
EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations are made under Part XA of the Children Act 1989 (“the 1989 Act”) and apply to persons who act as child minders or provide day care on premises situated in Wales. Part XA provides for the registration and inspection of child minders and day care providers in Wales by the National Assembly for Wales. It also contains powers enabling the National Assembly to make regulations governing the activities of such persons. The regulations come into force on 1st April 2002.

Regulation 3 provides for a statement of purpose to be compiled by registered persons consisting of the aims and objectives and other relevant matters about the service to be provided for children under the care of the registered person.

Part II (regulations 4 to 6) makes provision about the suitability of persons acting as child minders and day care providers and requires information to be available in relation to the matters specified in Schedule 2. Where a day care provider is an organisation it must nominate a responsible individual in respect of whom the information must be available. Regulation 5 imposes general requirements about the provision of care by registered persons and as to training. Regulation 6 requires offences and being charged for certain offences to be notified to the National Assembly.

Part III makes provision about the welfare and development of relevant children under the care of registered persons and in particular about the promotion of the welfare of such children, the provision of food and the provision and implementation of child protection and behaviour management policies. Regulation 10 contains provisions prohibiting corporal punishment and other measures against such children. Regulations 11 to 13 make provision about the promotion of the health of relevant children, as to their safety and concerning the storage and administration of medicines. Regulation 14 requires a complaints procedure to be prepared and followed by registered persons.

Part IV makes provision about the numbers, qualifications, experience and suitability of those working for registered persons including provision about the information which is required in relation to workers before they may work for child minders or day care providers.

Part V provides for the keeping of records and the provision of information to parents of relevant children under the care of child minders or day care providers and to the National Assembly.

Part VI makes provision about the fitness of premises on which care is provided, equipment and facilities provided at the premises and about fire precautions.

Part VII deals with miscellaneous matters. In particular regulation 23 requires registered persons to have regard to national minimum standards for the different settings described in Schedule 1 and provides that any allegation that a registered person has failed to have regard to the relevant standards is to be taken into account by the National Assembly in the exercise of its functions under Part XA of the 1989 Act and in proceedings under that Part of the Act. Regulation 24 provides for offences for contravention of or non-compliance with certain regulations.