

SCHEDULE 1 **E+W**

Regulations 3, 6, 8, 20 and 28

PRESCRIBED REQUIREMENTS FOR REGISTRATION UNDER PART 2 OF THE MEASURE

Interpretation **E+W**

1. In this Schedule “applicant” means—
 - (a) a person who is applying for registration as a child minder or a provider of day care under Part 2 of the Measure; and
 - (b) where the context requires, a person who is registered under Part 2 of the Measure as a child minder or provider of day care.

PART 1 **E+W**

Prescribed requirements for registration: child minding

Requirements relating to the applicant **E+W**

2. The applicant is of suitable integrity and good character to look after children [^{F1}under the age of twelve].

Textual Amendments

- F1** Words in *Sch. 1 para. 2* substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 (S.I. 2016/87)*, regs. 1(2), **9(a)**

3. The applicant is not disqualified.
4. The applicant has the qualifications, skills and experience necessary to look after children [^{F2}under the age of twelve].

Textual Amendments

- F2** Words in *Sch. 1 para. 4* substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 (S.I. 2016/87)*, regs. 1(2), **9(a)**

5. The applicant is physically and mentally fit to look after children [^{F3}under the age of twelve].

Textual Amendments

- F3** Words in *Sch. 1 para. 5* substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 (S.I. 2016/87)*, regs. 1(2), **9(a)**

- [^{F4}6. The applicant has provided to the Welsh Ministers an enhanced criminal record certificate.]

Textual Amendments

- F4** *Sch. 1 para. 6* substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 (S.I. 2016/87)*, regs. 1(2), **9(b)**

7. Where appropriate ^{M1}, the applicant is registered with the ISA and the applicant has supplied their ISA registration number to the Welsh Ministers.

Marginal Citations

M1 The requirement for persons undertaking regulated activity in child care settings to register with the ISA under the Vetting and Barring Scheme is being introduced incrementally in accordance with Regulations made under the [Safeguarding Vulnerable Groups Act 2006 \(c. 47\)](#). In this respect the term “where appropriate” is to be interpreted in accordance with a person's requirement to register with the ISA explained in the *Vetting and Barring Scheme Guidance* issued by the Home Office in March 2010 (ISBN - 978 - 1 - 84987 - 2020 7).

Requirements relating to other persons : staff **E+W**

8. Every person (other than the applicant) who looks after or is to look after relevant children is of suitable integrity and good character to look after children [^{F5}under the age of twelve].

Textual Amendments

F5 Words in [Sch. 1 para. 8](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **9(c)**

9. Every person mentioned in paragraph 8 has the qualifications, skills and experience necessary to look after children [^{F6}under the age of twelve].

Textual Amendments

F6 Words in [Sch. 1 para. 9](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **9(c)**

10. Every person mentioned in paragraph 8 is physically and mentally fit to look after children [^{F7}under the age of twelve].

Textual Amendments

F7 Words in [Sch. 1 para. 10](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **9(c)**

11. An enhanced criminal record certificate has been obtained in respect of every person mentioned in paragraph 8.

12. Where appropriate, each person mentioned in paragraph 8 is registered with the ISA and each such person has provided their ISA registration number to the applicant.

Requirements relating to other persons: all other persons **E+W**

13.—^{F8}(1) Every person (other than the applicant or a person mentioned in paragraph 8) who has attained the age of 16 and who—

- (a) lives on the relevant premises,
- (b) works on the relevant premises, or

(c) is otherwise present on the relevant premises and has, or is likely to have, regular contact with relevant children,

is of suitable integrity and good character to have contact with children.]

(2) For the purposes of sub-paragraph (1)(b) a person who works on the relevant premises includes a person who works on a voluntary basis.

(3) Where appropriate, an enhanced criminal record certificate has been obtained in respect of every person mentioned in sub-paragraph (1).

(4) Where appropriate, each person mentioned in sub-paragraph (1) is registered with the ISA and each such person has provided their ISA registration number to the applicant.

Textual Amendments

F8 Sch. 1 para. 13(1) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **9(d)**

PART 2 **E+W**

Prescribed requirements for registration: providers of day care

Requirements relating to the applicant: an individual **E+W**

14. This paragraph and paragraphs 15 to 20 apply, where the applicant is an individual.

15. The applicant is of suitable integrity and good character to look after children [^{F9}under the age of twelve].

Textual Amendments

F9 Words in Sch. 1 para. 15 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(a)**

16. The applicant is not disqualified.

17. The applicant has the qualifications, skills and experience necessary to look after children [^{F10}under the age of twelve].

