



Health and Social  
Care Board

A light blue silhouette of a child sitting on a swing, with the swing's ropes and seat visible. The child is facing forward.

# Childminding and Day Care for Children Under Age 12

## Minimum Standards

**IMPLEMENTATION GUIDANCE**

Version 2  
July 2013



## Foreword

The publication of Minimum Standards for Childminding and Day Care for Children Under 12 is a significant milestone in the history of the regulation of this important sector. The Children (NI) Order 1995 and its Regulations and Guidance have guided the Trusts in carrying out their statutory duties to register and inspect child care provision in Northern Ireland.

I welcome the provision of a statement of minimum standards for childminding and day care by DHSSPS which will ensure a consistent approach to registration and inspection across all Health and Social Care Trust areas. This guidance, provided by the Health and Social Care Board and endorsed by the DHSSPS, provides the additional framework required to ensure a shared interpretation of the standards.

As outlined in the Introduction to the Standards document, the Standards are **minimum** standards that must apply to services to be registered. It is our belief that all our services for children want to provide more than minimum standards. Our children (and their parents) should be able to access services of the highest quality. The process of Registration and Inspection should be regarded as a way of driving quality improvement to the highest level, with support for providers available from Child Care Partnerships, Trusts and membership organisations.

I hope that you find this guidance useful in the application of the Standards to your situation and we encourage all, from providers to Registration and Inspection staff, to work together to provide the best quality of child care for our children in Northern Ireland.

Fionnuala McAndrew  
Director of Social Care & Children  
Health and Social Care Board



## Introduction

The introduction of Minimum Standards document by DHSSPS reflects the importance of having access to an up-to-date framework for the Registration and Inspection of Childminding and Day Care services. The Children (NI) Order 1995 and its associated Guidance and Regulations reflected Standards which applied at that time. The Minimum Standards document has sought to re-state the Standards in a current context. It also seeks to ensure that there is a consistency in their application across the five Health and Social Care Trusts.

The Minimum Standards will be subject to formal review by the Department. They are however subject to changes required to meet up-to-date advice on Safeguarding, Health and Safety etc. or evidence based quality developments. The Board's guidance may also need to be amended to ensure their currency in terms of advice and guidance.

The Minimum Standards published in July 2012 apply to all new applicants for Registration with immediate effect. Existing providers will be expected to comply with them by September 2013, or have agreed with the Registering Trust a time-frame for compliance and progress will be reviewed by Trust staff in the initial Inspections within this period. Adjustments to Registration requirements will be made through the process of Inspection and review of Registration during this period.

The purpose of this Guidance document is to provide additional support in relation to the consistent implementation of the Minimum Standards through their translation into unambiguous requirements. This should ensure that Trusts' registered child care providers and parents have clear expectations in relation to registered child care.

Reference to childminders in the document refers to those who provide child care in their own home. This refers to the household's daily living space that is used for the care of children and includes relevant rooms e.g. sitting room, kitchen, bathroom(s), bedroom(s) and converted integral garage/extension (that is not developed solely for child care). Attention is drawn to the change in these Minimum Standards to the ages of children to be minded i.e. "Compulsory School Age" replaces the previously stated (Under 5 years). This refers to children who reach their fourth birthday before 1st July.



Reference to “sessional day care” in the Minimum Standards document includes schools providing breakfast clubs/out-of-school clubs (wrap around care) where the main purpose is the provision of care and is additional to the statutory education provision (whatever the funding source) and is open for two or more hours in any day. The guidance document recognises that the practices for different ages of children will differ based on the purpose and function of a setting and this will be taken into consideration in the Inspection process.

Facilities registered for sessional care during term time will remain as sessional care during school holidays and therefore will always be inspected in this way. Also, if a setting has more than one registration e.g. playgroup in the morning and out-of-school school club in the afternoon or two playgroups sessions in one day, then they need to close for a minimum period of 30 minutes between sessions in order to remain as “sessional” providers. Each individual session will require an inspection unless the staff are the same.

The minimum age a child can attend a playgroup is 2 years and 10 months and they can remain in this provision until they reach statutory school age. The maximum number of places for which a playgroup can be registered is 26. If an application is made for more than this maximum number, the request must be made to the Trust who in turn will seek approval from the Health and Social Care Board to raise the maximum number. Only in exceptional circumstances will the request be granted e.g. to accommodate a sibling group.

A crèche is a care facility for children under age 12 whose parents are occupied in some time limited activity (e.g. education, leisure, conference, shopping etc). Whilst the facility may be open for a full day, no child can attend for more than four hours. Crèches will be registered under Sessional Requirements. These requirements should be proportionate to the service provided but appropriate provision should be made for sleeping and changing/toileting. The maximum number of places for which a crèche may be registered is 26. The ratios of staff and space requirements for each age group must be taken into consideration at registration.

It should be noted that occasional day care provision for less than 6 days per year is not required to be registered e.g. crèches in a hotel to support conferences. However, the Trust must be notified in advance of the intention to provide the service including the location, numbers and age-range of children, numbers of staff and opening hours.



A Holiday Scheme provides care for school age children during the school holidays. Children should be minded in groups of no more than 30.

Trusts should seek appropriate advice and guidance from other key agencies with expertise in specific areas e.g. Environmental Health; Public Health Agency etc. When statutory requirements in these areas have to be met, confirmation of this should be sought from the relevant authority.

It is also important to note, as the document says, that “Minimum Standards are exactly that – the **minimum** level of service that has to be provided in order to be registered”. Both DHSSPS and the Health and Social Services Board would promote the development of best practice rather than “good-enough” practice based on Minimum Standards.

