



OFFICE FOR STANDARDS  
IN EDUCATION

*Early years*

# Day Care

is it for you?

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**So, you want to be a day care provider. This leaflet gives you the information you need before making an application and tells you what to do next.**

## **What is Day Care?**

'Day care is care provided at any time (day or night) for children under eight on premises other than domestic premises for more than a total of two hours a day'. Day care providers need to be put on a register by OFSTED.

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## **Does everyone who looks after children need to be on the register<sup>1</sup>?**

No. Day Care provided at the following establishments does not normally need to be registered with OFSTED if the care provided is an integral part of the establishment's activities:

- a maintained school;
- a school assisted by a local education authority;
- an independent school;
- a City Technology College and a City Academy;
- a residential children's home;
- a care home;
- a hospital (where the children are looked after as patients);
- a residential family centre.

However, you may need to register if day care in connection with any of these establishments is not a part of the establishment's activities.

<sup>1</sup> Part XA and Schedule 9A of the Children Act 1989 (as inserted by the Care Standards Act 2000) obtainable from The Stationery Office contains complete details.

Also, if you provide care for less than six days in any year, you do not need to register. However, you should notify OFSTED in writing before you start providing care.

## How do I find out more?

You should contact your local authority for information and for the dates of any pre-registration briefing sessions. You can get the telephone number from the OFSTED helpline. The local authority will also tell you about information, advice and training available from your local authority and about its Early Years Development and Childcare Partnership.

Your local Children's Information Service (CIS) can give you information about childcare provision in your area<sup>2</sup>.

Some of the questions you should ask yourself before contacting your local authority are:

- Do I enjoy looking after children?
- Are my premises suitable?
- What age of children do I wish to look after?
- Can I offer play activities, meals, snacks and drinks, sleeping and resting facilities; toilet and nappy changing facilities?
- Can I offer children a happy and stimulating environment, with sufficient toys, furniture and equipment to meet their needs?
- Can I provide opportunities for children to develop and learn?

You should also decide what type of day care you want to provide.

## What are the different types of day care?

### ● Full Day Care

Day care for children under eight for a continuous period of four hours or more in any day. Examples are day nurseries, children's centres and some family centres.

### ● Sessional Day Care

Day care for children under eight for sessions that are less than a continuous period of four hours in a day. Examples are playgroups that run mornings only or those that run both mornings and afternoons, but with a break between the sessions when the children do not attend.

<sup>2</sup> You can get details of your local CIS from Childcare Link by calling 08000 960 296, or by looking at [www.childcarelink.gov.uk](http://www.childcarelink.gov.uk)

## ● **Crèches**

Crèches provide occasional care for children under eight for more than five days a year. They need to be registered where they run for more than two hours a day, even when children attend for shorter periods. Crèches might be:

- in permanent premises to care for children while parents are taking part in activities such as shopping or sport; or
- on a temporary basis to care for children while their parents are, for example, attending a conference or an exhibition.

## ● **Out of School Care (including 'Open Access' Schemes)**

Day care for children under eight which operates for one or more of the following: before school; after school; or during school holidays. The total care provided is for more than two hours in any day and for more than five days a year. Examples are summer camps, holiday play schemes, breakfast clubs and after school clubs.

## **What must I do to become a day care provider?**

You need to apply to OFSTED to be registered. If you provide day care without being registered, it could lead to prosecution.

You, as an individual, can be the registered person. Alternatively, a company, society, association or voluntary organisation may apply to register. In these cases, you will be asked to nominate an individual to be the contact person for the registration. The registered person need not have experience or qualifications in caring for children.

You should attend a pre-registration briefing session arranged by your local authority where the registration process will be explained, and your questions answered. At the end of the session, if you decide to apply, you will normally be given an application pack. You will then need to complete all the forms and send them to OFSTED.

Some local authorities may not run pre-registration briefing sessions for day care providers. Where these are not available, application packs are available directly from OFSTED.

Many local authorities, and their Early Years Development and Childcare Partnerships, offer training opportunities, through these, you and your staff improve the quality of your day care.

