

# Coronavirus briefing: safeguarding guidance for early years

**This briefing summarises government guidance on safeguarding and child protection for early years settings during the coronavirus pandemic.**

08 January 2021

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## Introduction

With lockdowns and high level coronavirus restrictions in place across the UK, early years providers have had to change the way they operate.

Children's safety still needs to remain a priority so we have pulled together key guidance from all four UK nations to help answer some frequently asked questions about safeguarding and child protection in early years provision.

The government guidance summarised in this briefing is relevant to registered early years providers in England, Northern Ireland and Wales, and regulated early years providers in Scotland. Unregistered or unregulated providers may find it helpful to draw on some or all of the principles of safeguarding and child protection best practice outlined in government guidance.

Governments in each UK nation are publishing a range of new guidance to support early years settings during the coronavirus pandemic. Settings may want to use guidance from other nations as examples of best practice where there is no guidance from their own nation. Settings should also contact their local safeguarding agency for advice on specific safeguarding procedures.

This briefing will be updated regularly.

## Early years provision

### Can nurseries, preschools and registered childminders provide childcare?

In **England**, early years childcare should continue to operate as normal during the national lockdown starting in January 2021 (Cabinet Office, 2021).

Vulnerable children and children of critical workers can continue to use registered childcare, childminders and other childcare activities (including wraparound care) (Cabinet Office, 2021).

The DfE has published guidance for early years settings and local authorities on the actions they should be taking during the national lockdown from 05 January 2021 (DfE, 2021).

In **Northern Ireland**, pre-school education settings are required to provide remote learning at home (rather than face to face teaching in school) until the half term break in the middle of February 2021. However, children of keyworkers and vulnerable children should continue to have access to supervised learning. (Department of Education, 2021).

Childcare settings, including those based in primary schools, can remain open. Childminders also allowed to continue their provision (Department of Education, 2021).

In **Scotland**, regulated early learning and childcare services can only open to children of key workers and vulnerable children during January 2021 (Scottish Government, 2021). Childminding services caring for fewer than 12 children may continue to operate their setting for all children during this period (Scottish Government, 2021).

In **Wales**, the government has advised that schools and early years providers, including childminders, can continue to provide childcare (Welsh Government, 2020a).

### What if parents don't want to send their child to early years childcare?

In **England**, the Department for Education (DfE) encourages all children to attend their early years setting (DfE, 2020a). Social workers and registered early years providers should work with parents of vulnerable children who don't want their children to go to childcare. Social workers and early years providers should explore the reasons for this and encourage parents to allow their children to attend (DfE, 2020a).

In **Northern Ireland**, health and/or education authorities should work with parents to explore why they don't want their children to go to childcare and help resolve any concerns or difficulties where possible (Department of Education, 2020a).

In **Scotland**, the lead professional for managing a child's plan and regulated early years providers should explore the reasons for parents not wanting children to attend childcare and help resolve any concerns or difficulties (Scottish Government, 2020a).

### What happens if a child's usual registered or regulated childcare provider is closed?

In **England**, Department for Education (DfE) guidance states that if it is not possible for settings to re-open or open more widely they should work with local authorities to agree on what provision can be used locally to support the needs identified.

Childcare settings should provide relevant child protection and welfare information to any alternative settings, before the child starts attending or as soon as possible afterwards (DfE, 2020a).

### Can non-registered providers (including informal groups, au pairs, babysitters, nannies and family members) provide childcare?

In **England**, nannies will be able to continue to provide childcare during the national lockdown starting in January 2021 (Cabinet Office, 2021).

Parents are able to form a childcare bubble with one other household for the purposes of informal childcare, where the child is under 14 (Cabinet Office, 2021).

In **Northern Ireland**, informal childcare offered by close family members can take place (Department of Education, 2020a).

In **Scotland**, only essential informal childcare is permitted during January 2021 (Parent Club, 2021).

In **Wales**, the government has stated that informal childcare from family members can take place if there are no other available options (Welsh Government, 2020a).

Sessional, crèche, out of school, holiday and open access play provision can also remain open (Welsh Government, 2020a).

➤ **Find out more about safer recruitment practices during coronavirus on NSPCC Learning**

## Regulations

### How should adult to child ratios be managed to keep children safe?

In **England**, the Department for Education (DfE) has temporarily amended regulations around adult to child ratios to allow more flexibility during the exceptional circumstances of the pandemic. Childcare settings should try to ensure that at least half of staff (excluding managers) hold at least a full and relevant level 2 qualification, although this is not a legal requirement.

