

1.6 Health check

Yes/No Action to take

Does your group have a constitution/ governing document?	You need to refer to the Charity Commission if you do not have a copy of your constitution – they will give you a copy.
Have you read and understood your constitution? – e.g. do you know what to do in order to close or wind up the pre-school?	Please refer to Section 1.3: The constitution or governing document – what is it? Also refer to the Charity Commission website www.charity-commission.gov.uk
Do you understand that it is illegal to run your childcare group without the three officer roles being filled?	Read your constitution.
Do you understand the roles and responsibilities of the management committee?	See Table 1 in Section 1.4: Committee Roles and Responsibilities . Also refer to 4Children document <i>Making it Happen – The Voluntary Management Toolkit</i> www.4children.org.uk Also see www.surestart.gov.uk and enter “roles and responsibilities” in the Search window.
Do you understand the role/s of your lead practitioner/s	Please refer to your lead practitioner’s job description/ personal specification. See Table 2 in Section 1.4 .
Do you have trouble recruiting committee members?	Are you communicating effectively with parents/carers and the local community? Are they aware of the need for new committee members and the legal implications for the group? Are the parents aware, from when their child joins, that the setting will close in its present form, if a committee cannot be elected, first at an Annual General Meeting (AGM) and subsequently at an Extraordinary General Meeting (EGM)? Emphasise the personal benefits of volunteering and its use on a CV. Please also refer to Section 6.8 for further help.
Do you know the two most important aspects of a voluntary committee led childcare group?	The committee is the employer of the staff with all the legal responsibilities that this involves – See Section 5 and refer to www.acas.org.uk The committee is responsible for the financial probity of the group. It needs to understand the annual percentage occupancy required to ‘break even’ – income (e.g. fees and fundraising) equals or exceeds outgoing (staff wages and all other costs).
As a trustee am I personally liable for any debts the group may incur?	<i>“Where a liability has been properly incurred by the trustees of an unincorporated charity, but the charity does not have sufficient assets to meet the liability, those trustees may have to meet the shortfall personally. How this deficit is to be shared between the trustees can depend on the terms of the agreement which gave rise to the liability, but normally the creditor will be able to sue any of the trustees for the whole liability. A trustee who has to pay more than his or her share may claim a fair contribution from the other trustees. This means in effect that any deficit will be shared equally between those of the trustees who can be found, and who have the means to pay, unless they agree otherwise among themselves.”</i> Managing Financial Difficulties and Insolvency in Charities Charity Commission Booklet www.charity-commission.gov.uk

2.5 Health check

Yes / No Action to take

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Does your group have a constitution or a deed of trust? (If you have become a company limited by guarantee you will have a memorandum and articles – commonly known as ‘mem and arts’.)

You need to refer to the Charity Commission if you are a registered charity and do not have a copy of your constitution or deed of trust – they will send you a copy.

Have you read and understood your constitution? Does your constitution allow for the employment of staff in its ‘powers’? Do you understand the legal form your childcare group has?

Please refer to **Section 1.3: The constitution – what is it?**
Also refer to the Charity Commission website
www.charity-commission.gov.uk

How many committee members are needed to run the group legally?

Refer to your constitution.

If you need to make any employment changes in the group how can you know if you are breaking the law?

Contact Acas (the Advisory Conciliation and Arbitration Service) on their helpline 08457 474747 or go to www.acas.org.uk.

What is the key legal framework that childcare organisations work from?

The Statutory Framework for the Early Years Foundation Stage (setting the standards for learning, development and care of children from birth to five). Look on the Department for Children, Family and Schools’ website www.dcsf.gov.uk to download or order this document.

3.5 Health check

Yes / No Action to take

Are you aware that the law governing childcare is the *Statutory Framework for the Early Years Foundation Stage*? Have you got a copy and read the specific legal requirements?

For an initial overview, please see **Section 3.1** of this support pack. Contact the Department for Children, Schools and Families www.standards.dcsf.gov.uk/eyfs to download a copy, or call 0845 6055560 to order a copy.

Are you aware that as a provider there are other legal duties including: employment laws, anti-discriminatory legislation, health and safety legislation, data collection regulations and duty of care?

