

Suitable People

EYFS legal requirement: ‘Providers must ensure that people looking after children are suitable to do so and fulfill the requirements of their roles.’
Suitable People, EYFS Statutory Framework, Pages 14 - 16, Paragraphs 3.9 - 3.17

This policy applies to:

1. The Early Years Register (EYR)

This policy is not a requirement of The Childcare Register (CR); however it is highly recommended that a policy is written to ensure that you provide a consistent message to all parents about the quality service you provide

Policy

A policy is a description of the setting’s aim / commitment. Consider the following information when detailing your policy;

- What is the aim of your setting with regard to having safe and suitable people to care for children in your setting?
- What is the aim of your setting with regard to ensuring that you have correctly checked and vetted staff at all times (including those who are living or working on the premises)?
- What is your aim with regard to preventing people who have not had suitability checks coming into contact with the children you care for?

Procedure

A procedure is a description of the way a setting goes about a particular activity or process. Consider the following information when detailing your procedures;

- State the types of staff you are going to employ, taking into account age, experience, qualifications
- Describe how you decide that a possible employee is suitable (for example taking references, employment history and identity checks). Are they of good character? Have they got the necessary skills? (Childcare Register – CR3 EYFS Statutory Framework page 15).

- Explain how you will obtain an Enhanced CRB clearance following CRB Code of Practice and who is responsible for doing this. Keep a record of each unique CRB reference number and the date it was checked. Childminders are responsible for ensuring that there are checks in place for anyone over 16 living or working on the premises.
- Describe how you would advise staff that they are required to disclose any convictions, cautions, court orders, reprimands and warnings that affect their suitability to work with children
- Describe your procedures for un-vetted / unchecked people and those awaiting clearance. For example describe how you will ensure they do not have unsupervised contact with children, what other checks will you carry out to assess suitability?
- What information you will record and keep relating to prove suitability of staff. e.g. staff qualifications, identity and vetting procedures, details of CRB checks (For Childminders, Ofsted will keep the relevant information)
- How will ensure that volunteers and students be checked for suitability?
- State what your procedures / actions will be if an application for employment is made by a person you know to be the subject of disqualifications or convictions; how will you inform Ofsted?
- Describe the procedures to be followed to check that staff members are still suitable to work with children after they return to work from sick leave. This should include practitioners who are taking medication which they believe may affect their ability to care for children.
- Explain how the setting will meet it's responsibilities under the safeguarding vulnerable groups Act 2006.
- What will you do in the event of a member of staff becoming disqualified?
- You must inform Ofsted relating to disqualified persons, what is the time frame for informing Ofsted? What information will you provide to Ofsted? The information must be provided to Ofsted as soon as reasonably practicable, but at the latest within 14 days of the date the provider became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries. (See EYFS Statutory Framework Page 16, paragraph 3.15 for further guidance)
- What happens if practitioners appear to be under the influence of alcohol or any other substance that may affect their ability to care for children? Will you follow the staff disciplinary procedures? Will staff members be sent home?
- How would the setting address the situation if practitioners are taking medication that may affect their ability to care for the children?

- What are the setting's procedures for storing staff medication? (must be secure and out of reach of children at all times)

Date created

Date updated

Related Policies: Staff Recruitment, Induction, Deployment and Development
Safeguarding
Health & Wellbeing

For more information...

EYFS Statutory Framework Pages 14 - 16

Requirements for the Childcare Register: Childminders and home child carers - - Ofsted ref 080161

Requirements for the Childcare Register: Childcare providers on non domestic or domestic premises – Ofsted ref 080143

Additional duties under national legislation:

- CRB Code Of Practice- vetting / checking
- Childcare Act 2006 Section 76)- offence to employ disqualified people
- Safeguarding Vulnerable Groups Act 2006- vetting
- Childcare Disqualifications Regulations 2009- unsuitable / disqualified people
- Independent Safeguarding Authority (ISA) Requirements

Ofsted are the registering, inspecting and enforcing body for childcare, and as such, they alone, have the final say on the suitability of persons, premises and the number of childcare places that can be offered therein.

Therefore, any information provided by Wigan Local Authority should be used as a guide only.