



# Childcare Act 2006

## CHAPTER 21

### CHILDCARE ACT 2006

#### PART 1

##### GENERAL FUNCTIONS OF LOCAL AUTHORITY: ENGLAND

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- 1 General duties of local authority in relation to well-being of young children
- 2 Meaning of “early childhood services” for purposes of section 3
- 3 Specific duties of local authority in relation to early childhood services
- 4 Duty of local authority and relevant partners to work together
- 5 Power to amend sections 2 and 4

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- 5A Arrangements for provision of children's centres
- 5B Children's centres: staffing, organisation and operation
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- 5E Duty to consider providing services through a children's centre
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- 7 Duty to secure early years provision free of charge in accordance with regulations
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- 8 Powers of local authority in relation to the provision of childcare

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- 9 Arrangements between local authority and childcare providers
- 9A Arrangements made by local authorities for the purposes of section 7
- 10 Charges where local authority provide childcare
- 11 Duty to assess childcare provision

*Information, advice and assistance*

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- 19 Meaning of “young child”
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*Information, advice and assistance*

- 27 Duty to provide information, advice and assistance

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- 28 Inspection
- 29 Powers of intervention of Welsh Ministers etc.

*Interpretation*

- 30 Interpretation of Part 2

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*Process of registration*

- 51A Applications for registration
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83 Supply of information to the Secretary of State, HMRC and local authorities by the Chief Inspector

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84A Disclosure of information for certain purposes: childminder agencies

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88 Unincorporated associations

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90 Cases where consent to disclosure withheld

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95 Certain institutions not to be regarded as schools

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96 Meaning of early years and later years provision etc.

97 Employees not to be regarded as providing childcare

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## SCHEDULES

### SCHEDULE 1 — Amendments relating to the curriculum

#### *Interpretation*

- 1 In this Schedule “the 2002 Act” means the Education Act...

#### *Education Act 1997 (c. 44)*

- 2 (1) Section 23 of the Education Act 1997 (functions of...

#### *Education Act 2002 (c. 32)*

- 3 (1) Section 76 of the 2002 Act (interpretation of Part...
- 4 Omit section 77 of the 2002 Act (meaning of “nursery...
- 5 In section 78 of the 2002 Act (general requirements in...
- 6 (1) Section 79 of the 2002 Act (duty to implement...

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- 7 (1) Section 80 of the 2002 Act (basic curriculum for...
- 8 Omit section 81 of the 2002 Act (the foundation stage)....
- 9 Omit section 83 of the 2002 Act (curriculum requirements for...
- 10 (1) Section 87 of the 2002 Act (establishment of National...
- 11 Omit section 89 of the 2002 Act (implementation in respect...
- 12 (1) Section 90 of the 2002 Act (development work and...
- 13 In section 93 of the 2002 Act (temporary exceptions for...
- 14 In section 94 of the 2002 Act (information concerning directions...
- 15 In section 96 of the 2002 Act (procedure for making...
- 16 In section 210 of the 2002 Act (orders and regulations)—...

## SCHEDULE 2 — Minor and consequential amendments

### *Local Authority Social Services Act 1970 (c. 42)*

- 1 In Schedule 1 to the Local Authority Social Services Act...

### *Magistrates' Courts Act 1980 (c. 43)*

- 2 In section 65 of the Magistrates' Courts Act 1980 (meaning...

### *Supreme Court Act 1981 (c. 54)*

- 3 In Schedule 1 to the Supreme Court Act 1981 (distribution...

### *Children Act 1989 (c. 41)*

- 4 . . . . .
- 5 In the heading of Part 10A of the Children Act...
- 6 In Part 10A of the Children Act 1989 (including Schedule...
- 7 In section 79B of the Children Act 1989 (other definitions...
- 8 In section 79C of the Children Act 1989 (regulations etc....
- 9 In section 79D of the Children Act 1989 (requirement to...
- 10 In section 79H of the Children Act 1989 (suspension of...
- 11 In section 79K of the Children Act 1989 (protection of...
- 12 Omit sections 79N, 79Q and 79R of the Children Act...
- 13 In section 79S of the Children Act 1989 (general functions...
- 14 In section 79U of the Children Act 1989 (rights of...
- 15 In section 79V of the Children Act 1989 (function of...
- 16 In section 79W of the Children Act 1989 (requirement for...
- 17 In section 105 of the Children Act 1989 (interpretation) in...
- 18 (1) Schedule 9A to the Children Act 1989 (child minding...

### *Water Industry Act 1991 (c. 56)*

- 19 In Schedule 4A to the Water Industry Act 1991 (premises...

### *Education Act 1996 (c. 56)*

- 20 In the heading to section 17 of the Education Act...
- 21 In section 318 of the Education Act 1996 (provision of...
- 22 (1) Section 329A of the Education Act 1996 (review or...
- 23 In section 509A of the Education Act 1996 (travel arrangements...
- 24 In section 512 of the Education Act 1996 (LEA functions...
- 25 (1) Section 515 of the Education Act 1996 (provision of...
- 26 (1) Section 535 of the Education Act 1996 (provision of...