The development of safe, high quality child care is recognised as a key theme of a range of government policies:

- Anti-poverty
- Improving access to training, education and employment
- Urban and rural regeneration
- Support for child development

In providing this Guidance, the Health and Social Care Board wishes to provide a regionally-consistent framework for the regulation of child care services and this Guidance supports the Minimum Standards document. It is endorsed by DHSSPS and is regarded as a key support document for the implementation of Minimum Standards.



## Section 1 – Quality of Care

### **STANDARD 1 - Safeguarding and Child Protection**

The safeguarding of children is best promoted through:

- The provision of appropriate policies and procedures, known and understood by all staff/parents
- The regular review of policies and procedures
- Access to approved training\* for all staff on Safeguarding issues on a regular (three-yearly) basis. Childminders will be required to undertake initial Safeguarding training as developed by Trusts before their Registration is approved.
- The availability of a clear whistleblowing policy known to all staff

In any group based setting it is necessary for any room to be under the supervision of at least two members of staff at all times in keeping with the required ratio.

If all children are resting/sleeping on mats or low beds, it is acceptable that the staffing arrangements, as per the required ratios, do not have to be met but a minimum of two staff must remain with the group of children. If a playroom has an annex or small room off it which is clearly visible to other staff while children are playing, it may not always be necessary for additional staff to be in this area. Professional judgement of the registering worker will be required to approve this.

It is also important in settings providing group-based care that a member of staff (or a number of them) have a designated responsibility for Safeguarding and Child Protection. These staff must be trained in their responsibilities and at least one will have to be available within the provider organisation for consultation by staff during the hours of service provision. It is not necessary to have a designated officer present in all settings but all staff should be aware of who this person is and how they can be contacted.

*\*Approved training relates to training programmes endorsed by the Trusts in line with Regional Guidance*

### **STANDARD 2 - Care, Development and Play**

It is important to recognise, when developing children's abilities, that speech, language and communication skills should be promoted.



This guidance endorses the principles underpinning playwork and recognises that children and young people’s capacity for positive development will be enhanced if given access to the broadest range of environments and play opportunities. These will be in the Play Policy for every setting.

The importance of observation to support individual children’s development is reinforced but, it is not necessary for these to be written records of observations in childminding, out of school or crèche settings.

### **STANDARD 3 – Children’s Health & Wellbeing**

The reference to up-to-date paediatric first-aid training refers to approved and accredited training. This has to be renewed on a three-yearly basis to maintain its validity.

It is expected that at least one member of staff in each group-based setting/location has this level of training (not one in each room although this would be helpful). As part of the Registration process childminders will be required to undertake initial core training in First Aid. All childminders, within one year of initial registration, should have undertaken accredited paediatric first-aid training, renewable on a three-yearly basis.

### **STANDARD 4 - Health & Safety in the Setting**

This section requires settings to ensure that relevant regulations and guidance are met e.g. registration with their local Environmental Health Service and compliance with their guidance. Reference is made to staff/childminders being “under the influence of any substance”. This relates to alcohol or drugs (illegal or prescribed).

Reference is made in the Minimum Standards to valid fire-safety risk assessments. These do not need to be carried out by a fire-safety specialist but, one can be commissioned if the provider feels that he/she is not competent enough to do it, due to the complexity of the premises or activities undertaken (see [www.nifrs.org](http://www.nifrs.org) for more guidance). The risk assessment should be regularly reviewed and updated in line with Northern Ireland Fire and Rescue Service Guidance.

Facilities that have been registered for some years may hold a Fire Safety Certificate. Although these are no longer required those facilities are also required to have a Fire Risk Assessment.



It is recognized that all settings require a regular and routine cleaning schedule. This should not occur when children are being cared for except for immediate clean up following children's activities e.g. mealtimes. Child Care staff should not be used as "cleaning staff" at any time that compromises their caring duties. The use of sluice sinks in any setting will only be required if indicated through a requirement or recommendation by the local Environmental Health Office.

A Safety Emergency (as referenced in the Minimum Standards) could cover a wide range of eventualities including flooding and security alerts. A policy is required to cover these but has not specifically been named in the Standards. Some aspects of this could be covered under the policy entitled "Security of the Setting", others under Fire Risk Assessment and others under "Managing Emergencies".

## **STANDARD 5 - Food and Drink**

The importance of food and drink in terms of physical, emotional, social and intellectual development underpins this section of the Minimum Standards. It is essential that parents are aware of the policy on the provision of food and drinks and are kept informed of the weekly menus provided.

The social value of children eating together is recognised. Whilst it is beneficial to have a separate dining room in full day care settings, it is recognised that this is not always possible or required. Mealtimes can be held in the playroom with proper differentiation between play and dining when meals are being served. Snacks in full and sessional day care settings are best provided using a buffet arrangement to enable minimum disruption to children's play.

All settings are required to register with their local Environmental Health Service and to comply with all guidance issued.

In the Standards where reference is made to the Level 2 Food Hygiene Certificate, it should be noted that this may also be known as the Level 2 Food Safety Certificate.

The Standards identifies the need for all settings to provide food and drinks from the four main food groups. For sessional care e.g. playgroups, crèches and after-school settings, it is acknowledged that they are not required to provide non-dairy sources of protein e.g. meat, fish, eggs, beans. When sessional provision is open for more than four hours e.g. out of schools/holiday schemes in the summer, it is likely that parents will provide a meal in the form of a packed lunch and this would be acceptable.



