework for the Early Years Foundation Stage - setting the standards for learning, development and care for children from birth to five.**

Training is available through:

- Early Years and Childcare Service freephone **0800 563666**
- Early Years Advisers contact Dawn Meredith on **01392 385525**

Operational plan

Refer to **Creating your Operation Plan**, which can be found in this binder under the divider **Operational Plan**.

Lost child policy

If you find that a child is missing:

- you should tell the designated person for child protection

- the designated person should gather all the staff and children together and mark the children present against the register
- the designated person and a staff member will search the venue and the immediate area outside the building
- if the child is not found, the designated person will contact the police and the parents or carers of the child.

A report should be written up as soon as possible after the event and a copy sent to Ofsted with an action plan¹¹. The incident will need to be recorded in your incident log.

Health and safety at work

Refer ***Health and Safety at Work***, which can be found in this binder under the divider **Health and Safety**.

Fire policy procedure

Refer to ***Health and Safety at Work (Fire Precautions)***, which can be found under the divider **Health and Safety**.

Also refer to the document ***A short guide to making your premises safe from fire***. You can get a copy by phoning **0870 12 26 236**.

Example fire routine for group day care premises

If you discover a fire:

- immediately raise the alarm
- if you are in charge of children, pass their care to the nearest member of staff
- tackle the fire if possible with the appliances provided, but without taking personal risk
- leave the building and help to evacuate the children.

On hearing the fire alarm a nominated person will:

- dial 999 and ask for the Fire Service
- wait for the Fire Service to answer
- give the full address clearly.

Everyone else should evacuate the children in your care using the nearest available exit and keeping the children together.

You should all go to your assembly point.

The Person in Charge will take a roll call to make sure that no-one has been left in the building.

Do not stop to collect personal belongings.

Do not re-enter the building until told to do so by the Fire Service.

¹¹ Appendix 2 is a sample action plan

Special Educational Needs co-ordinator (SENCO)

Your setting must have a named SENCO who is identified in your Special Educational Needs (SEN) policy. We would suggest that this should be the named person responsible for Equal Opportunities.

The responsibility for inclusive practice lies with the whole group, but the SENCO is responsible for overseeing how this happens. It is important that your policy provides information on the role of the SENCO and sets out the main responsibilities for the post.

It is very important that the SENCO has training; this is available free to all settings from the Early Years and Childcare Service. Information is available on our training website at <http://www.devon.gov.uk/eys/eys-childcareproviders-training.htm>.

You should make arrangements for reviewing, monitoring and evaluating the effectiveness of inclusive practices.

Confidentiality policy

Your work with children and families will sometimes bring your setting into contact with confidential information.

You will need to make sure that everyone working in, and using, your setting can do so with confidence, you should respect confidentiality by:

- making sure that parents have ready access to the files and records of their own children (except in exceptional circumstances, where data protection laws stipulate it would not be in the best interest of the child) but do not have access to information about any other child
- not passing on information given by parents or carers to the setting supervisor, manager or key person without permission
- keeping any anxieties or evidence about a child's personal safety in a confidential file and not sharing this information in the group, except with the child's key person, supervisor and the manager of the setting
- making all staff in the setting, including students, aware of the confidentiality policy and the need to respect it.

Staffing policy

- All staff need Enhanced CRB checks and references.
- Staff should be encouraged to attend all relevant training sessions offered.
- Half of your staff need level 2 or equivalent qualifications.
- Staff should perform tasks as outlined in their job descriptions.
- Staff need regular meetings and appraisals.

Recruitment and selection

Refer to the document **Staffing Matters: A Guide to Recruitment and Retention** from the Devon Early Years and Childcare Service, which can be found in this binder under the section **Staffing**.

Recruitment and retention

Refer to:

<http://www.devon.gov.uk/eycs/eycs-childcareproviders-recruitment.htm>

Documents

You must maintain records, policies and procedures required for the safe and efficient management of the setting, and to meet the needs of the children.

Data

Providers must record this information for each child in their care:

- full name
- date of birth
- name and address of every parent and carer known to you
- the name and address of the parent the child normally lives with
- emergency contact details for parents and carers.

You must record and submit this information to Devon County Council as part of the Early Years Census for children receiving the entitlement to early year's provision:

- full name
- date of birth
- address
- gender
- ethnicity (if a parent has specified it)
- Special Educational Needs status
- number of funded hours taken up during the census week
- total number of hours - funded and unfunded - taken up during the census week.