See **Section 2.4: *Getting it right legally*** for a general list of the Acts and Statutory Instruments you might need to be aware of. Useful information about these other legal duties, the relevant legislation and guides to the legislation can be found from the following web addresses:
www.dcsf.gov.uk (Department for Children, Schools and Families)
www.opsi.gov.uk/acts (Office of the Public Sector Information)
www.hmso.gov.uk (Her Majesty's Stationery Office)
www.berr.gov.uk (Department for Business, Enterprise and Regulatory Reform)
www.acas.org.uk (Advisory, Conciliation and Arbitration Service)
www.hse.gov.uk (Health and Safety Executive)
www.ico.gov.uk (Information Commissioners Office)
www.direct.gov.uk (Public Services information website)

Do all staff and committee members have an enhanced CRB disclosure? Are you aware of the Independent Safeguarding Authority? How will safeguarding arrangements change with the introduction of the legislation brought about by the Safeguarding Vulnerable Groups Act 2006? Are you aware of the differences between a regulated activity and a controlled activity? What are your responsibilities as an employer with regard to safeguarding?

Check that you have a record of staff and committee members' CRB enhanced disclosures – you need to keep the name, job title, date and unique number (do not keep the actual form for longer than six months). See the CRB code of practice. Further information can be found at www.crb.gov.uk
Please see **Section 3.2** for an overview of what changes the Act makes to safeguarding (including a regulated activity and a controlled activity), why the changes have been made and how it will affect employers.
For more information and updates go to www.isa-gov.org.uk (the Independent Safeguarding Authority website). Please note that a new safeguarding unit for the Third Sector (Charities and Voluntary Organisations), is being funded by the DCSF working with the NSPCC and Children England (formerly NCVCCO). The new unit will support and challenge the third sector to meet effective safeguarding standards.

Is your childcare group a registered charity? How much do you need to turn over to be required by law to register? Can you earn money from the charity if you are a trustee?

If your group earns more than £5,000 per year you are required to register as a charity. See **Section 3.3** for an overview of the Charities Act 2006. You cannot earn money from being a trustee of a charity, but the Act has made some changes that mean that under certain conditions it is possible to charge the charity for work done (but **not** committee work). E.g. it is now possible to amend your constitution to include the possibility of a minority of committee members working in the childcare setting or being offered remuneration for goods or services at a reasonable rate. Refer to the booklet *What Trustees Need to Know* www.charity-commission.gov.uk or www.communities.gov.uk

Are you concerned about your personal liability as a member of the committee?

See **Section 3.4** and **Section 1.5: *Health check***.
Booklet CC12 from the Charity Commission deals with insolvency issues in charities and clearly defines trustee liability.

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4.8 Health check Yes / No Action to take

