Early Years Foundation Stage (EYFS) Safeguarding Reforms September 2025

Department for Education

Local Authority Frequently Asked Questions

Safer recruitment

Q. How do we obtain references for students who haven't previously had a job?

A. The new requirements on obtaining references sets out that references should be from the candidate's current employer, training provider or education setting and be completed by a senior person with appropriate authority. This gives appropriate flexibility to seek references for candidates who have not previously had a job.

Q. What about applicants who have been out of education and employment for a very long time and who cannot get a reference from the places specified in the new requirement?

A. The new requirements on obtaining references set out that references 'should' be from the candidate's current employer, training provider or education setting and be completed by a senior person with appropriate authority. This requirement must be followed unless there is a good reason not to. This gives appropriate flexibility to seek references for candidates who have not previously had a job or who have been out of work for several years where it may not be possible to obtain a formal reference from an employer, training provider or educational setting. In these cases you may need to obtain character references.

Q. Can references be obtained from family members?

A. The new requirements on obtaining references sets out that providers or childminders should not accept references from a family member. As the wording for this new EYFS expectation is 'should' (rather than 'must'), providers are required to take this into account and should not depart from it without a good reason.

Q. Do lone childminders need to follow requirements to provide and offer employment references, have recruitment policies in place and have whistleblowing procedures for staff in place?

A. The requirements on safer recruitment and whistleblowing are not relevant to lone-working childminder, who has no staff (either formal employees or

informal roles). It is not possible to obtain/provide references with no staff and to expect a lone childminder to create staff policies for individuals who don't exist would be burdensome and would not enhance children's safety.

Child absences

Q. What is a ‘prolonged absence’? Can you be more specific about this?

A. The proposal on following up on child absences is written to give flexibility for providers to use their professional judgement to decide what constitutes as prolonged, which will be different for every child. Consideration must be given to patterns and trends in the child absences, their vulnerability and their family and home life.

Q. What if we can’t collect more than 2 emergency contacts for some families e.g. if they have recently arrived from abroad?

A. We know that it may be more difficult to collect emergency contact details for some families for example those who have recently arrived from abroad or those who speak English as an additional language. As the wording for this new EYFS expectation is ‘should’ (rather than ‘must’), providers are required to take the guidance into account and should not depart from it without a good reason. This offers flexibility for cases where it is not possible to collect more than two emergency contact numbers.

Paediatric First Aid (PFA)

Q. What if students, volunteers and apprentices do not have the experience or confidence to be included in ratios at the level below their level of study?

A. The EYFS requires that ‘Staffing arrangements must meet the needs of all children and ensure their safety.’ There is no requirement in the EYFS to include students, volunteers and apprentices in ratios and if providers feel this would impact safety they must not do so. Students, volunteers and apprentices may be included in the ratios at the level below their level of study, if the provider is satisfied that they are ‘competent and responsible’. Only where they are included in ratios will they need a PFA certificate. This will increase the number of PFA trained staff in settings and enhance safety.

Toileting and privacy

Q. How do we balance the proposed new requirement for privacy during toileting and nappy changing with ensuring adequate supervision of all children in their care, in particular for educators working alone?

A. This proposal is clear that children’s privacy must be balanced with safeguarding. In some cases, such as for lone childminders, this may mean a childminder meeting the requirement by using themself or a privacy screen to

shield a child and maintain their privacy while still ensuring adequate supervision and safety for other children.

Q. Will nappy changing units still be permitted within the play room spaces?

A. From September 2025, children's privacy must be balanced with safeguarding when toileting or nappy changing. This does not necessarily mean providers need a completely separate space for toileting. In some cases, this may mean an educator meeting the requirement by using themself or a privacy screen/curtain to shield a child and maintain their privacy while still ensuring adequate supervision and safety for other children.

<u>Safer eating</u>

Q. New wording - 'Babies and young children should be seated safely in a highchair or appropriately sized low chair while eating. Where possible there should be a designated eating space where distractions are minimised.' Do childminders need to invest in expensive low chairs.

A. Childminders do not need to invest in expensive low chairs. The requirement is a 'should' meaning childminders must take this into account and should follow it unless there is a good reason not to.

Q. New wording - 'Where possible there should be a designated eating space where distractions are minimised.' Can providers still take children on picnics?

A. The new requirement states that children should be seated at a high-chair or low chair while eating. The requirement is a 'should' meaning childminders must take this into account and should follow it unless there is a good reason not to. This EYFS change aims to prevent children from choking during mealtimes. It is based on lessons learned from previous incidents and sector feedback. Picnics can be great experiences for children. Providers should use their professional judgement when deciding to take children on picnics, taking into account the individual developmental needs of each child in their care to ensure their safety at all times.

Q. New wording - 'Where possible there should be a designated eating space where distractions are minimised.' Do settings need to take down displays and prevent children from talking at the table?

A. Providers should use their professional judgement to decide what constitutes as a distraction while children are eating. There is no expectation to take down displays or prevent children from talking at the table. The aim of this change is to ensure that as far as possible, children and educators are focused on the mealtime to prevent children from choking. Again, this is based on lessons learned from previous incidents and sector feedback.

Q. New wording – ‘Children must always be within sight and hearing of a member of staff whilst eating. Do lone childminders have to take food away from children while they are eating if they need to leave the room, for example to help another child use the toilet?

A. The requirement is clear that children must always be within sight and hearing of a member of staff whilst eating. If a lone childminder were to leave the room while children were eating then the food must be taken away to prevent a child choking whilst unsupervised.

Q. When a child experiences a choking incident that requires intervention, providers should record details of where and how the child choked and ensure parents and/or carers are made aware. What do DfE consider to be ‘intervention’?

A. Intervention is seen as anything an adult needs to do if a child seems to be choking. For example if they require a pat on the back or checking their mouth is clear if they appear to be struggling with food. The aim of this new requirement is to keep children safe by recognising patterns and trends that might be causing children to choke. This is based on lessons learned from past serious incidents.

<u>Safeguarding training</u>

Q. Now that safeguarding training needs to be completed every 2 years, what is the position for practitioners whose training was undertaken over 2 years in September 2025? Will their original 3 year training certificate still be valid?

A. Training for all practitioners must be renewed every two years. If by September 2025 the educator’s safeguarding training was undertaken over 2 years ago, then this would not be valid. Providers may consider whether any staff need to undertake annual refresher training during any 2 year period to help maintain basic skills and keep up to date with any changes to safeguarding procedures or as a result of any safeguarding concerns that occur in the setting.

From 1st September 2025, educators must be trained in line with the safeguarding training annex. The annex sets out minimum requirements for effective safeguarding training. We know that many educators are already trained in line with these requirements. Adding the annex into the EYFS will formalise existing best practice and help providers know what they must be looking for in a safeguarding course and also what information a course must contain, should they wish to deliver the training in house.