

**2014 No. 1920**

**CHILDREN AND YOUNG PERSONS, ENGLAND**

**The Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014**

<i>Made</i>	- - - -	<i>6th August 2014</i>
<i>Laid before Parliament</i>		<i>11th August 2014</i>
<i>Coming into force</i>	- -	<i>1st September 2014</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 51A(2)(a) and (c), (3)(b) and (5), 51B(2), 51D(4), 61A(2)(a) and (c), (3)(b) and (5), 61B(2), 61E(4), 83A(1) and (2), 84A(1) and (3), 89, 92(3) and 104(2) of the Childcare Act 2006(a).

**PART 1**

**General**

**Citation and commencement**

1. These Regulations may be cited as the Childcare (Childminder Agencies) (Registration, Inspection and Supply and Disclosure of Information) Regulations 2014 and come into force on 1st September 2014.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Childcare Act 2006;

“applicant” means a person who is seeking registration as an early years childminder agency under Chapter 2A or as a later years childminder agency under Chapter 3A of Part 3 of the Act;

“continuous professional development” means any training or other activity which is designed to enable a registered provider to meet such of the requirements specified under section 39 of the Act or imposed by regulations under section 59 of the Act as are applicable to that registered provider;

“enforcement action” means the serving of any notice on a registered provider and any suspension of a registered provider’s registration;

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(a) 2006 c. 21; sections 51A, 51B, 51D, 61A, 61B, 61E, 83A and 84A were inserted by Schedule 4 to the Children and Families Act 2014 (c. 6) (“the 2014 Act”). See section 106 of the Childcare Act 2006 for definitions of “prescribed” and “regulations”.

“enhanced criminal record certificate” means an enhanced criminal record certificate issued under section 113B of the Police Act 1997(a);

“nominated individual” has the meaning given in paragraph 1(2)(b)(i) of Schedule 1;

“parent”, in relation to a child, includes any person who has parental responsibility for the child or has care of the child;

“practice support” means any training, advice or assistance which supports a registered provider in the running of that provider’s childcare practice and may include training, advice or assistance provided by a childminder agency during a quality assurance visit;

“quality assurance visit” means any visit to a setting undertaken by a childminder agency for the purposes of—

- (i) assessing the quality and standard of the childcare provided,
- (ii) verifying that the prescribed requirements for registration continue to be satisfied, and
- (iii) verifying that a registered provider is complying with any other requirements specified by order or regulations under Part 3 of the Act as are applicable to that provider;

“registered childcare provision” means early years provision or later years provision provided by a registered provider;

“registered person” means a person who is registered under Chapter 2A (regulation of early years childminder agencies) or Chapter 3A (regulation of later years childminder agencies) of Part 3 of the Act;

“registered provider” means a person who is registered with a childminder agency under Chapter 2, 3 or 4 of Part 3 of the Act;

“registration” means—

- (i) in relation to a person who provides or who is proposing to provide childcare, registration under Chapter 2, 3 or 4 of Part 3 of the Act;
- (ii) in relation to a person exercising, or proposing to exercise, the functions of a childminder agency, registration under Chapter 2A or 3A of Part 3 of the Act;

“registration visit” means a visit to a setting undertaken by a childminder agency for the purposes of verifying that the prescribed requirements for registration which apply to a person who is proposing to register under Chapter 2 or 3 of Part 3 of the Act are satisfied and are likely to continue to be satisfied;

“setting” means the premises on which registered childcare provision takes place or, as the case may be, is intended to take place, or took place at the material time, together with any equipment and personnel associated with the provision of that childcare;

“statement of purpose” has the meaning given in paragraph 3 of Schedule 1;

“year of registration” means the period of 12 months beginning on the date of registration or any anniversary of the date of registration.

(2) In these Regulations, the references to employing a person include employing a person whether or not for payment, and whether under a contract of service or a contract for services, and allowing a person to work as a volunteer, but do not include registering a person as a provider, and references to an employee or a person being employed are to be construed accordingly.