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27 (1) Section 548 of the Education Act 1996 (no right...

*Education Act 1997 (c. 44)*

28 In section 38 of the Education Act 1997 (inspection of...

*Police Act 1997 (c. 50)*

29 In section 113F of the Police Act 1997 (criminal record...

*School Standards and Framework Act 1998 (c. 31)*

30 In section 118 of the School Standards and Framework Act...

31 Section 118A of the School Standards and Framework Act 1998...

32 (1) Section 119 of the School Standards and Framework Act...

33 (1) Section 122 of the School Standards and Framework Act...

34 In section 123 of the School Standards and Framework Act...

35 In section 142 of the School Standards and Framework Act...

36 (1) Schedule 26 to the School Standards and Framework Act...

*Protection of Children Act 1999 (c. 14)*

37 In section 2A of the Protection of Children Act 1999...

38 In section 9 of the Protection of Children Act 1999...

*Criminal Justice and Court Services Act 2000 (c. 43)*

39 In section 36 of the Criminal Justice and Court Services...

40 In section 42 of the Criminal Justice and Court Services...

*Education Act 2002 (c. 32)*

41 In section 153 of the Education Act 2002 (powers of...

42 In section 176 of the Education Act 2002 (consultation with...

*Children Act 2004 (c. 31)*

43 In section 12 of the Children Act 2004 (information databases)...

*Education Act 2005 (c. 18)*

44 In section 59(1) of the Education Act 2005 (combined reports)—...

SCHEDULE 3 — Repeals

Part 1 — THE CURRICULUM

Part 2 — OTHER REPEALS

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**Changes and effects yet to be applied to :**

- s. 33 heading words inserted by 2023 c. 55 Sch. 23 para. 3(2)
- s. 35 heading words inserted by 2023 c. 55 Sch. 23 para. 5(2)
- s. 52 heading words inserted by 2023 c. 55 Sch. 23 para. 9(2)
- s. 54 heading words inserted by 2023 c. 55 Sch. 23 para. 11(2)
- s. 62 heading words inserted by 2023 c. 55 Sch. 23 para. 17(2)
- s. 33(1) words inserted by 2023 c. 55 Sch. 23 para. 3(3)(a)
- s. 33(1) words inserted by 2023 c. 55 Sch. 23 para. 3(3)(b)
- s. 34(1)(1ZA) substituted by 2023 c. 55 Sch. 23 para. 4(2)
- s. 34(1A) words inserted by 2023 c. 55 Sch. 23 para. 4(3)(a)
- s. 34(1A) words inserted by 2023 c. 55 Sch. 23 para. 4(3)(b)
- s. 35(1)(a) words substituted by 2023 c. 55 Sch. 23 para. 5(3)(a)
- s. 35(1)(b) words inserted by 2023 c. 55 Sch. 23 para. 5(3)(b)
- s. 35(5)(aa) words inserted by 2023 c. 55 Sch. 23 para. 5(4)
- s. 35(5)(ab) words inserted by 2023 c. 55 Sch. 23 para. 5(4)
- s. 36(3) words substituted by 2023 c. 55 Sch. 23 para. 6(3)
- s. 36(4) words substituted by 2023 c. 55 Sch. 23 para. 6(3)
- s. 36(4A) words inserted by 2023 c. 55 Sch. 23 para. 6(4)
- s. 37(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 7(2)
- s. 37(2) word substituted by 2023 c. 55 Sch. 23 para. 7(3)(a)
- s. 37(2)(a) words inserted by 2023 c. 55 Sch. 23 para. 7(3)(b)
- s. 37(3) words substituted by 2023 c. 55 Sch. 23 para. 7(5)
- s. 37A(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 8(2)
- s. 37A(3) word inserted by 2023 c. 55 Sch. 23 para. 8(4)
- s. 47(1) repealed by 2008 c. 25 Sch. 2
- s. 47(3) repealed by 2008 c. 25 Sch. 2
- s. 52(1) words inserted by 2023 c. 55 Sch. 23 para. 9(3)(a)
- s. 52(1) words inserted by 2023 c. 55 Sch. 23 para. 9(3)(b)
- s. 53(1)(1ZA) substituted by 2023 c. 55 Sch. 23 para. 10(2)
- s. 53(1A) words inserted by 2023 c. 55 Sch. 23 para. 10(3)(a)
- s. 53(1A) words inserted by 2023 c. 55 Sch. 23 para. 10(3)(b)
- s. 54(5)(aa) words inserted by 2023 c. 55 Sch. 23 para. 11(4)
- s. 54(5)(ab) words inserted by 2023 c. 55 Sch. 23 para. 11(4)
- s. 55(3) words substituted by 2023 c. 55 Sch. 23 para. 12(3)
- s. 55(4) words substituted by 2023 c. 55 Sch. 23 para. 12(3)
- s. 55(4A) words inserted by 2023 c. 55 Sch. 23 para. 12(4)
- s. 56(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 13(2)
- s. 56(2) word substituted by 2023 c. 55 Sch. 23 para. 13(3)(a)
- s. 56(2)(a) words inserted by 2023 c. 55 Sch. 23 para. 13(3)(b)
- s. 56(3) words substituted by 2023 c. 55 Sch. 23 para. 13(5)
- s. 56A(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 14(2)
- s. 56A(3) word inserted by 2023 c. 55 Sch. 23 para. 14(4)
- s. 57(1) words inserted by 2023 c. 55 Sch. 23 para. 15(a)
- s. 57A(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 16(2)
- s. 62(1) words inserted by 2023 c. 55 Sch. 23 para. 17(3)(a)
- s. 62(1) words inserted by 2023 c. 55 Sch. 23 para. 17(3)(b)
- s. 63(3)(c) word substituted by 2015 c. 26 s. 75(3)(b) (Amendment not applied to legislation.gov.uk. S. 63(3)(c) already substituted (5.1.2015) by 2008 c. 25, Sch. 1 para. 35(4); S.I. 2014/3364, art. 2)
- s. 64(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 19(2)
- s. 64(2) word substituted by 2023 c. 55 Sch. 23 para. 19(3)(a)

