

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations contain provisions which are common to the registration of childcare providers in the early years register and the general childcare register. Her Majesty's Chief Inspector of Education, Children's Services and Skills ("the Chief Inspector") is required to maintain these registers by section 32 of the Childcare Act 2006 ("the Act"). The general childcare register is divided into Part A (later years provision for children under the age of 8) and Part B (voluntary registration).

Regulation 3 prescribes the date when a child reaches the age of 18 as the upper age limit for "later years provision" (as defined in section 96 of the Act). Consequently, a person providing childcare for children up to the age of 18 can be registered in Part B of the general childcare register.

Regulation 4 provides that the Chief Inspector can treat the requirements for registration as not being satisfied if consent is not given to the release of certain information to the Chief Inspector held by a third party. Regulation 5 prescribes the types of information in question.

Regulations 6 and 7 prescribe the information that must be contained in a certificate of registration issued to a person who is registered in the early years register or in the general childcare register, and in a combined certificate of registration issued to a person who is registered more than once.

Regulations 8 to 13 contain provisions about the Chief Inspector's power to suspend a person's registration. Under regulation 9, registration can be suspended where there is or could be a risk of harm to a child. Regulation 10 provides for the maximum period of suspension and makes further provision as to the notice of suspension. Regulation 12 provides for a right of appeal against suspension.

An Impact Assessment has not been produced for this instrument as no impact on business, charities or voluntary bodies is foreseen, and the impact on the public sector is minimal.

**Changes to legislation:**

There are currently no known outstanding effects for the The Childcare (Early Years and General Childcare Registers) (Common Provisions) Regulations 2008.