



**CORNWALL  
COUNCIL**  
*one and all • onen hag oll*

Together   
for Families

# Out of School Provision: Quality Standards Checklist

All providers

November 2023



# Introduction

We know we are lucky in Cornwall to have a highly skilled and capable third sector who have real passion and drive to support children and young people (CYP) with SEND, and a fantastic alternative education offer.

We have developed this quality standard guide and checklist, to support our third sector providers to better understand and meet Cornwall Council's quality expectations and their duties of care towards the children and young people using their service. You can use this guide to make notes on any work in progress, or tasks that have been completed.

As a provider, you, your staff and volunteers have a duty of care towards the CYP who attend, and so you must take reasonable steps to ensure the safety of the CYP and to protect them from harm. The steps a provider takes to reduce the risk of harm to CYP in their setting will differ depending on size, type of activity or tuition being offered, physical location and hours of operation. However, taking appropriate steps to reduce risk will reassure parents that their children will be safe in your care. There are variations in the requirements depending on the size of the organisation:

Large provider- 5 or more staff

Small provider- 4 or fewer staff

Lone provider

More guidance can be found here [Keeping children safe in out-of-school settings: code of practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/keeping-children-safe-in-out-of-school-settings-code-of-practice)

# Key requirements

There are several key requirements which are:

1. Health and safety
2. Safeguarding and child protection
3. Suitability of staff and volunteers
4. Governance



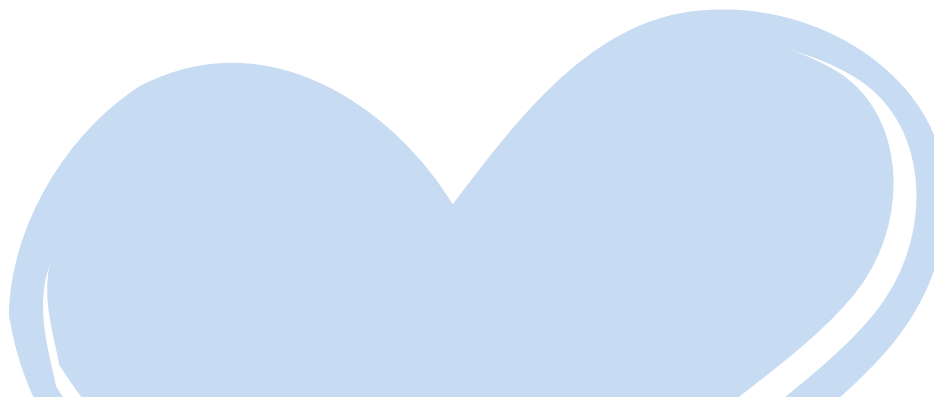
## Health and Safety

As a provider, you will have a legal duty of care to try to ensure the environment is safe for CYP who visit or attend. You are also responsible for health and safety regardless of whether your setting is an outdoor activity, petting stable, tuition centre, or your own home etc.

You should consider the safety and needs of all people within the setting, especially adults and children with special educational needs and disabilities (SEND) who use the site. For example, you may need to think about their specific needs when considering your evacuation route in the event of a fire. You should also consider how you can manage these risks while ensuring children are still able to gain the benefits from the tuition, training, instruction, or activities.

The Health and Safety Executive has written a statement on striking a balance in play and leisure. [Children's play and leisure: promoting a balanced approach \(hse.gov.uk\)](https://www.hse.gov.uk/childrensplay/)

It might be that new hazards emerge after you have done your initial risk assessment that you will need also to lessen as well, such as surfaces that become flooded or slippery in poor weather or building and maintenance taking place which could be dangerous for CYP.



Health and Safety				
Overarching Action	Size of provider	Steps	Status (complete/ in progress/ not started)	Tools / Links / Comments
Health and Safety are considered and appropriate steps are taken to reduce risks.	ALL	To be able to explain (verbally, or as a written record) how the organisation has considered Health and Safety, including any hazards or risks to children, staff, or volunteers, and the health and safety steps/measures taken to reduce risks.		<a href="https://www.hse.gov.uk/healthandsafety/">Health and safety basics for your business (hse.gov.uk)</a>
	LARGE	Have a written Health and Safety policy which identifies the organisation and arrangements in place for health and safety – including identifying how competent health and safety is accessed.		<a href="https://www.hse.gov.uk/healthandsafety/">Health and safety basics for your business (hse.gov.uk)</a>
	LARGE	Have written risk assessment identifying risks and hazards and the steps taken to manage risks.		
	ALL	All staff have been trained in Health and Safety specific to the provision and understand the risk assessments.		<a href="https://www.hse.gov.uk/healthandsafety/">Health and safety basics for your business (hse.gov.uk)</a>
	ALL	A fire-risk assessment has been carried out and documented. This should consider who may be particularly at risk and records actions taken to reduce the risk from fire.		<a href="https://www.gov.uk/guidance/fire-risk-assessments">Fire safety in the workplace: Fire risk assessments – GOV.UK (www.gov.uk)</a>