## **STANDARD 6 - Promoting Positive Behaviour**

All providers should include in their policies a clear indication of the procedures in place to encourage positive behaviour and to deal with unacceptable behaviour. This is important in helping children to develop a sense of right and wrong and of positive social relationships. The strategy used should take into account the age and stage of development of children. It is recommended that children are helped to contribute to the development of acceptable patterns of behaviour within any setting. The Child Care Partnerships and membership agencies i.e. NICMA, Early Years Organisation, Playboard, Altram and other independent organisations, provide guidance/training on “Promoting Positive Behaviour” and providers are encouraged to avail of this.

## **STANDARD 7 - Working in Partnership with Parents**

This section recognises that children’s well-being and development is best promoted through carers and parents collaborating in their child’s care. The development of speech, language and communication skills is best promoted by a consistency of approach by both.

The development of a Statement of Purpose is helped by the provision of an Outline in Section 5. This might be supplemented by advice/guidance from the membership organisations. These might also be a useful source of support in making information available to parents for whom English is a second language.

All providers should ensure that parents’ views/opinions are sought on a regular basis in terms of evaluating the services provided. This will increasingly be required for the Annual Inspections carried out by Trusts.

## **STANDARD 8 - Equality**

The issue of equality of opportunity refers to any setting’s treatment of children, parents and staff. Children need to be provided with opportunities to experience and understand diversity. Their parents need to be treated with respect for their different backgrounds and staff need to be treated fairly in terms of employment practice. In effect, all need to be treated with respect for their individual backgrounds or circumstances. Providers are expected to adhere to the requirements of any Fair Employment and Equality Legislation.



## **STANDARD 9 - Additional Needs**

It is generally acknowledged that the development of young children with a disability or special educational needs is likely to be enhanced through attendance at good quality early years/day care settings. Providers may face challenges in providing the level of support needed by some children and should work closely with parents and the local Trust (Health Visitors, Disability Teams, Early Years Teams) to ensure that the service is appropriate for the individual child's needs.

Providers are encouraged to avail of relevant training available in their local area promoted by Child Care Partnerships or membership organisations.

It is acknowledged that funding support for providers to address additional costs may be available and funding providers should ensure that accessibility to funding is well publicised to parents and providers.



## Section 2 – Quality of Staffing, Management & Leadership

### **STANDARD 10 - Management and Monitoring Arrangements**

This section is generally applicable to settings in which the Registered Person and the Manager/Person in Charge of a setting are different and relates to the accountability arrangements in place to ensure that the Registered Person is monitoring the setting and addressing their responsibilities satisfactorily. This is sometimes called the Leader's Report/Manager's Report and is provided to the Management Committee on a regular basis. Childminders (with an assistant) are not required to receive Monitoring Reports from the assistant nor does this apply where the Registered Person and the Manager/Person in Charge is the same person.

The monitoring reports must review the quality of the service and be sufficiently comprehensive to address issues of compliance to the Minimum Standards and should be produced at least quarterly.

Where Monitoring Reports are required, it is necessary for Trust staff to access these as appropriate to ensure that suitable arrangements are in place. The Trusts will request to see these Reports either during an Inspection visit or in advance (forwarded with a Self-Evaluation Report).

Where providers have Management Committees, Trusts will monitor the minutes of their Committee Meetings to ensure that:

- (i) Appropriate monitoring is undertaken
- (ii) Action is taken to address issues related to compliance with standards.

Trusts will monitor this by sampling the minutes of the Committee meeting either during an Inspection visit or in advance (forwarded with a Self-Evaluation Report). It is also good practice for Management Committees to make their minutes widely available and accessible to parents. Where minutes are made available, principles of confidentiality should be followed.



## **STANDARD 11 - Organisation of the Setting**

In terms of addressing the requirements of this Standard, the following issues should be addressed:

### **(a) Staffing Ratios**

To further clarify the ratios of staff to children, in sessional care settings the ratios reflect those outlined for Full Day Care in the Minimum Standards document:

- 0-2 years – 1:3
- 2-3 years – 1:4
- 3-12 years – 1:8

For childminders working alone, the ratio is 1:6 i.e. 6 children under 12 of whom no more than 3 are under compulsory school age. Normally registration permits no more than one child under a year old. The exceptions referred to in the Standards relate to the latter i.e. there may be a relaxation of this by Trusts in exceptional circumstances to provide for siblings or for continuity.

If the childminder employs a Category 2 Assistant, two children under age one can be cared for when the assistant is present. In relation to all childminding Registrations the maximum number allowed should take account of a childminders own child(ren) under 12 years of age when on the premises.

In all settings, it is reasonable to define the upper age-limit for registration as 30<sup>th</sup> June in the academic year in which a child reaches 12 years and not their 12<sup>th</sup> birthday. Whenever children aged 12 and 13 years of age are minded (although not requiring to be registered), this should be taken into consideration in setting a maximum number for registration of children under 12 years. Providers would be advised to have carried out a risk assessment (particularly when minded with children under 12 years) and this should be shared with all parents.

### **(b) Absence of Person in Charge**

A Manager/Deputy must be present at all times in full day care. All planned absences by the Person-in-Charge of whatever duration need to be covered under the agreed deputising arrangements in all day care settings. The designated deputy/deputies will reflect the management structure in the provider organisation and will have appropriate levels of experience and qualification. There will seldom need to be more than 2 designated deputies for any setting.



**(c) *Lead-in Time for Application for Managers Post***

The new requirements for staff qualifications include a lead-in time (see footnote in Minimum Standards) but this only applies to staff who are **not** currently working as a Manager in the sector.

