P: Staff:child ratios – Childminders

What do I need to know?

- Legal Framework
  - The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
  - The Education (Specified Work) (England) Regulations 2012
  - The Education (School Teachers' Prescribed Qualifications, etc) Order 2003
  - The Education (School Teachers' Qualifications) (England) Regulations 2003
  - The School Staffing (England) Regulations 2009
  - School admissions code
  - The Education (Specified Work) (England) Regulations 2012
- Statutory framework for the early years foundation stage (publishing.service.gov.uk) pages 26-28, 3.47-3.57

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
Do you **ensure** your staffing arrangements meet the needs of all children and ensure their safety? Do you **ensure** that children are adequately supervised, including whilst eating, and decide how to use any assistants to ensure children's needs are met?	• How do you know that you have staffing levels to ensure the needs of all children are met, and to ensure their safety including when children are eating? • How do you deploy staff across your provision (indoors and outdoors), and when on school runs and outings? How do you deploy staff to ensure children are within sight and hearing of an adult when eating? • How do you know you have adequate staffing levels to meet the individual needs of children e.g. children SEND? • How do you know that you have adequate staffing levels to ensure the needs of all children are met? How do you ensure children are always within sight and hearing of an adult when eating? • How do you know that children are adequately supervised at all times, including whilst staff are taking breaks away from the children? • What are your contingency plans if a member of staff is unable to work? What implications does this have on ensuring adequate numbers of staff who have a PFA certificate? What implication does this have on ensuring children are always within sight and hearing of an adult when eating? • How do you know children's needs are being met?

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
Do you **ensure** you inform parents and, or carers about how any assistants are organised, and, when relevant and practical, aim to involve them in these decisions?	• How do you make parents and, or carers aware of and share information on staff deployment and legal ratios for the different ages of children? • How do you gather parental opinions regarding staffing and the deployment of staff? • When and how do you inform parents and, or carers about staff deployment changes?
Do you **ensure** children are usually within sight and hearing of you (the childminder) and always within sight or hearing?	• Have you risk assessed different areas of your environment to ensure children are usually within sight and hearing of you (the childminder) and always within sight or hearing? How does this affect staffing? • How do you ensure this process evolves to meet children's individual and changing needs? How often to do review this process?
Do you know to refer to paragraph 3.69 which applies when children are eating.	• How do you know that you have staffing levels to ensure the needs of all children are met when children are eating? • How do you deploy yourself and, or any assistants to ensure children are within sight and hearing of an adult when eating? • How do you ensure children are always within sight and hearing of an adult when eating? • How do you know that children are supervised at all times, including whilst staff are taking breaks away from the children? • What are your contingency plans if a member of staff is unable to work? What implication does this have on ensuring children are always within sight and hearing of an adult when eating? • What happens if the person holding the full PFA certificate is not able to be with the children whilst they are eating?
Are you aware that the ratio requirements apply to the total number of staff available to work directly with children, across the whole provision, not just each room?	• How do you ensure that staffing levels meet ratio requirements across the entire setting throughout the day? What systems are in place to monitor ratios e.g. when someone takes a break? • How would you respond if an unforeseen absence affected the overall staffing ratio across the provision? • Why is it important to consider the whole setting rather than individual rooms when calculating ratios?

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
Are you aware that Ofsted or the childminder's agency, depending on how they you registered, may determine that childminders must observe a higher staff:child ratio than outlined here to ensure the safety and welfare of children?	• How do you keep up to date with any specific ratio requirements set by Ofsted or your childminder agency? • Can you explain situations where a higher staff:child ratio may be required? • How would you adapt your staffing arrangements if directed to operate at a higher ratio?
Are you aware that, exceptionally, and where the quality of care and safety and security of children is maintained, changes to the ratios may be made?	• What factors would you consider before making any exceptional change to staffing ratios? How would you assess whether children's safety and wellbeing would remain fully supported? • What evidence would you provide to demonstrate that quality of care was maintained during such a change?
Are you aware **you cannot have** more than six children under the age of eight per adult providing care?	• How do you monitor the ages and numbers of children attending to ensure this limit is not exceeded? • What procedures do you follow when accepting additional bookings or changes to attendance patterns? • How would you identify and address a situation where numbers were approaching the maximum limit?
Are you (whether providing the childminding on domestic or non-domestic premises) aware that at any one time, you may care for a **maximum** of six children under the age of eight? Are you aware this includes you own children or any other children for whom they are responsible such as those being fostered?	• How many children to you have in your care under the age of eight? • How many of your own children or any other children for whom you are responsible for do you need to include in your ratio's? • How many of these children are young children (a child is young up until the 1st September following his or her fifth birthday)?
Are you aware that of these six children, a **maximum of three** may be young children, (A child is a young child up until 31st August following his or her fifth birthday)?	• How many of these children do you have under the age of five? • How do you know this meets the requirements of staff:child ratios for childminders? • Have you measured your available play space and calculated the maximum number of children you can care for?

