



# Childcare Act 2006

## 2006 CHAPTER 21

### PART 3

#### REGULATION OF PROVISION OF CHILDCARE IN ENGLAND

### CHAPTER 2

#### REGULATION OF EARLY YEARS PROVISION

#### *Requirements to be met by early years providers*

#### **41 The learning and development requirements**

- (1) The learning and development requirements must cover the areas of learning and development specified in subsection (3).
- (2) The learning and development requirements may specify in relation to each of the areas of learning and development—
  - (a) the knowledge, skills and understanding which young children of different abilities and maturities are expected to have before the 1st September next following the day on which they attain the age of five (“early learning goals”);
  - (b) the matters, skills and processes which are required to be taught to young children of different abilities and maturities (“educational programmes”), and
  - (c) the arrangements which are required for assessing children [<sup>F1</sup>for the specified purposes] (“assessment arrangements”).
- (3) The areas of learning and development are as follows—
  - (a) personal, social and emotional development,
  - (b) communication, language and literacy,
  - (c) problem solving, reasoning and numeracy,
  - (d) knowledge and understanding of the world,
  - (e) physical development, and

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**Changes to legislation:** Childcare Act 2006, Section 41 is up to date with all changes known to be in force on or before 22 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(f) creative development.

(4) The Secretary of State may by order amend subsection (3).

[<sup>F2</sup>(4A) In subsection (2)(c) “ the specified purposes ” means—

- (a) the purpose of ascertaining what children have achieved in relation to the early learning goals, and
- (b) such other purposes as the Secretary of State may by order specify.]

(5) A learning and development order may not require—

- (a) the allocation of any particular period or periods of time to the teaching of any educational programme or any matter, skill or process forming part of it, or
- (b) the making in the timetables of any early years provider of provision of any particular kind for the periods to be allocated to such teaching.

(6) In this section “a learning and development order” means an order under section 39(1)

(a).

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**Textual Amendments**

**F1** Words in s. 41(2)(c) substituted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), [Sch. 12 para. 39\(2\)](#); S.I. 2010/1151, art. 2, Sch. 1

**F2** S. 41(4A) inserted (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), [Sch. 12 para. 39\(3\)](#); S.I. 2010/1151, art. 2, Sch. 1

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**Commencement Information**

**I1** S. 41 in force at 20.12.2006 by [S.I. 2006/3360](#), [art. 2\(c\)](#)

**Changes to legislation:**

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**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](#)