<p>Does the childcare management committee have a 'living' business plan?</p>	<p>For an initial overview take a good look at the beginning of Section 4. Business support is available from a WSCC Early Childhood Service Business Support Officer. Business Link has a service level agreement with WSCC to support businesses across the county. Go to www.businesslink.gov.uk/southeast or www.businesslinksussex.co.uk or www.westsussex.gov.uk Your bank may also be able to help with a business plan.</p>
<p>Has the setting compiled a comprehensive annual budget with cash flow consideration?</p>	<p>See above. Calculate next year's budget by examining your accounts for the previous year. Look for times of the year when numbers are low but costs remain stable. Are you employing too many staff for the present number of places per session you have booked? If your numbers fluctuate over the year try a core number of staff and fill with bank staff or temporary staff when you need them.</p>
<p>Has the business got a marketing and advertising plan? Are you aware that successful marketing is vital to sustainability? Have you carried out a parental survey recently?</p>	<p>If you don't have any marketing and advertising plans start with thinking about how you can quickly and easily get in touch with potential parents. Try a flyer and find out from your existing parents if anyone has any advertising or marketing experience or if anyone would like to give it some time. A really good way to start might be a clipboard survey where you talk to parents at the setting and or the local school about their childcare needs and what they may have heard about the setting.</p>
<p>What is the annual percentage occupancy (i.e. number of sessions 'sold' over a year) needed to cover all the setting's costs?</p>	<p>Calculate all your staffing costs (not forgetting 'on costs'), the rent/building costs, consumables and all other expenses and then put this figure against the income from fees and the free entitlement (for three- & four-year olds). What percentage of places do you need to fill, over the year to cover all the costs E.g. if no. of registered places was 20 per morning, 100% annual occupancy would equal $5 \times 20 \times 38 = 3,800$ sessions filled. 38 is the number of funded weeks (term time excluding school inset days) Do you run on inset days (school teacher training days)? If you do, do you charge extra for this?</p>
<p>Do you know what 'on costs' are and have you included them in your staffing costs?</p>	<p>'On costs' are the extras that employing a person, apart from their wages, costs the setting. These are things like NI employer contributions, holiday pay, sickness pay (some employers also offer a few days sick pay per year before statutory sick pay becomes applicable), maternity pay. Another area to consider is stakeholder pensions – "<i>organisations employing five or more people who earn over the lower earnings limit are obliged to offer access to a stakeholder pension scheme (from 8 October 2001) if they do not already offer pension provision</i>". Acas <i>The A-Z of Work</i>) www.acas.org.uk</p>
<p>Do you know what staff to children Ofsted ratios are legally required?</p>	<p>Refer to the <i>Statutory Framework for the Early Years Foundation Stage</i> Appendix 2</p>
<p>Do you know how much fundraising the group needs to do annually to support the financial position/sustainability?</p>	<p>Examine your annual turnover for previous years. How much fundraising did the group achieve? If you are reliant upon fundraising to break even, then the committee must ensure that everyone knows this and that this information is stressed to incoming committees. A fundraising cushion of 5–10% of your annual turnover would be a useful aim. For more information on finance and fundraising for charities, see www.ncvo-vol.org.uk/sfp (Sustainable Funding Project) and The Finance Hub Charities Aid Foundation see www.financehub.org.uk.</p>

Continued overleaf

Health check**Yes / No Action to take**

**Contingency:
How much?
For what?**

Save a contingency fund in the event of closure and redundancy but do not hoard too much. Redundancy is of particular importance if you have long-serving members of staff, as redundancy pay is calculated by the number of years in post and the age of the employee: see www.acas.org.uk. Sometimes groups sit on too much contingency money and do not renew equipment or increase staff wages, leading to a decline in quality.

Have you checked the level of your insurance cover recently? For what and how much does it cover?

Check your paperwork to see what categories of insurance you have. Contact your insurance company to find out more or look on their website for further information. See **Section 4.5**.

Have you budgeted for an annual increase in staff wages (in line with inflation)?

Check to see when the staff last received a pay rise and determine whether there is a fixed time of the year set for the committee to review this. Make sure you are aware of any changes to the minimum wage. Try to ensure, within budgets, appropriate levels of pay for staff related to their qualifications, experience and job description. Are you able to pay staff appropriately for training and non-contact time? Again, you will need to budget for this and if it is unaffordable negotiate with staff. It is really important for the staff to be updated on the financial progress of the group, to understand what the committee is doing and why it reaches the decisions it does. Pay and conditions are closely associated with morale, and subsequently, quality.

Have you filed your 'Independently Examined' accounts and your SORP annual report to the Charity Commission this year?

With your registered charity number you can see your accounts on the Charity Commission's website and with a password you are able to submit updated information via their website (www.charity-commission.gov.uk). See **Section 4.2** and **Section 3.3** of this support pack. Contact the Charity Commission helpline on 0845 300 0218 for immediate assistance.

Are you aware of the Code of Practice with regard to the Free Entitlement for 3- and 4-year-olds?

For the full government *Code of Practice*, is downloadable from www.surestart.gov.uk, but be aware that there will be a new Code of Practice out in 2010 which is presently out for consultation. For the West Sussex County Council Free Entitlement Registration Form (including general conditions and code of practice), see www.wsgfl.westsussex.gov.uk. Also see **Section 4.3**.

Does the group have a reasonable relationship with the managers of the building you occupy/rent (if applicable)?