Textual Amendments

F10 Words in Sch. 1 para. 17 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(a)**

18. The applicant is physically and mentally fit to look after children [^{F11}under the age of twelve].

Textual Amendments

F11 Words in Sch. 1 para. 18 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(a)**

Changes to legislation: There are currently no known outstanding effects for the *The Child Minding and Day Care (Wales) Regulations 2010*. (See end of Document for details)

[^{F12}19. The applicant has provided to the Welsh Ministers an enhanced criminal record certificate.]

Textual Amendments

F12 Sch. 1 para. 19 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(b)**

20. Where appropriate, the applicant has registered with the ISA and the applicant has supplied their ISA registration number to the Welsh Ministers.

Requirements relating to the responsible individual where the applicant is an organisation **E+W**

21. Where the applicant is an organisation and has nominated an individual to be the responsible individual—

- (a) the responsible individual is of suitable integrity and good character to look after children [^{F13}under the age of twelve]; or
- (b) where a person in charge has been appointed, the person in charge is of suitable integrity and good character to be in regular contact with children [^{F14}under the age of twelve].

Textual Amendments

F13 Words in Sch. 1 para. 21(a) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(c)**

F14 Words in Sch. 1 para. 21(b) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(c)**

22. The responsible individual has the qualifications, skills and experience necessary for the role they perform in relation to the looking after of children [^{F15}under the age of twelve].

Textual Amendments

F15 Words in Sch. 1 para. 22 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(c)**

23. The responsible individual is physically and mentally fit to undertake his or her role in relation to the looking after of children [^{F16}under the age of twelve].

Textual Amendments

F16 Words in Sch. 1 para. 23 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(c)**

[^{F17}24. The applicant has provided to the Welsh Ministers an enhanced criminal record certificate in respect of the responsible individual.]

Textual Amendments

F17 Sch. 1 para. 24 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(d)**

25. Where appropriate, the responsible individual has registered with the ISA and the applicant has supplied to the Welsh Ministers that person's ISA registration number.

Requirements relating to the person in charge **E+W**

26. This paragraph and paragraphs 27 to 31 apply where an applicant has appointed or intends to appoint a person to be in full day to day charge of the provision of day care on the premises (“the person in charge”).

27. The person in charge is of suitable integrity and good character to look after children [^{F18}under the age of twelve].

Textual Amendments

F18 Words in Sch. 1 para. 27 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(e)**

28. The person in charge has the qualifications, skills and experience necessary to look after children [^{F19}under the age of twelve].

Textual Amendments

F19 Words in Sch. 1 para. 28 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(e)**

29. The person in charge is physically and mentally fit to look after children [^{F20}under the age of twelve].

Textual Amendments

F20 Words in Sch. 1 para. 29 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(e)**

[^{F21}30. The applicant has provided to the Welsh Ministers an enhanced criminal record certificate in respect of the person in charge.]

Textual Amendments

F21 Sch. 1 para. 30 substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(f)**

31. Where appropriate, the person in charge has registered with the ISA and the applicant has supplied to the Welsh Ministers that person's ISA registration number.

Requirements relating to other persons: staff **E+W**

32. Every person (other than the applicant or a person mentioned in paragraphs 21 or 26) who is looking after or is to look after relevant children is of suitable integrity and good character to look after children [^{F22}under the age of twelve].

Textual Amendments

F22 Words in Sch. 1 para. 32 substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016* (S.I. 2016/87), regs. 1(2), **10(g)**

33. Every person mentioned in paragraph 32 has the qualifications, skills and experience necessary to look after children [^{F23}under the age of twelve].

Textual Amendments

F23 Words in Sch. 1 para. 33 substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016* (S.I. 2016/87), regs. 1(2), **10(g)**

34. Every person mentioned in paragraph 32 is physically and mentally fit to look after children [^{F24}under the age of twelve].

Textual Amendments

F24 Words in Sch. 1 para. 34 substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016* (S.I. 2016/87), regs. 1(2), **10(g)**

35. An enhanced criminal record certificate has been obtained in respect of every person mentioned in paragraph 32.

36. Where appropriate, every person mentioned in paragraph 32 has registered with the ISA and each such person has supplied their ISA registration number to the applicant.

