

Guidance on inspecting providers registered on both the Childcare and Early Years Registers

The aim of this guidance is to assist inspectors to carry out inspections of providers who are registered on both the Childcare and the Early Years Registers. In these circumstances, during the inspection of the early years provision, inspectors should seek the provider's confirmation that the requirements of the Childcare Register and any conditions relating to registration on that register are met.

This guidance supplements the main inspection guidance for early years provision which are *Using the early years evaluation schedule* and *Conducting the early years inspection*.

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About this guidance

The aim of this guidance is to assist inspectors to carry out inspections of providers who are registered on both the Childcare and the Early Years Registers. In these circumstances, during the inspection of the early years provision, inspectors should seek the provider's confirmation that the requirements of the Childcare Register and any conditions relating to registration on that register are met.

This guidance supplements the main inspection guidance for early years provision which are *Using the early years evaluation schedule* and *Conducting the early years inspection*.¹

Background

The Childcare Act 2006 changes the way we register and inspect childcare. It enables us to maintain two childcare registers.

The Early Years Register is for:

- early years childminders
- childcare providers who care for children from birth to the 31 August following their fifth birthday.

The Childcare Register is for:

- later years childminders and childcare providers who care for:
 - children from the 1 September following their fifth birthdays until they reach their eighth birthdays for whom registration on the Childcare Register is **compulsory**
 - children aged eight to 18 years for whom registration on the Childcare Register is **voluntary**
- people who care for children in the child's home (home childcarers), and for whom registration on the Childcare Register is **voluntary**
- people who are exempt from compulsory registration and who choose to join the **voluntary** part of the register.²

¹ *Using the early years evaluation schedule* (www.ofsted.gov.uk/publications/080124) and *Conducting the early years inspection* (www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-forms-and-guidance-by/Title-A-to-Z/Conducting-the-early-years-inspection).

² For more information on exemptions from compulsory registration on the Early Years and Childcare Registers, please refer to the *Framework for the regulation of those on the Early Years and Childcare Registers* (www.ofsted.gov.uk/publications/080024) and the factsheet *Registration not required* (www.ofsted.gov.uk/publications/080134).

Some providers may be registered on both registers. These are early years childminders and childcare providers who also care for children in the later years age group, that is, children aged from the 1 September following their fifth birthday to eight years; and/or children aged over eight. For example, a childminder who cares for children aged one to nine years at different times during the day must be registered on the Early Years Register and the compulsory part of the Childcare Register; he or she may also choose to join the voluntary part of the Childcare Register.

When a person is registered on more than one register, inspectors should inspect the early years provision and, at the same time, ask the provider, or the person-in-charge, to confirm that the later years provision complies with Childcare Register requirements and any conditions of registration relating to that provision.³

The Childcare Register requirements

The ongoing requirements for compulsory registration on the Childcare Register are set out in the left-hand column of the table in annex A.⁴ The table also highlights:

- differences between the requirements for compulsory and voluntary registration on the Childcare Register
- links to the welfare requirements of the Early Years Foundation Stage (EYFS)
- some differences between the requirements of the Childcare Register and the EYFS.

Confirming compliance with Childcare Register requirements

The compliance confirmation does not involve an inspection of the later years provision or an evaluation of its quality. It should not detract from the early years inspection which must take priority.

You should only pursue evidence of non-compliance with the Childcare Register requirements if one or more of the following occur:

- the provider or person-in-charge indicates that one or more of the requirements are not being met
- evidence emerges during the course of the early years inspection that one or more of the Childcare Register requirements are not being met.

³ Referred to in this guidance as a 'compliance confirmation'.

⁴ These are given in full in the *Childcare (General Childcare Register) Regulations 2008 [2008 No. 975]*; www.opsi.gov.uk/si/si2008/uksi_20080975_en_1.

If you have significant concerns about the later years provision you should consult with your inspection team manager, so that he or she can make any necessary adjustments to your work schedule to allow you time to collect further evidence relating to the registered later years provision. If your inspection team manager suggests it, you should discuss the appropriate course of action with the compliance, investigation and enforcement (CIE) team.

No later years children on roll or present

You should ask the provider or person-in-charge to confirm compliance even if no children to whom the Childcare Register provision applies are on roll or present. This is because we do not intend to return to carry out a stand-alone inspection of that provision – unless we subsequently receive a complaint relating specifically to the registered later years provision.

Before the early years inspection

Checking the Regulatory Support Application (RSA)⁵

Check whether a provider is registered on the compulsory and/or voluntary parts of the Childcare Register and the maximum number of children aged five to eight years that a provider on the compulsory part of the Childcare Register may care for.

Raising a toolkit

You should not raise a separate Childcare Register toolkit if you are confirming a compliance check during an early years inspection. The outcome of the check and supporting evidence can be recorded in the Early Years Register inspection toolkit. Please see annex D for details of the relevant screens.

Contacting providers

Providers receive little or no notice of their early years inspections. You should only telephone early years childminders, and settings that do not meet regularly, before the inspection to check that they are operating on the day you plan to visit.⁶

If you are phoning a childminder, provider or person-in-charge about the early years inspection, you should ask for details of the Childcare Register provision and explain that:

- when you arrive, you will ask him or her to confirm compliance with the requirements of the Childcare Register

⁵ RSA is the IT system used by the Children's Directorate for its work.

⁶ *Conducting the early years inspection* (080164), Ofsted, 2008; www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-forms-and-guidance-by/Title-A-to-Z/Conducting-the-early-years-inspection.

- you will not inspect the later years provision, but you will check any aspect where the provider (or the person-in-charge) indicates, or evidence suggests, that one or more of the Childcare Register requirements are not being met
- if there is non-compliance, you will let the provider (or the person-in-charge) know what action he or she must take – during the feedback meeting at the end of the early years inspection
- there are three possible outcomes of a compliance confirmation and what these mean (see 'the outcome of the compliance confirmation' below)
- the outcome and any actions raised which relate to the Childcare Register provision appear at the end of the early years report.

You should refer the provider to *Are you ready for your inspection* pages 8–10, which explain inspections of Childcare Register provision, and the records and statements that later years providers are required to keep.⁷ Ask the provider to have the required records and statements ready in case you want to see them.

During the early years inspection

Arrival

During your initial discussions you should ask the provider or person-in-charge to confirm that the registered later years provision fully complies with the requirements of the Childcare Register. If you have not contacted the provider beforehand, you might find it helpful to run through the relevant bullet points under 'contacting providers' above before you seek confirmation.

Make a note of any Childcare Register requirements that the provider or person-in-charge says are not being complied, or fully complied, with. You should explain that you will:

- follow this up during the early years inspection
- let the provider or person-in-charge know of any action that is required to put things right when you meet with him or her to feedback your findings on the early years inspection.

You should give the provider a draft of the 'description of the setting/childminding' section of the early years report to check for factual accuracy. This should include a brief mention of the registered later years provision (see 'Writing the early years report' below).

⁷ *Are you ready for your inspection* (080023) Ofsted, 2008; www.ofsted.gov.uk/publications/080023.