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
Are you aware that of these six children and there should only be **one** child under the age of one?	• How many of these children do you have under the age of one? • How do you know this meets the requirements of staff:child ratios for childminders? • Have you measured your available play space and calculated the maximum number of children you can care for?
Are you aware any care provided for older children must not adversely affect the care of children receiving early years provision?	• How do you manage children of different ages attending your childminding setting ensuring children receiving early years provision are not affected? • If you work with an assistant, what do you need to consider? How will this affect your ratios? • How do you ensure ratios are met if your assistant is absent at short notice? What is your procedure for absenteeism? Do you have bank staff available? • Who would you ask for further clarification or advice?
Are you aware you can make exceptions to the usual ratios, if you can demonstrate to parents and, or carers and Ofsted inspectors or your childminder agency that the individual needs of all the children are being met? For example:	• Are you aware of the occasions when you might need to make exceptions to the usual ratios? Do you know when these occasions may be and what your reasonings for making these exceptions are? How do you share this information with your assistant?
• when childminders are caring for sibling babies, or • when caring for their own baby, or • to maintain continuity of care, or • if children aged three to five only attend the childminding setting before and, or after a normal school day *(defined as 9 am to 3 pm or the normal full day applicable to the school the child attends)*, and, or during school holidays, they may be cared for at the same time as three other young children? Do you **ensure** in all circumstances, that the total number of children under the age of eight being cared for does not exceed six per adult?	• How can you demonstrate to parents and, or carers when you might need to make these exceptions? How do you demonstrate to Ofsted inspectors or your childminder agency when you might need to make these exceptions? • How do you ensure that the individual needs of all the children are being met, if you make an exception to the usual ratios? Can you demonstrate this to parents and, or carers, and Ofsted or your childminder agency? • Have comprehensive risk assessments have been carried out? How have these risk assessments impacted or changed practice? How is this information shared? • What actions do you need to take if you took the responsibility to exceed your ratios (i.e. meeting the requirements for continuity of care) and what would you record and why? • How do ensure that the total number of children under the age of eight does not exceed six per adult? What would you do if your numbers for a session exceeded eight?

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
If you are a childminder who employs an assistant or works with another childminder, do you only care for the number of children permitted by the ratios specified above *(Subject to any restrictions imposed by Ofsted or the relevant childminder agency on registration)?*	• If you work with an assistant, what do you need to consider? • How do you ensure ratios are met if your assistant is absent at short notice? What is your procedure for absenteeism? Do you have bank staff available? • What are your contingency plans if your assistant is absent or if there is an emergency?
Do you only leave children in the sole care of childminders' assistants for two hours at most in a single day? Do you **ensure** you obtain parents and, or carers' permission to leave children with an assistant, including for very short periods of time?	• Have you clear polies and procedures in place to ensure childminding assistants know and understand what their roles and responsibilities are? • How do you ensure you do not exceed specified time limits? • Do you have a contingency plan and, or policies and procedures to follow in the event of the childminder not being able to return to the provision after 2 hours away? • How are procedures for leaving children in the care of an assistant communicated with parents and, or carers, and how is permission sought from parents and, or carers? How is this recorded?
Are you aware that The Childcare (Exemptions from Registration) Order 2008 specifies that where provision is made for a particular child for two hours or less a day, the carer is exempt from registration as a childminder?	• How do you know what your registration requirements are? Do you know where to find these details?
If you provide overnight care, do you continue to apply the ratios, and do you **ensure** you are always able to hear the children (this may be via a monitor)? Do you know that childminders are required to notify Ofsted or their CMA if they intend to provide overnight care subject to any restrictions imposed by Ofsted or the relevant CMA on registration?	• How do you ensure that if you have children overnight that they can always be heard? • How do you ensure you continue to apply the relevant ratios? • How do you ensure you or your assistant is awake at all times? • Do you have clear policies & procedures to follow when providing overnight care? What are these procedures? How do you know these are implemented? • Are you familiar with the current procedures on how to notify Ofsted of any overnight care you provide prior to the overnight stay?
Do you **ensure** you do not include anyone aged under 17 in ratios, except apprentices who may be included in ratios from the age of 16.	• How does your management of ratios ensure that anyone under the age of 17 (except apprentices) are not included in ratios. • How do you ensure you are completely satisfied with the suitability of any apprentices aged 16 and above, before including them in ratios?

Staff:child ratios (pages 31-35 of audit)	Things to consider and discuss:
Do you **ensure** you do not allow anyone aged under 17 to care for children unsupervised at any time.	• How do you ensure that children are never left unsupervised with anyone under the age of 17?
Are you aware that students and long-term volunteers (aged 17 or over) and apprentices (aged 16 or over) may be included in the ratios but only if you are satisfied that they are suitable (as in paragraphs 3.14-3.17) competent and responsible?	• How do you determine if a student, long-term volunteer or apprentice is suitable, competent and responsible? • How do you share this information with all staff, parents and, or carers? • How do you ensure students, long-term volunteers or apprentices have the appropriate qualifications, training, skills, knowledge, and a clear understanding of their roles and responsibilities?

Useful links and further help:

Disclosure and Barring Service
Disqualification under the Childcare Act 2006
Keeping children safe in education GOV.UK
Working together to safeguard children GOV.UK
Saferrecruitmentconsortium.org - Guidance for safer working practice for those working with children and young people in education settings
Recruitment and Selection (ddscp)
Safer Recruitment advice (NSPCC)
Advisory, conciliation and arbitration service (ACAS)
UK Government and Ofsted guidance to registration
Early years qualifications list
Start - Check an Early Years qualification
EYFS staff:child ratios - DfE approved qualifications
Childminders and childcare providers: register with Ofsted - Guidance
Ofsted - How-staff-to-child-ratios work.

Derbyshire SchoolsNet - Early Years Team
Derbyshire Early Years Service - Eventbrite
Email: CS.EYS@derbyshire.gov.uk