A manager currently employed who has a level 3 qualification or equivalent can apply for another manager's post without having to gain a higher qualification. Those currently employed in a deputy management or other child care role are required to agree to complete their Level 5 training if applying for promotion within an agreed period of time (currently 1 April 2016). In the event of a person acting up into a deputy manager role on a fixed term basis, the requirement to register for Level 5 training applied if the acting-up post will be for more than 12 months.

The Standards refer to FE Colleges as the training providers for QCF level 5. It is recognised that this training may also be provided by other recognised training organisations, as long as they sign up to the principles of delivery agreed by the Northern Ireland Social Care Council and the Sector Skills Council.

**(d) *Existing Staff with Qualifications***

It is recognised that existing staff holding previously appropriate qualifications will continue to have their qualifications recognised – an example of this would be that those holding NVQ 2 or 3 in CCLD or Playwork will not be required to do QCF qualifications as their previous qualifications will remain current. However, staff are encouraged to progress their knowledge and skills through continuous professional development, which may be attained by both short courses and accredited qualifications.

**(e) *Existing Staff without Qualifications***

Existing staff who do not hold an appropriate qualification set out in the Minimum Standards do not have to attain new or additional qualification while remaining employed at their grade in the sector (all settings covered by the Standards). They are encouraged however to undertake appropriate training.

**(f) *New Staff without Qualifications***

The recruitment of unqualified staff (including those coming through training schemes) is permissible as long as the minimum level of 50% of staff with a qualification is maintained. New staff without a qualification (including relief staff) must receive appropriate induction training before they are allowed to work with children. Induction training must cover the areas outlined in the Minimum Standards (Page 32).



They must also sign up for vocational training leading to a relevant qualification (QCF) within the first year of their employment and to be completed within a reasonable period of time. (This will include relief staff used on a regular basis).

**(g) *Babies & Toddlers***

Young children do better in small groups as larger groups may lead to overstimulation and disruption. Babies under the age of 2 years should not be cared for in a group size exceeding 12. Children aged 2-3 years should not be cared for in a group size exceeding 20 children. Within a sessional day care setting e.g. a crèche, it is common for different age groups of children to be accommodated in one room. In a full day care setting each age group should have their own room. It is necessary to provide some means of separation of babies and mobile children to ensure safety.

**(h) *School Aged Children***

School-aged children, cared for in a full day care setting on an out-of-school or holiday basis should be cared for in separate rooms from children under school age. There are some providers who have been registered prior to July 2012 who may continue to provide for children in their pre-school year with children of school age in the same room. This will be permitted as long as the accommodation is appropriate and that separate staffing (with a minimum of two for each group) is provided. It should be noted that the group size must never exceed 30 children for school-aged children in all settings including full day care.

**(i) *Students in Placement***

It is acknowledged that there should be no more than 2 students on placement at the same time i.e. physically on the premises. There may be arrangements for more than 2 students over a period of time but this should not compromise the focus of the services as child-centred or continuity of care. It should be noted that students on placement cannot be included in the staff – child ratio.

**(j) *Volunteers***

Volunteers working in a setting can be included in the staff-child ratio if they do not compromise the setting's qualification requirements. It remains the responsibility of the Registered Provider to ensure that all requirements as for paid staff are met. Full consideration needs to be given to the issue of continuity of care for children in the use of volunteers.

It is acknowledged that there are situations when a volunteer may be used to cover short-term contingencies in a group e.g. emergency absence of staff member but should not be left unsupervised.



**(k) Daily Register**

It is acknowledged that the daily register should be used to record:

- (i) The names and dates of birth of children attending
- (ii) The names of the person in charge, all staff, volunteers and students in attendance
- (iii) The actual time of arrival and departure of each child

Providers should maintain a record of all visitors to the setting and this may be kept separate from the daily register.

The drop-off and collection arrangements with appropriate consents should be retained in each child's own records. However, it would be operationally appropriate to have this information available in the daily register for staff to follow.

**(l) Minimum Number of Staff Available**

It is noted that in any group based setting, it is necessary for any room to be under the supervision of at least two members of staff at all times, in keeping with the required ratio. Although staff breaks must be covered, it is accepted that some situations may arise when cover is not required e.g. when one member of staff accompanies a child to the toilet or checks sleeping babies.

If all children are resting/sleeping on mats on low beds, it is acceptable that the staffing arrangements, as per the required ratios, do not have to be met but a minimum of two staff must remain with the group of children. If a playroom has an annex or small room off it which is clearly visible to other staff, it may not always be necessary for additional staff to be in this area this only applies where children are of the same age. Professional judgement of the registering worker will be required to approve this.

**(m) Excursions/School Pick-ups**

When any setting including childminders takes children on outings or excursions, they should make proper arrangements for their health and safety. This should be done through a relevant Risk Assessment. Where additional adults are required to ensure proper supervision, they should not be left unsupervised.

In terms of school pick-ups it is generally accepted that day care settings can use one member of staff to undertake the collection of children from school, adhering to the arrangements noted above.



**(n) *Childminders' Mandatory Training***

As outlined in the Minimum Standards, childminders are not required to have a minimum qualification. However they must meet the core training requirements as outlined by the Trusts in the three core areas of safeguarding, first aid and health and safety. Introductory pre-registration training will be required in these core areas as part of the Registration process and full training is required in the first year of Registration. This training in all core areas, will need to be renewed every three years.

If a Childminding applicant has undertaken approved training in any of the mandatory core areas prior to application but within the previous three years, this should meet the requirement by evidencing attendance at an approved course. The renewal date for training will then reflect the date of original training, noting that it needs renewed every 3 years.