Requirements relating to other persons: all other persons **E+W**

37.—^{F25}(1) Every person (other than the applicant or a person mentioned in paragraph 21, 26 or 32) who has attained the age of 16 and who—

- (a) lives on the relevant premises,
- (b) works on the relevant premises, or
- (c) is otherwise present on the relevant premises and has, or is likely to have, regular contact with relevant children,

is of suitable integrity and good character to have contact with children.]

(2) For the purposes of sub-paragraph (1)(b) person who works on the relevant premises includes a person who works on a voluntary basis.

(3) Where appropriate, an enhanced criminal record certificate has been obtained in respect of every person mentioned sub-paragraph (1).

(4) Where appropriate, each person mentioned in sub-paragraph (1) is registered with the ISA and each such person has provided their ISA registration number to the applicant.

Textual Amendments

- F25** Sch. 1 para. 37(1) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **10(h)**

SCHEDULE 2 **E+W**

Regulations 4, 6, 8, 20 and 28

INFORMATION AND DOCUMENTATION REQUIRED FOR REGISTRATION UNDER PART 2 OF THE MEASURE

Interpretation **E+W**

1. In this Schedule “applicant” means—
 - (a) a person who is applying for registration as a child minder or a provider of day care under Part 2 of the Measure; and
 - (b) where the context requires, a person who is registered under Part 2 of the Measure as a child minder or provider of day care.

PART 1 **E+W**

Information and documentation required for registration: child minder

- 2.—(1) This paragraph applies to an individual who is applying for registration as a child minder.
 - (2) The applicant's full name (and any alias or any former name), date of birth, address and telephone number.
 - (3) Details of the applicant's professional or technical qualifications and experience, so far as such qualifications and experience are relevant to looking after children [^{F26}under the age of twelve].
 - (4) Details of the applicant's employment history, including—
 - (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
 - (b) where any previous employment or position has involved work with children, so far as reasonably practicable verification of the reason why the employment or position ended;
 - (c) the name and address of any present employer and, where relevant, of any previous employers.
 - (5) The name and address of two referees—
 - (a) who are not relatives of the applicant;
 - (b) each of whom is able to provide a reference as to the applicant's competence to look after children [^{F27}under the age of twelve]; and
 - (c) where possible, one of whom is the applicant's most recent employer.
 - (6) Details of any business that the applicant carries on or has carried on.

Textual Amendments

- F26** Words in Sch. 2 para. 2(3) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **11(a)**
- F27** Words in Sch. 2 para. 2(5)(b) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **11(a)**

Information about the care provided **E+W**

3. The name, address, telephone number, facsimile number (if any), electronic mail address (if any) of the premises at which the children are to be looked after (“the premises”), together with a description of the premises and the facilities provided or to be provided for relevant children.
4. The statement of purpose.
5. The proposed hours for which the applicant wishes to register as a child minder.
6. A description of the area in which the premises are located and details as to the access to the premises.
7. A statement as to the security arrangements, including arrangements for the purposes of—
 - (a) safeguarding access to information held at the premises; and
 - (b) restricting access from adjacent premises, or when the premises form part of a building, from other parts of the building.
8. Whether any other business or activity is, or will be, carried on in the premises at the same time as children are looked after there under the proposed registration and, if so, details of such business or activity.
9. The number of children who will be looked after, and their ages.

Information about other persons: staff **E+W**

10. In respect of any person, other than the applicant, who looks after or is to look after a relevant child or children—
 - (a) the person's name (and any alias and former name) and date of birth;
 - (b) the person's duties and responsibilities in relation to that person's work.
11. In respect of any person, other than the applicant, who looks after or is to look after relevant children —
 - (a) whether the person is, or is intended to be, resident in the premises;
 - (b) if the person is a relative of the applicant, his or her relationship to the applicant;
 - (c) whether the person works or is intended to work, on a full-time or on a part-time basis and, if on a part-time basis, the number of hours per week for which it is intended that the person will work;
 - (d) the date on which the person commenced, or is intended to commence, work;
 - (e) information as to that person's qualifications, experience and skills in so far as it is relevant to the work that the person is to perform;
 - (f) a statement by the applicant that he or she is satisfied as to the authenticity of the qualifications, and has verified the experience and skills referred to in sub-paragraph (e);
 - (g) a statement by the applicant as to—

