



Development Department

Your reference: Minimum Standards for Child minding And Day Care for Children under Age 12

Our reference: #120953

Being dealt with by: David Purchase

Date: 26/10/11

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Standards & Guidelines Quality Unit
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Dear Sir or Madam,

RE: Consultation: Minimum Standards For Childminding And Day Care For Children

Please find attached our provisional response to this consultation document. Please note that this is still subject to final ratification by full council.

Provisional Response

General comments

- 1.1.1. Thank you for asking us to comment on the draft plan.
- 1.1.2. Children and young people are a priority for the Council as can be seen by the substantial resources allocated to play and leisure services. In terms of play alone, Council invests some £1m annually in the inspection, maintenance and equipment replacement in 78 playgrounds across the city. A further £650k is planned in capital works. Council deploy 16 play workers in 6 dedicated play centres and other sites across the city, representing a further investment of £650k per annum. Council also employ a Play Development Officer (PDO) to co-ordinate and develop play work practice; provide training, support and resources and manage a city wide play service. The PDO has links both nationally and internationally, being on the board of the International Play Association UK branch. In addition we operate and maintain 10 leisure centres and all the cities parks.
- 1.1.3. Overall we feel that the guidelines are comprehensive, practical and useful. In establishing guidelines for our services we would refer to these standards.
- 1.1.4. We do have some suggestions particularly with regard to Food Safety Law enforcement and Health & Safety Law enforcement. The Council agrees that compliance with Food Safety and Health and Safety legislation should be a requirement for the registration of childminders and day care providers. The minimum standards should be developed to give operators and the Early Years Teams within the Health and Social Care Trusts a clear understanding of what the key legislative requirements are and signpost specific relevant guidance. The DHSSPS should develop the standards in collaboration with the Food Standards Agency NI (FSANI), Health and Safety Executive NI (HSENI) and the Environmental Health Service.
- 1.1.5. In order to encourage best practice, in addition to the minimum standards specified, the document should be developed to include clearly distinguishable advice in relation to best practice.



- 1.1.6. Early Years Teams are well placed to promote, assist and monitor compliance with the key Food Safety and Health and Safety legal requirements, and to promote best practice. The DHSSPS and Trusts should consider the training and development needs of the Early Years Teams to ensure officers are competent to do so.
- 1.1.7. The powers within The Children NI Order 1995 (to set reasonable standards and to refuse or revoke registration if these standards are not being met) may provide a more effective regulatory alternative to existing Environmental Health provisions in certain situations.
- 1.1.8. The Council believes the Early Years Teams and Environmental Health Services should work together to develop close liaison arrangements, locally and regionally, to develop a consistent approach, share information and ensure better regulation. This should include Environmental Health sharing inspection findings with the Early Years Teams and the Early Years Teams referring evidence of significant legal non compliance to Environmental Health for investigation.

Childminders in domestic premises

- 1.1.9. Belfast City Council has Food Safety enforcement responsibility for childminders. Health and Safety enforcement in such premises falls to the HSENI.
- 1.1.10. The overall food safety risk from childminders, minding a small number of children compared to other types of food premises, is very low. The Council does not currently inspect such premises and believes that they should be removed from the scope of the general hygiene legislation. The Early Years Teams should take lead responsibility for ensuring food hygiene standards in these low risk premises. The Council believes appropriate specific minimum food safety standards for childminders enforced through the registration requirements by the Early Years Teams, could provide the most effective regulation in this area and would significantly reduce the regulatory burden on childminders.
- 1.1.11. Considering the NI Better Regulation Strategy, the Council believes DHSSPS should consult with the FSANI to seek a legislative review of this area.

Day Care and Sessional Care Facilities

- 1.1.12. Belfast City Council has Food Safety enforcement responsibility for all Day Care and Sessional Care Facilities. The Council is also responsible for Health and Safety enforcement in such premises where education is not the main activity. For example a nursery school attached to a Primary School will be the responsibility of the HSENI whereas a crèche will fall to the District Council for enforcement of Health and Safety provisions
- 1.1.13. Whilst the inspection frequency will vary dependant on the assessment of risk during the previous inspection, the majority of these premises are subject to an Environmental Health visit every 18 months. The primary purpose of this visit will be to monitor and ensure compliance with food safety legislation. The overall health and safety risk rating applied to such premises is likely to be relatively low, in most cases, so few environmental health inspections will focus on health and safety issues. It is therefore the opinion of the Council that the inclusion of compliance with Health and Safety legal requirements within the standard, together with the effective promotion and monitoring of such standards by the Early Years Teams, provides the best mechanism to ensure adequate Health and Safety arrangements are in place in these premises. Any significant breaches of Health and Safety requirements detected by the Early Years Teams should be referred to the District Council or the HSENI as appropriate for investigation.

Infection Control

- 1.1.14. Ecoli 0157 is a bacterium which is spread via the faecal oral route. It can cause a particularly serious illness in children with some patients suffering long term kidney failure or even death. Following a recent outbreak of Ecoli 0157 at a nursery school in NI, the



Environmental Health Service and the Public Health Agency recognised the need for specific written advice to improve standards for infection control in childcare settings. The PHA subsequently developed the document “Infection Prevention & Control ‘Best Practice’ Advice for Nurseries and Childcare Settings” in collaboration with Infection Prevention & Control Nurses, Health Protection Nurses, and Consultant in Health Protection, Early Years Leads, Environmental Health Officers and Health & Social Care (HSC) colleagues. The Council believes that this best practice advice should be referred to in the minimum standards document. Furthermore the Council believes that the Early Years Teams should take the lead in promoting and ensuring that suitable arrangements are in place to prevent the spread of infection within childcare settings.

- 1.1.15. The Early Years teams should refer evidence of significant failures in infection control to the District council or the HSENI as appropriate for investigation as these may constitute offences under existing Health and Safety legislation.

Specific Questions

1 Are the standards easy to understand?

- 1.1.16. No - We understand that the minimum standards are not intended as a high level strategic document but rather to clarify the specific standards for registration. However the standards could be developed to give a fuller understanding of what is required.
- 1.1.17. With respect to Food safety there is little by way of guidance on the main legislative requirements, existing guidance or tools kits to secure compliance. Examples of relevant tool kits would include the “safe catering pack” or “Safer Food Better Business for Childminders.” The document refers to other standards which are not available and some of the references are incorrect eg The Basic Food Hygiene Certificate no longer exists. There is no reference to Food Safety within the Food and Drinks Policy, nor any mention of the requirement for a documented Food Safety Management System based on HACCP principles within the Standard.
- 1.1.18. With respect to H&S there are good examples of potential hazards and control measures in the safety section, however the list whilst prescriptive in part is not exhaustive and further signposting could be provided. Also there is no reference to Risk Assessments or a H&S policy in the list of policies required section on Page 52.
- 1.1.19. The Council believes that the DHSSPS should develop the minimum standards for Food Safety and Health and Safety in collaboration with the FSA, HSENI and Environmental Health Service.

2. Is this single amalgamated document a helpful way to present the standards?

- 1.1.20. Yes, however, if the standard is developed this should be kept under review particularly for childminders should the detailed requirements be substantially less onerous for them.

3 Is it reasonable to expect providers of services to meet these standards now?

- 1.1.21. Yes

4. Will any of the standards have significant costs associated with compliance?

- 1.1.22. No additional costs would be anticipated as existing legal requirements pertain.

5 Are the arrangements for smoking reasonable?

- 1.1.23. Yes

Thank you for asking us to respond to the proposals.

Yours faithfully



David

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