Following up non-compliance

You should pursue evidence of non-compliance with those Childcare Register requirements:

- that the provider or person-in-charge has indicated are not being met, or fully met
- where evidence emerges during the course of the early years inspection that one or more of the Childcare Register requirements are not being met, or fully met.

This is likely to be straightforward when the children in the early years and the later years age groups are cared for together by the same people, for example in childminding or childcare on domestic premises settings. In these circumstances evidence of Childcare Register requirements regarding suitability, premises, ratios, qualifications and safeguarding procedures is likely to emerge as you collect evidence for how well are children in the EYFS are safeguarded.

In some settings children in early years and the later years age groups may be cared for separately and by different people, for example, a children's centre where later years children are cared for before and after school by different staff in a separate part of the building. In these circumstances you should check that enhanced Criminal Records Bureau checks have been obtained for those caring for the later years children or who live or work on the premises where the later years provision takes place. However, you are not expected to check compliance with other Childcare Register requirements unless the provider or person-in-charge indicates requirements are not being met, or fully met; and/or evidence suggests that you should. For example, if you notice potential hazards in the adjoining outdoor provision for the later years children, you should check that the children are safe and raise an action to ensure that the outdoor area is made safe.

Looking at the setting as a whole

Although similar to some of the welfare requirements of the EYFS, the Childcare Register requirements do not place such a high test on providers, and are specific to the later years provision.

You need to be aware of the differences between the Childcare Register requirements and the EYFS welfare requirements (see annex A), and to bear in mind the following points.

Ratios

A childminder may care for a maximum of six children under the age of eight, a maximum of three of whom can be in the EYFS.⁸ The Childcare (General Childcare Register) (Amendment) Regulations 2009 revises Schedule 3 paragraph 2(1)(a) of The Childcare (General Childcare Register) Regulations 2008 so that the later years children can be left in the care of a suitable assistant where the childminder is acting in accordance with arrangements made for their absence from the relevant premises. The childminder must have been given prior written approval by the Chief Inspector. This means that both early and later years children can be left in the care of a suitable assistant, for example to collect children after school. This is reflected in the childminder's conditions of registration.

In the case of group care, you should distinguish between the ratios where the early years provision is separate from the later years provision. For example, three members of staff are sufficient for 20 three- and four-year-olds who are cared for alongside four children aged six and seven. But if the later years children are cared for in a separate part of the premises, then four members of staff would be required: three for the children in the early years age group and one for the later years age group.

Documentation and information

Later years providers are required to have the records and statements set out in annex B and in *Are you ready for your inspection* page 10. Childminders on the compulsory part of the Childcare Register must have the required statements for the later years provision in writing – even though they are not required to have written EYFS policies and procedures.

There is no need for a provider to keep separate sets of records for the early years provision and later years provision. However, if records cover the whole setting it should be clear to whom entries apply. For example, where only one accident record is kept, it should be quite clear to which child an entry refers. A complaints record for the whole setting should distinguish between complaints about the early years and later years provision.

Similarly, group care providers do not need to keep separate written statements of safeguarding procedures. One document covering procedures for the whole setting is sufficient – so long as any differences in procedures regarding the early and later years provision are noted.

The required information about the later years provision for parents (see annex A: paragraph 26) can form part of the information about the whole setting.

⁸ See the *Statutory framework for the Early Years Foundation Stage*, page 51; www.standards.dfes.gov.uk/primary/publications/foundation_stage/eyfs/.

It is acceptable that valid public liability insurance covers the whole setting.

Equipment

If there are no later years children on roll it is not necessary for providers to have a full range of equipment at the time of the early years inspection.

Risk assessments

Risk assessments can be made on the premises and equipment as a whole. Where this is the case the provider should be alert to any possible differences in risks to children in the early years and the later years age groups: for example, by allowing children in the early years age group unsupervised access to computers or large climbing apparatus in the garden.

Complying with other legislation

The Childcare Register requirements specifically mention compliance with section 21 of the Disability Discrimination Act 1995 regarding the physical features of the premises.⁹ If you find evidence of non-compliance with this section of the act you should tell your area manager who will decide what action should be taken.¹⁰ You should consider what impact the failure to comply with the Disability Discrimination Act 1995 has on the early years provision, particularly on your judgement for 'how well does the (early years) provision promote inclusive practice?'

Later years provision has no adverse impact on early years provision

The later years provision must not have an adverse effect on the provision for children in the EYFS. For example, the behaviour of children in the later years age group should not disrupt the early years provision or provide poor role models for the social skills and learning habits of children in the EYFS. If it does, you should take this into account when reaching judgements on the quality of early years provision. You should report any impact of the later years provision which is a significant factor in the way the early judgments are graded as they are.

Similarly, the early years provision must not adversely affect that for the children in the later years age group (see annex A, paragraph 18).

The outcome of the compliance confirmation

The possible outcomes of a compliance confirmation are:

⁹ Disability Discrimination Act 1995; www.opsi.gov.uk/acts/acts1995/ukpga_19950050_en_1.

¹⁰ *Conducting the early years inspection* (080164), Ofsted, 2008; www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-forms-and-guidance-by/Title-A-to-Z/Conducting-the-early-years-inspection

- **met**
 - the provider confirms that he or she fully complies with all requirements of the Childcare Register; and you have found no evidence which indicates otherwise
 - the provider confirms that he or she does not fully comply with all requirements of the Childcare Register; but you conclude that provision is compliant
- **not met (actions)**
 - the provider confirms that he or she fully complies with all requirements of the Childcare Register; but you have found evidence of non-compliance which requires action by the provider
 - the provider confirms that he or she does not fully comply with all requirements of the Childcare Register; and you substantiate this with evidence of non-compliance which requires action by the provider
- **not met (enforcement action)**
 - the provider confirms that he or she fully complies with all requirements of the Childcare Register; but you have found evidence of non-compliance which raises significant concerns about the later years provision
 - the provider confirms that he or she does not fully comply with all requirements of the Childcare Register; and you substantiate this with evidence of non-compliance which raises significant concerns about the later years provision.

The table in annex D sets out examples of non-compliance that would lead to one or other of the above 'not met' outcomes.

If you are in doubt about the outcome, consult your inspection team manager before giving feedback. If you have significant concerns about the later years provision and believe the children to be at risk of harm you must consult your CIE team prior to feedback.

Giving feedback

You can find guidance for feeding back your findings of the early years inspection in *Conducting the early years inspection* on page 46.

At the feedback meeting, you should also tell the childminder, provider or person-in-charge the outcome of the compliance confirmation and substantiate that with evidence, where necessary.

Your feedback should be brief, even where the later years provision is non-compliant, and should not detract from your feedback on the quality of the early years provision.

Your feedback on the later years provision should include:

- the outcome of the compliance confirmation

- an explanation of any requirements which are not being met and the evidence for this
- any action you intend to raise
- how and where the compliance confirmation and any actions will appear in the early years report.

