
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Childcare (General Childcare Register) Regulations 2008 (“the Principal Regulations”) which contain requirements relating to childcare providers who are applying for registration or following registration in Parts A or B of the General Childcare Register (“the GCR”). The GCR is maintained by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“the Chief Inspector”) under Part 3 of the Childcare Act 2006.

Regulation 4 makes it a requirement for the applicant to have completed an English Local Authority approved childminding course prior to the Chief Inspector granting a childminder’s registration application.

Regulation 5 requires an applicant to have obtained an enhanced criminal record certificate in respect of the manager (if the applicant is not the manager) of later years provision prior to the Chief Inspector granting the applicant’s registration. Previously an application for an enhanced criminal record certificate in respect of a manager of later years provision had to be given to the Chief Inspector and the Chief Inspector would have obtained the enhanced criminal record certificate.

Regulation 7 makes similar changes to those in Regulation 5 prior to the Chief Inspector registering childcare providers in Part B of the GCR. Regulations 5 and 7 also make consequential changes removing the requirement for certain information relating to managers to be given to the Chief Inspector pertaining to when the Chief Inspector obtained the enhanced criminal record certificate on the manager.

Regulations 6(2) (relating to later years childminding on Part A of the GCR) and 8(2) (relating to the voluntary registration of childminders on Part B of the GCR) provide for the circumstances when a registered childminder need not be on the premises where childcare is provided. A childminder may leave children with an assistant childminder for a maximum of 2 hours per day on the premises where childcare is provided if the child’s parents have consented to the child being left with the assistant. Regulation 3 inserts a definition of “childminder’s assistant” into regulation 2 of the Principal Regulations. Regulations 6(3) and 8(3) contain consequential amendments pursuant to the changes in regulations 5 and 7 to ensure that in future the Chief Inspector is notified if a new manager is appointed and to ensure that the provisions in paragraph 8 of Schedule 3 and paragraph 10 of Schedule 6, relating to suitability of persons to care for children, apply to managers.

An Impact Assessment has been produced for this instrument and is available, with the Explanatory Memorandum at www.legislation.gov.uk.