- (i) the suitability as to the person's qualifications for the work that the person is to perform,
 - (ii) whether the person has the skills necessary for such work, and
 - (iii) the person's fitness to work and have regular contact with children [^{F28}under the age of twelve];
- (h) a statement by the person as to the state of his or her physical and mental health;
 - (i) a statement by the applicant that the person is physically and mentally fit for the purposes of the work which that person is to perform;
 - (j) a statement by the applicant as to whether he or she is satisfied as to the person's identity, the means by which the applicant has satisfied himself or herself and whether the applicant has obtained a copy of the person's birth certificate;
 - (k) confirmation by the applicant that he or she has a recent photograph of the person;
 - (l) a statement by the applicant that he or she has obtained—
 - (i) two references relating to the person and that the applicant is satisfied as to the authenticity of those references,
 - (ii) a full employment history, together with a satisfactory written explanation of any gaps in the person's employment, and
 - (iii) where the person's previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended.

Textual Amendments

F28 Words in [Sch. 2 para. 11\(g\)\(iii\)](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), [11\(b\)](#)

Information about other persons: all other persons **E+W**

12.—(1) The full name (and any alias and former name), date of birth and address of every person (other than the applicant and a person mentioned in paragraphs 10 and 11) who has attained the age of 16 and who works on the relevant premises and who has, or is likely to have, regular contact with relevant children.

(2) For the purposes of sub-paragraph (1), a person who works on the relevant premises includes a person who works on a voluntary basis.

13. The full name (and any alias and former name) and date of birth of every person who has attained the age of 16 years and who lives on the relevant premises and has, or is likely to have, regular contact with relevant children.

14. The full name (and any alias and former name) and date of birth and address of every person who has attained the age of 16 and who is otherwise present on the relevant premises and who has, or is likely to have, regular contact with relevant children.

Documents to be supplied **E+W**

15. The applicant's birth certificate.

16. Proof of the applicant's identity, including a recent photograph.

17. Certificates or other suitable evidence relating to the applicant's professional or technical qualifications, so far as such qualifications are relevant to looking after children [^{F29}under the age of twelve].

Textual Amendments

F29 Words in *Sch. 2 para. 17* substituted (1.4.2016) by *The Child Minding and Day Care (Wales) (Amendment) Regulations 2016 (S.I. 2016/87)*, regs. 1(2), **11(c)**

18. A certificate of insurance of the applicant in respect of liability which may be incurred by that person in respect of death, injury, public liability, damage or other loss occurring in relation to the proposed child minding.

19.—(1) A written statement made by the applicant confirming—

- (a) in respect of every person, other than the applicant, who looks after or is intended to look after the children for whom the child minding is provided, that—
 - (i) an enhanced criminal record certificate has been issued; and
 - (ii) where appropriate ^{M2}, registration with the ISA has been completed and that the applicant has that person's ISA registration number; and
- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(2) Subject to paragraph (3), a written statement made by the applicant confirming—

- (a) in respect of every person who is mentioned in paragraphs 12 to 14 that—
 - (i) an enhanced criminal record certificate has been issued; and
 - (ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and
- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(3) Where regulation 20(5) applies and the applicant has no authority to obtain such information or document, a written statement by the applicant that those persons mentioned in paragraphs 12 to 14 will be appropriately supervised at all times when any such person is in contact with a relevant child or children.

Marginal Citations

M2 The requirement for persons undertaking regulated activity in child care settings to register with the ISA under the Vetting and Barring Scheme is being introduced incrementally in accordance with Regulations made under the *Safeguarding Vulnerable Groups Act 2006 (c. 47)*. In this respect the term “where appropriate” is to be interpreted in accordance with a person's requirement to register with the ISA explained in the *Vetting and Barring Scheme Guidance* issued by the Home Office in March 2010 (ISBN - 978 - 1 - 84987 - 2020 7).

20.—(1) Subject to sub-paragraph (2), a report by a registered medical practitioner as to whether the applicant is physically and mentally fit to look after children [^{F30}under the age of twelve].

(2) Where the applicant is unable to obtain the report referred to in sub-paragraph (1), a statement by the applicant as to the state of his or her physical and mental health.