Nursery classes in maintained schools, caring for children aged 3 and over, should try to ensure that at least one member of staff is a qualified teacher. If this is not possible, there must be at least one member of staff for every 8 children, with at least one member of staff who holds at least a full and relevant level 3 qualification (DfE, 2020b).

The DfE has also produced guidance for out-of-school providers, including early years and childcare settings who may wish to provide care for children under and over the age of five. This includes advice on how to manage group sizes (DfE, 2020a).

In **Northern Ireland**, the Department of Health has provided guidance about adult to child ratios and group sizes for early years and childcare settings (Department of Health, 2020).

In **Scotland**, the government advises early years and childcare providers to keep children in consistent groups, working with the same staff members each session. Settings should follow existing guidelines for adult to child ratios, taking into account individual children's needs (Scottish Government, 2020b).

In **Wales**, the government has issued updated guidance for adult to child ratios during the pandemic. Any changes to childcare ratios need to be agreed with the local authority in advance, to ensure they are safe, reasonable and proportionate (Welsh Government, 2020b).

### Do early years settings still need a qualified first aider on site?

In **England**, at least one person with a full paediatric first aid (PFA) certificate should be on the premises at all times when children below the age of 24 months are present.

In the event of local or national restrictions, if children are aged 2 to 5 within a setting, providers must use their best endeavours to ensure one person with a full PFA certificate is on site when children are present. If they are unable to secure a member of staff with full PFA to be on site then they must carry out a written risk assessment

and ensure that someone with a current first aid at work or emergency PFA certification is on site at all times children are on premises (DfE, 2020c).

In **Wales**, the government has made temporary amendments to minimum first aid requirements for regulated childcare (Welsh Government, 2020b).

### How should early years settings implement social distancing measures?

In **England**, the Department for Education (DfE) has published guidance on social distancing and protective measures for childcare settings (DfE, 2020a; 2020c).

Early years settings are not required to keep children in small, consistent groups within settings (DfE, 2020c). However settings should still consider how they can minimise mixing. Where providers have mixed age groups together they will need to, as far as possible, keep all children irrespective of age in small consistent groups of no more than 15 (DfE, 2020c).

In **Northern Ireland**, the Department of Education has published guidance on how education settings should implement social distancing. This outlines measures that settings should take to ensure the risk of coronavirus spreading is as low as possible whilst making sure children are safe and well cared for (Department of Health, 2020).

In **Scotland**, the Scottish Government has published advice for settings that are providing care to children during the pandemic. This includes guidance on how to implement social distancing measures with children (Scottish Government, 2020b).

Guidance is also available on settling in sessions for children and how parents can be included in a way that is safe (Scottish Government, 2020b).

In **Wales**, the Welsh Government has published guidance on protective measures that can be taken by childcare settings to minimise the risk of transmission of coronavirus (Welsh Government, 2020c; 2020d; 2020e).

The Welsh Government has also published guidance on how early years providers can safely manage settling in sessions with children, so children's parents can be there to support them (Welsh Government, 2020c).

### Will early years childcare settings still be inspected?

In **England**, Ofsted has announced a phased return to inspections. Routine graded inspections will not take place until the summer term of 2021 (DfE, 2020a).

However, Ofsted will carry out assurance inspections from January 2021. These inspections aim to find out what it is like for children in their early years setting and ensure providers continue to meet the requirements to remain on the Early Years Register and the Childcare Register (Ofsted, 2020).

Ofsted has provided operational guidance for registered early years settings, outlining how these inspections will be undertaken (Ofsted, 2020).

In **Northern Ireland**, Trust Early Years Teams continue to carry out inspections where it is considered necessary or appropriate (Department of Health, 2020).

In **Scotland**, the Scottish Care Inspectorate has temporarily suspended inspections and developed a self-evaluation tool for early years childcare providers (Care Inspectorate Scotland, 2020).

In **Wales**, the Care Inspectorate Wales has suspended inspections until further notice (Care Inspectorate Wales, 2020).

## Safeguarding and child protection

### What changes should be made to safeguarding and child protection policies and procedures?

In **England**, early years providers should continue to follow the statutory guidance, Working together to safeguard children (Department for Education (DfE), 2018) and Keeping children safe in education (KCSIE) (DfE, 2020d). Providers should review their child protection policy, revise it in line with current circumstances and continue to keep it updated as these circumstances evolve and change. A COVID-19 annexe or addendum may be more appropriate than re-writing the whole policy (DfE, 2020a).