**(o) *Arrangements for Emergencies***

It is understandable that emergency situations will arise when a childminder has got to leave their home e.g. taking a child for urgent medical care. As part of the Risk Assessment, this situation should be outlined, indicating the contingency plan available and this should be agreed in writing with parents. Trusts will also wish to be satisfied with these arrangements at the time of Registration and through the Inspection process.

**(p) *Childminders with an Assistant***

Childminders who are registered to provide day care for children are able to employ assistants and are accountable for their work and supervision. The registered childminder remains fully accountable for the regulatory requirements (as outlined in the Minimum Standards and on the Certificate of Registration issued by Trusts). It should be noted that only one person will be registered for any address at one time.

If a registered childminder wishes to employ an assistant, it is necessary to obtain prior approval from the registering Trust to ensure that the assistant is suitable to be in contact with minded children. Parents should always be made aware of the use of an assistant and their role. In giving approval, Trusts will consider the role of any assistant and apply the relevant approval processes.

Assistants are generally used for two main purposes:



### **Category 1**

To carry out short time-limited tasks e.g. school-runs. This could require registration for more than the limits of the registered childminder minding on his/her own. However the Trust will give approval based on a satisfactory outcome to:

- Access NI check
- Health Declaration
- Trusts checks
- References
- Completion of introductory training in the mandatory core areas.

In some cases the proposed assistant will be a member of the household who has already been subject to some or all of the above checks. Given the change of role, it will be necessary to update the checks.

### **Category 2**

To work alongside the registered childminder on a consistent or substantial basis to enable them to care for children. This may enable them to care for more children or for a child with particular needs.

The Trust will give approval based on a satisfactory outcome to:

- Access NI Check
- Health Declaration
- Trusts checks
- References
- Completion of introductory training in the mandatory core areas
- Fit Person Assessment

In line with the requirement of Minimum Standards, it should be noted that childminders and any assistants employed by them must be aged 18 years or over.

The maximum number of children that can be minded by a childminder with assistant(s) is 8 with a maximum of 6 children under statutory school age, assuming that the registered childminder is present and dependent on there being adequate accommodation and suitable risk-assessment. A childminder with an assistant may normally mind no more than two children under one year old. In any circumstance where the childminder is on their own, the specified number for that provision (excluding the assistant) as identified on the Registration Certificate must be followed.



The maximum number of 8 children for a registered childminder with assistant will be determined by the suitability of the person minding and the appropriateness of the accommodation for this number of children. Childminders intending to register with an assistant for more than 6 children should ensure that they have consulted with the Planning Service and acted on their advice. The Trust will want to see evidence of this.

Childminders may employ no more than two assistants as long as there are no more than two people (including the registered childminder) caring for children at any one time. This will ensure a continuity of care for the children on domestic premises.

Assistants employed by childminders will be required to have undertaken introductory training in the core areas. Childminders should also ensure that there is someone with a Paediatric First Aid Certificate on the premises at all times. Therefore, if an Assistant is left alone at times, with the approval of the Trust, he/she would need to have a valid Paediatric First Aid certificate.

Category 2 Assistants can cover short periods of sick leave and annual leave (generally no longer than three weeks). After 3 weeks contact should be made with the Registering Trust and a reasonable judgement needs to be made over the length of time this continues and the ratios of children may require adjustment depending on the circumstances.

## **STANDARD 12 - Suitable Person**

As outlined in the Standards all persons who are in regulated activity with children must be suitable to do so. The term substantial access therefore does not only refer to those employed to care for children in a childminding or day care setting, but anyone who has access to the children throughout the period of time in which care is provided and the Registered Person.

Therefore all family members resident in a childminders home over the age of criminal responsibility, assistants and regular visitors to a childminders home, require to be vetted. Likewise all contracted services within a day care setting including specialist staff, cooks, cleaners, caretakers and taxi-drivers and committee chairs, must be vetted.

Vetting does not only refer to criminal record checks but includes medical references, employment and personal references, and Social Services checks. Vetting will be carried out in line with the Regional Vetting Procedure.



A Fit Person Assessment will also be carried out by the Trust on applicants including childminders and their Category 2 assistants, chairpersons, persons in charge and anyone who will act as their deputy and the designated person with responsibility for safeguarding and child protection (it is advised that the applicant/manager or deputy should be designated for Safeguarding purposes). The Fit Person assessment will be conducted using the Regional Fit Person Assessment Framework.

A childminder or day care provider cannot begin to provide care for children or employ an assistant until they have received a letter confirming Trust clearance and their Registration Certificate. A day care setting must not employ a staff member or use any contracted services before they receive a letter confirming Trust clearance.

The employer should inform the applicant that they are offered the post subject to a satisfactory Fit Person Assessment. If deemed “not fit” then the employer will have to be informed that they cannot employ the applicant. The applicant will have a right to appeal through the panel process. There will however be situations where, although there are some concerns re fitness, the Social Worker may still feel the applicant could be employed with advice given to the employer as how best to manage the probationary period. This should be reviewed by the Trust through their inspection process.



## Section 3 – Quality of Physical Environment

### **STANDARD 13 - Equipment**

Equipment provided in all settings, be it furniture, play equipment or materials, must be sufficient and suitable for the ages and needs of the children cared for. It is a matter of judgement for the registration and inspection staff as to the quality, range and type that are needed in order to provide quality care and therefore a childminder or day care provider should seek advice from the Trust regarding the equipment provided and adhere to all recommendations made. In addition, guidance can also be sought from the membership organisations.

Where out-of-school care is provided it is essential that the play equipment is wide ranging to cater for this large age range and the views of the children should be sought when play materials are purchased.