Textual Amendments

F30 Words in Sch. 2 para. 20(1) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **11(c)**

PART 2 **E+W**

Information and documentation required for registration: provider of day care

Interpretation **E+W**

21. In this Part—
“relative” (*perthynas*) in relation to any person means—

- (a) the person's spouse or civil partner;
- (b) any parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece of the person or the person's spouse or civil partner;
- (c) the spouse or civil partner of any relative referred to in sub-paragraph (b),
- (d) and for the purposes of determining any such relationship a person's step-child is to be treated as the person's child, [^{F31}references to a “spouse or civil partner” in relation to any person include a former spouse or civil partner and a person who is living with the person as if they were a married couple or civil partners].

Textual Amendments

F31 Words in Sch. 2 para. 21 substituted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), reg. 1(2), **Sch. 3 para. 92(1)**

Information about the applicant: an individual **E+W**

22.—(1) This paragraph applies where the applicant is an individual.

(2) The applicant's full name (and any alias and former name), date of birth, address and telephone number.

(3) Details of the applicant's professional or technical qualifications and experience, in so far as such qualifications and experience are relevant to the provision of day care for children [^{F32}under the age of twelve].

(4) Details of any business the applicant carries on or has carried on.

(5) Details of the applicant's employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers;
- (d) the name and address of two referees—
 - (i) who are not relatives of the applicant,

- (ii) each of whom is able to provide a reference as to the applicant's competence to look after children [^{F33}under the age of twelve], and
- (iii) where possible, one of whom is the applicant's most recent employer.

Textual Amendments

- F32** Words in Sch. 2 para. 22(3) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(a)**
- F33** Words in Sch. 2 para. 22(5)(d)(ii) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(a)**

Information about the applicant: an organisation **E+W**

- 23.**—(1) This paragraph applies where the applicant is an organisation.
- (2) The name, address and telephone number of the applicant.
- (3) In the case of an applicant organisation which is a company, its registered office or the principal office of the company, its registered number and, in the case of an applicant organisation which is a registered charity, its registered charity number.
- (4) If the organisation is a subsidiary of a holding company, the name and address of the holding company, its registered or principal office and any other subsidiary of that holding company.
- (5) In this Schedule the words “holding company” (“*cwmni daliannol*”) and “subsidiary” (“*is-gwmni*”) are to be interpreted in accordance with section 1159 of the Companies Act 2006 ^{M3}.

Marginal Citations

- M3** 2006 c. 46.

Information about the responsible individual where the applicant is an organisation **E+W**

- 24.**—(1) This paragraph applies where the applicant is an organisation and as such has nominated a responsible individual.
- (2) The full name (and any alias and former name), date of birth, address and telephone number of the responsible individual.
- (3) Details of the professional or technical qualifications of the responsible individual and their experience, so far as such qualifications are relevant to—
- (a) the provision of day care for children [^{F34}under the age of twelve], or
 - (b) where paragraph 25 applies, the supervision of the provision of day care for children [^{F35}under the age of twelve].
- (4) Except where paragraph 25 applies, details of the responsible individual's employment history, including—
- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
 - (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
 - (c) the name and address of any present employer and, where relevant, of any previous employers;

- (d) the name and address of two referees—
- (i) who are not relatives of the responsible individual,
 - (ii) each of whom is able to provide a reference as to the responsible individual's competence to look after children [^{F36}under the age of twelve], and
 - (iii) where possible, one of whom is the responsible individual's most recent employer.

Textual Amendments

- F34** Words in Sch. 2 para. 24(3)(a) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(b)**
- F35** Words in Sch. 2 para. 24(3)(b) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(b)**
- F36** Words in Sch. 2 para. 24(4)(d)(ii) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(b)**

Information about the person in charge **E+W**

25.—(1) This paragraph applies where a person in charge has been appointed.

(2) The full name (and any alias and former name) of the person in charge and, except where that person is also either the applicant or the responsible individual, their date of birth, address and telephone number.

(3) Details of the person's professional or technical qualifications and experience, in so far as such qualifications and experience are relevant to the provision of day care for children [^{F37}under the age of twelve].

(4) Details of the person's employment history, including—

- (a) a full employment history, together with a satisfactory written explanation of any gaps in employment;
- (b) where any previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended;
- (c) the name and address of any present employer and, where relevant, of any previous employers;
- (d) the name and address of two referees—
 - (i) who are not relatives of the person,
 - (ii) each of whom is able to provide a reference as to the person's competence to look after children [^{F38}under the age of twelve], and
 - (iii) where possible, one of whom is the person's most recent employer.

