
STATUTORY INSTRUMENTS

2021 No. 1019

CHILDREN AND YOUNG PERSONS, ENGLAND

The Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) and Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) (Coronavirus) (Amendment) Regulations 2021

<i>Made</i>	- - - -	<i>8th September 2021</i>
<i>Laid before Parliament</i>		<i>9th September 2021</i>
<i>Coming into force</i>	- -	<i>1st October 2021</i>

The Secretary of State for Education, in exercise of the powers conferred by sections 31(7) and 118(5), (6) and (7) of the Care Standards Act 2000⁽¹⁾ and section 51A(2)(a), (3)(b) and (5) of the Childcare Act 2006⁽²⁾ makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) and Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) (Coronavirus) (Amendment) Regulations 2021 and come into force on 1st October 2021.

Amendment of the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014

2. In Schedule 1 (Applications for registration) of the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014⁽³⁾, for paragraph 16(3)(a) substitute—

“(a) a minimum of one quality assurance visit in the first year of registration, which must be unannounced;”.

(1) 2000 c. 14. Section 31(7) was amended by paragraph 27 of Schedule 5 to the Health and Social Care Act 2008 (c. 14).
(2) 2006 c. 21. Section 51A was added by paragraph 13 of Schedule 4(2) to the Children and Families Act 2014 (c. 6).
(3) S.I. 2014/1920, to which there are amendments not relevant to these Regulations.

Amendment of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2015

3.—(1) Regulation 27 of Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (Fees and Frequency of Inspections) (Children’s Homes etc.) Regulations 2015⁽⁴⁾ is amended as follows.

(2) After paragraph (1) (frequency of inspections) insert—

“(1A) For the year ending 31st March 2022, the Chief Inspector must comply with paragraph (1) as far as reasonably practicable.”.

(3) For paragraph (3A)(a) and (b) and the closing words substitute—

“(a) which records a judgement that the overall experiences and progress of children and young people living in a children’s home are good or outstanding, no further inspection will be required in that year unless the Chief Inspector determines that a further inspection is required;

(b) which records a judgement that the overall experiences and progress of the children and young people are less than good, and that inspection was carried out on or after the 1st January, if the Chief Inspector has been unable to arrange for the second inspection to be carried out in that year the Chief Inspector may carry out the next inspection in the first three months of the following year.”.

8th September 2021

Vicky Ford
Parliamentary Under Secretary of State
Department for Education

⁽⁴⁾ [S.I. 2015/551](#). Amended by [S.I. 2017/245](#) and [2018/246](#), Regulation 27 was omitted by [S.I. 2020/445](#), regulation 12. The amendment made by regulation 12 ceases to have effect at the end of 30th September 2021.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to England only.

These Regulations amend the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014 (the 2014 Regulations) and Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015 (the 2015 Regulations).

Regulation 2 amends Schedule 1 of the 2014 Regulations to change the number of quality assurance visits that a childminder agency must carry out for its early years providers in their first year of registration, from two to one and provides that the visit must be unannounced.

Regulation 3(2) amends regulation 27(1) of the 2015 Regulations to insert a new regulation (1A) to provide that, for the year ending 31st March 2022, the Chief Inspector must comply with paragraph (1) so far as is reasonably practicable.

Regulation 3(3) amends regulation 27(3A)(a) of the 2015 Regulations to omit the requirement for the Chief Inspector to arrange for homes with a judgement that the overall experiences and progress of children and young people living in a children's home are good or outstanding to receive a further inspection in that year unless the Chief Inspector determines that a further inspection is required.

Regulation 3(3) also amends regulation 27(3A)(b) to provide that where an inspection was carried out on or after 1st January and the judgement in relation to a home was that the overall experiences and progress of children and young people are less than good, if the Chief Inspector has been unable to arrange for the second inspection to be carried out in that year, the next inspection may be carried out in the first three months of the following year.

A "year" is defined in regulation 27(5) of the 2015 Regulations as being the period commencing on 1st April in any year and ending on 31st March the following year.

An Impact Assessment has not been produced for this instrument as it has minimal impact on businesses or civil society organisations. The instrument has minimal impact on the public sector.