- s. 64(2)(a) words inserted by 2023 c. 55 Sch. 23 para. 19(3)(b)
- s. 64(3) words substituted by 2023 c. 55 Sch. 23 para. 19(5)
- s. 65(1) words substituted by 2023 c. 55 Sch. 23 para. 20(a)
- s. 65(1)(a) words inserted by 2023 c. 55 Sch. 23 para. 20(b)
- s. 65A(1) words inserted by 2023 c. 55 Sch. 23 para. 21(2)(a)
- s. 65A(1) words inserted by 2023 c. 55 Sch. 23 para. 21(2)(b)
- s. 65A(2)(a) words inserted by 2023 c. 55 Sch. 23 para. 21(3)
- s. 69(3) words inserted by 2023 c. 55 Sch. 23 para. 23
- s. 69(4) words inserted by 2023 c. 55 Sch. 23 para. 23
- s. 75(3)(a) repealed by 2006 c. 47 Sch. 10
- s. 75(3)(b) repealed by 2006 c. 47 Sch. 10
- s. 96(4) words omitted by 2023 c. 55 s. 237(1)
- s. 96(5) word substituted by 2023 c. 55 s. 238
- s. 96(8) words omitted by 2023 c. 55 s. 237(1)
- s. 96(9) word substituted by 2023 c. 55 s. 238
- s. 98(1) words inserted by 2023 c. 55 Sch. 23 para. 24(2)
- Sch. 2 para. 22 omitted by 2018 anaw 2 Sch. 1 para. 6(i)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**  
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 32(6) inserted by 2023 c. 55 Sch. 23 para. 2
- s. 36(1)(a)(b) substituted for words by 2023 c. 55 Sch. 23 para. 6(2)
- s. 36(5)(ac)(ad) inserted by 2023 c. 55 Sch. 23 para. 6(5)
- s. 37(2A) inserted by 2023 c. 55 Sch. 23 para. 7(4)
- s. 37A(1A) inserted by 2023 c. 55 Sch. 23 para. 8(3)
- s. 45A(4C) inserted by 2016 c. 5 s. 3(2)(a)
- s. 47ZA(3)(a) substituted by 2016 c. 5 s. 3(2)(b)
- s. 54(1)(a) words substituted by 2023 c. 55 Sch. 23 para. 11(3)(a)
- s. 54(1)(b) words inserted by 2023 c. 55 Sch. 23 para. 11(3)(b)
- s. 55(1)(a)(b) substituted for words by 2023 c. 55 Sch. 23 para. 12(2)
- s. 55(5)(ac)(ad) inserted by 2023 c. 55 Sch. 23 para. 12(5)
- s. 56(2A) inserted by 2023 c. 55 Sch. 23 para. 13(4)
- s. 56A(1A) inserted by 2023 c. 55 Sch. 23 para. 14(3)
- s. 57(1)(a)(i)(ii) substituted for words by 2023 c. 55 Sch. 23 para. 15(b)
- s. 57A(2)(a)(i)(ii) substituted for words by 2023 c. 55 Sch. 23 para. 16(3)
- s. 63(A1)(1) substituted for s. 63(1) by 2023 c. 55 Sch. 23 para. 18
- s. 64(2A) inserted by 2023 c. 55 Sch. 23 para. 19(4)
- s. 68(3)(a)(b) substituted for words by 2023 c. 55 Sch. 23 para. 22(2)
- s. 68(4)(a)(b) substituted for words by 2023 c. 55 Sch. 23 para. 22(3)
- s. 68(5)(a)(b) substituted for words by 2023 c. 55 Sch. 23 para. 22(4)
- s. 98(1B) inserted by 2023 c. 55 Sch. 23 para. 24(3)
- s. 113A(1) repealed by 2012 c. 5 Sch. 14 Pt. 1
- s. 113A(3) words repealed by 2012 c. 5 Sch. 14 Pt. 1