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(a) 1997 c. 50; section 113B was inserted by section 163(2) of the Serious Organised Crime and Police Act 2005 (c. 15) and was amended, in relation to England, Wales and Northern Ireland by paragraphs 14(1) and (3) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006 (c. 47) and section 97(2) of, and Part 8 of Schedule 8 to, the Policing and Crime Act 2009 (c. 26). Section 113B was also amended, in relation to England and Wales, by the following Acts and instruments: the Armed Forces Act 2006 (c. 52), Schedule 16, paragraph 149; the Protection of Freedoms Act 2012 (c. 9), sections 79(2)(b), 80(1), 82(1) to (3), paragraphs 35 and 37 of Schedule 9 and Parts 5 and 6 of Schedule 10; the Crime and Courts Act 2013 (c. 22), Schedule 8, paragraphs 55 and 60; S.I. 2009/203; S.I. 2010/1146 and S.I. 2012/3006.

## PART 2

### Registration of a Childminder Agency

#### CHAPTER 1

##### Applications

#### **Prescribed requirements for registration**

**3.**—(1) The requirements in Part 1 of Schedule 1 (except paragraphs 13, 15 and 17) are prescribed for the purposes of section 51A(3)(b) of the Act.

(2) The requirements in Part 1 of Schedule 1 (except paragraphs 12, 14 and 16) are prescribed for the purposes of section 61A(3)(b) of the Act.

#### **Information to accompany application for registration**

**4.** An application under section 51A(1) or 61A(1) of the Act must include the information prescribed in Part 2 of Schedule 1.

#### CHAPTER 2

##### Certificates

#### **Content of certificate of registration**

**5.** A certificate of registration given in accordance with section 51B or 61B must contain the following information—

- (a) the name of the registered person;
- (b) the date of registration;
- (c) any unique reference number or other identifier issued by the Chief Inspector in respect of the registration;
- (d) whether the registered person is registered in the early years register or Part A of the general childcare register;
- (e) any conditions imposed on the registered person's registration under section 51C or 61D and the date on which they were imposed.

#### **Content of combined certificate of registration**

**6.** A combined certificate of registration given in accordance with section 92 of the Act must contain the name of the registered person and the information specified in regulation 5(b) to (e) in respect of each registration of that person.

#### CHAPTER 3

##### Fees

#### **Application fees**

**7.** In the case of an application for registration made under section 51A of the Act, the prescribed fee which must accompany the application is £220.

**8.** In the case of an application for registration made under section 61A of the Act, the prescribed fee which must accompany the application is £220.

## **Annual fees**

**9.**—(1) A person who is registered as an early years childminder agency must pay to the Chief Inspector the fee prescribed in paragraph (2) on or before the day in each year which is the anniversary of the date on which the person became registered.

(2) The prescribed fee is £220.

**10.**—(1) Subject to regulation 11, a person who is registered as a later years childminder agency must pay to the Chief Inspector the fee prescribed in paragraph (2) on or before the day in each year which is the anniversary of the date on which the person became registered.

(2) The prescribed fee is £220.

**11.** Regulation 10 does not apply in any case where, on the date on which the annual fee would otherwise be payable, the person by whom that annual fee would be payable is also registered as an early years childminder agency under section 51B(1) of the Act.

## **PART 3**

### **Inspection of a Childminder Agency**

#### **Notification of inspection: childminder agencies**

**12.**—(1) Where a childminder agency becomes aware that it is to be inspected by the Chief Inspector, the childminder agency must notify that fact to the persons prescribed in paragraph (2).

(2) The persons are—

- (a) each registered provider of the childminder agency, and
- (b) a parent of each child for whom registered childcare provision is being provided by a registered provider of the childminder agency.

(3) Paragraph (2)(b) only applies in circumstances where the parent has given their name and either an address for correspondence, or an electronic mail address, to the childminder agency.

## **PART 4**

### **Supply and Disclosure of Information**

#### **General provisions**

**13.**—(1) For the purposes of regulations 14, 15, 16 and 20, information is not to be treated as prescribed information which may or must be disclosed—

- (a) where it includes information as to the identity of any child to whom childcare is being or has been provided without the consent of a parent of the child identified; or
- (b) where it includes information as to the identity of a parent or relative of such a child (unless the parent or relative in question is the childcare provider) without the consent of the parent or relative identified.

(2) For the purposes of regulations 14 to 20, information is not to be treated as prescribed information which may or must be disclosed where the childminder agency is required under any enactment, by any rule of law or by the order of the court not to disclose the information.

(3) In this regulation, “disclosure” includes making information available, or the provision of information, to a person or body, and “disclose” shall be construed accordingly.