Where overall requirements are not being met and enforcement action is needed, you should explain the range of options open to Ofsted. In more serious cases where children are, or may be, at risk of harm, we may suspend the Childcare Register registration to allow us time to investigate the circumstances. Ultimately we may decide to cancel registration if we have reason to believe that the provider has failed to do one of the following:

- comply with the requirements
- comply with a condition we have imposed on their registration
- pay the annual fee.

We may, in rare cases, decide to caution or prosecute any registered person that commits an offence under the relevant parts of the Childcare Act 2006. This includes failure to comply with a condition of registration.

You should inform the provider that we will let them know as soon as possible what enforcement action we will take, if you do not already know.

Writing the early years report

The following option in the early years report template will automatically be displayed as part of the introductory paragraph if the provider is registered on both or either part of the Childcare Register.

‘The setting also makes provision for children older than the early years age group which is registered on the voluntary and/or compulsory part(s) [delete as appropriate] of the Childcare Register. This report does not include an evaluation of that provision, but a judgement about compliance with the requirements.’

In the 'description of the setting/childminding' section you should mention the provision on the Childcare Register, but there is no need to go into detail. For example:

Parkview Holiday and After School Club opened in April 2003 and is one of a chain of clubs managed by Best Childcare Ltd. It operates from two portacabins in the grounds of Parkview Community Centre in Hillside. Children have access to a nearby toilet block and can play in the grounds of the centre under supervision.

The club is open each weekday from 07.45 to 09.00 and from 15.30 to 18.30 during term time; and from 07.45 to 18.30 during school holidays. There are eight places for children in the EYFS. The club also offers 20 places for children aged between six and eleven years before and after school: this provision is registered on the Childcare Register. Children occupying these places share the same facilities as the children in the early years age range.

There are eight permanent staff members, six of whom hold relevant childcare qualifications, and two others are completing training to achieve a level 2 childcare qualification.

The main body of the early years report should **not** include an evaluation of any provision registered on the Childcare Register, but comments on its impact on the provision for children in the EYFS should be included if it is a significant factor in the way the judgments on the early years provision are graded as they are.

You can find the standard conditions and wording actions for the Childcare Register and the Early Years Register in the guidance for the toolkit.

Updating RSA after the inspection

You may need to amend details of the registration relating to the Childcare Register following information you receive during the inspection. You should do this by clicking on the 'update' button at the bottom of the 'detail registration' screen.

Annex A: Links between the requirements of the Children Register and the welfare requirements of the Early Years Foundation Stage

The following table sets out the ongoing requirements for compulsory registration on the Childcare Register (first column) and compares these with the requirements for voluntary registration (second column).¹¹ It also highlights some notable differences with some of the general EYFS welfare requirements (third column).

The Childcare Register		EYFS
Ongoing requirements for compulsory registration	Ongoing requirements for voluntary registration	Links with the following general welfare requirements
Welfare of the children being cared for		Staffing arrangements must be organised to ensure safety and to meet the needs of the children
1. Children being cared for are kept safe from harm. (a) Later years childminding: the childminder is present at all times on the relevant premises, except where the childminder is acting in accordance with arrangements for the child's absence from the relevant premises. The childminder must have prior written approval from HMCI. For every six children for whom the later years	Same as for compulsory registration.	Same as for registration on the EYR.

¹¹ This table does not show the differences in the voluntary registration requirements for home childcarers. This is because they cannot be registered on the Early Years Register, that is, they will not be on two registers.

¹² A person is unsuitable unless the later years provider is satisfied that an enhanced criminal record certificate has been obtained in respect of that person.

<p>childminding is being provided, at least one person who cares for them has attained the age of 18, and at least one person caring for such children has an appropriate first aid qualification.</p> <p>(b) Other later years provision: at least two persons who have attained the age of 18 and who care for the children are present at all times on the premises (while the childcare is taking place) and at least one of these people is either the later years provider, the manager or a person who works for the provider caring for the children for whom the later years provision is provided, and the other person is suitable to care for children.¹²</p> <p>For every eight children for whom the later years provision is being provided, at least one person who has attained the age of 18 cares for such children, and at least one person caring for such children has an appropriate first aid qualification.</p> <p>2. A person who has not attained the age of 18 and who is caring for the children must be supervised at all times by a person who is 18 or over.</p> <p>3. No person smokes tobacco, or consumes or is under the influence of alcohol or drugs (including medication that may have an adverse effect on the person's ability to care for children) on the premises while the later years provision is being provided or in the</p>		<p>Different</p> <p>The EYFS requires people caring for young children to be 17 and over. Individuals aged 17 and over who are on long-term placements may be included in the ratios if the provider is satisfied they are competent and responsible.</p>
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¹³ 'Corporal punishment' means anything done for the purpose of punishing a child (whether or not there are other reasons for doing it) which, absent any justification, would constitute battery.

<p>presence of a child for whom later years provision is being provided.</p> <p>4. The later years provider does not give, and ensures that no person who cares for the children gives, corporal punishment to a child for whom the later years provision is being provided.¹³</p> <p>5. The later years provider ensures, so far as is reasonably practicable, that no person living or working on the relevant premises gives corporal punishment to a child for whom the later years provision is being provided.</p>		
<p>Arrangements for safeguarding the children being cared for</p>		<p>The provider must take necessary steps to safeguard and promote the welfare of children</p>
<p>6. A written statement of procedures to be followed to safeguard children being cared for from abuse or neglect is available and observed.</p> <p>7. No individual who is unsuitable to care for children has unsupervised contact with a child for whom the later years provision is being provided.</p>	<p>Same as for compulsory registration</p>	<p>Different</p> <p>Early years childminders must implement an effective safeguarding policy and procedure, but are not required to have the policy/procedure in writing.</p>
<p>Suitability of persons to care for children</p>		<p>Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so</p>
<p>8. The later years provider and any person caring for the children for whom the later years provision is being provided:</p> <ul style="list-style-type: none"> ■ is suitable to work with children 	<p>Same as for compulsory registration.</p>	<p>Note: the EYFS imposes a higher test of suitability.</p>

<ul style="list-style-type: none"> ■ is of integrity and good character ■ has skills and experience suitable for the work ■ is physically and mentally fit for the work. <p>9. The later years provider has in place an effective system to ensure that every person caring for such children satisfies the requirements in paragraph 8 above.</p> <p>10. The later years provider is satisfied that an enhanced criminal record certificate has been obtained in respect of every person who cares for the children for whom the later years provision is provided.</p>		
Suitability of other persons		Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so
<p>11. Every person who either:</p> <ul style="list-style-type: none"> ■ lives on the relevant premises ■ works (including on a voluntary basis) on the premises at times when the later years provision is provided <p>is suitable to be in regular contact with children.</p>	Same as for compulsory registration	
Qualifications and training		Adults looking after children must have appropriate qualifications, training, skills and knowledge
<p>12. (a) Later years childminding: A childminder successfully completes, within six months of compulsory</p>	Different from compulsory registration	