Records must be easily accessible and available for inspection by Ofsted.

Your records

You must keep this information and documentation.

- Your name, home address and telephone number and of any other person living or employed on the premises.
- Name, home address and telephone number of anyone else who will be in regular, unsupervised contact with the children attending your setting.

- A daily record of the names of the children looked after on the premises, the hours of attendance and the names of their key workers.
- Your certificate of registration, which must be displayed.
- A record of the risk assessment clearly stating when it was carried out, who by, date of review and any actions taken.

Completing an **action plan** to accompany a variation request to Ofsted

When you request a variation in conditions to Ofsted, you will need to write an Action Plan which shows Ofsted how you are going to meet the appropriate requirements.

If you are extending the age group you will need to refer to the **Early Years Foundation Stage** to meet the needs of younger children.

This will mean looking at:

- staff training to make sure that all staff have a clear understanding of the Practice Guidance for younger children
- the Statutory Guidance when re-visiting procedures to take account of younger children
- safety issues including suitable toys, equipment and staffing.

It might also involve booking onto training courses.

The Welfare Requirements do not differentiate between sessional and full day care. If you are extending from sessional to full day care you will need to show how children's needs will continue to be met in your Action Plan.

The Action Plan will be a risk assessment of your setting, which will make sure that the Welfare Requirements are being met.

We have developed a template which can be used to help you present this to Ofsted. Work through each of the requirements which apply to your change and say how you intend to meet them.

If there is no need to change anything for some of the requirements, show this on the form or leave blank. If everything is in place say so in the 3rd column. If there is training or anything else which is booked or yet to be done, say when it will be done.

Link all the information to your Ofsted Self-Evaluation, appraisals and reflective practice.

Please note

It would be useful if you could send a basic plan which includes measurements of space to support your variation. This can be a pencil sketch.

Your Early Years and Childcare Service Adviser can provide support if you need it. You can contact them at: eycs@devon.gov.uk.

Action Plan to accompany variation form to Ofsted

You do not have to use this form, but feel free to use it if you think it is useful.

Outcome	How are you meeting it?	Is it in place or ongoing?
Safeguarding and promoting children's welfare		
Safeguarding		
Information and complaints		
Premises and security		
Outings		
Equality of opportunities		
Medicines		
Illnesses and injuries		
Food and drink		
Smoking		
Behaviour management		

Risk assessment guidance

Risk assessment is important for any setting because it:

- makes sure the setting is safe for children, staff and parents
- is an Early Years Foundation Stage Welfare requirement
- is good practice.

What is a risk assessment?

A risk assessment is:

- identifying a hazard which might cause harm
- making sure that the risk attached to it is acceptable
- putting appropriate control measures in place if the risk is not acceptable.

How do I do a risk assessment?

If you follow these three steps you won't go far wrong.

1. Do an overall risk assessment of your building annually or more often as needed. Walk through the setting room by room; note anything which might be a hazard to someone, and say how the risk is being controlled. This should be kept on record and referred to and updated appropriately. When updating refer to the accident and incident log to see if there are any 'hotspots' which need addressing. If any changes are made to the environment or equipment, this can be added in. The risk assessment should refer to emergency exits and procedures for emergencies.
2. Do risk assessments for your equipment, activities, policies and procedures on a regular basis. These assessments should take into account the numbers, ages and abilities of children and your resources, planning, staff and space. They need to be evaluated and reviewed regularly.
3. Check that nothing is damaged and that toilets and all areas used by children are clean on a daily basis. Make sure that you have enough staff to meet the needs of the children and the activities planned and that there are no changes which could cause a danger - this is particularly important in shared premises. This can be done by using a chart on the wall which can be initialled when an area is checked.

How do I present my risk assessment?

There is no right and wrong way to present it and you will develop a system which works for you. This is an example method which you can use if you wish.

Date the risk assessment each time you review it.

