

2014 No. 3197

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Childcare (Provision of Information About Young Children)
(England) (Amendment) Regulations 2014**

<i>Made</i>	- - - -	<i>28th November 2014</i>
<i>Laid before Parliament</i>		<i>4th December 2014</i>
<i>Coming into force</i>	- -	<i>1st January 2015</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by sections 99(1) and (2)(b), and 104(2) of the Childcare Act 2006(a).

Citation and commencement

1. These Regulations may be cited as the Childcare (Provision of Information About Young Children) (England) (Amendment) Regulations 2014 and come into force on 1st January 2015.

Amendments to the Childcare (Provision of Information About Young Children) (England) Regulations 2009

2. The Childcare (Provision of Information About Young Children) (England) Regulations 2009(b) are amended as follows.

3. In regulation 2 (interpretation) after the definition of “the Chief Inspector” insert—

““early years childminder agency” has the meaning given in section 98(1)(c) of the Act;”.

4. In regulation 4 (provision of information by a provider of early years provision to a relevant person under section 99(1) of the Act)—

- (a) in paragraphs (1) and (2) for “section 99(1)” substitute “section 99(1)(a) or (b)”;
- (b) in paragraph (3)(a) for “Department for Education”(d) substitute “local authority”; and
- (c) in paragraph (3)(b) —
 - (i) for “the”, the first time it occurs, substitute “any”; and
 - (ii) omit “on registration”.

5. After regulation 4 insert—

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- (a) 2006 c.21. See section 106 for the meaning of “prescribed” and “regulations”. Section 99(1)(aa) was inserted by paragraph 63 of Schedule 4 to the Children and Families Act 2014 (c.6).
 - (b) S.I. 2009/1554, amended by S.I. 2010/1836; there is another amending instrument but it is not relevant.
 - (c) The definition of “early years childminder agency” in section 98(1) of the Childcare Act 2006 was inserted by paragraph 62(2)(b) of Schedule 4 to the Children and Families Act 2014.
 - (d) “Department for Education” was inserted by paragraph 11(q) of the Schedule to S.I. 2010/1836.

“Provision of information by an early years childminder agency to a relevant person under section 99(1) of the Act

4A.—(1) A person falling within section 99(1)(aa) of the Act, if requested to do so by the relevant person, must provide to that person the following information—

- (a) in respect of funded early years provision provided by a person who is registered with the early years childminder agency for the purposes of Chapter 2 of Part 3 of the Act, any item of information set out in Part 1 or 2 of the Schedule; and
- (b) in respect of early years provision provided by a person who is registered with the early years childminder agency for the purposes of Chapter 2 of Part 3 of the Act that is not funded early years provision, any item of information set out in paragraphs 5 to 9 and 13 of Part 2 of the Schedule.

(2) When an early years childminder agency provides any item of information set out in the Schedule to the relevant person, that agency must also provide—

- (a) any unique reference number or other identifier allocated to the agency by the Chief Inspector; and
- (b) (if known) the local authority code allocated by the Department for Education to the local authority in whose area the early years provision is provided.”.

6. For regulation 5 (prescribed person under section 99(2)(b) of the Act) substitute—

“Prescribed persons under section 99(2)(b) of the Act

5.—(1) In the case of a person who is registered with an early years childminder agency under Chapter 2 of Part 3 of the Act, the childminder agency with which the person is registered is prescribed for the purposes of section 99(2)(b) of the Act.

(2) In the case of all other persons listed in section 99(1)(a) to (b) of the Act, the local authority in whose area the early years provision is provided is prescribed.”.

7. For paragraph 12(1) of the Schedule substitute—

“(1) Where funded early years provision is provided to the child in more than 38 weeks in the funding period, the number of hours of funded early years provision which the child receives during the period starting with 1st January and ending with 31st March in the calendar year in which the information is requested.”.

28th November 2014

Sam Gyimah
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Childcare (Provision of Information About Young Children) (England) Regulations 2009 (“the 2009 Regulations”) prescribe the individual child information which early years providers can be required to provide to the Secretary of State and their local authority. These Regulations amend the 2009 Regulations to apply those requirements to childminder agencies. Childminder agencies were introduced by the Children and Families Act 2014 and are persons who are able to register childminders and other providers of childcare on domestic premises for the purposes of Part 3 of the Childcare Act 2006.

These Regulations also amend the 2009 Regulations so as to prescribe the individual child information which early years providers who are registered with a childminder agency must provide to that agency, at its request.

No impact assessment has been produced for this instrument because no significant impact on business, civil society organisations or the public sector is foreseen.

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