<p>registration, a course approved by a local authority designed to enable the childminder to meet the requirements of the Childcare Register (unless the childminder has successfully completed such a course prior to registration).</p> <p>(b) Other later years provision: At least half of all persons caring for children for whom the later years provision is being provided have a qualification at a minimum of level 2 in an area of work relevant to such provision, and the manager has a qualification at a minimum of level 3 in an area of work relevant to such provision.^{14, 15}</p> <p>13. Other later years providers on domestic premises: the requirement in 12(b) above does not apply until 1 March 2011, where:</p> <ul style="list-style-type: none"> ■ A provider was, immediately before 1 September 2008, registered for childminding under section 79F(1) of the Children Act 1989 ■ on 1 September 2008 became registered under section 56(2) of the Childcare Act as a later years provider (other than a childminder). 	<p>At least one person who is caring for children on the relevant premises has either:</p> <ul style="list-style-type: none"> ■ a qualification at a minimum of level 2 in an area of work relevant to the childcare ■ successfully completed training in the core skills as set out in the document <i>Common core of skills and knowledge for the children's workforce</i>.¹⁶ 	<p>Different</p> <p>The EYFS stipulates half of all other staff must hold a full and relevant level 2 qualification, that is, other than the supervisor or manager who must hold a full and relevant level 3 qualification.</p>
<p>Suitability of premises and equipment</p>		<p>Outdoor and indoor spaces, furniture, equipment and toys, must be safe and suitable for their purpose</p>

¹⁴ As set out in the National Qualifications Framework and determined by the Qualifications and Curriculum Authority.

¹⁵ As above.

¹⁶ www.everychildmatters.gov.uk/deliveringservices/commoncore/?asset=document&id=15510.

<p>14. The premises and the equipment used for the purposes of the later years provision are suitable for such provision and, in particular:</p> <ul style="list-style-type: none"> ■ the premises are safe for such provision ■ a child is not able to leave the premises without a person who is caring for children on those premises becoming aware of the child leaving ■ no person is able to enter the relevant premises without a person who is caring for children on those premises being aware of the entry of that person. <p>An assessment is undertaken to identify any risks to the health or safety of children for whom the later years provision is provided, arising from the premises (including the means of access to and exit from those premises), the equipment used for the purposes of the later years provision and the activities provided at least once in each calendar year. Assessment is undertaken immediately, when the need arises. All necessary measures are taken to minimise any identified risks.</p>	<p>Same as for compulsory registration.</p>	
<p>Manner in which the later years provision is organised</p>		

<p>15. Arrangements are in place with other later years providers, or with parents of the children for whom the later years provision is provided, for occasions on which the later years provider is not able to provide the later years provision.</p> <p>16. The behaviour of the children for whom the later years provision is provided is managed in a suitable manner.</p> <p>17. If the later years provider cares for children other than those for whom the later years provision is being provided, at times when the later years provision is being provided, any such care does not have an adverse impact on the later years provision.</p> <p>18. (a) No child is refused later years provision or, whilst being cared for, is treated less favourably than another child by reason of:</p> <ul style="list-style-type: none"> ■ the race, home language, family background or gender of the child ■ the religion or belief of the child or the child's parents ■ any disability which the child may have.¹⁷ <p>(b) In relation to a physical feature of the relevant</p>	<p>Same as for compulsory registration.</p> <p>Note: no child is refused later years provision. You should interpret this as meaning that all children who attend are included in activities. It is not necessary to scrutinise the provider's admission policy to ensure access is given to all children. If, however, you do find evidence that a provider is not complying with anti-discrimination legislation, you should tell your</p>	<p>Different</p> <p>A similar requirement to paragraph 15 does not apply to early years providers - there is no requirement for them to make contingency arrangements.</p>
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¹⁷ Within the meaning of section 1(1) of the Disability Discrimination Act 1995 or learning difficulty (within the meaning of section 312(2) of the Education Act 1996).

<p>premises which makes it impossible or unreasonably difficult for disabled children to make use of the later years provision, the later years provider is treated as complying with this paragraph if the duty in section 21 of the Disability Discrimination Act 1995 (duty of providers of services to make adjustments) has been complied with.</p>	<p>area manager.</p>	
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Procedures for dealing with complaints	The provider must take necessary steps to safeguard and promote the welfare of children
<p>19. The later years provider ensures that:</p> <ul style="list-style-type: none"> ■ there is a written statement of procedures to be followed in relation to complaints ■ each complaint is fully investigated ■ a written record is made of any complaint, the outcome of the investigation and any action taken ■ the person who made the complaint is provided, as soon as is reasonably practicable and in any event within 20 days of the date on which the complaint was made, with an account (in writing if requested by that person) of the findings of the investigation into the complaint and any action that has been taken or is to be taken as a result ■ at the request of the Chief Inspector, and within such reasonable period as the Chief Inspector specifies, the Chief Inspector is supplied with a statement containing a 	<p>Same as for compulsory registration.</p>

¹⁸ A 'complaint' here means a complaint by a parent in respect of a child for whom the later years provision is provided which is made in writing to the later years provider, and relates to any of the requirements of compulsory part of the Childcare Register.

<p>summary of any complaints made during the preceding 12 months and any action taken, or a list of all complaints recorded during such period of time as may be specified by the Chief Inspector (provided that such period does not begin more than two years before the request is made)</p> <ul style="list-style-type: none"> ■ the written record is retained for a period of two years from the date on which any complaint was made.¹⁸ 		<p>Different</p> <p>The statutory guidance to which early years providers should have regard specifies that the record of complaint should be kept for at least three years.</p>
<p>Keeping of records (other than records of complaints)</p>		<p>See 'documentation and all other welfare requirements'</p>
<p>20. In relation to each child for whom the later years provision is provided, a record is maintained consisting of:</p> <ul style="list-style-type: none"> ■ the child's name, home address and date of birth ■ the name, home address and telephone number of the child's parents ■ the days on which, and hours during which, the child has attended the relevant premises. <p>21. A record is maintained of accidents occurring on the relevant premises.</p> <p>22. A record is maintained of any medicinal product administered to a child for whom the later years provision is provided, including:</p> <ul style="list-style-type: none"> ■ the date and circumstances of its administration 	<p>Same as for compulsory registration.</p>	<p>Different</p> <p>Although early years providers are required to keep the same records as detailed in paragraph 20 (opposite) the length of time they must be kept is not specified in the EYFS.</p>

<ul style="list-style-type: none"> ■ by whom it was administered ■ a record of consent. <p>23. A record is maintained of the name, home address and telephone number of every person living or working on the relevant premises.</p> <p>24. The records specified above are made as soon as is reasonably practicable after the event to which it relates occurs, or the information to which it relates is available, and is retained for a period of two years from the date on which the record was made.</p>		
<p>Provision of information</p>		<p>The provider must take necessary steps to safeguard and promote the welfare of children</p>
<p>25. The following information is made available to parents of children for whom the later years provision is provided:</p> <ul style="list-style-type: none"> ■ information about the activities the children will undertake ■ copies of the written statements of procedures referred to in paragraphs 6 and 19 above ■ information about the system of registration on the Childcare Register ■ the address of the Chief Inspector ■ in the case of open access childcare the registered person must provide parents with a statement to that effect. 	<p>Same as for compulsory registration.</p>	