### **Supply of information to the Secretary of State and Her Majesty's Revenue and Customs**

**14.**—(1) For the purposes of section 83A(1) of the Act, the information in paragraphs 1 to 5, 8, 9 and 19 of Schedule 2 is prescribed information which must be provided to the Secretary of State and Her Majesty's Revenue and Customs when a childminder agency takes the step mentioned in sub-paragraph (a) of section 83A(1) in relation to a person's registration, or any of the steps prescribed in paragraph (2).

(2) The prescribed steps are—

- (a) cancellation of a person's registration;
- (b) suspension of a person's registration;
- (c) termination of a person's registration at the person's request.

### **Supply of information to local authorities**

**15.**—(1) For the purposes of section 83A(1) of the Act, the information in paragraphs 1 to 12, 19 and 20 of Schedule 2 is prescribed information which must be provided to a relevant local authority when a childminder agency takes the step mentioned in sub-paragraph (a) of section 83A(1) in relation to a person's registration, or any of the steps prescribed in paragraph (2).

(2) The prescribed steps are—

- (a) giving notice of intention to cancel a person's registration;
- (b) cancellation of a person's registration;
- (c) suspension of a person's registration;
- (d) termination of a person's registration at the person's request.

### **Disclosure of information to assist parents or prospective parents**

**16.** For the purposes of section 84A(1) of the Act, the information specified in paragraphs 1 to 6, 8 to 11 and 16 to 19 of Schedule 2 is prescribed information about a registered provider which a childminder agency may arrange to be made available for the purpose of assisting parents or prospective parents in choosing an early years or later years provider.

### **Disclosure of information to protect children from harm or neglect**

**17.** For the purposes of section 84A(1) of the Act, the information specified in paragraphs 1 to 5, 13 to 15, 20 and 21 of Schedule 2 is prescribed information about a registered provider which a childminder agency may arrange to be made available for the purpose of protecting children from harm or neglect.

### **Required provision of information to child protection agencies and police forces**

**18.**—(1) Where a written request concerning a registered provider has been received from a person prescribed in paragraph (2), a childminder agency must, for the purpose of protecting children from harm or neglect, provide to that person such of the information mentioned in paragraphs 4, 13 to 15, 20 and 21 of Schedule 2 as has been requested and is held by the childminder agency in relation to that registered provider.

(2) The prescribed persons are—

- (a) a child protection agency; and
- (b) a local policing body, or a police authority or a chief officer within the meaning of section 126 of the Police Act 1997(a).

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(a) The definition of "police authority" in section 126 of the Police Act 1997 ("the 1997 Act") was amended by section 78(1) of, and paragraphs 20(1) and (3) of Schedule 6 to, the Police (Northern Ireland) Act 2000 (c. 32), section 1 of, and paragraphs 221 and 224 of Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c. 13), in relation to

(3) In this regulation, “child protection agency” means the National Society for the Prevention of Cruelty to Children and any body or authority exercising statutory functions within the United Kingdom relating to the protection of children.

### **Required provision of information to various prescribed persons**

**19.**—(1) Where a written request concerning a registered provider has been received from a person prescribed in paragraph (2), a childminder agency must, for the purpose of protecting children from harm or neglect, provide to that person such of the information prescribed in paragraph (3) as has been requested and is held by the childminder agency in relation to that registered provider.

(2) The prescribed persons are—

- (a) a fostering agency within the meaning of section 4(4) of the Care Standards Act 2000<sup>(a)</sup>;
- (b) a voluntary adoption agency within the meaning of section 4(7) of that Act<sup>(b)</sup>;
- (c) the Welsh Ministers;
- (d) Social Care and Social Work Improvement Scotland;
- (e) a Health and Social Care Trust in Northern Ireland;
- (f) a body acting on behalf of the Crown in the Channel Islands or in the Isle of Man;
- (g) the national authority of any other member State of the European Economic Area having functions comprising the regulation of childcare; and
- (h) a childminder agency.

(3) Subject to paragraph (4), the prescribed information is the information specified in paragraphs 1 to 6, 8, 9, 11, 14, 15, 19 and 20 of Schedule 2.

(4) Any information referred to in paragraph (3) is not to be treated as prescribed information which must be provided to a prescribed person where the information has previously been provided by the childminder agency to that prescribed person.

