
STATUTORY INSTRUMENTS

2015 No. 357

CHILDREN AND YOUNG PERSONS, ENGLAND

**The Childcare (Supply and Disclosure of Information)
(Amendment) (England) Regulations 2015**

<i>Made</i>	- - - -	<i>23rd February 2015</i>
<i>Laid before Parliament</i>		<i>26th February 2015</i>
<i>Coming into force</i>	- -	<i>1st April 2015</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 84(1) and (3) and 104(2) of the Childcare Act 2006⁽¹⁾.

Citation and commencement

1. These Regulations may be cited as the Childcare (Supply and Disclosure of Information) (Amendment) (England) Regulations 2015 and come into force on 1st April 2015.

Amendment to the Childcare (Supply and Disclosure of Information) (England) Regulations 2007

2. The Childcare (Supply and Disclosure of Information) (England) Regulations 2007⁽²⁾ are amended as follows.

3. In regulation 2 (*interpretation*)—

(a) for the definition of “nominated individual” substitute—

““nominated individual”, in relation to a partnership, body corporate or unincorporated association (“person”), means an individual who is a partner in, or a director or other officer of, the person, or a member of its governing body, and is nominated by the person to—

- (i) be responsible for dealing with matters relating to the application for, and any other matters relating to, registration, and
- (ii) oversee (either alone or jointly with others) the management of the early years or later years provision or registered agency, as the case may be;”;

(b) after the definition of “registration” insert—

(1) 2006 c. 21. The heading of section 84 was amended by paragraphs 32 and 54 of Schedule 4 to the Children and Families Act 2014 (c. 6).
(2) S.I. 2007/722, amended by 2008/961, 2011/2581, 2011/3058, 2013/630 and 2014/1921.

““relevant person” means—

- (i) a registered provider,
- (ii) a nominated individual, or
- (iii) an individual who is a partner in, or a director or other officer of, the early or later years provider, or a member of its governing body;”.

4. In regulation 10(3)(c) (*required provision of information to parents*) for “paragraph 16” substitute “paragraphs 16, 19 and 20”.

5. In Schedule 1 after paragraph 18 add—

“19. Where it is the case, the fact that a relevant person—

- (a) is also a relevant person in respect of one or more other existing registrations, or
- (b) has also been a relevant person in respect of one or more previous registrations.

20.—(1) Where it is the case, the fact that the registered person is a family member of a person—

- (a) whose registration has been cancelled under section 68 of the Act, or
- (b) who has requested removal from a register under section 70 of the Act,

and there has been no change of the relevant premises.

(2) In this paragraph family member means—

- (a) a husband, wife, civil partner, or the former of any of these,
- (b) a child,
- (c) a parent, or
- (d) a grandparent, brother, sister, uncle or aunt, whether of full blood or half blood, or by marriage, civil partnership, or step-parent.”.

23rd February 2015

Sam Gyimah
Parliamentary Under Secretary of State
Department for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Childcare (Supply and Disclosure of Information) (England) Regulations 2007 (“the principal Regulations”). Regulation 6 of the principal Regulations prescribes the information relating to registered childcare providers which may be disclosed by Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“the Chief Inspector”) for the purpose of assisting parents or prospective parents in choosing an early or later years provider. Regulation 10 of the principal Regulations relates to information which the Chief Inspector must provide to parents in certain circumstances. These Regulations amend the prescribed information which may or must be made available.

Regulation 3 of these Regulations amends the definition of “nominated individual” and inserts a definition of “relevant person”.

Regulation 4 adds the information in paragraphs 19 and 20 of Schedule 1 to the list of prescribed information which the Chief Inspector must, upon request pursuant to regulation 10 of the principal Regulations, provide to parents of children for whom childcare is being provided. (As Regulation 6 of the principal Regulations refers to “Part 3” of the Schedule the new paragraphs will be automatically included).

Regulation 5 adds new paragraphs 19 and 20 of Schedule 1 to the principal Regulations. Paragraph 19 prescribes as information the fact that a relevant person is a relevant person in respect of one or more existing registrations, or that a relevant person (in respect of an existing registration) has been a relevant person in respect of one or more previous registrations. Paragraph 20 prescribes as information the fact that a registered person is a family member, as defined, of a person who has had their registration cancelled or who has requested removal from a register where both persons provided childcare on the same premises.

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