Before making an application you will need to identify suitable premises. You should make sure that your premises have local authority planning consent for use for day care. Advice about this can be obtained from your local district or borough council. You should tell the building inspector based at your local authority.

Your local authority can also give you advice about meeting local fire safety and environmental health requirements.

## **What happens once I apply?**

Once you have sent in the forms, OFSTED will carry out some checks to establish whether you, and any manager and staff that you wish to employ, are suitable to look after children. These checks include ones about any criminal record. All checks must be completed before you and any staff you employ can begin to look after children.

As well as these checks, an OFSTED Childcare Inspector will visit your premises at least once to make sure they are suitable, safe and ready for children to be looked after. The inspector will also talk to you to determine your suitability, and that of any manager or person in charge, to look after children and about how you will meet the National Standards for the type of day care you want to provide.

## **What are the *National Standards*?**

There are 14 National Standards. Each standard describes a particular aspect of day care, such as safety. You will also get a booklet of guidance, which shows how you can meet the standards. The National Standards and guidance are available from your local authority. You will need to demonstrate to OFSTED how you will meet these standards before you can be registered.

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## **How many children can I look after?**

There is no fixed upper limit, but you will need to employ at least one adult for every eight children you look after<sup>3</sup>. Therefore, the number of children will depend on the number of staff, the size of your premises and the age of the children. Younger children need more adults to look after them.

3. For 'Open Access Schemes' you will normally need to employ at least one adult for every 13 children aged 5–7 you look after.

## How long will it take to get registered?

OFSTED will normally tell you whether you are to be registered within six months of receiving an application to provide full day care and within three months of receiving an application for other types of day care. Before you receive your Registration Certificate, you will need to pay a fee of £121 for day care operating for more than four hours daily and £14 for day care operating for less than four hours daily.

## What if OFSTED refuses to register me?

You have the right to object to this decision. If OFSTED still refuses to register you, you can appeal against the decision to the Care Standards Tribunal<sup>4</sup>.

## What happens once I am registered?

After you are registered, an OFSTED Childcare Inspector will check the quality of your day care every year. During the inspection, you and your premises will be checked to make sure you continue to meet the National Standards and that you continue to be qualified to provide day care. The inspector will write a report on your day care and send you a copy, so that you can make it available to parents.

You will have to pay an annual fee of £94.00 for day care operating for more than four hours a day, and £11.00 for day care operating for less than four hours daily. This is payable on the anniversary of your registration. If you receive funding for providing education for funded three and four year olds, your inspection will periodically include inspection of your educational provision for these children.

## Where can I get further information?

You can obtain more information about the registration and inspection of day care from:

- OFSTED's helpline: 0845 601 4771
- OFSTED's website: [www.OFSTED.gov.uk/about/childcare](http://www.OFSTED.gov.uk/about/childcare)
- Members of the National Consultative Group on Regulation:
  - Pre-School Learning Alliance (PLA): 020 7833 0991
  - National Day Nursery Association (NDNA): 0870 7700 449
  - Safeway Stores Plc (Crèches): 020 8756 2948
  - Kids Clubs Network (KCN): 020 7512 2100
  - Day Care Trust (DCT): 020 7840 3350

Information about childminding is given in the leaflet 'Childminding – is it for you?' available from OFSTED.

<sup>4</sup> The Care Standards Tribunal starts operating in April 2002. In the meantime, appeals will be heard by your local Magistrates Court.

If you want to see the National Standards for Day Care before the pre-registration briefing, or if your local authority does not run such briefings, you can obtain a copy from:

**DfES Publications:** PO Box 5050, Sherwood Park, Annesley, Nottingham NG15 0DJ  
Tel: (0845) 6022260 Fax: (0845) 6033360.  
E-mail: [DfES@prolog.uk.com](mailto:DfES@prolog.uk.com)  
or the DfES website: [www.DfEE.gov.uk/daycare](http://www.DfEE.gov.uk/daycare)

You should ask for:

Publication DfEE 0488/2001 for Full Day Care  
Publication DfEE 0490/2001 for Sessional Day Care  
Publication DfEE 0487/2001 for Crèches  
Publication DfEE 0489/2001 for Out of School Care

This leaflet gives general guidance only. It is not a complete statement of the law.