### **Required provision of information to parents**

**20.**—(1) Where a written request concerning a registered provider has been received from a person prescribed in paragraph (2), a childminder agency must, pursuant to section 84A(3) of the Act, for the purpose of—

- (a) assisting parents in choosing an early years or later years provider; or
- (b) protecting children from harm or neglect,

provide to that person such of the information prescribed in paragraph (3) as has been requested and is held by the childminder agency in relation to that registered provider.

(2) The prescribed persons are the parents of children to whom childcare is being or has been provided by the registered provider referred to in paragraph (1) or the parents of children for whom it is proposed that the registered provider will provide childcare.

(3) Subject to paragraph (4), the prescribed information is the information specified in paragraphs 1 to 4, 7, 16, 18 and 20 of Schedule 2.

(4) Any information referred to in paragraph (3) is not to be treated as prescribed information—

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Scotland by section 128(1) of, and paragraph 14(8)(b) of Schedule 7 to, the Police and Fire Reform (Scotland) Act 2012, and in relation to England and Wales by Article 25 of, and paragraphs 6(1) and 7(b) of Schedule 1 to, S.I. 2013/602. The definition of “chief officer” in the 1997 Act was amended by section 78(1) of, and paragraphs 20(1) and (2)(b) of Schedule 6 to, the Police (Northern Ireland) Act 2000 (c. 32), in relation to Scotland by section 128(1) of, and paragraph 14(8)(a) of Schedule 7 to, the Police and Fire Reform (Scotland) Act 2012, and in relation to England and Wales by Article 25 of, and paragraphs 6(1) and 7(a) of Schedule 1 to, S.I. 2013/602.

(a) 2000 c. 14.

(b) Section 4(7) was amended by section 139(1) of, and paragraphs 103 and 104 of Schedule 3 to, the Adoption and Children Act 2002 (c. 38).

- (a) where the information is available to the parent to whom it would fall to be provided by other means reasonably at the parent's disposal;
- (b) where to provide the information would involve disproportionate effort or expense;
- (c) where the circumstances indicate that the information is or may be sought in contemplation or furtherance of civil proceedings against the childminder agency or any other person or body; or
- (d) where the information has previously been provided by the childminder agency to that parent.

6th August 2014

*John Nash*  
Parliamentary Under Secretary of State  
Department for Education

## SCHEDULES

### SCHEDULE 1

Regulations 3 and 4

### Applications for Registration

#### PART 1

#### Prescribed Requirements for Registration

#### **Requirements relating to the applicant and management and control of the applicant**

**1.**—(1) The applicant is suitable to exercise the functions of a childminder agency under Part 3 of the Act.

(2) For the purposes of sub-paragraph (1), the applicant is not suitable to exercise the functions of a childminder agency unless the applicant—

- (a) is an individual who satisfies the requirement in sub-paragraph (3); or
- (b) is a partnership, body corporate or unincorporated association and—
  - (i) the applicant has nominated an individual who is a director or other officer of, or partner in, the applicant, or a member of its governing body (“the nominated individual”) to—
    - (aa) be responsible for dealing with matters relating to the applicant’s application and subsequent registration, and
    - (bb) oversee (either alone or jointly with others) the management of the childminder agency;
  - (ii) the nominated individual satisfies the requirement in sub-paragraph (3); and
  - (iii) in the case of a partnership, body corporate or unincorporated association whose sole or main purpose is the exercise of functions of a childminder agency, every person (other than the nominated individual) who is a director or other officer of, or partner in, the applicant or a member of its governing body satisfies the requirement in sub-paragraph (3).

(3) The requirement is that the person is of integrity and good character.

**2.** Where the applicant is a partnership, body corporate or unincorporated association whose sole or main purpose is something other than the exercise of functions of a childminder agency under

Part 3 of the Act, the applicant has appointed a person to manage the childminder agency (“the manager”).

**3.** The applicant has compiled a written statement (“the statement of purpose”) covering the following matters—

- (a) the aims and objectives of the childminder agency;
- (b) the organisational structure of the childminder agency;
- (c) the childminder agency’s arrangements for registering a person as a provider;
- (d) the childminder agency’s arrangements in relation to training and monitoring its registered providers;
- (e) the childminder agency’s arrangements for ensuring provision is of a sufficient standard;
- (f) the childminder agency’s arrangements for communicating the outcome of quality assurance visits to parents of children who are receiving registered childcare provision;
- (g) the childminder agency’s procedures for safeguarding and promoting the welfare of children receiving registered childcare provision;
- (h) the childminder agency’s arrangements for disseminating information to parents and prospective parents who are seeking information about childcare provision offered by registered providers of that childminder agency;
- (i) the childminder agency’s procedures for taking enforcement action in relation to a registered provider;
- (j) the childminder agency’s procedure for dealing with complaints;
- (k) a description of any arrangements the childminder agency may have for offering parents alternative provision when one of its registered providers is unable to provide childcare as a result of sickness or for other reasons; and
- (l) a description of any additional services or facilities offered by the childminder agency.