Staff and volunteers should be made aware of the new policy and kept up to date if it is revised. The policy should also be made available publicly (DfE, 2020a).

The DfE has advised early years and childcare providers to plan how they will support children for whom safeguarding, mental health or wellbeing issues have arisen during the pandemic and how they will keep children safe online (DfE, 2020c).

Early years and childcare providers should also identify and plan how best to support high needs groups, including children with special educational needs and disabilities (SEND), vulnerable children and disadvantaged children (DfE, 2020a).

In **Northern Ireland**, childcare providers should continue to follow the statutory guidance Safeguarding and child protection in schools (Department of Education, 2020b) and Co-operating to safeguard children and young people in Northern Ireland (Department of Health, 2017).

In **Scotland**, supplementary child protection guidance has been published for the coronavirus pandemic. Childcare professionals should be aware that the vulnerability of some children may increase as a result of the pandemic. There may be increased

incidence of domestic abuse and children may be exposed to more risks online or be at greater risk of sexual exploitation (Scottish Government, 2020a).

The Care Inspectorate has produced a tool to help providers evaluate how well they are supporting children and families during COVID-19. This includes safeguarding children's health and wellbeing (Care Inspectorate Scotland, 2020a).

In **Wales**, the government has published non-statutory guidance for professionals, including those who work in early years and childcare settings, to assist them in identifying abuse, supporting disclosures and reporting concerns (Welsh Government, 2020f).

### What happens if nominated child protection leads need to self-isolate or become ill?

In **England**, the Department for Education (DfE) has stated that where it is not possible for a nominated child protection lead or deputy to be on site, a trained nominated child protection lead should be contactable via phone or online video. This could be the setting's own nominated child protection lead if they are working from home or a child protection lead from another setting.

If a trained child protection lead or deputy is not on site, a senior leader should take responsibility for co-ordinating safeguarding on site. There should be clear reporting routes for any member of staff who is concerned about a child (DfE, 2020a).

In **Wales**, all staff should have access to a nominated child protection lead. Where it is not possible for one to be on site, they should be contactable via phone or online video to provide support. Providers can consider sharing a nominated child protection lead with other settings. Staff should know on any given day who the nominated child protection lead is and how to speak to them (Welsh Government, 2020f).

### How can childcare settings support and protect children who are not attending?

In **England**, the Department for Education (DfE) has asked early years settings and local authorities to work together to ensure arrangements are in place to keep in touch with children who are vulnerable but who are not attending their setting.

There must be clear reporting routes for staff who have child protection concerns and these should be regularly reviewed. Staff should be able to signpost practical support for children who may need it (DfE, 2020a).

In **Northern Ireland, Scotland and Wales** there is no specific guidance on protecting children who are not attending childcare settings. Staff should continue to follow their setting's safeguarding and child protection procedures and relevant statutory guidance if they have any concerns.

## Staffing and recruitment

### Do early years settings still need to follow safer recruitment practices?

Childcare providers should continue to follow the safer recruitment practices set out in statutory guidance when they are recruiting new staff and volunteers. Staff and volunteers who have not undergone safer recruitment checks should not be left unsupervised or allowed to work in regulated activity.

In **England** and **Wales**, the Disclosure and Barring Service (DBS) has updated their guidance on ID checking to minimise the need for face-to-face contact (DBS, 2020).

### Do staff and volunteers moving between settings need new vetting and barring checks?

In **England**, the Department for Education (DfE) has stated that staff and volunteers moving between childcare settings who have already undergone the appropriate Disclosure and Barring Service (DBS) checks do not need a new DBS check (DfE, 2020a).

In **Wales**, staff moving between sites should wear ID badges from their home setting at all times (Welsh Government, 2020g).

### Can early years settings use peripatetic staff, and can peripatetic staff move between settings?

In **England**, the Department for Education (DfE) has stated that settings can continue to engage peripatetic teachers during this period, including staff from music education hubs (DfE, 2021). Peripatetic teachers can move between settings but settings should consider how to minimise the number of visitors where possible as set out in the system of controls.

Supply staff and other temporary staff can move between settings. They should ensure they minimise contact and maintain as much distance as possible from other staff. Specialists, therapists, clinicians and other support staff for children with SEND should provide interventions as usual (DfE, 2021).

In **Scotland**, the use of peripatetic staff should be kept to a minimum and for essential purposes only (Scottish Government, 2020b).

In **Wales**, peripatetic staff can move between schools, but should ensure they minimise contact and maintain as much distance as possible from other staff and learners. (Welsh Government, 2020c).



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