You may have issues from time to time with the managers or caretakers of the building that you occupy. Do you have a proper structure of communication? Are the managers also volunteers with a charitable purpose e.g. Village Hall Trustees? For more information and support, contact Action in rural Sussex (AirS), www.ruralsussex.org.uk Their toolkit *Village Halls and Childcare – Making it work* is available to download. AirS can also help with communication with Parish Councils across Sussex. Nationally, Action with Communities in Rural England (ACRE) can provide support and information: see www.acre.org.uk.

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5.10 Health check Yes / No Action to take

Are you aware that the committee is the employer of the childcare setting's staff?

The committee is the employer, with all the legal and statutory commitments that involves. Refer to the *Statutory Framework for the Early Years Foundation Stage*. Read **Section 5** of this pack and refer to Acas for information and support on employment matters Acas Helpline 08457 474747 www.acas.org.uk. www.berr.gov.uk and www.businesslink.gov.uk also provide answers to many questions about employing staff.

One of the committee's statutory duties with regard to the employment of a childcare workforce and also for themselves is to ensure that "adults looking after children are suitable to do." From the *Statutory Framework for the Early Years Foundation Stage* p19.

'Suitable people' means, that all staff and committee have had a Criminal Records Bureau enhanced disclosure, commonly known as a police or CRB check. However when the new vetting and barring scheme is fully operational, people working and volunteering in 'Regulated Activities' will have a mandatory obligation to apply to register with the Independent Safeguarding Authority (ISA). The ISA will assess every person who wants to work or volunteer with children or vulnerable adults. It will do this by working closely with the CRB. The CRB will receive applications to the ISA and will gather and monitor information. The ISA will then assess this information and decide whether to give the individual concerned ISA registration or put them on one of the ISA Barred Lists. The committee, as the employer, will also have a duty to inform the ISA of any changes to the status of their employees. Further, employers will have to register with the ISA to receive information about changes to the status of their employees as referred by others, e.g. the police, social services or other employers. Please refer to **Section 3.2** for a full description of *The Safeguarding Vulnerable Groups Act 2006* which introduced the ISA. For more information and to register for updates about the full implementation of the new legislation go to www.isa.gov.uk and www.crb.gov.uk

How do you demonstrate that the childcare setting is run day to day and overall managed by 'suitable people'?

You also need to be aware of the CRB Code of Practice (April 09) which covers how you store CRB disclosure information (name, job title, date of issue and unique number).

Health checks, for registered person/person in charge are done via Ofsted. For other staff, a letter from a GP, confirming that job description duties can be undertaken by the employee will be required.

For further information relating to day-to day safeguarding, call Ofsted on 08456 404040.

Do you know what qualifications your staff must have for their job role? Do you know how many staff, of a particular qualification level, you need for the numbers of children and their ages, attending a session?

For a full description of child to staff ratios and qualifications required see Appendix 2 of the *Statutory Framework for the EYFS*, which is downloadable from www.teachernet.gov.uk/publications or www.standards.dcsf.gov.uk/eyfs, or call 0845 6022260 to order a copy.

See also the 'qualifications list' which is a tool for checking if a person's current qualifications are full, relevant and up-to-date. If they are not, the qualifications list will specify the relevant training needed to to bring those qualifications up to date. See <http://qualificationslist.cwdcouncil.org.uk>

For further information contact WSCC Workforce Development Team via the Children's/Family Information Service on 01243 777807.

Do you have relevant and up to date job descriptions for all your staff?

Please see **Section 5.2**; refer to the WSCC Early Childhood Service publication *Recruiting and retaining your staff team* and look online for childcare support (e.g. Pre-school Learning Alliance, the Daycare Trust and 4Children) for good examples of childcare worker job descriptions and much more.

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Health check**Yes / No Action to take**

Many employers require completion of an application form rather than a CV – do you have an application form ready for when you next recruit staff?

Please see **Section 5.2**, refer to the WSCC Early Childhood Service publication *Recruiting and Retaining your Staff Team* <http://wsgfl.westsussex.gov.uk/ccm/content/community-projects/my-childs-education/child-care/recruitment.en>
There will also be many examples on line.