**4.** The applicant has provided a copy of the statement of purpose to the Chief Inspector.

**5.** The applicant will make a copy of the statement of purpose available for inspection by—

- (a) any person employed by the childminder agency;
- (b) any registered provider of the childminder agency;
- (c) any provider making enquiries about registration with the childminder agency; and
- (d) any parent making enquiries about receiving registered childcare provision by a registered provider of the childminder agency.

**6.** The applicant will ensure that the childminder agency is at all times conducted in a manner that is consistent with its statement of purpose.

**7.** The applicant will—

- (a) keep under review and, where appropriate, revise the statement of purpose, and
- (b) supply any revised statement of purpose to the Chief Inspector within 28 days of making the revision.

**8.** The applicant has established a written procedure for considering complaints made by—

- (a) a registered provider of the childminder agency, and
- (b) a parent of any child for whom registered childcare provision is being provided by a registered provider of the childminder agency.

**9.** The applicant will ensure—

- (a) in so far as is reasonably practicable, that complaints are responded to within 28 days, beginning with the date on which the complaint was made, and



- (b) that a written record is kept of complaints and any steps taken by the childminder agency to address them.

### **Requirements relating to persons employed by the applicant**

**10.** An enhanced criminal record certificate has been obtained in respect of any manager appointed under paragraph 2 (if not the nominated individual) and, on the basis of the information it contains, the childminder agency is satisfied that there is no reason why that person should not be appointed.

**11.—(1)** The applicant has in place effective arrangements to ensure that every person who is employed by the childminder agency in any capacity which involves entering a setting is suitable to work in that capacity.

(2) For the purposes of sub-paragraph (1) a person is not suitable to work in that capacity unless—

- (a) that person is of integrity and good character;
- (b) that person has skills and experience relevant to the work; and
- (c) an enhanced criminal record certificate has been obtained in respect of that person and, on the basis of the information it contains, the childminder agency is satisfied that there is no reason why that person should not be employed.

### **The applicant's arrangements for registering providers**

**12.—(1)** This paragraph applies to a person who has applied for registration as an early years childminder agency.

(2) The applicant has in place effective arrangements to assess whether a person applying for registration as an early years provider satisfies the prescribed requirements for registration under section 35 or 36 of the Act, as the case may be, and is likely to continue to do so.

(3) For the purposes of sub-paragraph (2), the applicant's arrangements will not be effective unless they provide—

- (a) for a registration visit to the setting, and
- (b) that the childminder agency will make enquiries with the following persons to inform the agency's assessment of a person's suitability to provide early years provision—
  - (i) the person's medical practitioner;
  - (ii) any local authority in whose area the person has resided in the five years prior to making the application for registration;
  - (iii) the Chief Inspector; and
  - (iv) any other childminder agency with which the person has been registered.

**13.—(1)** This paragraph applies to a person who has applied for registration as a later years childminder agency.

(2) The applicant has in place effective arrangements to assess whether a person applying for registration as a later years provider satisfies the prescribed requirements for registration under section 54 or 55 of the Act, as the case may be, and is likely to continue to do so.

(3) For the purposes of sub-paragraph (2), the applicant's arrangements will not be effective unless they provide—

- (a) for a registration visit to the setting, and
- (b) that the childminder agency will make enquiries with the following persons to inform the agency's assessment of a person's suitability to provide later years provision—
  - (i) any local authority in whose area the person has resided in the five years prior to making the application for registration;
  - (ii) the Chief Inspector;

- (iii) any other childminder agency with which the person has been registered.

**The applicant's arrangements in relation to training and monitoring providers and providing such persons with information, advice and assistance**

**14.**—(1) This paragraph applies to a person who has applied for registration as an early years childminder agency.

(2) The applicant will provide each provider registered with it under Chapter 2 of Part 3 of the Act with 20 hours of practice support in each year of registration, 16 of which must consist of continuous professional development.

