
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate Instruments specified in regulation 10, which are being revoked. They also comprise amendments consequential to the coming into force of section 7 (duty to secure prescribed early years provision free of charge) of the Childcare Act 2006 (“the Act”). Apart from regulation 9, provision no longer needs to be made under section 537A of the Education Act 1996 (provision of information about individual pupils), as the modifications made to section 99 of the Act (provision of information about young children: England) by virtue of section 100 (provision of information about young children: transitory provisions) no longer apply. Section 99 is modified by section 100 of the Act until section 7 comes into force.

The Regulations prescribe the persons and categories of persons who can collect and exchange information about children receiving funded early years provision.

Regulation 4 requires providers of funded early years provision to supply prescribed information, set out in Parts 1 and 2 of the Schedule, to the local authority in whose area the funded early years provision is provided.

Regulations 5 to 8 prescribe certain persons or categories of persons under section 99 of the Act with whom individual child information can be shared.

Regulation 9 inserts into the Education (Individual Pupil Information) (Prescribed Persons) Regulations 1999 (S.I. 1999/903 as amended) the provision, insofar as it relates to section 537A of the Education Act 1996, made at regulation 15 of the Education (Provision of Information About Young Children) (England) Regulations 2007 (S.I. 2007/712 as amended). Those Regulations are revoked by these Regulations.

Copies of the “Statutory Framework for the Early Years Foundation Stage” document referred to in Part 1 of the Schedule can be obtained from DCSF Publications, PO Box 5050, Sherwood Park, Annesley, Nottingham NG15 0DJ (telephone: 0845 60 222 60; email dcsf@prolog.uk.com; reference: 00267-2008BKT-EN). It is also available at www.standards.dcsf.gov.uk/eyfs.

An impact assessment has not been carried out, as no impact on the private, voluntary or public sectors is foreseen.