	ALL	An evacuation plan has been tailored to the setting and all staff/volunteers are aware of how to deal with an emergency evacuation.		
--	-----	---	--	--

Health and Safety				
Overarching Action	Size of provider	Steps	Status (complete/ in progress/ not started)	Tools / Links / Comments
First Aid training and awareness of what to do in an emergency.	ALL	There is a designated person/at least one Trained First Aider (including paediatric first aid training if children are 5 years or younger) on site and available to treat the young person at any time. There is a reminder system for when training renewal is next due.		<a href="https://www.gov.uk/government/organisations/first-aid-in-schools">First aid in schools, early years and colleges – GOV.UK (www.gov.uk)</a>
	ALL	There is an accident book or log of incidents which is accurate and up to date and all incidents are reported back to the Council.		
First Aid Kit.	ALL	There is a complete and in-date First Aid Kit clearly displayed in the setting, and in an accessible location.		
Public liability insurance	ALL	Minimum £5 Million		
Professional indemnity insurance	ALL	Minimum £0.5 Million		
Employers' Liability Insurance	ALL	Minimum £5 Million		

Health and Safety				
Overarching Action	Size of provider	Steps	Status (complete/ in progress/ not started)	Tools / Links / Comments
Parental consent and enrolment form for CYP	ALL	A parental consent form with relevant information, including at least two parental/carer contact details for each CYP, and whether the CYP has any particular needs, regular medication or allergies.		<p>As the forms will contain data that is subject to the General Data Protection Regulation (GDPR) and Data Protection Act 2018 they must be held securely and in compliance with GDPR requirements.</p> <p><a href="https://www.gov.uk/data-protection-in-schools-guidance">Data protection in schools – Guidance – GOV.UK (www.gov.uk)</a></p>
Knowledge of SEN, regular medication or allergies relating to children/young people.	ALL	Particular needs, medical conditions or concerns, medication or allergies relating to each CYP are known and documented.		
A register is taken at the start of each session.	ALL	A register is taken at the start of each session to record who is in attendance, so how many and which CYP are present on a given day is known and evidenced.		



# Safeguarding and Child Protection policy

Safeguarding and child protection is everyone's responsibility. DfE statutory guidance "Working Together to Safeguard Children" applies to all organisations and agencies who have functions relating to children. It sets out how they should work together to safeguard and promote the welfare of children and young people (CYP).

It is clear that anyone working with CYP should make their approach child centred (i.e. give priority to the interests and needs of the child). Therefore, you should have a designated adult (which could be yourself) to have lead responsibility for safeguarding CYP while they are in your care. We call this person the Designated Safeguarding Lead (DSL).

When appointing the DSL you should consider the needs and characteristics of the CYP attending your setting. When concerned about a CYP's welfare, the DSL should always act in the CYP's best interests. They should know and understand the setting's safeguarding processes and the appropriate escalation route.

As a provider, you should have a clear and effective child protection policy in place that says how you will protect CYP in your care. Policies should be tailored to your own organisation and will vary from one organisation to another, but regardless of the type and size of your setting it should include at a minimum:

- A short policy statement, setting out the priority you give to keeping children and young people safe and, in broad terms, how you seek to achieve this. This document should be no more than about 2 sides of A4.
- A list of procedures that enable you to keep the CYP in your care safe. If you are self-employed and do not have any staff members, you do not need to write down your procedures step-by-step, although it is best practice. However, you should know what steps you would take if faced with a specific safeguarding issue.
- Any additional guidance, information or expectations that you need families and anyone else linked to your organisation to be aware of. These should include details of your Designated Safeguarding Lead (DSL), and how to contact them, as well as contact details for local safeguarding services such as local authority children's social care, the Local Authority Designated Officer (LADO) and the police.