The safety of equipment provided is paramount and therefore guidance on safety can be sought from safety websites. High chairs must have a five point harness and it is inadvisable to use baby walkers in any setting. All fixed outdoor play equipment must be safely secured with consideration given to the surface on which it is placed in terms of safety. Appropriate insurance cover must be held. Advice must be sought on the safe fitting of car seats and the type required depending on the height and weight of the child.

It is important that staff have access to comfortable seating which allows them to feed a bottle to or nurse an infant.

### **STANDARD 14 - Physical Environment**

In registering any child care facility (excluding childminding), the Minimum Standards document clearly outlines the minimum clear space for each child, providing a means of determining the number of children for whom any provision would be registered. The minimum space for each child in a full-day care setting is:

- 0-2 years - 4.2m<sup>2</sup> (this includes the area of a cot)
- 2-5 years - 2.8m<sup>2</sup>
- 5-12 years - 2.3m<sup>2</sup>

In a sessional day care setting, the minimum space for each child would be 2.3m<sup>2</sup>.



The Minimum Standards helpfully defines clear space as usable floor space and therefore will not include fixed storage cupboards, or sink units. Clear floor space is determined by measurement and Trusts will not use an approximation measure. It is the professional judgement of Inspection staff whether there is a “cluttered” feel to areas from too much/inappropriate play equipment.

It is recognised that few calculations result in whole numbers. It is therefore permissible to use “rounding up” and “rounding down”.

e.g. for children aged 2 – 5 years:-

- Room size  $28\text{m}^2 = 10$  children
- Room size  $33\text{m}^2 = 11.87$  children – round up to 12 children
- Room size  $29\text{m}^2 = 10.35$  children – round down to 10 children

**(a) Temperature of rooms**

The Minimum Standards document defines the temperature range for rooms in which children are cared for as  $18^{\circ}\text{C} - 21^{\circ}\text{C}$ . It is necessary to monitor this on an ongoing basis and it is useful to have a thermometer in each room where children are cared for.

In relation to radiators and heating pipes, appropriate arrangements must be made, following a risk assessment, to ensure that children are not exposed to direct contact.

**(b) Outdoor play space**

It is best practice that children in full day care provision should have access to a safe and secure outdoor play space adjacent to the premises. However, where this cannot be provided, registration should not be refused if alternative arrangements can be made to use local parks/playgrounds with appropriate supervision provided based on a completed risk assessment.

Outdoor play space, where available, needs to have a risk assessment completed. It requires to be fenced off with non-climbable, vertical fencing/wall to a minimum height of 1.2 metres. There should be no surface water lying and all ponds must be made safe using a rigid cover. It should be noted that staff/child ratios to remain the same for outdoor play as for indoor play.

Where any setting, including a childminder, has outdoor play space, it must be made safe and suitable for children prior to registration. If the outdoor area for a childminder is too extensive to be fenced off, a smaller area can be fenced off.



**(c) *Sleeping room/area in full day care***

It is necessary for all full day care settings to have a separate sleep room for babies in cots. For the small number of providers who did not have sleep-rooms when registered prior to October 2012, they will not be required to provide this until and unless they complete structural/extension work to their facilities. Where ownership of a facility changes the new owner will be required to provide a sleep-room as a condition of their registration. If a facility requests registration for children under two years for the first time, it will be required to provide a separate sleep-room.

All babies under the age of 2 years must be provided with cots. Because of infection control issues, the use of travel cots in full day care settings is not recommended. For babies, generally over 18 months who are more mobile, parents may request the day care provider to use a low bed or sleep-mat. This request (in writing) may be accommodated following a risk assessment. This arrangement, if provided in the separate sleep-room would have staffing implications as a minimum of 2 staff would be required in the sleep room. However the day care provider could use a suitable sleeping area for these children in the play-room.

It is not necessary to have a separate sleeping room for toddlers over the age of 2 years, however an area is required to be made suitable for their sleeping arrangements. If children over 2 years require a cot this needs to be provided.

Whilst it is good practice for each baby to have their own cot, it is accepted that babies should follow their own routines and are therefore unlikely to all sleep at the same time. A minimum of one cot for each two babies would seem to be appropriate but would depend on the need for any group of babies. Each baby must have their own bedding, and while, ideally, each baby should have its own mattress, it is acceptable to have a waterproof wipe-clean cover that can be washed/wiped between each use by different babies.

It is not appropriate for babies/toddlers to sleep in rockers, car seats or buggies.



### **Calculation of Registered Numbers for Children under 2 (including Sleep Room)**

In determining the registered number of children under 2 years, the minimum requirement of  $4.2\text{m}^2$  holds despite the number of cots included in the setting. As previously acknowledged, a minimum of one cot for each two babies would seem to be appropriate and this should be reflected in calculating the minimum requirement i.e. one cot size for each two babies. The average size of a cot is taken as  $1\text{m}^2$  and therefore, the allowance would be  $0.5\text{m}^2$  per child leaving an allowance of  $3.7\text{m}^2$  for each child in the play area.

This calculation does not indicate the minimum size of a sleeping room, only the allowance for sleeping area in the overall calculation. The space required in the sleeping room will have to provide for adequate space around and between cots. It will be a judgement for registering staff to determine if the sleeping room is adequate but a general rule of thumb would be that there should be enough distance between cots that a child could not touch a neighbouring cot.

Using this calculation, settings with more than the minimum number of cots would not be penalised in calculating the registered numbers.

#### **Example 1 – A provider wishes to be registered for 12 babies.**

Play room needs to be at least  $12 \times 3.7\text{m}^2 = 44.4\text{m}^2$   
The allowance for the sleeping room is  $12 \times 0.5\text{m}^2 = 6\text{m}^2$   
However, the sleeping room must be of a size suitable for at least 6 cots including adequate space around and between cots.