Are you aware of anti-discrimination and equal opportunities legislation and how this may effect the description of the job role in your advertisement and during the interviewing process?

See **Section 5.2**. There is a very useful guide called the Professional Recruitment Guide that has a good explanatory section called legal issues from the Department for Innovation, Universities and Skills – go to www.dius.gov.uk click on *Higher Education*, then *Widening Participation*, then *Professional Recruitment Guide* and then *Legal Issues*. There are brief descriptions of the various types of discrimination and also 'genuine occupational requirements' as well as a list of the legislation, with links to that legislation and links to guides to that legislation. (This information was accessed from the internet 16/04/09.) See also www.berr.gov.uk and www.businesslink.gov.uk. From the Business Link website you can find the South East Business Link website and from this you can register to download help guides and also receive business issues email alerts. The full text of all HM Government Acts and their Explanatory notes are available to download at www.opsi.gov.uk

Do you know that you need to provide all staff with a Written Statement or a Contract of Employment within two months of them starting work? Do you know the minimum required by law that must be included in the Written Statement?

See **Section 5.3**. The Business Link website (www.businesslink.gov.uk, search for 'Written Statement') contains a comprehensive document that takes you through exactly what the law requires. Not providing a Written Statement or a 'Contract of Employment' for staff offers no protection to the Employer. Full terms and conditions (and/or a staff handbook) can take time to prepare, but make sure you issue a Written Statement within two months of employing a new member of staff and make sure that all present members of staff have full terms and conditions.

Do you know that as an employer you have to be registered with HMRC? Are you aware of your responsibilities with regard to tax deductions and NI (including Employer NI)? You will need your employer's tax reference code and your employee's tax code from their P45 – or they will have to fill out a P46

Please see **Section 5.8**. The HMRC website (www.hmrc.gov.uk) contains much useful information. The HMRC New Employers' Helpline (0845 6070143) can help. The Business Link website (www.businesslink.gov.uk) contains a useful section on 'taxes, returns and payroll'. It is quite legitimate for a childcare charity to employ administration support staff; you just need to consider what the business can afford. You must still have the minimum of five committee members. However, since the Charities Act 2006 a minority of committee members can be paid a fee at a reduced rate for specific services. See **Section 3.3: Regulation and regulatory bodies**. See also www.charity-commission.gov.uk FAQs and a very useful booklet *Charities Act 2006 What Trustees Need to Know*.

Are you aware of the legislative changes brought about by the Employment Act 2008?

Please see **Section 5.7**. For a bullet list of the main points of the Employment Act 2008 go to www.berr.gov.uk/employment/employment-legislation/employment-act-2008/index.html very quick and easy reading. Also see and download the *Acas Code of Practice and the Discipline and Grievances at Work, The Acas guide 2009* from their website www.acas.org.uk

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Health check

Yes / No Action to take

Do you know that there are certain records you need to keep, by law for given periods of time?

See **Section 5.9**. Also see the BERR website and the Business Link website as above and the *Statutory Framework for the EYFS* and the Ofsted guide, *Are you ready for inspection?* See also www.cipd.co.uk

Do you know who to contact if you have problems paying Tax or NI bills?

HMRC have a new business support service. You can contact their helpline on 0845 3021435. There is also the new Employers' Helpline, 0845 6070143 (which is relevant for the first three years of becoming an employer).

6.9 Health check Yes / No Action to take

Do you know which legislation is responsible for recent developments in the Early Years sector?

Initially it was *Every Child Matters – change for children*. The five outcomes – be safe, be healthy, enjoy and achieve, make a positive contribution and prepare for economic well-being – are embedded in everything that has followed. Since this beginning there has been the Ten-Year Strategy for Childcare, the **Childcare Act 2006**, bringing in the Early Years Foundation Stage and the new Ofsted Registers, and then the latest *Next Steps for Early Learning and Childcare, Building on the Ten-Year Strategy*, and the *New Opportunities White Paper* (Chapter 3 Supporting Child Development in the Early Years).