Safeguarding and Child Protection in line with KCSIE				
Overarching Action	Size of provider	Steps / Evidence	Status (complete/ in progress/ not started)	Tools / Links / Comments
Child Protection Policy	ALL	A written child protection policy and procedures are in place, that explain how you will protect children in your care, and this is shared with all staff/volunteers as part of their induction. There is a clear line of accountability for child protection which runs throughout your organisation,.		<a href="#">Writing safeguarding policies and procedures   NSPCC Learning</a> <a href="#">Keeping children safe in education - GOV.UK (www.gov.uk)</a>
	ALL	There is a commitment that under no circumstances should any member of staff or volunteer inflict physical or psychological harm on a CYP. Non-staff/volunteer adults, are never left alone with a CYP in your care.		
	ALL	Staff/volunteers are able to verbally detail the steps that they would take to protect CYP in their care.		
A good level of awareness of the specific safeguarding issues that can put children at risk of harm.	ALL	Staff/volunteers have a good level of awareness and knowledge of abuse and neglect, peer-on-peer abuse, online safety issues, extremism and radicalisation, and particularly understand how this impacts CYP with SEND.		<a href="#">Introduction to safeguarding and child protection training   NSPCC Learning</a>
	ALL	All staff/volunteers attend appropriate safeguarding/child protection training and there is a clear record of who has attended training and the schedule for refresher training.		<a href="#">Working together to safeguard children - GOV.UK (www.gov.uk)</a>

Safeguarding and Child Protection in line with KCSIE				
Overarching Action	Size of provider	Steps / Evidence	Status (complete / in progress/ not started)	Tools / Links / Comments
A good understanding of what to do if there are concerns about a colleague or other adult who may pose a risk of harm to children.	ALL	A suitably trained Designated Safeguarding Lead (DSL) has been appointed, or if you are the DSL (or a lone provider) you know the referral route into children's social care.		
	ALL	A staff/volunteer behaviour policy (code of conduct), which sets out your expectations of conduct and clear guidance, to raise awareness of illegal, unsafe, and/or unwise behaviour.		<a href="#">Child protection and safeguarding - Cornwall Council</a>
	ALL	There is an up-to-date staff training matrix, to ensure that managers know when staff training needs to be renewed or refreshed.		
Your child protection policy reflects the additional barriers which can exist when recognising abuse and neglect among CYP with SEND.	ALL	Signs of possible abuse, e.g. changes in behaviour, mood and injury, are not routinely assumed to be due to the CYP's disability, and further exploration is undertaken.		
	ALL	There is understanding of the potential for CYP with SEND, to be disproportionately affected by bullying, without showing any outward signs.		
	ALL	Wherever possible, communication barriers or difficulties are minimised to enable disclosure, discussion and reporting of these challenges.		

Suitability of staff and volunteers				
Overarching Action	Size of provider	Steps / Evidence	Status (complete/ in progress/ not started)	Tools / Links / Comments
Appropriate steps are taken during the recruitment of new staff and volunteers to ensure they are suitable.	LONE PROVIDER	As a lone provider you have applied for your own DBS check and are able to provide evidence of this.		<a href="https://www.gov.uk/government/organisations/disclosure-and-barring-service">Disclosure and Barring Service - GOV.UK (www.gov.uk)</a>
	ALL STAFF	If you are an employee or volunteer, you have checked whether the employer who is contracting your services can apply for a DBS check on your behalf.		
	SMALL / LARGE PROVIDER	The appropriate checks (e.g. identity checks, right to work in the UK checks, two work references per person, and exploration of employment gaps), along with DBS checks are completed before commencing employment.		
Regulated activity providers.	ALL	Regulated activity providers meet the requirements of CQC and/ or Ofsted if required.		
Performance and suitability of staff and volunteers	SMALL / LARGE	The performance and suitability of staff and volunteers is regularly reviewed after their appointment to the role.		

Childcare and disqualification and teacher prohibitions	ALL	For staff who work in childcare, and care for children up to the age of 8, employers must check that individuals have not been disqualified under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.		
---	-----	--	--	--

Governance				
Overarching Action	Size of provider	Steps / Evidence	Status (complete/ in progress/ not started)	Tools / Links / Comments
Declaring income gained from a service delivered at a setting on a tax return (if self-employed)	ALL	You understand how to, and do declare income gained from the service delivered or setting, on a tax-return (if self-employed).		
Charity registration (if appropriate)	ALL	The organisation/service has been registered as a charity and a governing document, and trustees/ management committee are in place.		<a href="https://www.gov.uk/register-charity">Set up a charity: Register your charity - GOV.UK (www.gov.uk)</a>
HMRC registration (if appropriate)	ALL	The service/employer/setting has been registered with HMRC if appropriate.		
A clear and effective whistle blowing policy	SMALL / LARGE	All staff/volunteers are aware of the 'whistle-blowing' policy and how and when to use it.		
A clear and effective complaints' policy.	ALL	The complaints' policy is shared with all parent/carers and referring organisations. It should include how to make a complaint, whether in person or in writing, who to complain to, and how the complaint will be dealt with.		

If you would like this information  
in another format please contact:

**Cornwall Council, County Hall**  
**Treyew Road, Truro TR1 3AY**

Email: [equality@cornwall.gov.uk](mailto:equality@cornwall.gov.uk)

Telephone: **0300 1234 100**

**[www.cornwall.gov.uk](http://www.cornwall.gov.uk)**