Hazard	Risk	Control measures	Who will do this?	When will it be done?
<p>Front door</p> <p>Safeguarding and promoting children's welfare – premises and security (page 24 of the EYFS)</p>	<p>To children who might escape and run into the road or go missing.</p> <p>Risk to everyone if a stranger enters the premises.</p>	<ol style="list-style-type: none"> 1. Key pad system on door and high handle. 2. Policies informing staff and parents of the registration and collection procedures. 3. A visitors book 4. Adults challenge any unidentified person 	<ol style="list-style-type: none"> 1. Designated Person 2. Designated Person /manager 3. Designated Person /manager 4. Everyone 	<ol style="list-style-type: none"> 1. Already in place. 2. Ongoing and reviewed regularly 3. Already in place 4. Part of induction

Application to Ofsted to vary or remove conditions of registration

Children Act 1989 Section 79F (4)

Please complete this form in black ink. Use BLOCK CAPITALS if filling in by hand. Please attach separate sheets if there is not enough space. Mark each sheet clearly with your name and the name of the setting.

Return the completed form to:

Ofsted
National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

Part 1 **General**

Name of establishment	
or name of childminder	
Address of premises	
Telephone number	

Part 2 About the registered provider

Name of registered person	
Name of manager or leader	
What is provider registered as?	
Unique reference number	

Part 3 About the application

Name of applicant	
Position	
Date of application	
Nature of request	

Note you need to state the proposed change to the existing registration, such as any change to the numbers of children.

Part 4 Supporting information

Please give any information which supports your application

Please give any information which supports your application-continued

--

Part 5 **Declaration**

Signature of applicant	
Date	

By signing this form you are declaring that the information given is true and accurate to the best of your knowledge. If you knowingly give false information, this may be grounds for refusing your application.

Registers

It is a requirement of the **Early Years Foundation Stage** that you must keep 'a daily record of the names of the children looked after on the premises, their hours of attendance and the names of the persons who look after them.'

We have produced a register template you can use if you wish. It is available at www.devon.gov.uk/docbank

This register is designed to help you fulfil the needs of the EYFS and funding obligations where applicable. It will give all the information needed in the event of an emergency, such as fire. Other information, such as emergency details, can be kept in the same file if you choose, but remember to meet the guidelines for confidentiality and data protection.

Remember to always write your records in pen and to put a line through any mistakes – do not use correctional fluid.

Early Years Grant funded children

Devon County Council Funding Auditors need a daily record of all funded children. This does not need to be a separate record; it can be incorporated into your register. Tick the **sessions booked** column, and highlight or mark with an 'F' children who are entitled to the Early Years Funding.

A note needs to be kept when a child is absent, for example due to illness or holiday. This can be a note in your daily diary or a signed note from the parent or carer.

Notes

You could use the notes section to say where evidence for any absence is kept; for example 'see diary'. It can also be used as well as your fire log to record when you have a fire drill. This can be useful because you will know which children missed the drill and will need another one.

This register is designed to be an example and you can change it or create your own which suits your needs. Make sure that the register you use shows all the necessary information.

Your register needs to include:

- name of each child
- daily record of times in and out
- staff names and times in and out.

Record of complaints log

Source of complaint	
regulations require providers to investigate all complaints made in writing by the parent of a child attending the setting	
Parent in writing incl. email <input type="checkbox"/>	Staff member <input type="checkbox"/>
Parent in person <input type="checkbox"/>	Anonymous <input type="checkbox"/>
Parent on phone <input type="checkbox"/>	Other <input type="checkbox"/>
Ofsted <input type="checkbox"/>	Ofsted complaint number if known <input type="checkbox"/>
Nature of complaint	
please tick all Welfare Requirements the complaint relates to	
Safeguarding and promoting children's welfare	<input type="checkbox"/>
Suitable people	<input type="checkbox"/>
Suitable premises, environment and equipment	<input type="checkbox"/>
Documentation	<input type="checkbox"/>
Organisation	<input type="checkbox"/>
Details of the complaint	

How the complaint was dealt with

Actions and outcomes

Long term administration of medical treatment

Refer to page 26 of the *Early Years Foundation Stage Welfare Requirements*

Medicines administered in the setting will usually be prescribed by a health professional. They should be in their original packaging with the date, dose and batch number clearly visible.

Name of child			
Name of medicine or treatment to be administered			
Medicine issue date			
Medicine expiry date			
Dose to be administered			
Time of dose			
Name of staff administering medicine			
Review date			
Training given by			
Signature of trainer			
Training updated			
Any special instructions			
Parent or carer signature		Date	
Childcare provider signature		Date	

Short term administration of medical treatment

Refer to page 26 of the *Early Years Foundation Stage Welfare Requirements*

Medicines administered in the setting will usually be prescribed by a health professional. They should be in their original packaging with the date, dose and batch number clearly visible.

