

Requirements for risk assessments

A childcare factsheet

Introduction

The *Statutory framework for the Early Years Foundation Stage* sets out legal requirements that all providers must meet. This includes requirements relating to risk assessments. It requires all those providing for the early years age group¹ to carry out risk assessments in two circumstances. These are in relation to:

- each type of outing (page 24 of the Statutory Framework)
- outdoor and indoor spaces, furniture, equipment and toys (page 33 of the Statutory Framework).

This factsheet sets out our expectations relating to the identification, checking and recording of risks in these two areas.

Risk assessments for outings

There is a specific legal requirement for you to carry out a full risk assessment for each type of outing and review the assessment before embarking on each specific outing. The Statutory Framework makes it clear that this should include an assessment of the ratios of adults to children needed for each type of outing, taking into account the nature of the outing.

We interpret an outing as being any occasion you leave the premises where you provide childcare with at least one child being cared for. The children do not necessarily have to return to the premises (for example their parents may collect them from the outing destination; or you could be taking them to school or another childcare provider). If you are collecting children from elsewhere and bringing them into the childcare setting, this is not an outing. Technically the need for a risk assessment does not apply to these occasions although it is good practice to assess and minimise any risks associated with such a journey.

We do not interpret each type of outing as every single outing you undertake, but for each sort of outing you do, for example trips to the park, trips to the shops, visits to the swimming pool and so on. Each of these outings will carry its own particular risks. For regular outing such as a trip to the park you would need to carry out a full

¹ The early years age group is children from birth to 31 August after their fifth birthday.

risk assessment before the first time you did this, but thereafter you need only consider the risks for the outing and your measures to counteract them, such as your arrangements for first aid and how to contact the children's parents. A one-off outing, such as a trip to the beach for the day, will need a separate full risk assessment.

Unlike the risk assessment for premises and equipment, the legal requirement makes no mention of the need to review it regularly or make a written record. However as the *Practice guidance for the Early Years Foundation Stage* includes outings and trips and making up a good risk assessment, it is good practice for all providers to record risk assessments connected with outings and trips and to review these at regular intervals including when you might change something connected with that outing. For example different aged children are likely to change the risks associated with the outing, or making the outing at different times of day.

So, in summary, you must risk assess each type of outing but you do not have to carry out a full risk assessment before **every** outing, providing there is one in place for that type of outing.

Risk assessments relating to premises and equipment

The specific legal requirements are to ensure a safe and secure environment that is checked regularly in order to minimise or remove hazards. There is guidance on the sorts of things such an assessment might cover on pages 20–21 of the *Practice guidance for the Early Years Foundation Stage*

The risk assessment itself does not necessarily need to be in writing, although it is good practice to do so. Providers must keep a record of the aspects that need checking (that is, the things the risk assessment identifies as potential hazards or risks) and when and by whom they have been checked. Our interpretation is that this record must be in writing. Although the Statutory Framework does not explicitly state it should be a written record we do not believe it is possible to meet this requirement without the record being written down. This applies to childminders as well as childcare providers. One example is the outdoor space, which you may wish to check before going outside each day especially if it is possible that other people may throw rubbish or items like broken glass.

The requirement for a record of risk assessment to be in writing is no different than any other requirement for records, such as a daily record of children's names and attendance, or a record of accidents and any first aid treatment given.

In summary you need to carry out a risk assessment of your premises and equipment at least once a year and more often if things change. You need to keep a written record of what you have identified that you need to check; how often it needs checking; and when and by whom it was checked.

Inspecting the record

We will usually ask to see your record of risk assessment at inspection and we will always ask to see this where we identify risks associated with your premises. We will talk to you (and other staff members where appropriate) about your risk assessments for outings and how you assess risks and adult: child ratios if you do not have these in writing.

Where you do not have a written record of your risk assessment of premises and equipment we will assess the impact of that failure on children's well-being, particularly on their safety, and take this into account when making inspection judgements.

In all cases, where you fail to have a record of a risk assessment for premises and equipment or the record does not include all of the information in the specific requirement, we will raise an action setting out what you need to do and by when to meet the legal requirements. We may, in some cases, take other enforcement measures. These are set out in the *Framework for the regulation of those on the Early Years and Childcare Registers*.² You cannot be judged as outstanding if you fail to meet the legal requirement and are most likely to be judged as inadequate unless you can demonstrate that you understand and manage risks well as you will fail to meet the specific legal requirement.

If you do have a record of risk assessment but it does not include an assessment of risks for outings, we will enquire how and when risk assessments for outings are carried out. We are likely to raise a recommendation if your record does not include risks associated with outings as although it is not a legal requirement it is good practice to do so.

More information from Ofsted

The following documents are referred to in this factsheet and can be found by clicking on the titles below:

[Statutory Framework for the Early Years Foundation Stage](#)

[Conducting Early Years Inspections](#)

[Practice Guidance for the Early Years Foundation Stage](#)

[Framework for the regulation of those on the Early Years and Childcare Registers](#)

² The framework for the regulation of those on the Early Years and Childcare Registers is available at <http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Other/General/Framework-for-the-regulation-of-those-on-the-Early-Years-and-Childcare-Registers>

There is more useful information about risk assessment available on our website;
[www.ofsted.gov.uk/Ofsted-home/Leading-to-excellence/Twenty-questions-for-early-years-and-childcare-providers/\(language\)/eng-GB](http://www.ofsted.gov.uk/Ofsted-home/Leading-to-excellence/Twenty-questions-for-early-years-and-childcare-providers/(language)/eng-GB).

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