



Duty of Care Policy

At The Little Magpies Nursery, we recognise our legal, moral, and professional responsibility to ensure the safety, wellbeing, and development of all children in our care. This Duty of Care Policy outlines how we uphold our responsibilities to children, families, staff, and visitors, in accordance with the Children Act 1989, Children Act 2004, the Early Years Foundation Stage (EYFS) statutory framework, and all relevant safeguarding and health and safety legislation.

Definition of Duty of Care

Duty of care means our obligation to protect children from harm and support their physical, emotional, and developmental needs. It requires us to act in the best interests of each child, both reactively (when concerns arise) and proactively through consistent, high-quality care and vigilance.

Staff Responsibilities

All staff are expected to uphold the highest standards of care, professionalism, and conduct. This includes the duty to:

- Provide a **safe, secure, and nurturing environment** where children feel valued and supported.
- **Identify, assess, and reduce risks** associated with activities, the environment, and individual needs.
- Take **prompt and appropriate action** in response to any concerns regarding a child's health, safety, or wellbeing.
- Adhere to all nursery **safeguarding, first aid, and health and safety** procedures at all times.
- Promote **positive, respectful, and sensitive interactions** that support children's emotional security and development.
- Maintain **professional boundaries** and uphold confidentiality, in line with GDPR and our Privacy Policy.

Safeguarding and Welfare

Safeguarding is an integral part of our duty of care. Every member of staff is responsible for recognising signs of abuse or neglect and reporting concerns to the **Designated Safeguarding Lead (DSL)** or deputy DSL without delay. We are committed to a culture of openness, accountability, and continuous improvement in our safeguarding practice.



Supervision and Ratios

We strictly follow the adult-to-child ratios required by the EYFS, ensuring children are always appropriately supervised. Staff are deployed effectively to maintain a safe, calm, and responsive atmosphere during all parts of the day—including free play, meals, outdoor play, and rest periods.

Communication with Families

We believe that strong partnerships with parents and carers are essential to our duty of care. We:

- Share relevant information about children’s wellbeing, development, and behavior openly and sensitively.
- Communicate promptly in the event of any incident or concern.
- Invite parents to contribute to their child’s learning journey and share insights into home routines and preferences.

Staff Training

All staff undergo a thorough induction process, followed by regular, ongoing training in safeguarding, health and safety, and child development. This continuous professional development ensures that every team member understands their duty of care responsibilities and is fully equipped to support and respond to the individual needs of the children in our care.

Policy Review

This policy will be reviewed annually, or sooner if guidance from the Department for Education or Ofsted changes. All staff are expected to read and understand this policy as part of their professional duties.

Reporting Concerns Without Parental Consent

At The Little Magpies Nursery, safeguarding children is our highest priority. In accordance with statutory guidance and our legal duty of care, we recognise that there may be situations where it is not appropriate or safe to seek parental or carer consent before making a referral to safeguarding authorities.

If a member of staff has a concern that a child may be at risk of harm—such as suspected physical, emotional, or sexual abuse, neglect, or any situation where involving the parent or carer could place the child at further risk—these concerns will be reported immediately to the Designated Safeguarding Lead (DSL). The DSL will assess the concern and take appropriate action, which may include making a direct referral to Gateshead Council’s Children’s Social Care or other relevant safeguarding partners, without prior consultation with the child’s parent or carer.

This approach aligns with statutory safeguarding frameworks including the *Early Years Foundation Stage (EYFS)*, *Working Together to Safeguard Children*, and Gateshead's local safeguarding procedures. All actions taken will be documented clearly and handled in a confidential, timely, and professional manner, with the child's safety and welfare as the paramount concern.