#### **Example 2 – A provider has a play room measuring $37\text{m}^2$ plus a sleeping room**

The play room can be registered for 10 children ( $37\text{m}^2 \div 3.7\text{m}^2$ )  
The allowance for the sleeping room will be  $5\text{m}^2$  ( $10 \times 0.5\text{m}^2$ )  
The sleeping room will have to be of a size suitable for at least 5 cots including adequate space around and between cots.

#### **Example 3 – A provider has a sleeping room with space for 4 cots (with adequate space around and between cots)**

Based on the sleeping room capacity, the play room can only be registered for 8 children (whatever the size).

#### **(d) *Sleeping Arrangement – Sessional Day Care***

For sessional day care settings e.g. crèches, appropriate arrangements need to be in place for children to sleep and rest based on the pattern of use in terms of age of children and their length of attendance and the level of activity within the setting. It is not appropriate for babies/toddlers to sleep in rockers, car seats or buggies.



**(e) *Sleeping arrangements – Childminding***

Appropriate sleeping arrangements must be made for babies and toddlers. This may be in a separate room such as a bedroom. All babies under the age of two years must be provided with cots. Each baby must have their own bedding. It is not recommended that a travel cot is used unless provided by a parent. It is not appropriate for babies/toddlers to sleep in rockers, car seats or buggies.

**(f) *Food preparation area***

The provision of a separate food preparation area in a full day care setting means the provision of a separate kitchen and not just a preparation area in one of the rooms.

It is acknowledged that, in a childminder's home, the kitchen may be part of the registered space used for childminding and, at times, older children may be using the kitchen space for e.g. homework and may not require supervision. In these circumstances, adherence to normal safety/accident prevention arrangements should be ensured.

**(g) *Office area***

By way of ensuring privacy in a full day care setting, a room separate from the play area is required to ensure that records are securely maintained, for confidential discussions with parents/Trust staff and for staff supervision.

**(h) *Staff room***

The provision of a staff room in full day care settings is necessary to enable staff to have a break away from direct contact with children. This room should not be in the kitchen where food is prepared unless approved by Environmental Health.

**(i) *Toilet Facilities***

It is always preferable but not always possible to ensure that toilet facilities are separated by age-group and/or gender (for older children). However, where this is not possible, staff should be mindful of the associated risks and manage these as appropriate.



## Section 4 – Quality of Monitoring & Evaluation

### **STANDARD 15 - Documentation**

As all records, including those pertaining to children and staff, are accessible to the Trust's Registration and Inspection staff, the Registered Person/childminder must advise parents at the time of admission and staff on commencement of their employment that this is the case.

It should be noted that, where observations are recorded to support planning for individual children, these may also be accessed by Trust staff.

The reference to Article 126 of the Children (NI) Order 1995 relates to the requirement to keep a record of the name and address of:

- (i) Any child looked after on the registered premises;
- (ii) Any person who assist in looking after any such child; and
- (iii) Any person who lives, or is likely at any time to be living, at those premises.

Providers should also be aware that accidents may need to be reported to the Health & Safety Executive in relation to:

- Work-related deaths/serious injuries (to staff or children)
  - “over three-day” injuries
  - Work-related diseases
  - Dangerous occurrences (near miss accidents)
- [Further information on employer responsibilities can be found at [www.hscni.gov.uk/riddor\\_booklet.pdf](http://www.hscni.gov.uk/riddor_booklet.pdf)]

Providers should also note that home incidents/accidents may need to be referred to:

- Environmental Health (advice from the local Council)
- Public Health Agency in relation to Infection Control ([www.publichealth.hscni.net](http://www.publichealth.hscni.net))

All accidents that require referral to these agencies should also be referred to the Early Years Team in the Trust.



## **STANDARD 16 - Complaints**

The management of complaints is an important part of the governance arrangements in any setting. It is important that:

- There is a complaints policy, clearly outlining how to make a complaint, the steps taken to investigate and the feedback arrangements to a complainant;
- All parents/users of the service know about the policy and the arrangements for dealing with complaints;
- All staff know how to deal with a complaint from a parent/service-user;
- Owners, Managers and Committee Members know their responsibilities in dealing with complaints.



## Section 5 – Policies & Procedures

Trusts, in their regulatory capacity, will wish to be satisfied that providers have the range of policies and procedures as outlined in this section. It would be helpful if the classification of policies available in settings adhered to those listed in the Minimum Standards. However, it is noted that the classification used on Page 50 of the Standards is not always the same as the references used throughout the document. As individual setting's Policies & Procedures must reflect the content of the Minimum Standards as a minimum requirement, the list below will hopefully give further guidance as to where the reference to the policy can be obtained or guidance to the content of the policy if it is not previously referenced in the document. In some situations, the setting's policy may be a composite of a number of related policies referenced in the Minimum Standards.

The list of Policies and Procedures may be amended in future based on improved advice and guidance. It is important that policies and procedures are **used** to inform activities and must be working documents known to and followed by all staff. Parents should also be made aware of their content.

It is important that all Policies & Procedures including Risk Assessment are reviewed on an annual basis. Providers should be aware that membership organisations will be able to advise on appropriate Policies & Procedures.

### **List of Policies as outlined in the Minimum Standards:**

#### **Absence of the Manager**

Standard 11 - Organisation of the Setting requires for a suitably qualified person to be in charge at all times and therefore could form the basis for this policy.

#### **Accidents**

Standard 4 - Health and Safety in the Setting states that proper precautions are taken to prevent accidents and minimise risks. This policy could also be included in the comprehensive risk assessment on the setting which is also required in this Standard.