<p>26. If any of the events specified in 27 below take place, the later years provider:</p> <ul style="list-style-type: none"> ■ notifies the Chief Inspector as soon as is reasonably practicable ■ provides the Chief Inspector with information relating to the event as soon as is reasonably practicable, and in any event within 14 days of the event occurring. <p>27. The events are:</p> <ul style="list-style-type: none"> ■ the death of, or serious accident or serious injury to, a child which takes place whilst they are receiving later years provision ■ the death of, or serious accident or serious injury to, any other person on the relevant premises ■ the sudden serious illness of any child for whom the later years provision is provided ■ any allegation that serious harm to, or abuse of, a child has taken place on the relevant premises, caused by any person, or other than on the relevant premises, caused by any person who cares for, or is in regular contact with, the children for whom the later years provision is provided ■ any incident of food poisoning affecting two or more children for whom the later years provision is being provided. <p>28. The Chief Inspector is informed of:</p> <ul style="list-style-type: none"> ■ any significant event which is likely to affect 		
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<p>the suitability to care for children of the later years provider or any other person caring for the children for whom the later years provision is provided</p> <ul style="list-style-type: none"> ■ any significant event which is likely to affect the suitability to be in regular contact with children, of any person who has attained the age of 16 and who lives on the relevant premises, or works (including on a voluntary basis) on the relevant premises at times when later years provision is provided ■ any change in circumstances which affects the information held by the Chief Inspector as a result of the requirements specified in the Childcare (General Childcare Register) Regulations 2008 part 2 of schedule 1 (in the case of a later years childminder), or part 2 of schedule 2 (in the case of a later years provider other than a later years childminder). 		
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Other matters		
<p>29. The later years provider is covered by insurance in respect of liability which may be incurred for death, injury, public liability, damage or other loss.</p> <p>30. The certificate of registration given to the later years provider is displayed on the relevant premises.</p> <p>31. If the registration of the later years provider is suspended under regulations made under section 69 of the Childcare Act 2006, any notice of suspension given to the later years provider is displayed on the relevant premises during the period of suspension.</p>	<p>Same as for compulsory registration.</p>	

Annex B: List of records required by the Childcare Register

Providers registered on **either part of the Childcare Register** are required to keep the following records (unless the provider is a home childcarer) in relation to each child who is cared for on the premises:

- their name, home address and date of birth
- the name, home address and telephone number of their parent
- the name, home address and telephone number of every person living or working on the premises on which childcare is provided (or the part of the premises where the childcare is held, in the case of premises such as community/leisure centres, where only parts of the premises are used for childcare)
- a daily record of the hours of attendance
- a record of accidents that occur on the premises
- a record of any medicinal product administered to any child who is cared for on the premises including:
 - the date and circumstances of its administration
 - who it was administered by
 - a record of a parent's consent.

In addition, providers registered on the **compulsory part** of the Childcare Register must ensure that they have the following written statements and make them available to parents:

- a written statement of procedures to be followed to safeguard children being cared for from abuse or neglect – that is observed
- a written statement of procedures to be followed in relation to complaints
- a written record of any complaint, the outcome of the investigation and any action taken.

'Complaint' means a written complaint by a parent in respect of a child who attends the provision and which relates to any of the requirements of the compulsory part of the Childcare Register.

In the case of **open access schemes**, providers must have a statement which makes it clear that the scheme is open access.

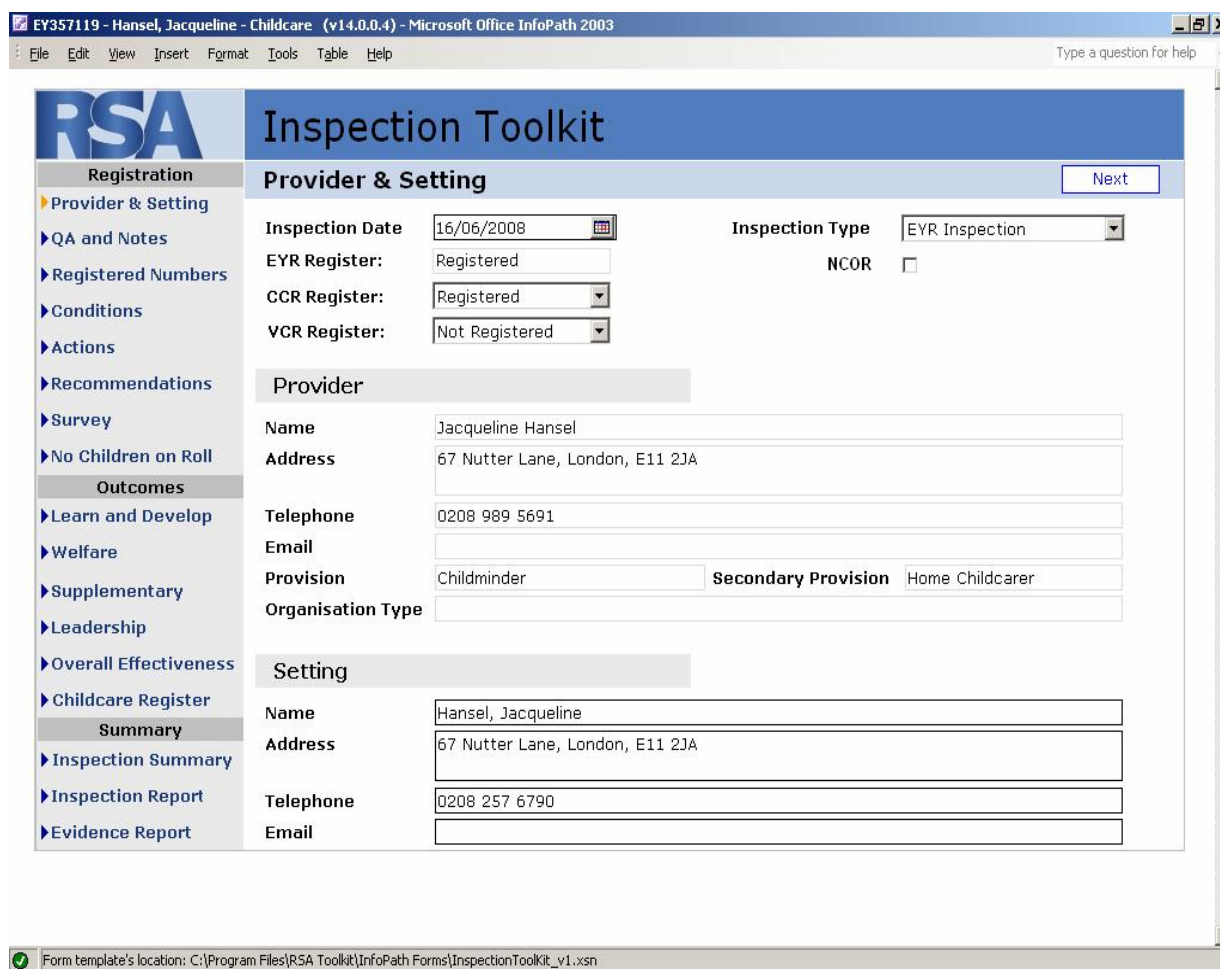
Providers must retain all the above records for a period of two years from the date on which they recorded the information.