Textual Amendments

- F37** Words in Sch. 2 para. 25(3) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(e)**
- F38** Words in Sch. 2 para. 25(4)(d)(ii) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(e)**

Information about the care provided **E+W**

26. The name, address, telephone number, facsimile number (if any), electronic mail address (if any) of the premises at which the children are to be looked after (“the premises”), together with a description of the facilities provided or to be provided for children to be looked after, including a statement as to whether the premises are purpose-built or have been converted for use as premises at which children are to be looked after.

27. The statement of purpose.

28. The proposed hours for which the applicant wishes to register as a provider of day care for children.

29. A description of the area in which the premises are located and details as to the access to the premises.

30. A statement as to the security arrangements, including arrangements for the purposes of—

- (a) safeguarding access to information held at the premises; and
- (b) restricting access from adjacent premises, or when the premises form part of a building, from other parts of the building.

31. Where any other business or activity is, or will be, carried on in the premises at the same time as children are looked after there under the proposed registration and, if so, details of such business or activity.

32. The number of children for whom care is to be provided, and their ages.

Information about other persons: staff **E+W**

33. In respect of any person, other than the responsible individual or, where relevant, the person in charge, who cares or is to care for the children for whom the day care is or is to be provided—

- (a) the person's name (and any alias and former name) and date of birth;
- (b) the person's duties and responsibilities in relation to that person's work.

34. In respect of any person, other than the responsible individual or, where relevant, the person in charge, who cares or is to care for the children for whom the day care is or is to be provided—

- (a) whether the person is, or is intended to be, resident in the premises;
- (b) if the person is a relative of the applicant, his or her relationship to the applicant;
- (c) whether the person works or is intended to work, on a full-time or on a part-time basis and, if on a part-time basis, the number of hours per week for which it is intended that the person will work;
- (d) the date on which the person commenced, or is intended to commence, work;
- (e) information as to that person's qualifications, experience and skills in so far as it is relevant to the work that the person is to perform;
- (f) a statement by the applicant that he or she is satisfied as to the authenticity of the qualifications, and has verified the experience and skills referred to in sub-paragraph (e);
- (g) a statement by the applicant as to—
 - (i) the suitability as to the person's qualifications for the work that the person is to perform,
 - (ii) whether the person has the skills necessary for such work,
 - (iii) the person's fitness to work and have regular contact with children [^{F39} under the age of twelve];

- (h) a statement by the person as to the state of his or her physical and mental health;
- (i) a statement by the applicant that the person is physically and mentally fit for the purposes of the work which that person is to perform;
- (j) a statement by the applicant as to whether he or she is satisfied as to the person's identity, the means by which the applicant has satisfied himself or herself and whether the applicant has obtained a copy of the person's birth certificate;
- (k) confirmation by the applicant that he or she has a recent photograph of the person;
- (l) a statement by the applicant that he or she has obtained—
 - (i) two references relating to the person and that the applicant is satisfied as to the authenticity of those references,
 - (ii) a full employment history, together with a satisfactory written explanation of any gaps in the person's employment,
 - (iii) where the person's previous employment or position has involved work with children, so far as reasonably practicable, verification of the reason why the employment or position ended.

Textual Amendments

- F39** Words in [Sch. 2 para. 34\(g\)\(iii\)](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(d)**

Information about other persons: all other persons **E+W**

35. The full name (and any alias and former name), date of birth and address of every person (other than the applicant and a person mentioned in paragraphs 24, 25 and 33) who has attained the age of 16 and who works on the relevant premises and who has, or is likely to have regular contact with relevant children.

36. For the purposes of paragraph 35 person who works on the relevant premises includes a person who works on a voluntary basis.

37. The full name (and any alias and former name) and date of birth of every person who has attained the age of 16 years and who lives on the relevant premises and who has, or is likely to have regular contact with relevant children.

Documents to be supplied **E+W**

38. The birth certificate of the applicant and, where appropriate, that of the responsible individual and the person in charge.

39. Proof of the identity of the applicant and, where appropriate, the responsible individual and the person in charge, including a recent photograph.

40. Certificates or other suitable evidence relating to the professional or technical qualifications of the applicant and, where appropriate, the responsible individual and the person in charge, so far as such qualifications are relevant to looking after children [^{F40}under the age of twelve].