You should complete a new form and get new permission for each new treatment.

Name of child			
Reason for administering medicine			
Type of medicine to be administered			
Date medication starting			
Date medication to finish			
Signature of parent or carer		Date	
Signature of childcare provider		Date	

Date and time medicine administered by parent or carer	Signature of parent or carer	Date, time and dose for medicine to be administered by medicine	Signature of staff member administering medicine	Signature of parent or carer

Record of medicine administered to an individual child

You should complete a new form and get new permission for each new treatment.

Name of setting or school	
Name of child	
Child's group, class or form	
Date medicine provided by parent	
Amount received	
Name of medicine	
Strength of medicine	
Medicine expiry date	
Quantity returned	
Dose and frequency of medicine	
Signature of staff	
Signature of parent	

Date	
Time medicine given	
Dose given	
Name of staff member	
Initials of staff member	

Date	
Time medicine given	
Dose given	
Name of staff member	
Initials of staff member	

Date	
Time medicine given	
Dose given	
Name of staff member	
Initials of staff member	

Date	
Time medicine given	
Dose given	
Name of staff member	
Initials of staff member	

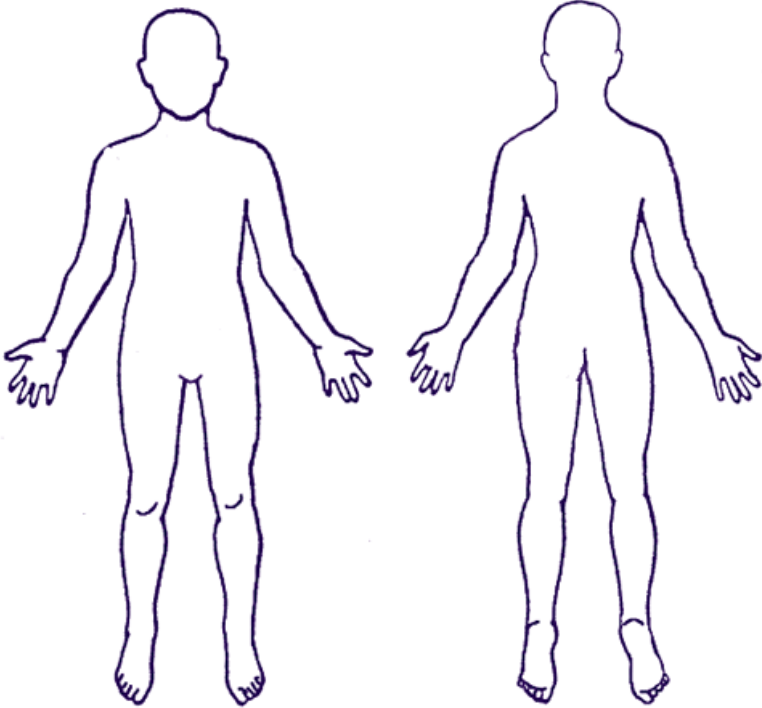
Date	
Time medicine given	
Dose given	
Name of staff member	
Initials of staff member	

Incident log

This form should be used to inform your risk assessment and behaviour management policy.

This log should be used in a significant incident such as a behaviour problem, a child arriving with an injury, a missing child or a child saying something significant. The form should always be shown to, and signed by, the parent or carer unless you think that doing so might put the child in danger. In that case appropriate child protection procedures should be put in place. For confidentiality only name one child on each incident log. This log can also be used for staff incidents.