Annex C: Distinguishing between minor and significant concerns for the Childcare Register

Outcome	Example of non-compliance	Action	Toolkit sign off
Not met Actions	<p>Not displaying the certificate</p> <p>Members of staff smoking in the outdoor play area but no children are present.</p> <p>Not providing information about the Childcare Register to parents</p> <p>Not holding public liability insurance but evidence that it is being arranged</p> <p>Unchecked member of staff left in charge for 20 minutes while other staff attend to child in the medical room who has fallen down when playing outdoors</p> <p>Risk assessment not updated annually and no major concerns about the premises and/or equipment</p> <p>Children behaving badly and staff unsure how to deal with this</p> <p>Written child protection policy in place but manager and staff show no knowledge or understanding of child protection policy and procedures</p>	<p>Discuss with inspection team manager, prior to feedback (if necessary).</p> <p>Raise action(s) at feedback and in early years report.</p> <p>Provider reaffirms commitment to comply at annual renewal.</p>	<p>Inspection team manager</p>
Not met Enforcement	<p>Staff under the influence of drugs/alcohol whilst providing care</p> <p>Significant concerns about the state of the premises causing a severe risk to children</p> <p>Referral from children's services concerning allegations that the provider is using corporal punishment against children</p> <p>Unchecked member of staff left in charge of children each day for an hour while staff have their lunch</p>	<p>Discuss with CIE team. before giving feedback</p> <p>Advise provider at feedback of enforcement options open to Ofsted.</p> <p>CIE team convene case review – to include area manager – to consider cancellation.</p> <p>CIE team draft and send notice(s) to the provider.</p> <p>If necessary, CIE team disclose information to police and child protection agencies.</p>	<p>Area manager</p>

Annex D: Completing the early years inspection toolkit – Childcare Register elements

Provider and setting screen



Registration

- Provider & Setting
- QA and Notes
- Registered Numbers
- Conditions
- Actions
- Recommendations
- Survey
- No Children on Roll
- Outcomes
- Learn and Develop
- Welfare
- Supplementary
- Leadership
- Overall Effectiveness
- Childcare Register
- Summary
- Inspection Summary
- Inspection Report
- Evidence Report

Provider & Setting Next

Inspection Date: 16/06/2008
Inspection Type: EYR Inspection
EYR Register: Registered NCOR
CCR Register: Registered
VCR Register: Not Registered

Provider

Name: Jacqueline Hansel
Address: 67 Nutter Lane, London, E11 2JA
Telephone: 0208 989 5691
Email:
Provision: Childminder **Secondary Provision:** Home Childcarer
Organisation Type:

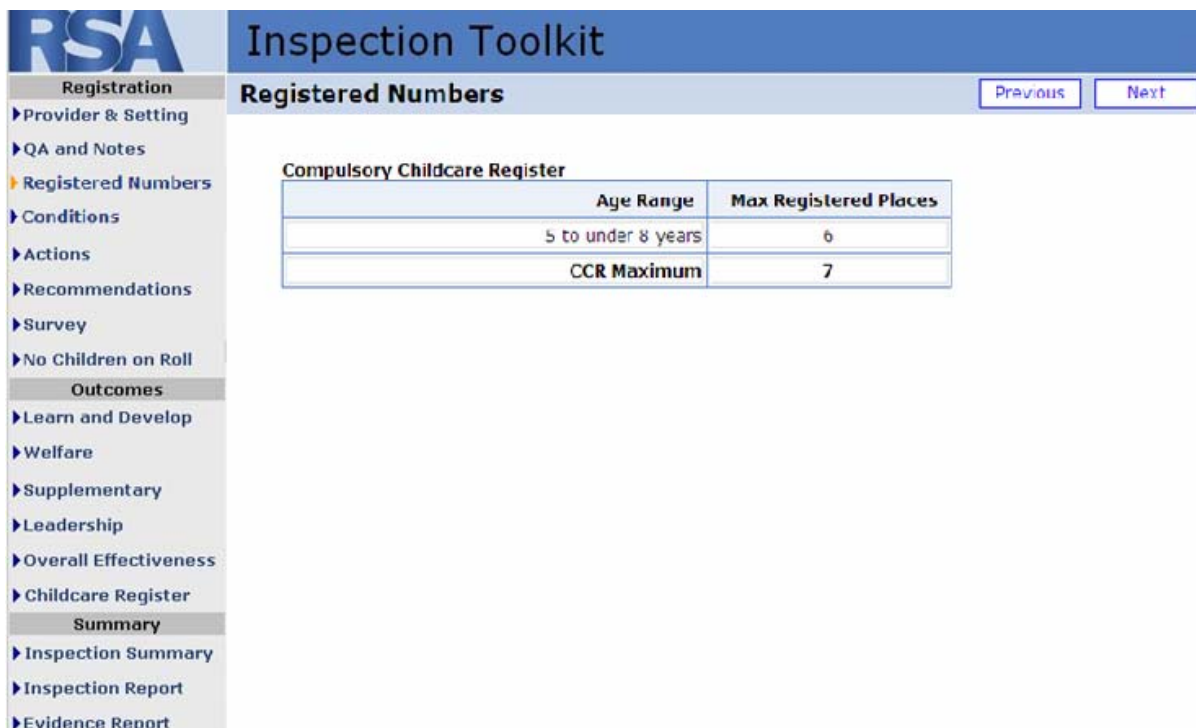
Setting

Name: Hansel, Jacqueline
Address: 67 Nutter Lane, London, E11 2JA
Telephone: 0208 257 6790
Email:

Form template's location: C:\Program Files\RSA Toolkit\InfoPath Forms\InspectionToolkit_v1.xsn

You cannot amend the registration indicators on this screen. If, during an inspection, a provider tells you they wish to opt in or out of the compulsory and/or voluntary Childcare Register, they must apply for a variation to their conditions.