Why should the committee be aware and have an overall perspective of the Early Years Foundation Stage?

Voluntary- or community-run childcare committees are collectively the Ofsted 'Registered Person'. This makes it their legal responsibility to abide by the specific legal requirements as set out in the *Statutory Framework for the Early Years Foundation Stage* and to have regard to the statutory guidance. This is done via the employment of 'Suitable People' with the right qualifications in the right numbers for the numbers of children attending the group. These employees are expected, as stated in their job description, to deliver the Early Years Foundation Stage (EYFS).

How is the committee involved with an Ofsted inspection?

When Ofsted inspect, they will expect to find easily accessible at the setting the names and addresses of all the staff and committee and also information about recruitment, training and qualifications (the *Statutory Framework for the EYFS*, p30 – what providers must notify Ofsted) During an inspection the inspector will: talk to the Lead Practitioner, the Registered Person ("**Each individual in the committee is considered as the registered person and is equally responsible and accountable for the provision. The committee includes everyone who is part of the committee on the date that Ofsted takes any action in connection with the registration.**" From the *Ofsted Guide to registration*).

What is the Ofsted key judgement that affects the committee?

Look at the Early Years Evaluation Schedule in **Section 6.2**. The key judgement "*The Leadership and Management of the Early Years provision*", is vital, in particular how well the setting works in partnership with parents and others and how well the children are safeguarded. Safe recruitment is the responsibility of the committee as it is the employer.

Do you know which Ofsted register your setting is on?

There are two registers: the Early Years Register and the Childcare Register. See **Section 6.2** and go to www.ofsted.gov.uk to download the *Guide to registration on the Early Years Register: childcare provider on domestic or non-domestic premises* and the *Guide to registration on the Childcare Register*.

What is the main difference between the previous Ofsted inspection and the EYFS-based Ofsted inspection?

Download *Are you ready for inspection? A guide to inspections of provisions on Ofsted's Childcare and Early Years Registers* from www.ofsted.gov.uk The main difference is the emphasis on how a setting delivers the areas of Learning and Development and the fact that there is an obligation for providers to adhere to the welfare requirements. The inspector will ask themselves "what is it like for a child here?". There is now a focus on self-evaluation and the capacity to improve. This has developed with the use of the Self Evaluation Form (SEF), which is referred to by an inspector to orientate them to the quality and evidence of the setting's practice during an inspection.



Health check	Yes / No	Action to take
Do you know what the SEF is?		For a full description and guidance download the Early Years Self Evaluation Form Guidance from www.ofsted.gov.uk (ref no. 080103) The Self Evaluation Form (SEF) provides key questions to help evaluate the quality and standards of the setting. It asks first for the views of those who use the setting: the children, staff and parents. This is where the committee can help, by compiling an annual questionnaire to find out what people think works and doesn't work. Then it looks at the four key judgements and the supplementary judgements – see the table in Section 6.2 . In this way the inspectors, before they visit the setting, can get a feel for how the EYFS is being delivered. The key four judgements are: Learning and Development, the Welfare, the Leadership and Management and the Overall Effectiveness of the provision.
How can the committee input to it?		
Did you know that it is part of the Statutory Framework for the EYFS that volunteers and committee members be given full information and guidance on their roles and responsibilities?		See the <i>Statutory Framework for the EYFS</i> , p32, although it doesn't make clear who should give the committee the information and guidance. There would seem to be two immediate sources: the Lead Practitioner and the outgoing committee. It may also be useful for the support agencies to help with this – this support pack explicitly aims to do that. There can be problems with lead practitioner and committee relationships. For example, the committee can be dominating (understandably due to potential personal liability) without appropriate operational knowledge; the Lead Practitioner has a huge workload for comparatively poor financial reward; the committee leave without securing another committee; the committee leave without honestly sharing the roles and responsibilities with a new committee; and the committee leave without ever fully knowing the extent of their roles and responsibilities.
Is your setting accessible to all children?		Are you negotiating with the building's management about accessibility for all, something they too should be working towards? Have you sought to raise funds for accessibility from the Capital Grant 2008–2011, the government funding that can be accessed via WSCC Early Childhood Service? There are other funding sources. West Sussex County Council offers a free to use funding search service ('West Sussex 4 Funding') to businesses, voluntary organisations and community groups, charities, and social enterprises to search for potential sources of funding for any venture or project. West Sussex 4 Funding contains details of over 4,300 funding schemes and information on over 4,500 trust funds. Go to www.westsussex.gov.uk/ccm/navigation/community-and-living/grants---funding/ to register.
Do all the children participate in all the activities you offer?		Do the setting's systems and equipment allow all the children at your setting to participate in the activities on offer? If not how can you make changes? Have you asked an occupational therapist or the WSCC Inclusion team for advice and appropriate equipment? Contact your local Children and Family Centre, or your local Health Visitor, to see how they can help you.
Does everyone in the setting reflect on barriers to learning and opportunities for inclusion? Does everyone recognise that problems are not situated in the child but result from ways of working?		Inclusion is assessed as part of the Ofsted inspection process, and underlies <i>Every Child Matters</i> and subsequent legislation. More importantly, it is a key value which needs to motivate reflective practice and will enhance the learning experience for all within the setting. Examination and development of ways of working should be a collective endeavour, but can be supported through use of the Index for Inclusion: developing play, learning and participation in early years and childcare available for £28 from the CSIE at www.csie.org.uk/publications/index-early-summary.shtml