(3) For the purposes of sub-paragraph (2), an early years childminder agency may make arrangements with another person to secure the provision of continuous professional development to its registered providers.

**15.**—(1) This paragraph applies to a person who has applied for registration as a later years childminder agency.

(2) The applicant will provide each provider registered with it under Chapter 3 of Part 3 of the Act with ten hours of practice support in each year of registration, eight of which must consist of continuous professional development.

(3) For the purposes of sub-paragraph (2) a later years childminder agency may make arrangements with another person to secure the provision of continuous professional development to its registered providers.

**The applicant's arrangements for ensuring provision is of a sufficient standard**

**16.**—(1) This paragraph applies to a person who has applied for registration as an early years childminder agency.

(2) The applicant has in place effective arrangements to assure itself of the quality of care and education provided by each provider registered with it under Chapter 2 of Part 3 of the Act.

(3) For the purposes of sub-paragraph (2), the applicant's arrangements will not be effective unless they make provision for—

- (a) a minimum of two quality assurance visits in the first year of registration, one of which must be unannounced;
- (b) a minimum of one quality assurance visit for every subsequent year of registration, which must be unannounced;
- (c) a written report to be made following every quality assurance visit; and
- (d) a copy of such a written report to be made available to the person who is the subject of that report.

**17.**—(1) This paragraph applies to a person who has applied for registration as a later years childminder agency.

(2) The applicant has in place effective arrangements to assure itself of the quality of care and education provided by each provider registered with it under Chapter 3 of Part 3 of the Act.

(3) The applicant's arrangements will not be effective unless they include—

- (a) a minimum of one quality assurance visit for every year of registration;
- (b) for a written report to be made following every quality assurance visit; and
- (c) a copy of such a written report to be made available to the person who is the subject of that report.

## PART 2

### Prescribed Information Requirements

**18.** Where the applicant is an individual, the full name (and any alias and former names), date of birth, address and telephone number of the applicant.

**19.** Where the applicant is a partnership, body corporate or unincorporated association—

- (a) the name, address and telephone number of the applicant;
- (b) in the case of an applicant which is a body corporate, its registered number and, in the case of an applicant which is a registered charity, its registered charity number;
- (c) the full name (and any alias and former name), date of birth, address and telephone number of the nominated individual; and
- (d) in the case of an applicant whose sole or main purpose is the exercise of functions of a childminder agency, the full name (and any alias and former name), date of birth, address and telephone number of every person (except the nominated individual) who is a director or other officer of, or partner in, the applicant, or a member of its governing body.

**20.** The following information about the criminal convictions and cautions of the applicant and the nominated individual which are not protected convictions or cautions within the meaning of Article 2A of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975(a)—

- (a) the date of the offence;
- (b) the nature of the offence;
- (c) the place at which the offence was committed;
- (d) in the case of a conviction, the name of the court before which the person was convicted, the date of the conviction and the penalty imposed; and
- (e) in the case of a caution, the date of the caution.

**21.** An enhanced criminal record certificate in respect of the following persons—

- (a) where the applicant is an individual, the applicant;
- (b) where the applicant is a partnership, body corporate or unincorporated association, the nominated individual;
- (c) in the case of an applicant which is a partnership, body corporate or unincorporated association whose sole or main purpose is the exercise of functions of a childminder agency, every person (other than the nominated individual) who is a director or other officer of, or partner in, the applicant or a member of its governing body.

**22.** The name, address, telephone number and electronic mail address (if any) of the childminder agency.

**23.** Where the childminder agency is to operate from more than one site, the address, telephone number and electronic mail address (if any) of each site.

## SCHEDULE 2

Regulations 14 to 20

### Supply and Disclosure of Information

**1.** The person's name.

**2.** The business name, if any, under which the childcare is (or, as the case may be, was or is intended to be) provided by the person, or by which the setting is generally known.

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(a) S.I. 1975/1023. Article 2A was inserted, in relation to England and Wales, by Articles 2 and 4 of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 (S.I. 2013/1198).