Registered numbers screen



The screenshot shows the 'Registered Numbers' screen in the RSA Inspection Toolkit. The left-hand navigation menu includes sections for Registration, Outcomes, and Summary. The main content area displays a table for the 'Compulsory Childcare Register' with the following data:

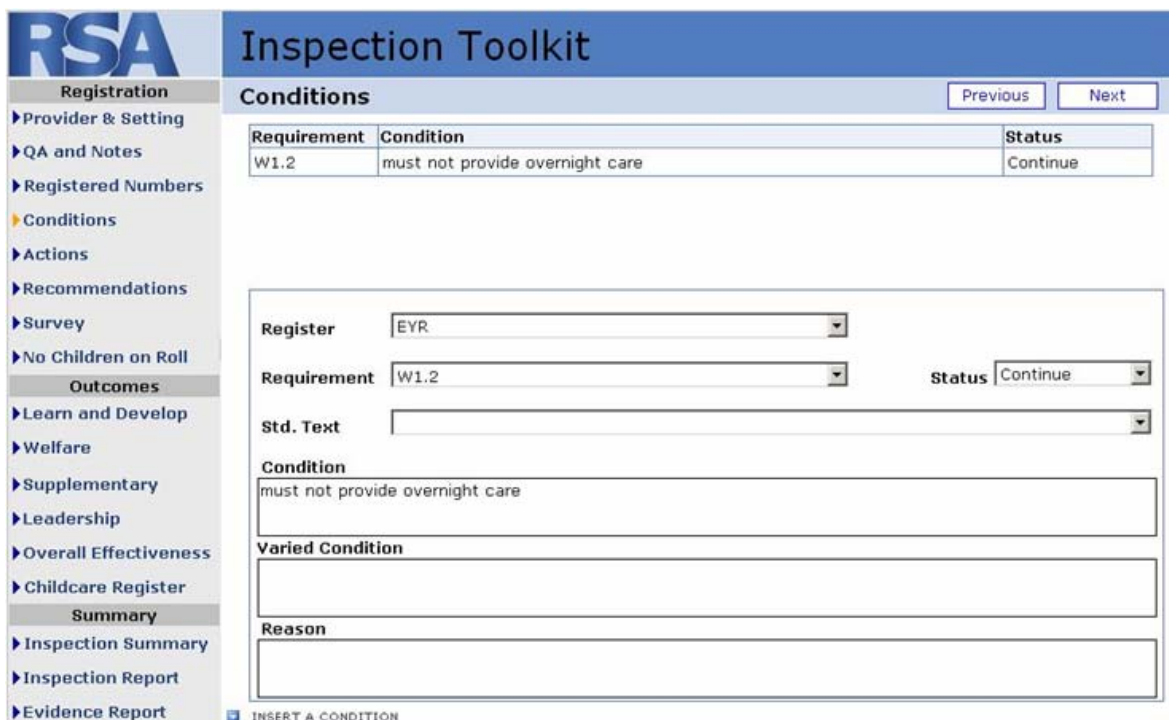
Age Range	Max Registered Places
5 to under 8 years	6
CCR Maximum	7

This screen displays the numbers providers on the Early Years Register (not shown on above example) and the compulsory part of the Childcare Register are registered to care for.

This screen also shows the number of places which providers on the voluntary part of the Childcare Register offer. This is required to inform local authorities.

You should check these numbers after the inspection, to ensure they are correct and match any number specified in conditions of registration.

Conditions and actions screens



RSA Inspection Toolkit

Registration

- ▶ Provider & Setting
- ▶ QA and Notes
- ▶ Registered Numbers
- ▶ Conditions
- ▶ Actions
- ▶ Recommendations
- ▶ Survey
- ▶ No Children on Roll
- Outcomes**
- ▶ Learn and Develop
- ▶ Welfare
- ▶ Supplementary
- ▶ Leadership
- ▶ Overall Effectiveness
- ▶ Childcare Register
- Summary**
- ▶ Inspection Summary
- ▶ Inspection Report
- ▶ Evidence Report

Conditions [Previous] [Next]

Requirement	Condition	Status
W1.2	must not provide overnight care	Continue

Register: EYR

Requirement: W1.2 Status: Continue

Std. Text:

Condition: must not provide overnight care

Varied Condition:

Reason:

INSERT A CONDITION

You must check whether a new certificate has been issued since 1 September 2008. If one has, you should ensure the conditions are correct and update accordingly.

If no certificate has been issued since 1 September 2008, you should select the appropriate register and set new conditions of registration.

Standard condition wording

All standard conditions automatically populate, followed by the names of one, two or all three register names – Early Years Register, compulsory part of the Childcare Register, voluntary part of the Childcare Register.

You should check that the registers are correctly listed for each standard condition and delete the name of any register to which the standard condition does not apply.

Actions screen



- Registration
- ▶ Provider & Setting
- ▶ QA and Notes
- ▶ Registered Numbers
- ▶ Conditions
- ▶ Actions
- ▶ Recommendations
- ▶ Survey
- ▶ No Children on Roll
- Outcomes
- ▶ Learn and Develop
- ▶ Welfare
- ▶ Supplementary
- ▶ Leadership
- ▶ Overall Effectiveness
- ▶ Childcare Register
- Summary
- ▶ Inspection Summary
- ▶ Inspection Report
- ▶ Evidence Report

Inspection Toolkit

Actions
Previous
Next

Requirement	Action	Due Date	Closed
W2.2	complete an appropriate first aid course that includes....	29/07/2008	

Register

Due Date

Requirement

Closed

Std. Text

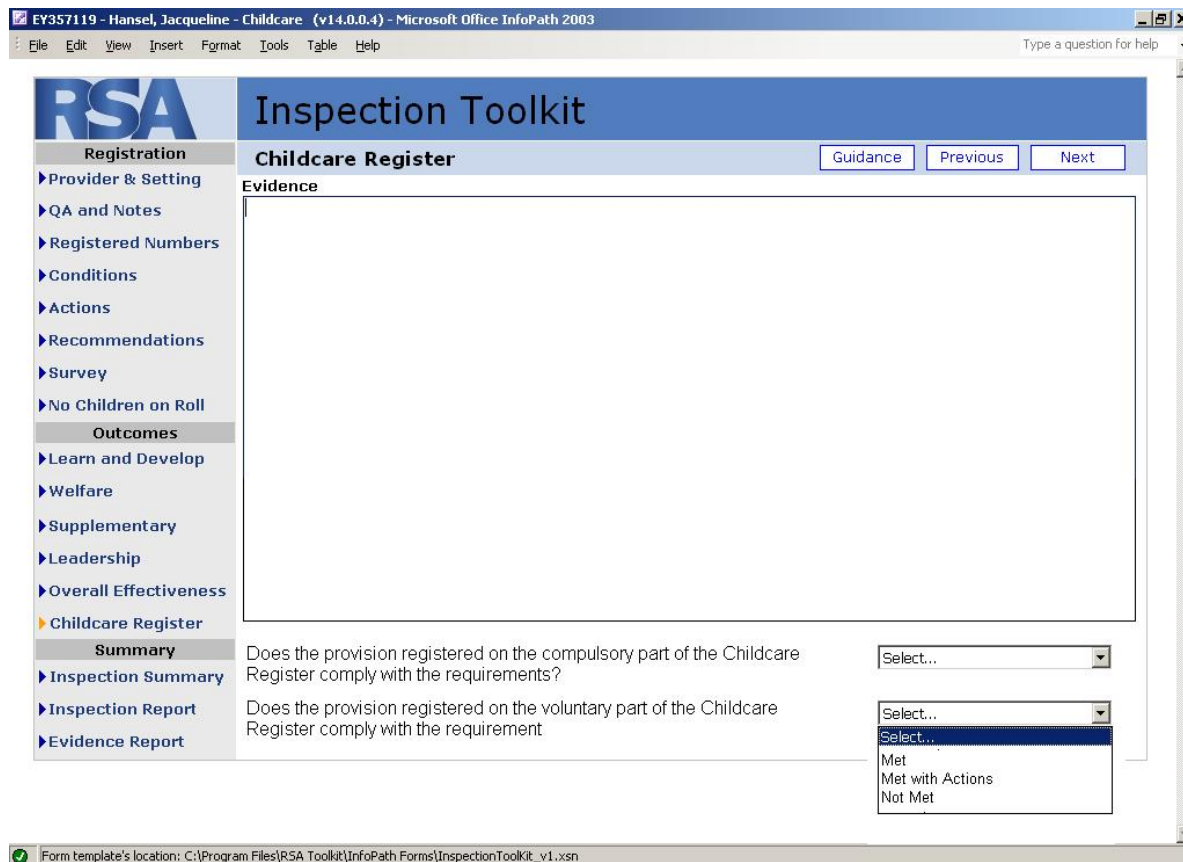
Action

Action Taken

INSERT AN ACTION

You should raise actions against the appropriate EYFS or Childcare Register requirement. You will need to select the register and then select which requirement the action relates to.