Full name of child			
Child's date of birth			
Date of incident		Time of incident	
Exact location of incident			
Name of person who dealt with incident			
Signature of person who dealt with incident			
Description of incident			
What action was taken			

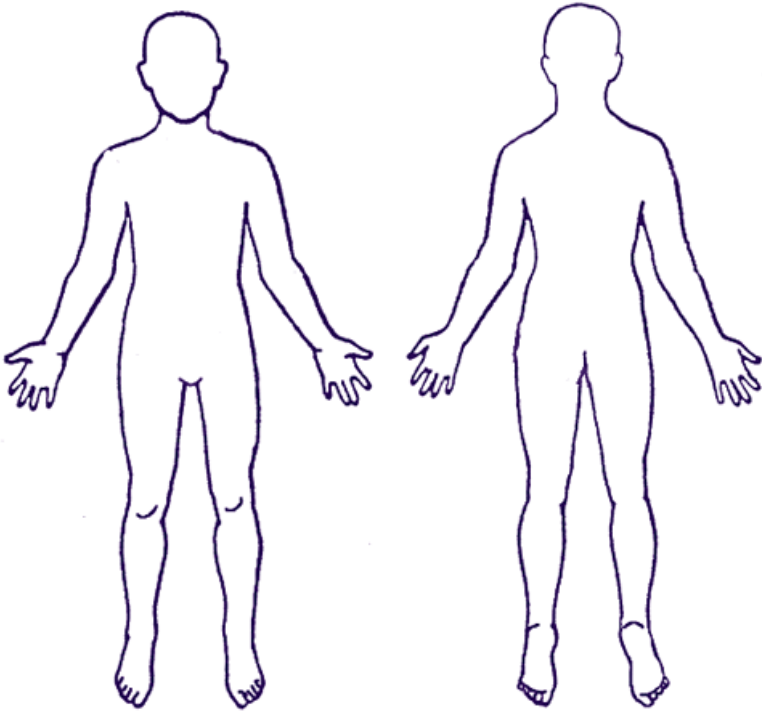
<p>Was someone injured?</p>	<p>yes <input type="checkbox"/> no <input type="checkbox"/></p>		
<p>If yes, show where injury is</p>			
<p>Further action to be taken if any</p>			
<p>Signature of witness</p>		<p>Date</p>	
<p>Signature of parent or carer</p>		<p>Date</p>	

Accident log

This form should be used to inform your risk assessment and behaviour management policy

For confidentiality only name one child on each accident log. This log can also be used for staff accident.

Full name of child			
Child's date of birth			
Date of accident		Time of accident	
Exact location of accident			
Name of person who dealt with accident			
Signature of person who dealt with accident			
Description of accident			
Description of care given			
Name of person who gave care			

Was someone injured?	yes <input type="checkbox"/> no <input type="checkbox"/>		
If yes, show where injury is			
Description of injury			
Signature of witness		Date	
Signature of parent or carer		Date	

Notifiable diseases

The following diseases must be the local environmental health office. Contact Exeter City Council **01392 265193** or go to www.exeter.gov.uk under the **Public Health (Control of Disease) Act 1984** or the **Public Health (Infectious Diseases) Regulations, 1988**.

- Acute encephalitis
- Acute poliomyelitis
- Anthrax
- Cholera
- Diphtheria
- Dysentery (Amoebic or Bacillary)
- Food poisoning
- Leprosy
- Leptospirosis
- Malaria
- Measles
- Meningitis
- Meningococcal Septicaemia
- Mumps
- Ophthalmia neonatorum
- Paratyphoid fever
- Plague
- Rabies
- Relapsing fever
- Rubella
- Scarlet fever
- Smallpox
- Tetanus
- Tuberculosis
- Typhoid fever
- Typhus
- Viral haemorrhagic fever
- Viral hepatitis
- Whooping cough
- Yellow fever

Designated person for child protection job description

The designated person must have attended Child Protection Training in the last six months.

Job summary

Working with the managers to co-ordinate the setting's response to child protection issues and situations.

Responsible to

Managers

Responsibilities

Co-ordination

- Make sure child protection procedures are followed and all staff are aware of their responsibilities.
- Take the lead role in gathering information following suspected child abuse.
- Organising ongoing work and supporting the child and the parents or carers.
- Make sure appropriate records are kept.

Liaison

- Advise and support colleagues and make sure they are kept well-informed on child protection issues and situations.
- Liaise with parents and carers as advised.
- Liaise with other professionals or agencies and make sure there is full co-operation during any investigation.

Professional development

- Identify training needs in the team.
- Attend training courses and feed learning back to colleagues.
- Advise colleagues on child protection issues.
- Review the setting's child protection policy and procedures regularly with the other managers.

We understand the pressure that all staff work under, but we do not want you to take short cuts and think that it won't matter this once. It does matter.

Protecting the children from injury or abuse always matters.