Textual Amendments

- F40** Words in [Sch. 2 para. 40](#) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(e)**

41. A certificate of insurance of the applicant in respect of liability which may be incurred by that person in respect of death, injury, public liability, damage or other loss occurring in relation to the proposed provision of day care.

42.—(1) A written statement made by the applicant confirming—

- (a) in respect of every person, other than the applicant, who looks after or is intended to look after the children for whom the day care is provided, that—
 - (i) an enhanced criminal record certificate has been issued; and
 - (ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and
- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(2) Subject to paragraph (3), a written statement made by the applicant confirming—

- (a) in respect of every person who is mentioned in paragraphs 35 to 37 that—
 - (i) an enhanced criminal record certificate has been issued; and
 - (ii) where appropriate, registration with the ISA has been completed and that the applicant has that person's ISA registration number, and
- (b) that the applicant will make the certificates so issued and the registration numbers assigned available for inspection by the Welsh Ministers, if the Welsh Ministers so require.

(3) Where regulation 20(5) applies and the applicant has no authority to obtain such information or document, a written statement by the applicant that those persons mentioned in paragraphs 35 to 37 will be appropriately supervised at all times when any such person is in contact with a relevant child or children.

43. Where the applicant is an organisation, copies of the last two annual reports it was required to produce.

44. Where the organisation is a subsidiary of a holding company, the last two annual reports (if any) of the holding company and of any other subsidiary of that holding company.

45. The last annual accounts of the organisation, if any.

46.—(1) Subject to sub-paragraph (2), a report by a registered medical practitioner as to whether the applicant and, where appropriate, the responsible individual and the person in charge, is physically and mentally fit to look after children [^{F41}under the age of twelve].

(2) Where a person mentioned in sub-paragraph (1) is unable to obtain the report referred to in that sub-paragraph, a statement by that person as to the state of his or her physical and mental health.

Textual Amendments

F41 Words in Sch. 2 para. 46(1) substituted (1.4.2016) by [The Child Minding and Day Care \(Wales\) \(Amendment\) Regulations 2016 \(S.I. 2016/87\)](#), regs. 1(2), **12(e)**

SCHEDULE 3 **E+W**

Regulation 30

RECORDS TO BE MAINTAINED

1. The name, address and telephone number of the registered person, the responsible individual and every other person living, working or employed on the relevant premises.
2. The name, home address and telephone number of any other person who will regularly be in unsupervised contact with the relevant children.
3. The name, home address, date of birth and sex of each relevant child.
4. In respect of each relevant child, the name, address and telephone number of a parent.
5. In respect of each relevant child, the name and address of the registered medical practitioner with whom the child is registered.
6. A daily record of the names of the relevant children, their hours of attendance and the names of the persons who looked after them.
7. A record of accidents, serious illness and other significant events occurring on the relevant premises that affected the welfare of relevant children.
8. A record of any medicinal product administered to a relevant child on the relevant premises, including the date and circumstances of its administration, by whom it was administered, including medicinal products that the child is permitted to administer to himself or herself, together with a record of a parent's consent.
9. Any special dietary or health needs or allergy of any relevant child.
10. A statement of the procedure to be followed in the event of a fire or accident.
11. A statement of the procedure to be followed where a parent has a complaint about the service provided by the registered person.
12. A statement of the arrangements in place for the protection of relevant children, including arrangements to safeguard the children from abuse or neglect and procedures to be followed in the event of allegations of abuse or neglect.
13. A statement of the procedure to be followed in the event of a relevant child being lost or not collected.
14. The name, home address and telephone number of every current member of the committee or governing body, where the applicant is an unincorporated association.

SCHEDULE 4 **E+W**

Regulation 31

EVENTS TO BE NOTIFIED TO THE WELSH MINISTERS

- 1.—(1) In the case of child minding, a change of the following persons—
 - (a) any person looking after children on the relevant premises, or
 - (b) any person living or employed on those premises.
- (2) The information to be provided is the new person's date of birth, full name and former names or aliases and home address.
- 2.—(1) In the case of day care, a change of the following persons—