Childcare Register evidence screen



This is where you must record your evidence to support the outcome of the compliance confirmation. If the outcome is:

- **met**

please include one of the following statements:

 - the provider confirms that he or she fully complies with all requirements of the Childcare Register; and no evidence has been found to indicate otherwise
 - the provider confirms that he or she does not fully comply with the following requirements of the Childcare Register [list requirements]. The following evidence has been found which indicates provision is compliant: [list evidence]
- **not met (with actions)**

please include one of the following statements:

 - the provider confirms that he or she fully complies with all requirements of the Childcare Register; but the following evidence of non-compliance has been found: [list evidence]
 - the provider confirms that he or she does not fully comply with the following requirements of the Childcare Register [list requirements]. The following evidence of non-compliance has been found: [list evidence]

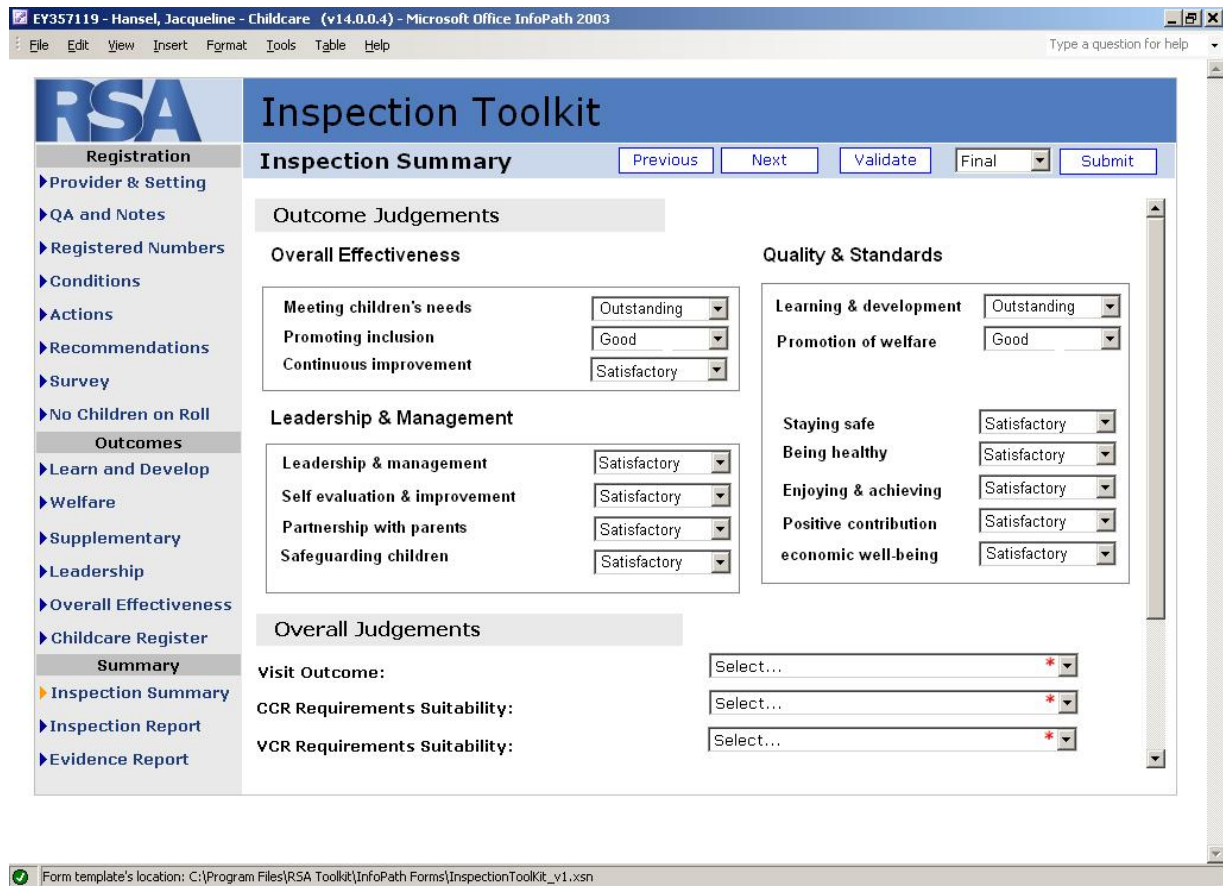
■ **not met (enforcement action)**

please include one of the following statements:

- the provider confirms that he or she fully complies with all requirements of the Childcare Register; but the following evidence of non-compliance has been found: [list evidence]
- the provider confirms that he or she does not fully comply with the following requirements of the Childcare Register [list requirements]. The following evidence of non-compliance has been found: [list evidence].

If there were no later years children on roll or present when you carried out the compliance check, you should make a note of this in this section.

Inspection summary screen



The screenshot shows the 'Inspection Toolkit' interface for 'EY357119 - Hansel, Jacqueline - Childcare (v14.0.0.4)'. The left-hand navigation menu includes sections for Registration, Outcomes, and Summary. The 'Inspection Summary' section is currently selected. The main content area is divided into several sections:

- Outcome Judgements:** Overall Effectiveness (Meeting children's needs: Outstanding, Promoting inclusion: Good, Continuous improvement: Satisfactory).
- Quality & Standards:** Learning & development (Outstanding), Promotion of welfare (Good), Staying safe (Satisfactory), Being healthy (Satisfactory), Enjoying & achieving (Satisfactory), Positive contribution (Satisfactory), economic well-being (Satisfactory).
- Leadership & Management:** Leadership & management (Satisfactory), Self evaluation & improvement (Satisfactory), Partnership with parents (Satisfactory), Safeguarding children (Satisfactory).
- Overall Judgements:** Visit Outcome (Select...), CCR Requirements Suitability (Select...), VCR Requirements Suitability (Select...).

The status bar at the bottom indicates the form template's location: C:\Program Files\RSA Toolkit\InfoPath Forms\InspectionToolkit_v1.xsn.

In the 'overall judgements' section, you need to select the 'suitability' option in the compulsory and/or voluntary Childcare Register fields. The options are 'met'; 'not met (actions)'; and 'not met (enforcement)'.