#### **Additional Needs**

Standard 9 - Additional Needs. This Standard requires a policy which addresses how the setting responds to children with additional needs including both special educational needs and disability.



### **Allegations against Staff**

Standard 1 - Safeguarding and Child Protection requires a policy on reporting child protection concerns based on the Regional Child Protection Policy and Procedures. Standard 15 - Documentation refers to information that is required to be passed to the Registering Trust without delay in certain circumstances and could therefore form the basis of this policy.

### **CCTV**

Standard 1 - Safeguarding and Child Protection requires a policy and written procedures on the use of CCTV.

### **Complaints**

Standard 16 - Complaints. This Standard requires a policy on complaints that is publicised and made available to parents.

### **Confidentiality**

Standard 1 - Safeguarding and Child Protection. The policy on reporting child protection concerns will have to include reference to confidentiality.

Standard 9 - Additional Needs. This refers to Children's rights to privacy and confidentiality being respected when discussing potential additional needs.

Standard 15 - Documentation. This refers to the safe storage of documentation including children's records.

### **Consent**

Standard 3 - Children's Health and Wellbeing refers to parents giving permission for their children to have contact with animals, administration of medication and the application of sunscreen and therefore could form the basis of this policy. This is not an exhaustive list of consents to be gained from parents.

### **Data Protection**

Standard 15 - Documentation. This covers all aspects of documentation required and therefore could provide the basis for this policy.

### **Equality**

Standard 8 - Equality deals with all matters in relation to equality and therefore could provide the basis for this policy. The admissions policy should be covered in the Statement of Purpose (See page 58).



### **First Aid**

Standard 3 - Children's Health and Wellbeing requires a Risk Assessment on the number of First Aid boxes a setting has. This policy could be contained within this Risk Assessment. Reference to staff with Paediatric First Aid is also within this Standard.

### **Infection Prevention and Control**

Standard 3 - Children's Health and Wellbeing requires a policy on the exclusion of children who are ill or infectious.

### **Intimate/Personal Care**

Standard 1 - Safeguarding and Child Protection requires a policy and procedure for intimate/personal care.

### **Maintenance and Replacement of Play Equipment**

Standard 13 - Equipment requires a policy on the maintenance and replacement of play equipment.

### **Managing Aggression**

Standard 6 - Promoting Positive Behaviour requires a policy on behaviour management, including bullying.

### **Managing Emergencies**

Standard 3 - Children's Health and Wellbeing requires a policy and procedure on dealing with medical emergencies.

Standard 4 - Health and Safety in the Setting requires a policy and procedure on how to deal with safety emergencies.

These two policies could be combined to meet this requirement or could remain separate.

### **Management of Medicines**

Standard 3 - Children's Health and Wellbeing requires a policy and written procedures on the management of medicines.

### **Management of Records**

Standard 15 - Documentation requires a Record Management policy. This could also include the policy on retention, safe storage and destruction of records which is also required in this Standard.



## **Management of Risks Associated with the Care of Individual Service Users**

The Standards require a number of Risk assessments to be completed as follows:

- Standard 3 Contact with Animals
- Standard 3 Contents of First Aid Boxes
- Standard 4 Health and Safety of the Premises
- Standard 4 Fire Safety
- Standard 11 Outings
- Standard 14 Drop off and pick up of Children
- Standard 14 Outdoor Play space

## **Menu Planning**

Standard 5 - Food and Drink requires a policy on the provision of food and drinks and menu planning could be incorporated within this.

## **Mobile Phones**

Standard 1 - Safeguarding and Child Protection requires a policy on the use of Information and Communication Technology (ICT) Equipment and Code of Conduct in relation to the use of mobile phones.

## **Parents Access to Records**

Standard 15 - Documentation refers to records about a child being made available to parents and therefore could be the basis for this policy.

## **Participation**

Standard 7 - Working in Partnership with Parents refers to the involvement of parents in their child's care and they are encouraged to participate in the work of the setting. Therefore this could form the basis of this policy. This Standard also refers to the Statement of Purpose setting out information for parents.

## **Photography and Videography**

Standard 1 - Safeguarding and Child Protection requires a policy and procedures on the taking of photographs.

## **Play**

Standard 2 - Care Development and Play refers to the care developmental and play needs being met and could therefore form the basis of this policy.

## **Provision of Food and Drink**

Standard 5 - Food and Drink requires a policy on the provision of food and drinks. Menu planning can be incorporated within this.



### **Reporting Adverse and untoward Incidents**

Standard 15 - Documentation refers to information that requires to be passed to the Registering Trust and could therefore form the basis of this policy.

### **Security of the Setting**

Standard 4 - Health and Safety in the Setting refers to a Risk Assessment for the setting and therefore this policy could be incorporated in this Risk assessment.

### **Smoking**

Standard 3 - Children's Health and Wellbeing refers to all buildings and grounds being smoke free. This could therefore form the basis of this policy.

### **Social Networking**

Standard 1 - Safeguarding and Child Protection requires a policy on the use of Information and Communication Technology (ICT) Equipment and a Code of Practice in relation to the use of mobile phones.

### **Staffing**

Standard 10 - Management and Monitoring Arrangements, Standard 11 - Organisation of the Setting and Standard 12 - Suitable Person all cover issues with regard to staffing and could be used to form the basis of this policy.

### **Transport**

Standard 4 - Health and Safety in the Setting requires a policy and procedures on the transport of children.

### **Whistle Blowing**

Standard 1 - Safeguarding and Child Protection requires a whistle blowing policy.