- 3.** The person's address.
- 4.** The date of registration.
- 5.** Whether the person is registered under Chapter 2 (regulation of early years provision), Chapter 3 (regulation of later years provision for children under 8) or Chapter 4 (voluntary registration) of Part 3 of the Act.
- 6.** Whether the person is registered as—
  - (a) a childminder, or
  - (b) a provider of childcare other than childminding in respect of premises in England.
- 7.** Where the person is registered as a childminder, whether the setting is either (or a combination of)—
  - (a) the person's home,
  - (b) the child's home, or
  - (c) other domestic premises.
- 8.** Where the setting is not the child's home, the address of the setting if different from the provider's address.
- 9.** Any telephone number, fax number or e-mail address of the person or the setting supplied to the childminder agency by the person.
- 10.** Information as to the time and duration of the provision of childcare.
- 11.** Information as to the number of children, and the ages of those children, to whom childcare is, or is to be, provided.
- 12.** The name of the local authority in whose area the setting is located or, where the setting is the child's home, the name of the local authority in whose area the person's address is located.
- 13.** Information concerning the setting.
- 14.** Information obtained or received by the childminder agency in the course of ascertaining the suitability of the person for registration.
- 15.** Information obtained or received by the childminder agency or an employee of the childminder agency during the course of a registration visit.
- 16.** Information obtained or received by a childminder agency as to whether the prescribed requirements for registration which apply to that person continue to be satisfied, and whether the person is complying with the requirements imposed on him by regulations under section 39, 59 or 67 of the Act.
- 17.** Information about any complaints that have been made to the childminder agency about the person.
- 18.** Information about the most recent quality assurance visit undertaken by the childminder agency, including a copy of any report made by the childminder agency following that visit.
- 19.** Information as to which, if any, of the following steps the childminder agency is taking in relation to a person's registration, namely—
  - (a) granting the person's application for registration;
  - (b) giving notice of intention to cancel the person's registration;
  - (c) cancelling the person's registration;
  - (d) suspending the person's registration;
  - (e) terminating the person's registration at the request of the person, and

in relation to a step mentioned in any of sub-paragraphs (b) to (e), the date on which the step was taken.

**20.** Information connected with any enforcement action taken against the person by the childminder agency.

**21.** Information about any child receiving childcare from the person.

### **EXPLANATORY NOTE**

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

These Regulations make provision relating to the registration and inspection of childminder agencies and the supply and disclosure of information by childminder agencies about childcare providers registered with them.

Part 2 of the Regulations makes provision about registration as a childminder agency under Chapters 2A and 3A of Part 3 of the Childcare Act 2006 (“the 2006 Act”). Regulation 3 prescribes the requirements which must be satisfied for an application for registration as an early or later years childminder agency to be granted by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“the Chief Inspector”). These include requirements as to the suitability of the applicant and other personnel who make up the registered person. Regulation 4 prescribes the information which must be included with an application for registration. Regulations 5 and 6 deal with the content of certificates of registration issued to a childminder agency and regulations 7 and 8 prescribe the fee which must accompany an application for registration as an early or later years childminder agency respectively. Regulations 9 to 11 provide for annual fees which must be paid by those registered as an early or later years childminder agency.

Part 3 of the Regulations makes provision about the persons who must be notified where a childminder agency is to be inspected.

Part 4 of the Regulations makes provision for the disclosure by a childminder agency of prescribed information about childcare providers who are registered with that agency under Chapter 2, 3 or 4 of Part 3 of the 2006 Act. Regulations 14 and 15 prescribe the information which must be provided to the Secretary of State, Her Majesty’s Revenue and Customs and the relevant local authority respectively when a childminder agency grants a person’s application for registration or takes any other prescribed step in relation to that person’s registration. Regulation 16 prescribes the information which a childminder agency may arrange to be made available to assist parents or prospective parents in choosing an early or later years provider. Regulation 17 prescribes the information which a childminder agency may arrange to be made available for the purpose of protecting children from harm or neglect. Regulation 18 prescribes the information which a childminder agency, when requested, must provide to child protection agencies and police forces for the purposes of protecting children from harm or neglect. Regulation 19 prescribes the information which a childminder agency must, when requested, provide to a prescribed person or body for the purpose of protecting children from harm or neglect. Regulation 20 prescribes the information which a childminder agency must, when requested, provide to a parent whose child is being cared for by a person who is registered with that childminder agency, either for the purpose of assisting the parent in choosing childcare provision, or to protect children from harm or neglect.

An impact assessment has not been prepared for this instrument as no impact on the private or voluntary sectors is foreseen.

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£6.00

UK201408076 08/2014 19585

<http://www.legislation.gov.uk/id/uksi/2014/1920>

ISBN 978-0-11-111973-0



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