



# Childcare Act 2006

## 2006 CHAPTER 21

### PART 1

#### GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

##### *Interpretation*

#### **18 Meaning of childcare**

- (1) This section applies for the purposes of this Part and Part 3.
- (2) “Childcare” means any form of care for a child and, subject to subsection (3), care includes—
  - (a) education for a child, and
  - (b) any other supervised activity for a child.
- (3) “Childcare” does not include—
  - (a) education (or any other supervised activity) provided by a school during school hours for a registered pupil who is not a young child, or
  - (b) any form of health care for a child.
- (4) “Childcare” does not include care provided for a child by—
  - (a) a parent or step-parent of the child;
  - (b) a person with parental responsibility for the child;
  - (c) a relative of the child;
  - (d) a person who is a local authority foster parent in relation to the child;
  - (e) a person who is a foster parent with whom the child has been placed by a voluntary organisation;
  - (f) a person who fosters the child privately.
- (5) “Childcare” does not include care provided for a child if the care—
  - (a) is provided in any of the following establishments as part of the establishment’s activities—

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*Status: This is the original version (as it was originally enacted).*

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- (i) an appropriate children’s home,
  - (ii) a care home,
  - (iii) a hospital in which the child is a patient,
  - (iv) a residential family centre, and
  - (b) is so provided by the person carrying on the establishment or a person employed to work at the establishment.
- (6) The reference in subsection (5)(b) to a person who is employed includes a reference to a person who is employed under a contract for services.
- (7) “Childcare” does not include care provided for a child who is detained in—
- (a) a young offender institution, or
  - (b) a secure training centre.
- (8) In this section—
- (a) “appropriate children’s home”, “local authority foster parent”, “to foster a child privately” and “voluntary organisation” have the same meaning as in the Children Act 1989 (c. 41);
  - (b) “care home”, “hospital” and “residential family centre” have the same meaning as in the Care Standards Act 2000 (c. 14);
  - (c) “relative”, in relation to a child, means a grandparent, aunt, uncle, brother or sister, whether of the full blood or half blood or by marriage or civil partnership.

## **19 Meaning of “young child”**

For the purposes of this Part and Part 3, a child is a “young child” during the period—

- (a) beginning with his birth, and
- (b) ending immediately before the 1st September next following the date on which he attains the age of five.

## **20 Meaning of “early years provision”**

In this Part “early years provision” means the provision of childcare for a young child.

## **21 Interpretation of Part 1**

In this Part—

- “childcare” has the meaning given by section 18;
- “early years provision” has the meaning given by section 20;
- “prescribed” means prescribed by regulations;
- “regulations” means regulations made by the Secretary of State;
- “young child” has the meaning given by section 19.