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Health check	Yes / No	Action to take
Are you aware that some policies and procedures are required by law?		See Section 6.4 for a comprehensive list of the policies and procedures. Nowhere is there a definitive list from statutory sources although there is a list in the Ofsted publication <i>Are you ready for your inspection? A guide to inspections of provision on Ofsted's Childcare and Early Years Registers</i> . Note that there are more policies mentioned in the Statutory Framework for the EYFS than in the Ofsted list. One way to deal with this might be for the staff and committee to brainstorm all the situations that usefully require a list of things to do or to know about.
Do your lead practitioner and a member of the committee know who to contact if they were worried that a child was being abused?		See Section 6.5 and go to www.westsussex.gov.uk and enter "safeguarding" and "social care" into the search box.
Do your practitioners and committee members understand what would be described or classified as confidential information?		See Section 6.5 " <i>Confidential information is information of some sensitivity, which is not already lawfully in the public domain or readily available from another public source, and which has been shared in a relationship where the person giving the information understood that it would not be shared with others.</i> " See <i>Sussex Child Protection and Safeguarding Procedures 2006</i> – Chapter 2, and the full text of <i>What to do if you are worried a child is being abused</i> , Appendix 3. Go to www.everychildmatters.gov.uk and from the boxes on the left of the home page pick "Information Sharing".
What is the basis for Quality Assurance since the formation of the National Quality Improvement Network?		See Section 6.7 . The National Quality Improvement Network has developed a set of 12 principles to guide the development of Quality Assurance schemes in England (see Section 6.7). They focus on improving outcomes, reducing inequalities, promote effective practice and capacity to improve. They encourage support from outside agencies, integrated working and self evaluation. See www.dcsf.gov.uk and www.ncb.org.uk
Do you know the difference between a hazard and a risk?		See Section 6.6 . A hazard is anything that can cause people harm. A risk is the chance or likelihood of a hazard doing a person harm, with an indication of how serious the harm could be.
Did you know that it is a specific legal requirement as laid out in the Statutory Framework for the EYFS to collect certain information about children attending the setting?		See Section 6.8 . It is important to read 'Data' the specific legal requirements, <i>The Statutory Framework for the EYFS</i> , p38. This sets out what data the setting must retain about a child. See Section 2.4 which discusses the 8 principles of the Data Protection Act 1998. The setting also has obligations with regard to the collection of data for the Free Entitlement for three- and four-year-olds as part of the Early Years Census (also see <i>The Statutory Framework for the EYFS</i> , p38).
Did you know it was also a specific legal requirement to share certain information with parents?		See Section 6.8 . This information can be usefully included in a prospectus or welcome pack. See also the <i>Statutory Framework for the EYFS</i> , p23 re Information and Complaints.