- (a) any person in charge,
 - (b) anyone looking after children on the relevant premises,
 - (c) anyone living or working on those premises (provided that persons are not to be treated as working on the premises for the purposes of this paragraph if none of their work is done in the part of the premises in which children are looked after or if they do not work on the premises at times when children are looked after there), and
 - (d) where the day care is provided by a committee or corporate or unincorporated body, the Chair, Secretary, Treasurer (or person holding a comparable position in the organisation).
- (2) The information to be provided is the new person's date of birth, full name, any former names or aliases used by them and home address.
- 3.** Any change—
- (a) in the name or home address of the registered person or those persons described in paragraph 1(1) or paragraph 2(1)(a) to (c); or
 - (b) in the name or address of the registered or principal office, where the registered person is an organisation.
- 4.** Any change in the type of care provided by a registered person.
- 5.** In the case of day care, any change in the facilities to be used for day care on the relevant premises, including changes in the number of rooms, their functions, the numbers of lavatories and washbasins, any separate facilities for adult workers and access to the premises for cars.
- 6.** Any change in the hours during which day care or child minding is provided.
- 7.** The outbreak at the relevant premises of any infectious disease, which in the opinion of any registered medical practitioner attending a child or other person at the premises is sufficiently serious to be so notified, or of any serious injury to serious illness of, or the death of, any child or other person on the premises.
- 8.** Any allegations of serious harm to a child committed by any person looking after relevant children at the premises, or by any person living, working or employed on the premises, or any abuse alleged to have taken place on the premises.
- 9.** Any other event which may affect the suitability of the registered person to look after children or the suitability of any person living, working or employed on the premises to be in regular contact with children.
- 10.** Any other significant event which is likely to affect the welfare of any child on the premises.

SCHEDULE 5 **E+W**

Regulation 47

AMENDMENT OF THE 2002 REGULATIONS

- 1.** In regulation 2(1) (interpretation) of the 2002 Regulations—
- (a) omit the definition of “the 1989 Act”;
 - (b) in the definition of “appropriate office of the National Assembly” omit paragraph (d);
 - (c) in the definition of “organisation” omit the words “and” to the end;
 - (d) omit the definition of “the Part XA Regulations”;
 - (e) omit the definition of “person in charge”;
 - (f) in the definition of “registration” omit the words “or Part XA” to the end;

(g) in the definition of “statement of purpose” omit paragraph (d).

SCHEDULE 6 **E+W**

Regulation 48

REVOCATIONS

E+W

Column 1 Instrument revoked	Column 2 Reference	Column 3 Extent of revocation
The Child Minding and Day Care (Wales) Regulations 2002	SI 2002/812 (W.92)	The whole of the Regulations
Registration of Social Care and Independent Health Care (Wales) Regulations 2002	SI 2002/919 (W. 107)	Regulations –16, 17 and 18 and Schedules 7 and 8.
The Children Act 1989 and the Care Standards Act 2000 (Miscellaneous Regulations) (Amendment) (Wales) Regulations 2002	SI 2002/2622 (W.254)	Regulation 6
The Child Minding and Day Care (Amendment)(Wales) Regulations 2003	SI 2003/2708 (W.259)	The whole Regulations
The Suspension of Day Care Providers and Child Minders (Wales) Regulations 2004	SI 2004/3282 (W.285)	The whole Regulations (with savings)
The Care Standards Act 2000 and the Children Act 1989 (Amendment of Miscellaneous Regulations) (Wales) Regulations 2004	SI 2004/2414 (W.222)	Regulation 7
Day Care (Application to Schools) (Wales) Regulations 2005	SI 2005/118 (W. 10)	The whole Regulations
The Care Standards Act 2000 and the Children Act 1989 (Regulatory Reform and Complaints) (Wales) Regulations 2006	SI 2006/3251 (W.295)	Regulation 4
The Suspension of Day Care Providers and Child Minders (Wales) (Amendment) Regulations 2008	SI 2008/2689 (W.238)	The whole Regulations
The Children Act 1989, Care Standards Act 2000 and Adoption and Children	SI 2009/2541 (W.205)	Regulation 2

Changes to legislation: There are currently no known outstanding effects for the The Child Minding and Day Care (Wales) Regulations 2010. (See end of Document for details)

Act 2002 (Miscellaneous
Amendments) (Wales)
Regulations 2009

The Children Act 1989
(Amendment of Miscellaneous
Regulations) (No.2) (Wales)
Regulations 2009

SI 2009/3265 (W.286)

Regulation 2

Changes to legislation:

There are currently no known outstanding effects for the The Child Minding and Day Care (Wales) Regulations 2010.